

AUCKLAND UNITARY PLAN OPERATIVE IN PART

PROPOSED PLAN CHANGE 95 (Private)

**Lot 3 DP 185893 Golding Road
Pukekohe**

SUMMARY OF DECISIONS REQUESTED

Enclosed:

- **Explanation**
- **Summary of Decisions Requested**
- **Submissions**

Explanation

- You may make a “further submission” to support or oppose any submission already received (see summaries that follow).
- You should use Form 6.
- Your further submission must be received by **1 March 2024**
- Send a copy of your further submission to the original submitter as soon as possible after submitting it to the Council.

Summary of Decisions Requested

Plan Change 95 (Private)				
Summary of Decisions Requested				
Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested
1	1.1	The Ngāti Tamaoho Trust	arabela@tamaoho.maori.nz	Approve the plan change with amendments to align with the Plan Change 76 wording as approved by the Environment Court
2	2.1	Ngāti Te Ata Waiohua	karl_flavell@hotmail.com	Approve conditional on it being demonstrated that the Ngāti Te Ata Waiohua Cultural Impact Assessment Report (dated Nov 2023) recommendations are addressed and are fully provided for.
3	3.1	Chenglang Feng	fengchenglang@gmail.com	Bringing up a business zone surely will increase traffic flows to the area which have a increased risk for traffic incidents, and deteriorate the environment quality for people who live around the place by causing more noises and pollution (air, wastes, etc.). Bringing up a business zone also attracts more people which might bring more security concerns to the local community. Not to mention, if later on the zone requires extra expanding or anything alike that will impact directly to other properties, it will also affect lots of valuable local plantation spices and is not consistent with the principle for sustainable development under the Resource Management Act.
4	4.1	Auckland Transport	robbie.lee@at.govt.nz	Support the Neighbourhood Centre zoning subject to changes sought
4	4.2	Auckland Transport	robbie.lee@at.govt.nz	Delete the proposed Golding Road Neighbourhood Centre Precinct and amend the existing Pukekohe East-Central Precinct Provisions to provide for the neighbourhood centre. Ensure that the relevant transport provisions in the existing Pukekohe East Central precinct continue to apply to the site, with modifications where required to address the transport and land use effects of the centre. If this relief is not accepted, amend the provisions to address the submitter's concerns, including incorporation of all relevant Pukekohe East-Central Precinct provisions.
4	4.3	Auckland Transport	robbie.lee@at.govt.nz	Amend the Precinct Plan 1 to Identify the Collector Road / Golding Road intersection as a key intersection and remove indicative vehicle access locations.
4	4.4	Auckland Transport	robbie.lee@at.govt.nz	Amend the plan change by including provisions (objectives, policies and rules) that require future residential developments and alterations to mitigate road traffic noise levels.
4	4.5	Auckland Transport	robbie.lee@at.govt.nz	Amend the plan change so that the objectives, policies and rules more rigorously address transport effects and promote good transport land use integration.
4	4.6	Auckland Transport	robbie.lee@at.govt.nz	Amend the matters of discretion to provide for more comprehensive consideration of transport matters
4	4.7	Auckland Transport	robbie.lee@at.govt.nz	Amend the assessment criteria to provide for more comprehensive consideration of transport matters
4	4.8	Auckland Transport	robbie.lee@at.govt.nz	Amend the plan change so that the location of the village green is not defined within Precinct Plan 1.
4	4.9	Auckland Transport	robbie.lee@at.govt.nz	Amend the objectives, policies, activity table, standards and special information requirements as specified in the submission.
5	5.1	Watercare Services Limited	planchanges@water.co.nz	Ensure that the water supply and wastewater capacity and servicing requirements of the Plan Change will be adequately met, such that the water supply and wastewater related effects are appropriately managed.
5	5.2	Watercare Services Limited	planchanges@water.co.nz	Watercare seeks the inclusion of amendments to the precinct provisions relating to water and wastewater infrastructure in objectives and policies, activity table, standards, matters of discretion and assessment criteria as set out in Attachment 1 to the submission or similar provisions that will achieve the same outcomes.

Submissions

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 95 - Arabela Boatwright
Date: Wednesday, 22 November 2023 2:00:35 pm
Attachments: [\[2023\] NZEnvC 241 Ngati Te Ata v Auckland Council.pdf](#)
[Ngati Te Ata consent order - appendix 1.pdf](#)

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Arabela Boatwright
Organisation name: The Ngāti Tamaoho Trust
Agent's full name:
Email address: arabela@tamaoho.maori.nz
Contact phone number: 0278438881
Postal address:
128 Hingaia Road
Karaka
Auckland 2580

Submission details

This is a submission to:

Plan change number: Plan Change 95
Plan change name: PC 95 (Private): Lot 3 DP 185893 Golding Road Pukekohe

My submission relates to

Rule or rules:
Property address: Lot 3 DP 185893 Golding Road Pukekohe.

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
We have recently been supporting Ngati Te Ata in their environmental court claim against Auckland Council in Plan Change 76 which needs to be reflected in this plan change. The amendments will enable that Ngāti Tamaoho will continue to be involved with the land for generations as we have the cultural whakapapa to the land involved in the current plan change.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

1.1

Details of amendments: They are attached in the following supporting documents the amendments.

Submission date: 22 November 2023

Supporting documents

[2023] NZEnvC 241 Ngati Te Ata v Auckland Council.pdf
Ngati Te Ata consent order - appendix 1.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
No

Declaration

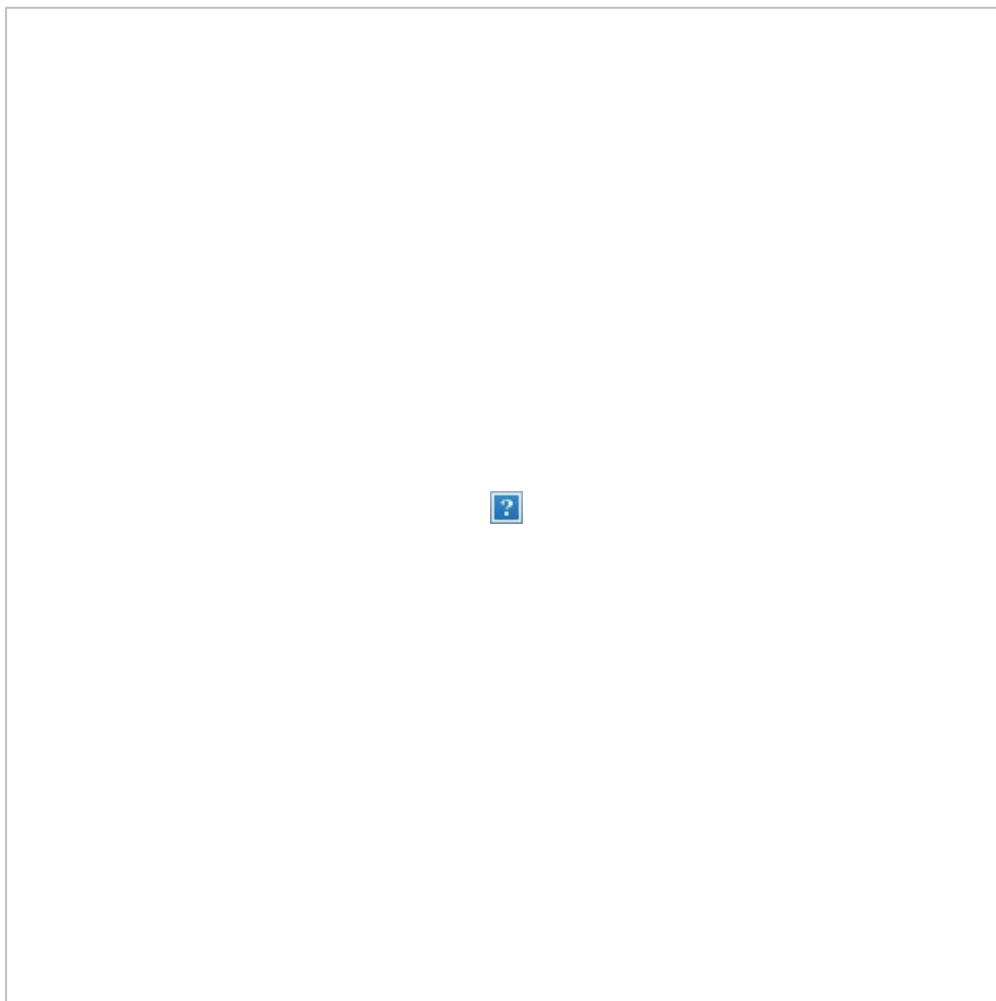
Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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**IN THE ENVIRONMENT COURT
AT AUCKLAND**

**I TE KŌTI TAIAO O AOTEAROA
KI TĀMAKI MAKĀURAU**

Decision [2023] NZEnvC 241

IN THE MATTER OF an appeal under clause 14 of the First
Schedule of the Resource Management
Act 1991

BETWEEN NGĀTI TE ATA
(ENV-2023-AKL-000032)
Appellant

AND AUCKLAND COUNCIL
Respondent

AND GOLDING MEADOWS
DEVELOPMENTS LTD &
AUCKLAND TROTting CLUB INC
Private Plan Change Applicant
AUCKLAND TRANSPORT
NGĀTI TAMAOHO
Section 274 parties

Court: Environment Judge MJL Dickey sitting alone under s 279 of the Act

Date of Order: 8 November 2023

Date of Issue: 8 November 2023

CONSENT DETERMINATION

Ngāti Te Ata v Auckland Council



A: Under section 279(1)(b) of the Resource Management Act 1991 (**RMA**), the Environment Court makes the following orders by consent:

- (1) the appeal is allowed in part, to the extent that the Precinct provisions and Precinct Plan 1 are amended as set out in **Appendix 1** of this order; and
- (2) the appeal is otherwise dismissed.

B: Under section 285 of the RMA, there is no order as to costs.

REASONS

Introduction

[1] This consent order relates to an appeal by Ngāti Te Ata in relation to the Auckland Council's decision to approve Private Plan Change 74: Golding Meadows and Auckland Trotting Club Inc (**PC74**) to rezone approximately 82.66 ha of land in south-eastern Pukekohe from Future Urban Zone and Special Purpose – Major Recreation Facility Zone to a combination of Business – Light Industry Zone, Residential – Mixed Housing Urban Zone and Neighbourhood Centre Zone.

[2] The decision to approve (with modifications) PC74 (**the Decision**) is dated 15 December 2022. It was publicly notified on 26 January 2023.

[3] Ngāti Te Ata appealed the Decision on 10 March 2023 on the following grounds:

- (a) the Decision does not fully address their concerns and recommendations raised in the Cultural Impact Assessment (CIA) provided by Ngāti Te Ata for PC74;
- (b) PC74 did not ensure the adequate provisions of infrastructure in respect of the land being rezoned;
- (c) the Decision did not include adequate reasons regarding the issues and relief sought as raised in the submission by Ngāti Te Ata, and therefore there could be no certainty that the recommendations in the CIA would be achieved through the provisions of PC74;

- (d) the Decision did 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 was not appropriate in terms of section 32 and other provisions of the RMA.

[4] Ngāti Te Ata sought the following relief:

- (a) provisions be included in PC74 to better reflect the relationship of Ngāti Te Ata and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga;
- (b) provisions be included in PC74 to better enable Ngāti Te Ata to exercise kaitiakitanga;
- (c) such provisions would include provision to uphold the mana of the people of Ngāti Te Ata and provide rangatiratanga over ancestral taonga.
- (d) such further or other relief as may be necessary to address the issues raised in the appeal, including any consequential relief as may be appropriate.

[5] Auckland Transport and Ngāti Tamaoho lodged notices of their intention to become parties to this appeal under s 274 of the RMA.

Agreement reached between the parties

[6] The parties to the appeal attended court-assisted mediation on 27 June 2023. Following mediation, the parties agreed that this appeal can be resolved by consent on the basis that several agreed amendments are made to the Pukekohe Golding Precinct provisions and Precinct Plan 1.

[7] The agreed amendments are set out in Appendix 1 and include the following:

- (a) the Description of the Precinct is to be amended in the Precinct provisions to refer specifically to the relationship of Ngāti Te Ata and Ngāti Tamaoho to the Precinct, including its place within the wider cultural landscape of Te Awanui O Taikehu; and the identification of cultural values which need to be recognised and appropriately managed

- through future development, which has the potential to contribute towards a revitalised cultural landscape;
- (b) Objective 7 is to be amended in the Precinct provisions, to include specific reference to the need to protect and enhance the cultural values of streams, wetlands and the significant ecological area within the Precinct;
 - (c) a new objective is to be added to the Precinct provisions to recognise and provide for the cultural, spiritual and historic values held by Ngāti Te Ata and Ngāti Tamaoho, as well as their relationships with the cultural landscape, and to ensure that positive environmental outcomes are achieved for the health and wellbeing of the land, waterways and people (I4XX.13);
 - (d) Policy 9 is to be amended in the Precinct provisions, to include reference to a treatment train approach;
 - (e) three new policies are to be added to the Precinct provisions, under the new heading 'Cultural Values' (I4XX.3(17)-(19)) which promote:
 - (i) consultation with Ngāti Te Ata and Ngāti Tamaoho and the need to recognise and provide for the matters in sub-paragraph (c) above,
 - (ii) establishing a cultural narrative within the Precinct which responds to the values identified above; and
 - (iii) encouraging the provision of access for Ngāti Te Ata and Ngāti Tamaoho to waterways and their margins for cultural practices;
 - (f) two new assessment criteria are to be added to the Precinct provisions, relating to the extent to which impacts of development on Māori cultural values are avoided, remedied or mitigated; and the extent to which adverse effects on archaeological features identified within the Precinct are avoided or mitigated;
 - (g) the Special information requirements for the Riparian Planting Plan are to be amended in the Precinct Provisions, to include a requirement for that Plan to be prepared in consultation with Ngāti Te Ata and Ngāti Tamaoho;

- (h) a new Special information requirement has been added to the Precinct provisions, requiring an archaeological assessment to be prepared in consultation with Ngāti Te Ata and Ngāti Tamaoho, at the time of the first subdivision or earthworks application;
- (i) a new Special information requirement requiring evidence of consultation with Ngāti Te Ata and Ngāti Tamaoho has been added to the Precinct provisions;
- (j) Precinct Plan 1 is to be amended to include indicative ecological/green corridors along the streams.

Analysis of agreement reached under s 32AA of the RMA

[8] Section 32AA of the RMA requires a further evaluation for any changes to a proposal since the evaluation report for the proposal was completed.

[9] The parties prepared a s 32AA evaluation to identify that the parties have considered other reasonably practicable options, the risk of acting or not acting, and assessed costs and benefits. A summary follows.

Effectiveness and efficiency

[10] The changes do not reduce the effectiveness and efficiency of the approved precinct provisions.

[11] The amendments to the objectives are a more appropriate and effective means of ensuring alignment with the National Policy Statement – Freshwater Management and achieving the purpose of the RMA with respect to cultural, spiritual, and historic values, than what was contained in the Decisions' version.

Decision about the most appropriate option

[12] Key objectives of the Decisions' version of the Pukekohe Golding Precinct provisions are directed toward achieving the purpose of the Act including Objective (7) which requires protection and enhancement of the ecological values of streams, wetlands and the significant ecological area. However the Decisions' version of those provisions did not include express and direct acknowledgement of cultural,

spiritual and historic values held by Ngāti Te Ata and Ngāti Tamaoho both in a broad sense and expressly by reference to streams and wetlands.

[13] The amendments to the objectives (through changes to Objective (7) in relation to streams and wetlands, and the introduction of a new Objective (13) in relation to the wider relationship of Ngāti te Ata and Ngāti Tamaoho to the Precinct and the wider cultural landscape) are a more appropriate way to achieve the purpose of the Act by strengthening those objectives with respect to cultural, spiritual and historic values, than what was contained in the Decisions' version.

[14] Consequent on amendments to those objectives, the parties assessed reasonably practicable options in the context of identifying the most appropriate method of achieving those objectives. Those options were either to retain the Decisions' version of the methods sitting below the objectives (policies, assessment criteria and special information requirements) or make appropriate amendments to those methods. The parties agreed that the most appropriate solution, which is both efficient and effective, was to make further amendments to those policies, assessment criteria and special information requirements, to strengthen them. In that regard, the parties agreed the amendments proposed result in provisions which:

- (a) have a clear and direct link to the amended objectives (and amended Precinct description);
- (b) identify the cultural, spiritual and historic values held by Ngāti Te Ata and Ngāti Tamaoho and their relationships with the cultural landscape;
- (c) require consultation with Ngāti Te Ata and Ngāti Tamaoho and recognise and provide for their cultural, spiritual and historical values;
- (d) require resource consent applicants to specifically outline how stormwater will be managed through a treatment train approach at source before it is discharged to streams and wetland areas;
- (e) requires the establishment of a cultural narrative within the Precinct;
- (f) encourages the provision of access for Ngāti Te Ata and Ngāti Tamaoho to the waterways and their margins for the exercise of cultural practices;
- (g) introduce assessment criteria requiring consideration of the extent to which the effects of potential impacts of development on Māori cultural

- values are avoided, remedied or mitigated; and the extent to which effects on archaeological values are avoided or mitigated; and
- (h) introduce special information requirements with respect to consultation, including specifically with reference to riparian planting, and a requirement for an archaeological assessment.

[15] The parties agree these changes provide a clear and consistent framework as to matters which must be appropriately engaged with in the context of cultural, spiritual and historic values held by Ngāti Te Ata and Ngāti Tamaoho. The provisions ensure that effects on those values will be assessed and addressed appropriately and comprehensively through a resource consenting process as development occurs over time.

[16] The parties agree the level of detail of the above assessment corresponds to the scale and significance of the changes.

Costs/Benefits

[17] With respect to the benefits and costs of the effects that are anticipated from the implementation of the provisions, the parties agree that from the perspective of potential effects on cultural values, the revised provisions will improve benefits in terms of the appropriate management of those effects, and reduce costs associated with their management by providing clearer and more robust direction as to how they are to be managed. From the perspective of other potential effects, the parties agree anticipated benefits arising from the revised Precinct provisions will remain unchanged in comparison to the Decisions' version and any costs resulting from the amendments are anticipated to be minimal.

Risk of acting or not acting

[18] The parties agree that this is not a situation where there is uncertain or insufficient information such that the risk of acting or not acting needs to be evaluated.

Consideration

[19] The Court has read and considered the notice of appeal dated 10 March 2023, and the joint memorandum of the parties dated 14 August 2023 and subsequent advice dated 13 October 2023 regarding the inter-relationship between assessment criteria and matters of discretion.

[20] The Court is making this order under s 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to s 297. The Court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order;
- (b) all parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

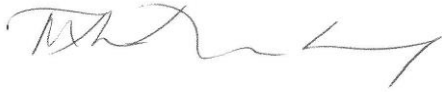
[21] I am satisfied that the agreement reached is one that represents the various interests of the parties. It is clear the parties have considered other reasonably practicable options, the risk of acting or not acting, and assessed costs and benefits. I am of the view that the changes agreed will continue to provide for the effective and efficient administration of the plan provisions. I conclude the parties have taken a considered and balanced approach, and the agreed amendments are the most appropriate way to achieve the purpose of the Act and the objectives in the Plan. Overall, I consider the sustainable management purpose and the other relevant requirements of the Act are broadly met.

Orders

[22] Therefore the Court orders, by consent, that:

- (a) the appeal is allowed in part, to the extent that the provisions within the Precinct and Precinct Plan 1 are amended as set out in **Appendix 1**; and
- (b) the appeal is otherwise dismissed. This order resolves the appeal in its entirety; and

(c) there is no order as to costs.



MJL Dickey
Environment Judge



Appendix 1

1. Amend the Precinct Description for the Pukekohe Golding Precinct as follows:

The Pukekohe Golding Precinct is located between Station Road and Golding Road, in the south-eastern part of the Pukekohe urban area.

The precinct lies within the upper catchment of the Tūtaenui waterway and within the wider cultural landscape of Te Awanui O Taiehu which is significant to Ngāti Te Ata and Ngāti Tamaoho. The area was extensively settled and utilised for centuries as part of the traditional food-bowl because of its fertile volcanic soils and were a taonga held and passed down. The Tūtaenui waterway and its tributaries were fringed with wairepo (wetland areas), which were primarily used for food, medicine, and materials for goods such as clothing, cooking and housing. Wairepo were also used for housing taonga during times of war. Areas that were not in wetland included dry fertile whenua that was used for maara kai (cultivations), pātaka kai (food storage and preparation), umu (ovens) and wāhi nohoanga.

At the time the precinct was introduced most of the land was being utilised for grazing purposes, with a significant feature on Station Road being a major Auckland Trotting Club facility.

The 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.

Cultural values, including the history, spiritual, hydrological, geological, archaeological and ecological features within the precinct need to be recognised and appropriately managed, including through consultation with Ngāti Te Ata and Ngāti Tamaoho. Future development has the potential to improve and enhance the area, and therefore contribute towards a revitalised cultural landscape.

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;
- (e) Requiring all proposed roads to be designed in accordance with Appendix 1, consistent with the functions and elements outlined in the table.

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

- Residential - Mixed Housing Urban
- Business – 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 1434.6.1 and 1434.6.2, becomes operative.)

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

2. Amend Objective (7) in the Pukekohe Golding Precinct as follows:

The ecological and cultural values of streams, wetlands and the significant ecological area are protected and enhanced.

3. Add a new Objective to the Pukekohe Golding Precinct as follows:

The cultural, spiritual and historic values held by Ngāti Te Ata and Ngāti Tamaoho and their relationships with the cultural landscape are recognised and provided for and positive environmental outcomes are achieved for the health and wellbeing of the land, waterways and people.

4. Amend Policy (9) in the Pukekohe Golding Precinct as follows:

Require subdivision and development to plant the riparian margin of streams and wetlands and to provide a treatment train approach through 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.

5. Add a new 'Cultural Values' heading and three new policies to the Pukekohe Golding Precinct as follows:

Cultural Values

Consult with Ngāti Te Ata and Ngāti Tamaoho and recognise and provide for their cultural, spiritual and historical values and relationships associated with the cultural landscape at Pukekohe, which include:

- (a) Important sites, places and areas, waahi tapu and other taonga.
- (b) Opportunities for visual connections to the waterways and wider cultural landscape.
- (c) Freshwater quality of waterways and wetlands.
- (d) Remnant ngāhere and native trees.

Establish a cultural narrative within the Precinct which responds to the values in Policy (17), including through cultural identity markers and artwork, high quality public open spaces, revegetated riparian margins and effective stormwater management.

Encourage the provision of access for Ngāti Te Ata and Ngāti Tamaoho to the waterways and their margins for the purpose of karakia, monitoring, customary purposes and ahi kaa roa.

6. Add two new assessment criteria for 'All activities (excluding development standard infringements)' to the Pukekohe Golding Precinct as follows:

The extent to which impacts of development on Māori cultural values are avoided, remedied or mitigated through:

- (i) The ability to incorporate maatauranga Māori and tikanga Māori through the development process, recognising outcomes articulated by Ngāti Te Ata and Ngāti Tamaoho.

- (ii) The incorporation of design elements, art works, naming and historical information to reflect the values and relationships Ngāti Te Ata and Ngāti Tamaoho have with the Pukekohe area.
- (iii) Native landscaping, vegetation and design, including retention of mature native trees, and replanting.
- (iv) Minimising landform modification where practicable.

The extent to which adverse effects on archaeological features identified in the archaeological assessment are avoided, remedied or mitigated by the proposal.

7. Amend the Special information requirements for 'Riparian Planting Plan' in the Pukekohe Golding Precinct as follows:

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; and
- (e) Be prepared in consultation with Ngāti Te Ata and Ngāti Tamaoho.

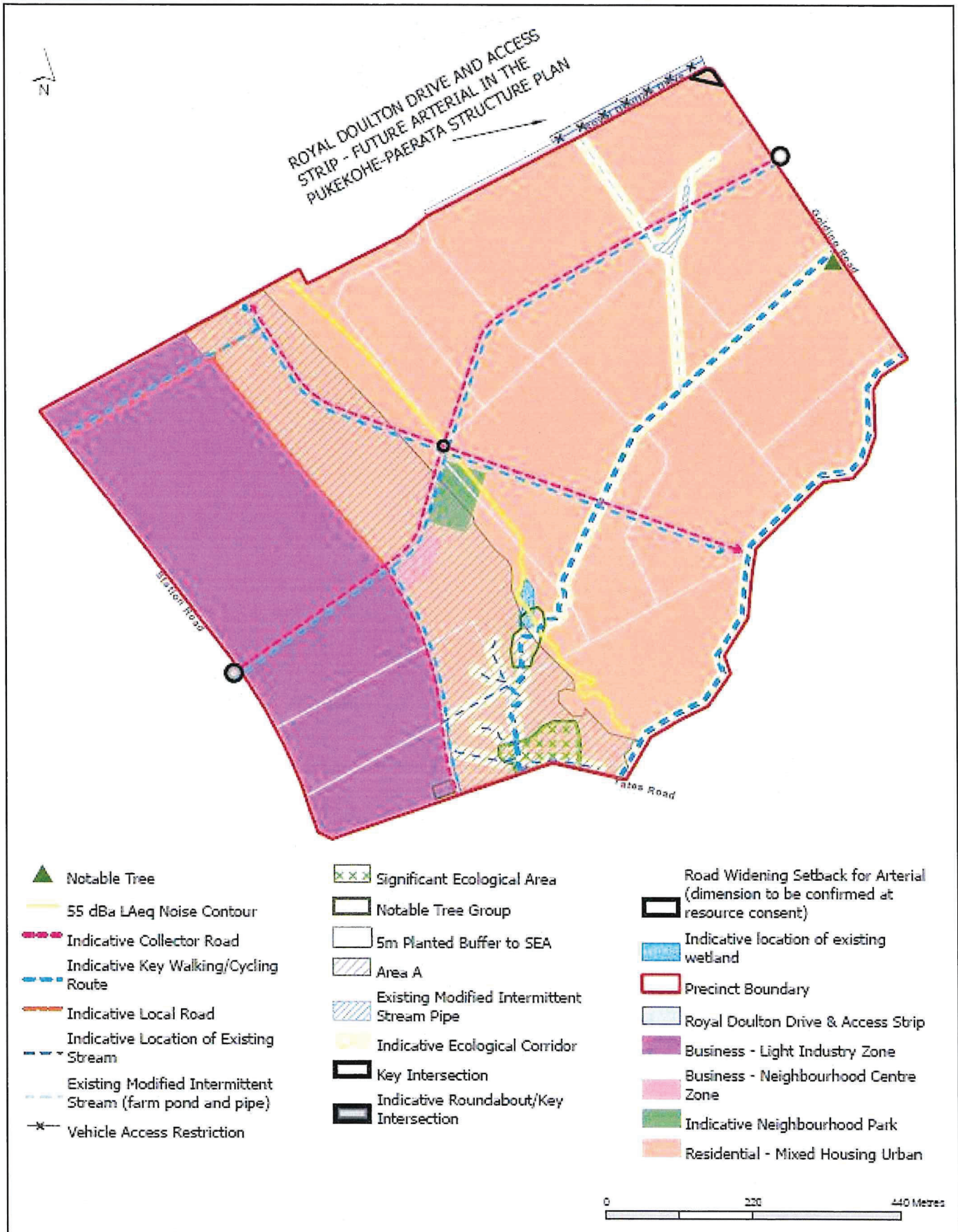
8. Add two new Special information requirements in the Pukekohe Golding Precinct as follows:

Archaeological assessment

At the time of the first subdivision or earthworks application for the site, an archaeological assessment must be prepared in consultation with Ngāti Te Ata and Ngāti Tamaoho to identify the potential for archaeology.

Consultation with mana whenua

Evidence of consultation with Ngāti Te Ata and Ngāti Tamaoho.





NGĀTI TE ATA WAIOHUA

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

AUCKLAND COUNCIL SUBMISSION REGARDING:

PC 95 (Private): Lot 3 DP 185893 Golding Road Pukekohe

This private plan change aims to introduce a new Business-Neighbourhood Centre zoning on land located between 26 Golding Road and 52 Golding Road in Pukekohe East. The plan change aims to:

- rezone approximately 0.85 hectares of land from Residential – Mixed Housing Urban Zone to Business – Neighbourhood Centre Zone;
- Apply a “Golding Road Neighbourhood Centre Precinct” over the land proposed to be rezoned. A precinct plan and precinct provisions are proposed.

Applicant: Aedifice Development No.1 Limited

Name of Submitter: Ngāti Te Ata Waiohū (the Submitter)
c/- Po Box 437
Pukekohe 2120

SUBMISSION

1. Ngāti Te Ata Waiohū have a long traditional and historic relationship to the proposed site and wider environs of Pukekohe.
2. After careful consideration Ngāti Te Ata Waiohū have determined **conditional support** providing that the matters and recommendations in our Ngaati Te Ata Waiohū Cultural Impact Assessment Report (submitted to the developer 16/11/2023) are provided for.
3. The submitter considers that the proposal needs to be consistent 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:*

4. It is imperative for the people of Ngāti Te Ata Waiohū that the mana of the land and waterways subject to PC 95 is upheld, acknowledged and respected and that their people have rangatiratanga (opportunity to participate and be involved in decision making) over their ancestral land and taonga. In addition, Ngāti Te Ata Waiohū have responsibility as kaitiaki to fulfil their obligation and responsibilities to the environment in accordance with customs passed down, and to be accountable to the people (current and future generations) in these roles as custodians.

RELIEF

5. That our Cultural Impact Assessment Report (dated Nov 2023) recommendations are fully provided for and the developer demonstrates how they have addressed these matters.
6. The Submitter wishes to be heard in support of their submission.

2.1

8th December 2023



Karl Flavell

Te Taiao (Manager)
Ngāti Te Ata Waiohū
c/- Po Box 437
Pukekohe 2120

Ph: 027 9328998
karl_flavell@hotmail.com

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 95 - Chenglang Feng
Date: Monday, 11 December 2023 5:46:06 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Chenglang Feng
Organisation name:
Agent's full name: Paul Zeng
Email address: fengchenglang@gmail.com
Contact phone number: 02102911085
Postal address:
104 Golding Road
Pukekohe,
Franklin
Auckland 2677

Submission details

This is a submission to:

Plan change number: Plan Change 95
Plan change name: PC 95 (Private): Lot 3 DP 185893 Golding Road Pukekohe

My submission relates to

Rule or rules:
Property address: 104 Golding Road, Pukekohe, Auckland
Map or maps:
Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
Bringing up a business zone surely will increase traffic flows to the area which have a increased risk for traffic incidents, and deteriorate the environment quality for people who live around the place by causing more noises and pollution (air, wastes, etc.). Bringing up a business zone also attracts more people which might bring more security concerns to the local community. Not to mention, if later on the zone requires extra expanding or anything alike that will impact directly to other properties, it will also affect lots of valuable local plantation spices and is not consistent with the principle for sustainable development under the Resource Management Act.

I or we seek the following decision by council: Decline the plan change

Submission date: 11 December 2023

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
No

Declaration

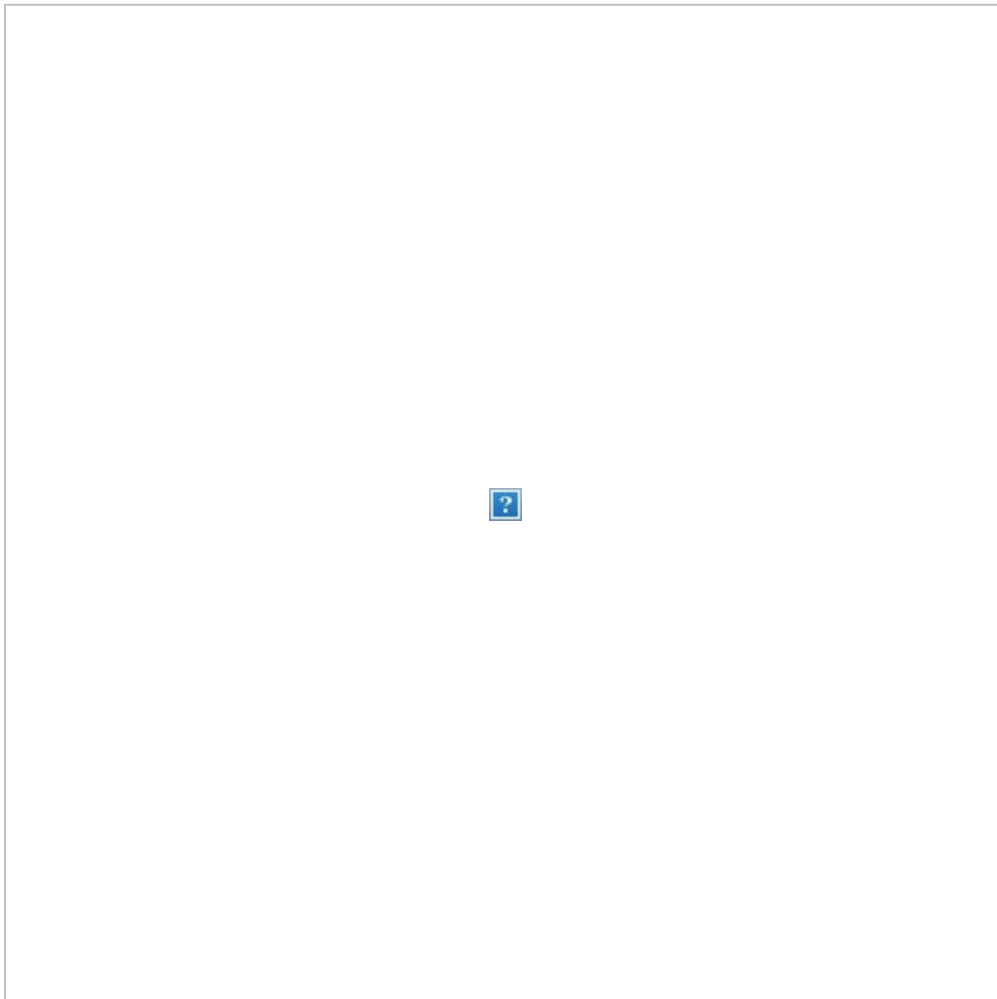
Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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14 December 2023

Plans and Places
Auckland Council
Private Bag 92300
Auckland 1142

Attn: Planning Technician

Email: unitaryplan@aucklandcouncil.govt.nz

Proposed Private Plan Change 95 – Golding Road Neighbourhood Centre

Please find attached Auckland Transport's submission on Proposed Private Plan Change 95 - Golding Road Neighbourhood Centre. The applicant is Aedifice Development No.1 Ltd.

If you have any queries in relation to this submission, please contact me at robbie.lee@at.govt.nz or on 021 204 9623.

Yours sincerely

Robbie Lee

Robbie Lee
Planner, Spatial Planning Policy Advice

cc:
Duncan McIntyre, Civix
by email duncan@civix.co.nz

Submission by Auckland Transport on Private Plan Change 95: Golding Road Neighbourhood Centre

To: Auckland Council
Private Bag 92300
Auckland 1142

Submission on: Proposed Private Plan Change 95 from Aedifice Development No.1 Ltd for land located between 26 and 52 Golding Road in Pukekohe East

From: Auckland Transport
Private Bag 92250
Auckland 1142

1. Introduction

- 1.1 Aedifice Development No.1 Ltd (**the Applicant**) is seeking a private plan change (**PC95 or the plan change**) to the Auckland Unitary Plan - Operative in Part (**AUP(OP)**) to rezone approximately 0.85ha of land (**the site**) in Pukekohe East from Residential – Mixed Housing Urban Zone to Business – Neighbourhood Centre Zone. The plan change also proposes to apply a “Golding Road Neighbourhood Centre Precinct” over the land proposed to be rezoned. The site was previously rezoned for urban residential development and included in a new Pukekohe East-Central Precinct as part of Plan Change 76 (PC76), which is operative.
- 1.2 Auckland Transport is a Council-Controlled Organisation of Auckland Council (**the Council**) and the Road Controlling Authority for the Auckland region. Auckland Transport has the legislated purpose to contribute to an 'effective, efficient and safe Auckland land transport system in the public interest'.¹ In fulfilling this role, Auckland Transport is responsible for the following:
- a. The planning and funding of most public transport, including bus, train and ferry services
 - b. Promoting alternative modes of transport (i.e., alternatives to the private motor vehicle)
 - c. Operating the roading network
 - d. Developing and enhancing the local road, public transport, walking and cycling networks.
- 1.3 Urban development on greenfield land not previously developed for urban purposes generates transport effects and needs transport infrastructure and services to support construction, land use activities and the communities that will live and work in these areas. Auckland Transport's submission seeks to ensure that the transport related matters raised by PC95 are appropriately considered and addressed as the wider surrounding area develops.
- 1.4 As noted above, the land included in PC95 is located within I453 Pukekohe East-Central Precinct, which was progressed via PC76. Auckland Transport was a submitter to PC76 and

¹ Local Government (Auckland Council) Act 2009, section 39.

through that progress reached agreement with the applicant as to appropriate precinct provisions to address transport matters, including its integration with land use.

- 1.5 Auckland Transport is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

2. Strategic context

- 2.1 The key overarching considerations and concerns for Auckland Transport are described below.

Auckland Plan 2050

- 2.2 The Auckland Plan 2050 (**Auckland Plan**) is a 30-year plan outlining the long-term strategy for Auckland's growth and development, including social, economic, environmental and cultural goals². The Auckland Plan provides for between 60 and 70 per cent of total new dwellings to be built within the existing urban footprint. Consequently, between 30 and 40 per cent of new dwellings are anticipated to be in greenfield developments, satellite towns, and rural and coastal towns. Pukekohe is identified in the Auckland Plan as a rural satellite town.
- 2.3 The transport outcomes identified in the Auckland Plan include providing better connections, increasing travel choices and maximising safety. To achieve these outcomes, focus areas outlined in the Auckland Plan include targeting new transport investment to the most significant challenges; making walking, cycling and public transport preferred choices for many more Aucklanders; and better integrating land use and transport. The high-level direction contained in the Auckland Plan informs the strategic transport priorities to support growth and manage the effects associated with this plan change.

3. Specific parts of the plan change that this submission relates to

- 3.1 The specific parts of the plan change that this submission relates to are set out in **Attachment 1**. In keeping with Auckland Transport's purpose, the matters raised relate to transport and transport assets, including integration between transport and land use. Issues raised include:
- Amending the existing Pukekohe East-Central precinct rather than creating a new precinct for the Golding Road Neighbourhood Centre;
 - Assessment and mitigation of adverse transport effects;
 - Ensuring more robust precinct provisions which better address transport and land use integration.
- 3.2 Auckland Transport support the plan change subject to the matters raised in **Attachment 1** being satisfactorily addressed by the Applicant.
- 3.3 Auckland Transport is available and willing to work through the matters raised in this submission with the Applicant.

² The Auckland Plan is a statutory spatial plan required under section 79 of the Local Government (Auckland Council) Act 2009.

4. Decisions sought

4.1 The decisions which Auckland Transport seeks from the Council are set out in **Attachment 1**.

4.2 In all cases where amendments to the plan change are proposed, Auckland Transport would consider alternative wording or amendments which address the reason for Auckland Transport's submission. Auckland Transport also seeks any consequential amendments required to give effect to the decisions requested.

5. Appearance at the hearing

5.1 Auckland Transport wishes to be heard in support of this submission.

5.2 If others make a similar submission, Auckland Transport will consider presenting a joint case with them at the hearing.

Name: Auckland Transport

Signature:



Rory Power
Spatial Planning Manager

Date: 14 December 2023

Contact person: Robbie Lee
Planner - Spatial Planning Policy Advice

Address for service: Auckland Transport
Private Bag 92250
Auckland 1142

Telephone: 021 204 9623

Email: Robbie.lee@at.govt.nz

Attachment 1

Issue / Provision	Support / oppose	Reasons for submission	Decision requested
Zoning	Support	<p>Auckland Transport supports the proposed Neighbourhood Centre Zone, recognising its potential to serve both the Pukekohe East-Central precinct as well as the surrounding Future Urban Zoned land when that is developed.</p> <p>Neighbourhood Centres provide residents and passers-by with frequent retail and commercial service needs. This reduces the need to travel and provides opportunities for walking and cycling from the surrounding area to the centre. This enables communities to meet their essential needs more easily.</p>	Retain Neighbourhood Centre zoning
Golding Road Neighbourhood Centre	Support in part	<p>Auckland Transport supports the provision for a new Neighbourhood Centre to service the forthcoming development of the area and give effect to the Pukekohe-Paerata Structure Plan. However, amendments are needed to the plan change to ensure that:</p> <ul style="list-style-type: none"> - The potential adverse transport effects are adequately mitigated. - Auckland Transport's concerns, as outlined in this submission are resolved. <p>Auckland Transport does not support the creation of a new precinct for the neighbourhood centre. The plan change should instead amend the existing operative Pukekohe East-Central precinct provisions to the extent needed to provide for the neighbourhood centre. There is a risk that some of the existing provisions relevant to the centre will be omitted if a new precinct is created.</p>	<p>Delete the proposed Golding Road Neighbourhood Centre Precinct and amend the existing Pukekohe East-Central Precinct Provisions to provide for the neighbourhood centre. Ensure that the relevant transport provisions in the existing Pukekohe East-Central precinct continue to apply to the site, with modifications where required to address the transport and land use effects of the centre.</p> <p>If this relief is not accepted, and the new precinct is retained, this submission sets out examples of how the proposed Golding Road Neighbourhood Centre precinct provisions would need to be amended to address Auckland Transport's concerns. This includes incorporation of all relevant Pukekohe East-Central Precinct provisions, the more significant of which are outlined within this submission.</p>
144X.10.1. Golding Road Neighbourhood Precinct: Precinct Plan 1	Oppose in part	Auckland Transport opposes vehicle accesses being indicated in the precinct plan as discretion over where vehicle access should be located is required. As Golding Road will be an arterial road in the future, it is important that the intersection with the Collector Road to be defined as a key intersection.	<p>Amend the Precinct Plan 1 to:</p> <ul style="list-style-type: none"> - Identify the Collector Road / Golding Road intersection as a key intersection - Remove indicative vehicle access locations.
Acoustic mitigation from traffic noise	Oppose	The plan change will enable residential development adjacent to Golding Road (future arterial road in the Pukekohe-Perata Structure Plan). Residential activity is sensitive to noise and development should be designed to protect people's health and residential amenity while	Amend the plan change by including Pukekohe East-Central Precinct provisions (objectives, policies and rules) that require future residential developments and alterations to existing

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Issue / Provision	Support / oppose	Reasons for submission	Decision requested
		they are indoors. This is not currently adequately addressed by existing AUP(OP) provisions. Relevant objectives, policies and rules should be provided.	buildings to mitigate potential road traffic noise effects on activities sensitive to noise from the future Golding Road arterial.
Golding Road Neighbourhood Precinct objectives, policies and rules	Oppose	<p>The transport objectives, policies and rules in the Golding Road Neighbourhood Centre Precinct are inadequate compared to the Pukekohe East-Central Provisions.</p> <p>Strong transport provisions are important here as Golding Road will be developed to an arterial road in the future and is likely to carry significant freight movements. Strong provisions will ensure that good transport outcomes are enabled as the area develops.</p>	Amend the plan change so that the neighbourhood centre is subject to objectives, policies and rules which more rigorously address transport effects and promote good transport land use integration.
I4XX.8.1. Matters of discretion	Oppose	There are more comprehensive matters of discretion relating to transport effects in the precinct provisions for Pukekohe East-Central. The same or similar matters of discretion should apply to the neighbourhood centre.	<p>Amend the matters of discretion to provide for more comprehensive consideration of transport matters. Example from Pukekohe East-Central include:</p> <p>453.7.1. Matters of discretion</p> <p>(4) Subdivision:</p> <p>(d) Cumulative impacts on the following, and need for any upgrade to the following or other measures to mitigate adverse effects:</p> <p>(i) the Golding Road / East Street / Pukekohe East Road intersection;</p> <p>(ii) the Station Road / East Street intersection;</p> <p>(iii) the Ngahere Road / East Street intersection;</p> <p>(iv) the Birch Road / Station Road intersection;</p> <p>(v) Golding Road where it adjoins the Precinct; and</p> <p>(vi) Golding Road where it adjoins the Precinct.</p>
I44X.8.2. Assessment criteria	Oppose	There are more comprehensive assessment criteria relating to transport effects in the precinct provisions for Pukekohe East-Central. The same or similar assessment criteria should apply to the neighbourhood centre.	<p>Amend the assessment criteria to provide for more comprehensive consideration of transport matters. Examples from Pukekohe East-Central include:</p> <p>I453.7.2. Assessment criteria</p>

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4.7

Issue / Provision	Support / oppose	Reasons for submission	Decision requested
			<p>(4) Subdivision, the extent to which:</p> <p>(a) The collector road and its 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:</p>
Village green	Oppose in part	While Auckland Transport supports a village green within the precinct, the pre-defined location in Precinct Plan 1 is opposed. The preference is for the proposed neighbourhood park to be aligned primarily along the Collector Road due to potential reverse sensitivity issues at the arterial road intersection where the design is not yet finalised. Site specific considerations can be better addressed through the consent process. This approach ensures flexibility and allows for an adaptable design that can accommodate future changes.	Amend the plan change so that the location of the village green is not defined within Precinct Plan 1.
<p>The following submission points address specific provisions within the proposed Golding Road Neighbourhood Centre Precinct and can be applied to either of the above options i.e. modifying the current I453. Pukekohe East-Central Precinct to provide for a local centre or through the creation of a new precinct</p>			
I4XX.2 Objective 4	Oppose	The outcome sought in Objective 4 is not clear and should be amended to avoid adverse transport effects, not avoid unanticipated transport effects.	<p>Amend objective 4 as follows:</p> <p>Access into and out of the site is controlled to avoid <u>adverse unanticipated</u> transport effects on Golding Road and the proposed Collector Road.</p>
14XX.3 Policy 3	Oppose	The principal vehicle access to the site should be from the Collector Road, with provision for an additional left in, left out access from Golding Road, to ensure that Golding Road can function safely and efficiently as an arterial road. Auckland Transport does not agree that provision of a flush median along the centre's Golding Road frontage would provide for safe and efficient right turning movements to and from the site.	Delete policy 3

4.8

4.9

Issue / Provision	Support / oppose	Reasons for submission	Decision requested
Table I4XX.4.1 Activity table (A1)	Oppose	Auckland Transport request that A1 is amended to clarify how new development will be treated within the precinct. This is to reflect the fact that new buildings are separately listed as RD in the activity table.	Amend Table I4XX.4.1 (A1) as follows: Development (<u>other than new buildings</u>) in general accordance with Precinct Plan 1.
Table I4XX.4.1 Activity table (A2)	Support	Auckland Transport support applying a discretionary status to 'any development not in accordance with the Precinct Plan or not complying with the standards under I4XX.6". Compliance with this is critical to ensuring appropriate provision of transport infrastructure is in place to support the developing area.	Retain A2 in Activity Table 14XX.4.1 i.e., retain discretionary activity status for any development not in accordance with the Precinct Plan or not complying with the standards.
Table I4XX.4.1 Activity table (A6) & (A7)	Support	It is appropriate to retain restricted discretionary status for subdivision and new buildings so that proposals can be assessed against matters of discretion and assessment criteria, including transport matters.	Retain A6 & A7 to i.e., retain restricted discretionary status for new buildings and subdivision.
Table I4XX.4.1 Activity table	Oppose	It is appropriate to give greater scrutiny via the discretionary status for subdivision that does not comply with the Precinct Plan or standards under I4XX.6. This is consistent with the approach taken to development in (A2).	Insert the following discretionary activity for subdivision: X) Subdivision not in accordance with the Precinct Plan or not complying with the standards under I4XX.6.
I4XX.6.3 Transport	Support in part	Auckland Transport support the inclusion of the relevant transport upgrades and triggers from Pukekohe East-Central Precinct. However, the reference to '224c issuance of the NC Zone proposal' for (T1) is unclear. It is assumed that the centre would not be established ahead of the road connection to Birch Road being in place.	Provide clarification so that there is a clear and appropriate trigger relating to development in the centre should this occur before the 200 dwellings.
14XX.6.4 Road Widening Setback along Golding Road	Oppose	The NOR has been lodged by SGA to route protect the Golding Road corridor for a future upgrade. Therefore, this standard is no longer required as the NOR provides sufficient protection.	Amend the plan change by deleting standard 14XX.6.4 and the reference to it within the precinct provisions.
14XX.6.X	Oppose	The Road Function table has been included in Appendix 1 but there is no rule requiring compliance with it.	Amend the plan change to include a standard which requires subdivision and development within the neighbourhood centre to comply with Appendix 1 – 1 Minimum Road Width, Function and Required Design Elements
I44X.9. Special information requirements	Oppose	Include a requirement for a Transport Design Report. This will be to ensure the Collector / Golding Road intersection or any new key road intersections support the safe and efficient function of the existing and future transport network.	Amend the plan change to include a special information requirement for a Transport Design Report and Concept Plan to be provided for any new or upgraded key road intersection (including the Collector / Golding Road intersection). Standard 144X.9.

Issue / Provision	Support / oppose	Reasons for submission	Decision requested
			Special information requirements, in the Pukekohe East-Central Precinct provides an appropriate example of such a requirement.

Auckland Council
Unitary Plan Private Bag 92300
Auckland 1142

Attn.: Planning Technician

unitaryplan@aucklandcouncil.govt.nz

TO: Auckland Council
SUBMISSION ON: Plan Change 95 (Private): Lot 3 DP 185893 Golding Road
Pukekohe
FROM: Watercare Services Limited
ADDRESS FOR SERVICE: planchanges@water.co.nz
DATE: 14 December 2023

Watercare could not gain an advantage in trade competition through this submission.

1. WATERCARE'S PURPOSE AND MISSION

- 1.1. Watercare Services Limited ("Watercare") is New Zealand's largest provider of water and wastewater services. Watercare is a council-controlled organisation under the Local Government Act 2002 and is wholly owned by the Auckland Council ("Council").
- 1.2. As Auckland's water and wastewater services provider, Watercare has a significant role in helping Auckland Council achieve its vision for the Auckland region. Watercare's mission is to provide reliable, safe, and efficient water and wastewater services to Auckland's communities.
- 1.3. Watercare provides integrated water and wastewater services to approximately 1.7 million people in Auckland. Watercare collects, treats, and distributes drinking water from 12 dams, 26 bores and springs, and two river sources. On average, 400 million litres of water is treated each day at 16 water treatment plants and distributed via 89 reservoirs and 94 pump stations to 470,000 households, hospitals, schools, commercial and industrial properties.
- 1.4. Watercare's water distribution network includes more than 9,400 km of pipes. The wastewater network collects, treats, and disposes of wastewater at 18 treatment plants and includes 8,300 km of sewers.

- 1.5. Watercare is required to manage its operations efficiently with a view to keeping overall costs of water supply and wastewater services to its customers (collectively) at minimum levels, consistent with the effective conduct of its undertakings and the maintenance of the long-term integrity of its assets. Watercare must also give effect to relevant aspects of the Council's Long Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan (Operative in Part) and the Auckland Future Urban Land Supply Strategy 2017¹.

2. SUBMISSION

General

- 2.1. This is a submission on a change proposed by Aedifice Development No.1 Limited ("Applicant") to the Auckland Unitary Plan (Operative in Part) that was publicly notified on 16 November 2023 ("Plan Change").
- 2.2. The Applicant proposes to rezone approximately 0.85ha of Mixed Housing Urban Zone to Neighbourhood Centre Zone along Golding Road. The request seeks to introduce a new precinct "Golding Road Neighbourhood Centre Precinct".
- 2.3. Watercare neither supports nor opposes the Plan Change. The purpose of this submission is to ensure that the effects on Watercare's existing and planned water and wastewater network are appropriately considered and managed in accordance with the Resource Management Act 1991.
- 2.4. In making its submission, Watercare has considered the relevant provisions of the Auckland Plan 2050, Te Tahua Pūtea Tau 2021-2031 / The 10-year Budget 2021-2031, the Auckland Future Urban Land Supply Strategy 2017, the Water Supply and Wastewater Network Bylaw 2015, the Water and Wastewater Code of Practice for Land Development and Subdivision and the Watercare Asset Management Plan 2021 – 2041. It has also considered the relevant RMA documents including the Auckland Unitary Plan (Operative in Part) and the National Policy Statement on Urban Development 2020 which (among other matters) requires local authorities to ensure that at any one time there is sufficient housing and business development capacity which:
- a) in the short term, is feasible, zoned and has adequate existing development infrastructure (including water and wastewater);
 - b) in the medium term, is feasible, zoned and either:
 - i. serviced with development infrastructure, or
 - ii. the funding for the development infrastructure required to service that development capacity must be identified in a Long Term Plan required under s93 of the Local Government Act 2002; and
 - c) in the long term, is feasible, identified in relevant plans and strategies by the local authority for future urban use or urban intensification, and the development infrastructure required to service

¹ Local Government (Auckland Council) Act 2009, s58.

it is identified in the relevant authority's infrastructure strategy required under the Local Government Act 2002².

- 2.5. Watercare has also considered the Auckland Future Development Strategy 2023-2053 which was adopted by Auckland Council on 2 November 2023 and will replace the Future Urban Land Supply Strategy once published.

Specific parts of the Plan Change

- 2.6. The specific parts of the Plan Change that this submission relates to are:
- a) the effects of the Plan Change on Watercare's existing and planned water and wastewater network; and
 - b) the proposed Precinct provisions for water supply and wastewater.

Yield

- 2.7. The Plan Change does not quantify how the proposed rezoning from Mixed Housing Urban (MHU) to Neighbourhood Centre (NC) will change the demand on the planned bulk water and wastewater networks that are required to support the Pukekohe East-Central Precinct which was made fully operative on 20 July 2023 via Private Plan Change 76: Kohe (PPC 76).
- 2.8. Without this demand assessment, Watercare is unable to confirm what bulk³ water and/or wastewater upgrades may be required to service the Plan Change.
- 2.9. Watercare recommends that:
- The Applicant calculates the change in demand on the water and wastewater networks as a result of the proposed rezoning.
 - The Applicant engages with Watercare to consider the timing and funding of any upgrades needed for the bulk water and wastewater infrastructure as a result of the proposed rezoning.

Wastewater servicing

Wastewater networks

- 2.10. There is currently no reticulated wastewater network servicing the Plan Change area and there is no capacity in the existing local network within the vicinity of the Plan Change area. A Servicing Strategy has been developed to service the wider Future Urban area. To service the Plan Change area, Watercare are planning to construct a new 800mm diameter gravity bulk wastewater pipeline along Station Road and a new bulk Wastewater Pump Station at Isabella Road. Completion of the 800mm diameter pipeline is currently anticipated in late 2025 and the Pukekohe North (previously Isabella) Pump Station is anticipated to be completed following these works. In the interim, the new 800mm

² National Policy Statement on Urban Development 2020, subpart 1, 3.2 to 3.4.

³ Bulk infrastructure refers large scale infrastructure such as treatment plants, large pump stations and transmission pipes.

diameter pipeline is proposed to connect to the existing Pukekohe (Raceway) Pump Station. Development from the Plan Change area is required to connect to the new 800mm wastewater pipeline once complete.

- 2.11. As part of PPC 76 the Applicants have proposed a local network comprising of a gravity wastewater pipeline and local pump station to be located within the PPC 76 plan change area. A rising main from the local pump station is proposed to convey the wastewater to a gravity feed connection along Birch Road to the new 800mm diameter bulk pipeline along Station Road.
- 2.12. All bulk and local network pipelines collecting and conveying wastewater from the Plan Change area must be sized to meet the proposed development yield. All new pipelines shall consider the upstream and downstream development potential, including the wider Future Urban area, when being designed and constructed.
- 2.13. All wastewater infrastructure, including local reticulation and pump station design, will be required to comply with Watercare's Code of Practice for Land Development and Subdivision. The Applicant will need to work with Watercare in advance of lodging resource consents for subdivision to confirm the requirement and timing for any local and bulk wastewater infrastructure upgrades. Final design of the proposed wastewater network can be confirmed at resource consent stage.

Water supply servicing

Water supply networks

- 2.14. The water supply solution necessary to service the proposed Plan Change area, requires upgrades to the bulk water network and construction of a local network that will service development within the Plan Change area. As part of PPC 76 limited information was provided by the Applicant to confirm the preferred water supply solution. Watercare have provided advice to the Applicant in relation to servicing options and Watercare expect to continue to work with the Applicant prior to resource consent application stage to further refine aspects of staging, capacity, and design of the local network infrastructure.
- 2.15. At this time, there is no capacity in the local water network 150mm watermain located on Ngahere Road to service PPC 76 or the Plan Change area.
- 2.16. Servicing of PPC 76 and the Plan Change area will require construction of an approximately 250PE diameter local network watermain from the East St/Golding Rd junction, along East St, and along Ngahere Rd (alternate could be a road within the subdivision) and an extension of the 250PE watermain along Golding Road. In addition, a new bulk supply point and a booster pump station will be required when the development exceeds 1,000 population (people).
- 2.17. All bulk and local network pipelines providing water to the Plan Change area must be sized to meet the proposed development yield. All new pipelines shall consider the upstream and downstream development potential, including the wider Future Urban area, when being designed and constructed.
- 2.18. All water infrastructure will be required to comply with Watercare's Code of Practice for Land Development and Subdivision. The Applicant will need to work with Watercare in advance of lodging resource consents for subdivision to confirm the requirement for any local and bulk water infrastructure upgrades. Final design of the proposed water supply network can be confirmed at resource consent stage.

Programme risk

- 2.19. Any infrastructure delivery dates provided in this submission are forecast dates only and therefore subject to change. Development and subdivision should not proceed prior to the commissioning of the necessary bulk infrastructure required to service the Plan Change. Where the developer proposes to undertake works ahead of the commissioning of these water and wastewater assets this will be at the developer’s risk and cost.

Funding

- 2.20. Funding of the local water and wastewater infrastructure necessary to service the Plan Change area is at the cost of the Applicant. An Infrastructure Funding Agreement may be required to determine the developer contribution necessary towards any capacity upgrades in the bulk water and wastewater networks that are required to support the change of zoning proposed by the Plan Change.
- 2.21. As per Watercare’s Code of Practice for Land Development and Subdivision, the local networks must be sized to accommodate the future upstream and downstream development potential at the developers cost.

Precinct Provisions

- 2.22. Watercare supports precinct provisions that require subdivision and development to be coordinated with the provision of adequate water supply and wastewater infrastructure.
- 2.23. Watercare supports an activity status of non complying for any subdivision or development that precedes the provision of adequate bulk and local water supply and wastewater infrastructure.
- 2.24. Therefore, Watercare seeks amendments to the precinct provisions as set out in Attachment 1 to this submission.

3. DECISION SOUGHT

- 3.1. Watercare seeks a decision that ensures that the water supply and wastewater capacity and servicing requirements of the Plan Change will be adequately met, such that the water supply and wastewater related effects are appropriately managed. | 5.1
- 3.2. Watercare seeks the inclusion of the proposed amendments to the precinct provisions as set out in Attachment 1 or similar provisions that will achieve the same outcomes. | 5.2

4. HEARING

- 4.1. Watercare wishes to be heard in support of its submission

14th December 2023

Mark Iszard

Mark Iszard
Head of Major Developments
Watercare Services Limited

Address for Service:
Amber Taylor
Development Planning Lead
Watercare Services Limited
Private Bag 92521
Victoria Street West
Auckland 1142
Phone: 022 158 4426
Email: Planchanges@water.co.nz

Attachment 1.

Watercare's proposed changes to the Golding Road Neighbourhood Centre Precinct provisions

Red Text – Watercare amendments

(Additions underlined, deletions ~~struck through~~)

I4XX. Golding Road Neighbourhood Centre Precinct

I4XX.1. Precinct Description

The Golding Road Neighbourhood Centre Precinct is a small 8,500m² neighbourhood centre located to the east of Pukekohe Town Centre.

The underlying zoning of land within this precinct is Business – Neighbourhood Centre Zone. For the most part, the land use activities and associated provisions for this Zone under the AUP will continue to apply to the Precinct, except where these are replaced by the relevant provisions below.

I4XX.2. Objectives [rp/dp]

- (1) Golding Road Neighbourhood Centre Precinct is subdivided and developed in a comprehensive and integrated way that achieves a high-quality environment.
- (2) Encourage the establishment of a small Village Green located on the intersection of Golding Road and the new Collector Road to facilitate a range of future opportunities.
- (3) Development is undertaken to ensure a suitable and functional landscaped edge along the Golding Road frontage, or an active commercial interface where buildings front the proposed Collector Road reserve.
- (4) Access into and out of the site is controlled to avoid unanticipated transport effects on Golding Road and the proposed Collector Road.
- (5) Subdivision and development in the precinct is coordinated with the delivery of adequate water supply and wastewater infrastructure.

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

I4XX.3. Policies [rp/dp]

- (1) Require comprehensive and integrated development of the precinct in accordance with Precinct Plan 1 – Golding Road Neighbourhood Centre Precinct.
- (2) Ensure new development, buildings and significant additions and alterations to buildings are designed to:
 - (a) positively contribute to amenity values and the quality of the built environment where buildings are adjacent the Village Green or the Collector Road;
 - (b) positively contribute to a well-landscaped and visually interesting frontage along Golding Road;
- (3) Limiting access from Golding Road to that shown on the Precinct Plan, unless detailed design upgrades to Golding Road are proposed that incorporate a central flush median.

(4) Minimise the effects of off-site disposal of stormwater through the use of sustainable infrastructure design.

(5) Avoid subdivision and development in the precinct progressing ahead of the provision of bulk and local water supply and wastewater networks with sufficient capacity to service the proposed development.

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

I4XX.4. Activity table

The provisions in the zone, Auckland-wide provisions and any relevant overlays apply in this precinct unless otherwise specified below.

Table I4XX.4.1 Activity table specifies the activity status development activities in the Golding Road Neighbourhood Centre Precinct pursuant to sections 9(2), 9(3) and 11 of the Resource Management Act 1991.

Table I4XX.4.1 Activity table

	Activity	Activity Status
<u>Use/Development</u>		
(A1)	Development in general accordance with I4XX Precinct Plan 1.	P
(A1)	New Buildings	RD
(A2)	Subdivision	RD
(A23)	Any <u>subdivision or</u> development not in accordance with the Precinct Plan or not complying with the standards under I4XX.6	NCD
Infrastructure		
(A4)	Construction of communal stormwater devices or structures in accordance with the Stormwater Management Plan in Appendix 1.	RD
(A5)	Construction of communal stormwater devices or structures not in accordance with the Stormwater Management Plan in Appendix 1.	D
(A6)	Vehicular access onto Golding Road in accordance with the Precinct Plan	RD
<u>Development</u>		
(A6)	New Buildings	RD
<u>Subdivision</u>		
(A7)	Subdivision	RD

I4XX.5. Notification

(1) Any application for resource consent for an activity listed in Table I4XX.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4)

I4XX.6. Standards

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

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

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I4XX.6.6 Water Supply and Wastewater

Purpose: To ensure subdivision and development in the precinct is coordinated with the provision of bulk water supply and wastewater infrastructure.

(1) Adequate bulk water supply and wastewater infrastructure with sufficient capacity to service the proposed development must be operational at the time of subdivision or development.

(2) Applications for resource consent for development or subdivision will be deemed to comply with standard I4XX.6.6(1) if the required bulk water supply and wastewater infrastructure is:

(a) Constructed and operational prior to lodgement of the resource consent application; or

(b) Under construction with relevant consents and/or designations being given effect to prior to lodgement of the resource consent application and the application is expressly made on the basis that the relevant infrastructure upgrades(s) will be completed and operational prior to:

(i) The issue of a section 224(c) RMA certificate in the case of a subdivision consent application;

(3) Any application lodged in terms of I4XX.6.6(2)(a) or (b) above must confirm the applicant's express agreement in terms of section 108AA(1)(a) of the RMA and on an Augier basis to the imposition of consent conditions requiring (as relevant) that:

(a) no section 224(c) certificate shall be issued and no subdivision survey plan shall be deposited until the relevant infrastructure upgrades are constructed and operational.

Any resource consent(s) granted on the above bases must be made subject to consent conditions. Those conditions will continue to apply until appropriate evidence is supplied to council confirming that the relevant bulk water supply and wastewater infrastructure upgrades are operational.

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I4XX.8. Assessment – restricted discretionary activities

I4XX.8.1. Matters of discretion

The Council will restrict its discretion to all the following matters when assessing a restricted discretionary activity resource consent application for activities listed in Table I44X.4.1 Activity table, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

(1) New Buildings

- (a) effects associated with planned-neighbourhood integration;
- (b) effects on the streetscape and planned-neighbourhood character;
- (c) effects of the building design and appearance;

(d) infrastructure and servicing

(2) Transport

- (a) Safe vehicle crossings are provided through suitable design, location and review of entry / exit points.
- (b) Surrounding road upgrades.
- (c) Pedestrian and cycle accessibility, connectivity and integration.

(3) Infrastructure

- (a) effects of stormwater management;

I44X.8.2. Assessment criteria

For development that is a restricted discretionary activity in the Golding Road Neighbourhood Centre Precinct, the following assessment criteria apply:

(1) New Buildings

- ~~(a)~~ Refer to Policy I4XX.3. 3

(b) infrastructure and servicing:

(i) Whether there is adequate capacity in the existing public reticulated water supply and wastewater network to service the proposed development.

(2) Construction of communal stormwater devices or structures in accordance with the Stormwater Management Plan a. whether appropriate ongoing maintenance and management systems have been arranged;

(3) Vehicular access onto Golding Road in accordance with the Precinct Plan a. Refer to Policy I4XX.3.2

I44X.9. Special information requirements

(1) Applications for subdivision or development must be accompanied by an Infrastructure Capacity Assessment demonstrating that sufficient water, stormwater and wastewater infrastructure is available to service the proposed development.

(2) A Landscaping Plan for the Village Green and 3.0m landscaping strip fronting Golding Road, including details on planting types, locations, permitted activities, maintenance and ownership arrangement.