

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



Proposal

Rezone approximately 22.0 ha of land on the southern side of the Patumahoe Township from Rural Production Zone to Residential – Single House Zone and Business – Light Industry Zone; and apply I430 Patumahoe Precinct to the land, with amendments to include specific precinct provisions to address landscape, staging, and stormwater.

This plan modification is **GRANTED**. The reasons are set out below.

Plan modification number:	55
Site address:	Patumahoe South
Applicant:	Askew Consultants
Hearing commenced:	9.30 a.m. Monday 24 January 2022
Hearing panel:	Dr Lee Beattie (Chairperson) Basil Morrison CNZM Hugh Leersnyder
Appearances:	<p><u>For the Applicant:</u> Askew Consultants represented by: Julian Dawson - Barrister Alan Blyde - Water and Wastewater Infrastructure Don McKenzie - Traffic Ian Munro - Urban Design Bridget Gilbert - Landscape Tim Heath - Economics James Hook - Planning</p> <p><u>For the Submitters:</u> Judith & Scott Gavin represented by Sarah Nairn and Campbell Strachan Barry Stephens represented by Sarah Nairn Michael Weck represented by Sarah Nairn Peter Hardy Louise Brotherton Watercare Services Limited represented by Andre Stuart Alpito Hill Ltd represented by Nicole Buxeda and Peter Kraakman</p>

	<p>Auckland Council (as submitter) represented by Tim Fischer (Simpson Grierson)</p> <p>Karam Dhadli (Karampreet Singh) represented by Pamela Unkovich</p> <p>Auckland Transport represented by Katherine Dorofaeff (Planning) and Joseph Phillips (Transport)</p> <p><u>For Council:</u></p> <p>Craig Cairncross, Team Leader</p> <p>Chloe Trenouth, Planner (consultant)</p> <p>Dr Reece Hill, Soil Scientist</p> <p>Susan Fairgray, Economist (consultant)</p> <p>Ainsley Verstraeten, Landscape Architect</p> <p>Wes Edwards, Transport (consultant)</p> <p>Stuart Ford, Land Use Productivity Specialist (consultant)</p> <p>Bevan Donovan, Hearings Advisor</p>
Hearing adjourned	Tuesday 25 January 2022
Commissioners' site visit	18 January 2022
Hearing Closed:	1 March 2022

Executive Summary

1. We have set our key findings on this Plan Change application (PC55) at a very high level. This provides the context for reading the substantive decision below. We also acknowledge the long period the application took to come to a hearing. This was the result of the many Covid-19 lockdowns and restrictions we all faced.
2. We would like to thank all the parties for their patience in this regard as dealing with these lockdowns was beyond all our control. However, this extra time, in our view was not wasted and many of the issues in contention between the parties were able to be resolved during this period. We also note through this period the application was reduced in scope from 34.5ha to approximately 22ha. Our key findings are:
 - We have approved the Plan Change (PC55);
 - We find that the National Policy Statement: Urban Development (NPS: UD) and/or the Medium Density Residential Standards provisions do not apply to this application;
 - The key elements of Judith and Scott Gavin's submission are not accepted and we confirm our previous finding that their submission seeking to include their site within the plan change is beyond the scope of the PC55 application;
 - The landscape concept plan (dated 10 Feb 2022), as amended by this decision be included as part of the I430 Patumahoe Precinct (sub precinct E) provisions for this plan change;

- The PC55 application as amended by this decision satisfies the requirements of s.32, s.32AA and Part 2 of the Resource Management Act 1991 (the RMA).

IIINTRODUCTION AND HEARING

3. This decision is made on behalf of the Auckland Council (“**the Council**”) by Independent Hearing Commissioners **Dr Lee Beattie (Chairperson)**, **Basil Morrison** and **Hugh Leersnyder** (Commissioners), appointed and acting under delegated authority under sections 34 and 34A of the RMA to make the decision on Plan Change 55 application (PC55) to Auckland Council’s Unitary Plan Operative in Part (AUP: OP).
4. PC55 was a private plan change by Askew Consultants Limited (applicant) lodged on 15 October 2019 and accepted by the Council under clause 25(2)(b) of the Schedule 1 to the Act on 1 October 2020. Further information was sought from the applicant by the Council in accordance with Clause 23 of Schedule 1 to the RMA on 19 November 2019.
5. The plan change was then publicly notified on 22 October 2020 following a feedback process involving Iwi, as required by Clause 4A of Schedule 1. Notification involved a public notice as well as letters being sent 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.
6. A total of 45 submissions were received. The summary of decisions requested was notified on 3 December 2020, with the period for further submissions closing on 17 December 2020. A total of 10 further submissions were received during this period. There were no late submissions.
7. We received a significant amount of expert and lay evidence before and during the hearing. The majority of expert evidence came from the applicant’s and the Council’s expert witnesses. This included an amended s.42 recommendation from Ms Chloe Trenouth (Council’s consultant planner and author of the s.42 reports). This report (dated 13 January 2022) was received before the hearing and recommended that we adopt the plan change, as amended. Ms Trenouth was of the view that the amended application was now acceptable in both effects and planning policy terms, thereby meeting the requirements of s.32, s.32AA and Part 2 of the RMA.
8. This was a changed position from her original s.42 report (dated 9 July 2021). We would like to acknowledge at this stage that this is a completely appropriate and professional course of action for her to take. It reflects the ongoing level of discussion between the Council’s and applicant’s experts before the hearing, including the discussions between Watercare and the applicant to address the water supply issues.
9. The hearing was held online via MS Teams on 24 and 25 January 2022, with the Commissioners present at the Auckland Town Hall where we considered the following as part of application and our decision:

- a. The application, its Assessment of the Environmental Effects (AEE), section 32 evaluation and proposed planning provisions and all its supporting documents and plans, as amended through the application process;
- b. The applicant's opening, closing and right of reply legal submissions from Mr Julian Dawson (Counsel);
- c. The applicant's expert witnesses' evidence, including rebuttal evidence and evidence presented at the hearing from Mr Bob Cathcart (Soils), Dr Alan Palmer (Soils), Mr Andrew Barber (Soil Productivity), Mr Donald McKenzie (Traffic Engineering), Mr Ian Munro (Urban Design), Ms Rachel Underwood (Horticulture) Mr Jack Macdonald (Three Waters), Ms Bridget Gilbert (Landscape Architecture), Mr Tim Heath (Urban Geography) and Mr James Hook (Planning);
- d. The cultural values assessment from Te Aakitai Waiohua;
- e. The joint witness statement between Watercare and the applicant (dated 15 Dec 2021) addressing water supply and wastewater issues;
- f. Ms Chloe Trenouth's (Council's consultant planner) s.42 reports (original and two amended versions), with all professional supporting reports, including those from Ms Ainsley Verstraeten (Landscape Architecture), Ms Nicole Bitossi (Urban Design), Mr David Russell (Engineering), Mr James Beaumont (Geotechnical) Ms Ezra Barwell (Parks), Dr Reece Hill (Soils), Mr Stuart Ford (Productivity) Ms Susan Fairgray (Economics), Mr Wes Edwards (Traffic Engineering) and Ms Alyssa Jones (Growth and Spatial Strategy);
- g. Auckland Transport evidence including from Mr Joseph Phillips (Traffic Engineering) and Ms Katherine Dorofaeff (Planning);
- h. Evidence from Ms Sarah Nairn (Planning), Mr Campbell Strachan (landscape) and Mr Kosh Brajkovic (Traffic Engineering) evidence on behalf of Judith and Scott Gavin;
- i. Evidence from Ms Pam Unkovich (Planning) on behalf of Mr Karam Dhadli;
- j. The legal submission from Ms Nicole Buxeda on behalf of Mr Peter Kraakman;
- k. Mr Tim Fischer's legal submission on behalf of the Council as a submitter;
- l. The tabled submission by Todd and Philippa Williams;
- m. All the written submissions to the PC55 application;
- n. The responses to our questions from all the parties during the hearing process
- o. Relevant sections of the Auckland Unitary Plan: Operative in Part (AUP: OP) and other relevant planning documents, and
- p. The matters we identified during our visit sites.

10. In terms of the lay evidence, we appreciated the submitters providing their submissions in advance of the hearing and we thank them for their time and engagement during the hearing process.
11. In reaching this decision we have also considered the Franklin Local Board's views on the application, which are set out on page 30 of Ms Trenouth's original s.42 report (dated 9 July 2021). In saying this, we believe that the Local Board's concerns have now been addressed through the evidence presented during the hearing process.
12. Finally, we would like to thank all the parties for the professional and courteous way that the hearing was undertaken, and the quality of the evidence and submissions received from professional experts, submitters including the support we received from Mr Bevan Donovan (Hearings Advisor).

SUMMARY OF PLAN CHANGE

13. The proposed plan change is described in detail within Ms Trenouth's amended s.42 report dated 21 October 2021 which is an analysis of the amended application received on 6 August 2021 from the applicant (via Mr Dawson). This description is adopted for our decision. In essence, the application now seeks to rezone approximately 19 ha of land on the southern side of the Patumahoe Township from Rural Production Zone to Residential – Single House Zone and Business – Light Industry Zone; and apply I430 Patumahoe Precinct provisions to the land, with amendments to include specific precinct provisions to address landscape, staging, and stormwater issues resulting from the plan change. A plan of the amended PC55 is given in Figure 1 below, noting there are a number of minor changes required by this decision.

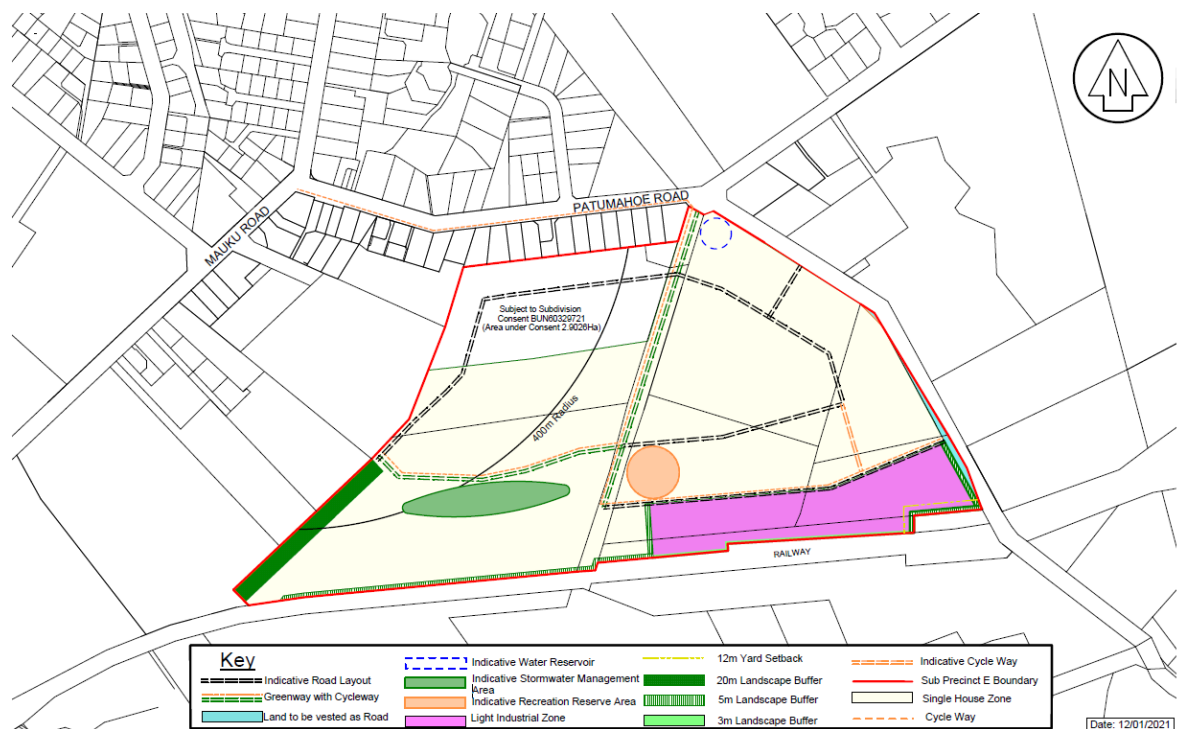


Figure 1: Plan Change 55 Layout Plan

14. As we understand it, these changes were made to the original application to address a number of issues raised in the submissions received, including from Mr Kraakman

and others. As we found in our Directions of 23 August 2021, these changes were within the scope of the application as notified. For completeness, we confirm this finding and have considered the application on this basis.

15. At this stage we believe it is appropriate to address the issue of Judith and Scott Gavin's submission (Gavins' Submission). While we will address Ms Sarah Nairn's planning and Mr Campbell Strachan's landscape evidence later in this decision, it's clear to us that at the heart of Gavins' submission is a desire to 'urbanise' their property. As we set out in our direction 23 August 2021, we found that we could not include their site within the scope of this plan change. This matter would need to be pursued through their own plan change or resource consent application process.
16. Finally, we confirm we have visited the site on 18 January 2022.

RELEVANT STATUTORY PROVISIONS CONSIDERED AND EVIDENCE CONSIDERED

17. The RMA sets out an extensive set of requirements for the formulation of plans and changes to them. These are set out in detail within Ms Trenouth's original s.42 report in pages 16 to 27. There was no disagreement between any of the parties over these, save for how they should be applied. These are adopted for our decision and all form part of our decision making process for this plan change application.
18. In saying this, we would like to acknowledge at the beginning of the hearing there was some disagreement between the Council's and the applicant's experts over whether the relevance of the NPS: UD and/or the MDRS provisions would apply to this to this plan change application. Without going into detail about how this arose, it was clear that by the beginning of the hearing's second day that these provisions would not apply to our consideration of PC55. This was because the Patumahoe Township did not constitute an urban area of a sufficient size (less than 5,000 people) for the provisions of the NPS: UD to be relevant. This point was acknowledged by Mr Craig Cairncross (Council's Team Leader) 'on the day' and reinforced by Mr Phill Reid's (Auckland-Wide Planning Manager) memo the following day.
19. We agree with this view, and find these provisions do not apply to this plan change application (PC 55). It is interesting to note that Council's draft consultation maps released on 19 April 2022 showing how these provisions (NPS: UD and the MDRS provisions) would be applied across the City show the residential areas of the Patumahoe Township remaining as Residential – Single House Zone (RSHZ) reinforcing our conclusion on this matter.
20. As noted above, we had the benefit of a significant amount of information on which to consider this application. Given the information received and the point where we ended up before the hearing (that is, as we understood it, limited areas of contention between the parties) and in order to reduce repetition and noting our obligations under the RMA to reduce delays, we do not propose to summarise the volume of information we received. All the information/evidence/submissions are available on the Council's internet site using the plan change references/site addresses listed above.

21. The evidence presented at the hearing responded to the issues and concerns identified in the Council's planning officer's report, the application itself and the submissions made on the application. This included submissions presented in person from Mr Peter Hardy, Ms Louise Brotherton and Mr Kraakman (represented by Ms Buxeda) at the Hearing.
22. We also received legal submissions from Mr Tim Fischer on behalf of the Council as a submitter. We note that this submission was not supported by any expert evidence and appeared to be 'at odds' with the Council's own experts on the key issues Mr Fischer was seeking to raise. We, however, have considered all the points raised in his submission, noting that at the time of the hearing he acknowledged the site did not contain any 'elite soils'.

PRINCIPAL ISSUES IN CONTENTION

23. Having considered the submissions and further submissions received, the hearing report, the evidence presented at the hearing and the Council officer's response to questions, the following principal issues in contention have been identified at the time of the end of the hearing
 - Landscape, boundary treatment and 'edge' of the proposed plan change;
 - Traffic engineering issues; and
 - Planning policy
24. As we have considered above, by the time of the hearing the majority of issues originally in contention between the parties had been agreed. These included engineering, geotechnical, productive quality of the soils, provision potable and waste water, urban design, cultural values, and economic benefits. We agree with this and find that these issues can be appropriately addressed by the rationale set out in the relevant evidence we have considered, including that from the Council's and applicant's experts. In order to save time we will not address these matters further.
25. Save to acknowledge we agree that the proposed level of residential density (RSHZ), design and layout is appropriate for this Plan Change application (PC55). We also agree that the provision of employment opportunities through the light industrial zone is appropriate in its location and will assist with the sustainable development of Patumahoe Township as it evolves over time. We also agree that the position reached between applicant and Watercare is an appropriate solution to enable the plan change to proceed. In this regard we were assured by Mr Stuart's evidence at the hearing.
26. Turning finally to the issue of loss of 'elite soils' and 'rural productivity', consideration of the loss of potentially highly productive land to urban development was the subject of careful analysis by the applicant and Council. The plan change land was initially identified by the Council's expert, Dr Hill, as containing Land Use Capability (LUC) Class 1 soils under the New Zealand Land Resource Inventory (NZLRI). In a contrary view, the applicant's experts assessed the soils to be LUC class 2 and 3,

having greater limitations for productive uses. Poorer natural drainage was cited by the applicant's experts as the main differentiating criterion.

27. Although the technical reports and expert evidence on the nature and productive value of soils within the plan change area were initially in contention, as the plan change process evolved new evidence was provided by the applicant. The applicant's first assessment was prepared by Mr Hanmore. A subsequent assessment was undertaken by Mr Cathcart with input from Mr Hanmore, Dr Fraser and Professor Palmer¹. Mr Cathcart's assessment complements and agrees with Mr Hanmore's assessment. He opines that the subject site is not LUC Class 1 but is mainly Class 3w with small patches of Class 2w soil. His view is that the patches are too small to manage separately for market gardening and orcharding².
28. The Council's soils expert, Dr Hill, noted³ important differences through this evolution of plan change evidence. Firstly, Mr Cathcart (and others) provided additional detailed land and soil observations covering areas which Dr Hill had not been able to access at the time of his initial site visit. Secondly, the plan change site area was reduced from 39ha to 22ha meaning Dr Hill's initial assessment included areas no longer part of the plan change. Thirdly the site assessment undertaken by Mr Cathcart was undertaken in winter, a wetter time of year to the time of Dr Hill's site assessment. Dr Hill did not observe any surface ponding and did not have access to the kiwifruit area so was not able to determine if there was ponding in this part of the site.
29. Mr Cathcart's evidence in chief⁴ notes that the terms "elite" and "prime" soils are unique to the Auckland Unitary Plan. He notes that "elite" soils include "*land classified as Land Use Capability Class 1 (LUC1) being the most versatile and productive land in Auckland.*" His assessment is that there is no LUC1 soil (and therefore elite soil) on the site as the soils have a drainage limitation that cannot be mitigated.
30. In his revised evidence Dr Hill⁵ concluded that while the loss of land containing a small area of elite soil and prime soil will contribute to the ongoing fragmentation of productive land in the Auckland Region, given the size and non-contiguous distribution of the site's elite and prime soils this loss is not significant with regard to the region's productive soils.
31. In response to Auckland Council's position as a submitter, Dr Hill prepared a memo, dated 26 January 2022, which summarises his position with respect to the quality of the site's soils. He concludes that irrespective of the land classification used, the soils are poorly drained which makes them unsuitable for horticultural crops that require well drained soils and limits arable uses to short season crops.

¹ Evidence in Chief: Robert Cathcart, 3 September 2021, Paragraph 12.

² Evidence in Chief: Robert Cathcart, 3 September 2021, Paragraph 94.

³ Addendum to s42A report Appendix 2, Council specialist report; Dr Reece Hill, 5 October 2021.

⁴ Evidence in Chief of Robert Cathcart, 3 September 2021, paragraph 14.

⁵ Addendum to s42A report Appendix 2, Council specialist report; Dr Reece Hill, 5 October 2021.

32. The applicant's and Council's soil experts agree on this and we accept this conclusion.

FINDINGS ON THE PRINCIPAL ISSUES IN CONTENTION

Landscape and boundary treatment and 'edge' of the proposed plan change

33. This issue can be broken down into two key sub-issues, which we will consider in turn below:
- a. The appropriate edge for PC55; and
 - b. The boundary and landscape treatments.

The appropriate edge for PPC55

34. During the course of the hearing and reflected in the Landscape Architects' (Ms Verstraeten, Ms Gilbert and Mr Campbell) and Planners' (Ms Trenouth, Mr Hook and Ms Nairn) evidence was the question over the appropriate and 'defensible boundary or edge' for a plan change of this nature, especially on its eastern edge. Setting aside the question of whether this is actually a relevant consideration for us, as Mr Dawson has suggested in his right of reply, we will now explore this issue further. Noting that the planners based their views on this matter, drawing from the views from their "own" landscape experts, save for Ms Trenouth who was of the view the plan change application was appropriate in landscape terms. We also note Mr Hook's detailed consideration of this matter, especially surrounding the boundary treatments.
35. Ms Verstraeten raised concerns about the lack of a detailed Structure Plan process for the overall urbanisation of the Patumahoe Township⁶. However, she supported the proposed PC55 boundaries to the west, south and north⁷. She was of the view that boundaries to the east should follow the edge (escarpment) of the Whangamarie Stream, but that a decision on this boundary should be informed by a detailed structure plan process. She then suggested that the proposed boundary location along Patumahoe Road would be the second best option, subject to the landscaping and set back provisions suggested (a point we return to below), but this would still lead inevitably to further urban development on the western side of Patumahoe Road.
36. Mr Strachan was of a similar view and suggested that the most appropriate defensible boundary on the eastern edge would be along the Whangamarie Stream as this would create a natural logical boundary and form the edge of any urbanisation of the eastern side of Patumahoe Township. He also did not support Ms Gilbert's view that Patumahoe Road would create a suitable edge.⁸ We note for completeness that Mr Strachan did not consider the issues of the western, north or southern boundaries for this Plan Change. This is logical given his evidence was

⁶ A point we will consider below in the planning policy section. In essence, this was her major concern with the whole proposal, that being the 'piecemeal' approach to the urbanisation of the Patumahoe Township.

⁷ Pages 3 and 4 of Ms Verstraeten's memo dated 7 Oct 2021

⁸ Page three of Mr Strachan evidence dated 28 September 2021

predominantly considering the impacts from the point of view of his client's property (23 Clive Howe Road) and to support its inclusion in the PC55.

37. Ms Gilbert had a different view. While she acknowledged strong natural features make logical edges for development, she considered Patumahoe Road would be the next best thing and create an appropriate eastern edge for the Plan Change boundary.⁹
38. This left us with a clear picture that the actual disagreement between landscape architects really related to the eastern edge for PC55. In saying this, it was clear to us that Ms Verstraeten's concerns were predominantly about the overall urbanisation of the Patumahoe Township and how this should happen as part of an overall structure plan process. In this circumstance natural features such as the edge of the Whangamarie Stream may have been located and chosen as a boundary. Through the panel's questions she was accepting of the Patumahoe Road edge, if we were of a view to approve this plan change. Mr Strachan's evidence related to his client's property and supported the inclusion of his client's property in this plan change process. We have considered this position is beyond the scope of the application and our ability to address.
39. While some may consider that Patumahoe Road may not be the 'best' eastern edge for the urbanisation of the Patumahoe Township, this was not a question we were asked to consider. We were asked to consider the impacts of PC55 and in this regard we accept Ms Gilbert's view on the matter and find that the Patumahoe Road will make an appropriate eastern edge for this plan change. Moreover, should the Whangamarie Stream be the 'best and most logical defensible boundary or edge' for the overall expansion of Patumahoe Township this issue could be addressed in any future plan change or resource consent applications covering this area.

The boundary and landscape treatments

40. Initially there was a significant level of discussion between the landscape architect witnesses (Ms Verstraeten and Ms Gilbert) over boundary treatments, (landscape buffers between the differing land uses proposed) and building set-backs. This included the level of landscaping proposed throughout the plan change generally and what effects on the landscape the proposal could generate. It appears through the course of the pre-hearing discussions that many of these issues have been addressed. Noting that Ms Verstraeten and Ms Gilbert still have a different of view on the degree of effects on the landscape between low and moderate. In this regard we favour Ms Gilbert's view which accords with our own understanding of the site. In saying this, we do not think Ms Verstraeten was of view that the effects on the landscape were at a level which would prevent residential development of this nature occurring.
41. While we understand the concerns expressed by the owners of 104 Patumahoe Road, we believe the position now shown on Ms Gilbert's Landscape Concept Plan (dated 10 Feb 2022) provides the appropriate balance between the land uses and will appropriately mitigate the adverse effects on their property. This plan, which we

⁹ Page 32 of Ms Gilbert, dated 3 September 2021.

understand was developed with input from Mr Munro from an urban design perspective, is shown as Figure 2 below.



Figure 2: Landscape Concept Plan

42. We agree with Ms Gilbert’s view over the appropriateness of the overall landscape approach for the Plan Change expressed in this plan. This includes how the roading, street tree treatments, open space and connections to and within the plan change (as well as to the town centre) would be applied to the new I430 Patumahoe Precinct (Sub Precinct E) provisions. However, we also agree with Ms Verstraeten’s and Ms Dorofaeff’s points that this does not appear to form part of the plan change provisions.¹⁰ We agree with Ms Verstraeten and Ms Dorofaeff that this should be included in any I430 Patumahoe Precinct (Sub Precinct E) provisions we approve. This sets out a good guide as to how PC55 should be given effect to. As a result, we have included this plan in the plan change and amended I430 Patumahoe Precinct (Sub Precinct E) provisions to reflect its inclusion.

43. We questioned both Ms Trenouth and Mr Hook over the use of the word ‘indicative’ in this plan and what it meant when it came to the pedestrian and cycleway connection. We were assured by both witnesses that this did not mean these would not be provided. The word indicative has been used to enable a degree of flexibility over the actual location of the pedestrian and cycleway. We do have some concerns over the use of this word, given its plain English meaning, as the last thing we would want to see is these connections not provided. However, we accepted the witnesses’ assurances on this matter and have worked on the basis that the pedestrian and cycleway will be provided as shown on the plan.

¹⁰ Page 2 of Ms Verstraeten’s memo dated 7 Oct 2021 and page 5 of Ms Dorofaeff’s planning evidence dated 25 January 2022

44. We also sought advice from the landscape witnesses (Ms Verstraeten and Ms Gilbert) and Mr Munro (Urban Design) over the need to preserve a potential connection to the rail line in the event a future rail connection is made to Patumahoe. We were advised that this was a public road (this part of Carter Road), and this would preserve the connection to the rail line. All witnesses supported the idea of this connection between the rail and the town centre. However, we do not support the 'closure' of this part of Carter Road and this future connection should be maintained.
45. Finally on this issue, while we completely understand Mr Kraakman's concern about this property, we do believe that the appropriate opportunity for a future roading connection as show via the 20-metre landscape buffer along this property boundary should be maintained for any future development that may or may not take place. The provision of the 20-metre landscape buffer also addresses Mr Dadhi's concerns as well.
46. As a result, we find that the landscape and boundaries have been appropriately addressed.

Traffic engineering issues

47. As with other elements of the plan change application, matters related to traffic engineering issues have evolved since the application's lodgement in 2019. The original application was supported by an "Integrated Transport Assessment-Patumahoe Plan Change"¹¹(ITA). The assessment considered accessibility of the proposal by walking, cycling, public transport and private motor vehicles. It also looked at the potential effects of the proposal on the broader transport network and how any potentially adverse effects may be avoided, remedied or mitigated. It concluded that there is no traffic engineering or transportation planning reason impeding the plan change approval.
48. The applicant's report was assessed by the Council's traffic expert, Mr Wes Edwards. Mr Edwards raised a number of traffic related concerns of the proposed plan change including its impacts on the congestion and safety of the wider network. In the event the plan change is approved, Mr Edwards proffered a suite of recommendations.
49. In response, Mr Donald McKenzie provided expert evidence on behalf of the applicant. Mr McKenzie's evidence relates to the revised plan change application.¹² Of particular relevance to traffic matters the amended plan change sought to retain a road connection for vehicles on Carters Road; reduce the number of intersections with Patumahoe Road to two; remove an intersection with Mauku Road; create a roading hierarchy within the precinct plan and incorporate pedestrian and cycle facilities into the roading network.

¹¹ Integrated Transport Assessment – Patumahoe Plan Change; Prepared by Stantec, 19 June 2019.

¹² On 6 August 2021 the applicant advised several amendments to the plan change application, reducing the scale of the site from 33ha to 22.4ha.

50. Mr McKenzie concludes that the transportation effects associated with the plan change can be accommodated in a manner that ensures operation of a safe and efficient network. Further, the traffic and transportation effects of the plan change can be appropriately managed.
51. Expert evidence on the transport effects of the urbanisation enabled by the plan change was presented by Mr Joseph Phillips on behalf of Auckland Transport. This evidence was complemented by that of Ms Katherine Dorofaeff who provides expert planning evidence on behalf of Auckland Transport as the Road Controlling Authority for the Auckland Region.
52. Mr Phillips concludes that the revised plan change provisions adequately addressed Auckland Transport's submission point. However, he opines that there are several outstanding transport matters that need to be addressed through further amendments to the Revised Provisions as proposed by Ms Dorofaeff.¹³
53. The expert rebuttal evidence of Mr Hook¹⁴, planner for the applicant, confirms that all but one of the matters requested by Auckland Transport have been incorporated into the revised precinct provisions including those provided by Ms Dorofaeff in Table 1A – Road Function and Required Design Elements in Sub-precinct E. Mr Hook also confirms amendments have been made to the Staging Standards, Matters of Discretion and Assessment Criteria, in accordance with the wording proposed by Auckland Transport.
54. The only amendment requested by Auckland Transport not accepted by the applicant relates to a proposed Advice Note referring to the payment of a financial contribution in lieu of physical works. The request by Auckland Transport sought "approval" be given by Auckland Transport for payment of a financial contribution in lieu of works prior to the issue of the associated of the associated s224(c) certificates for subdivision to enable roading improvement works. The applicant has proposed that this be "in consultation with Auckland Transport" rather than with the "approval". We agree that it is not appropriate to assign an approval to a third party.
55. In her updated s42A reporting planner's position memo to the panel (13 January 2022) Ms Trenouth considers the transport effects at a local network level have been adequately mitigated through the updated precinct provisions, and any impacts on the wider transport network are not considered to be significant.¹⁵ We agree with this position.

Planning policy

56. It was clear to us that the only issue on these matters related to Ms Nairn's view on the 'edge' of the plan change boundary and its impact on the RPS. There was general agreement between Ms Trenouth and Mr Hook on this matter. Ms Dorofaeff's concerns had been predominately addressed, save for fine grain details

¹³ Submitter evidence; Mr Joseph Phillips for Auckland Transport, 29 September 2021, paragraph 7.1.

¹⁴ Applicant's rebuttal evidence; James Hook; 10 December 2021. Paragraph 33.

¹⁵ Page 3 of Ms Trenouth's memo to the panel dated 13 January 2022

which were then addressed in the final set of Patumahoe Precinct (Sub Precinct E) provisions provided in Mr Dawson’s right of reply.

57. Ms Trenouth’s view on this matter is set out in her updated s42A reporting planner’s position, memo to the panel dated 13 January 2022):

“I now confirm that in my opinion the proposal gives effect to the RPS as a whole. I note that any remaining policy issues of concern discussed in my previous reports are not of a significant nature to determine that the proposal does not give effect to the RPS given the scale of the proposal”¹⁶

Furthermore, Ms Trenouth’s memo concludes that:

“In light of the supplementary information that has been provided since my s42A addendum report was prepared, and my reassessment of the issues identified in that report, I now support the plan change and recommend that it be approved and the Auckland Unitary Plan be amended to incorporate the proposed precinct because it achieves a quality compact urban form that will be integrated with appropriate infrastructure.”¹⁷

58. Mr Hook was of a similar view. The detail of his rationale is set out in both his evidence in chief and rebuttal evidence. Ms Nairn’s view, based in part on the views of Mr Strachan, was that as PC55 did not have a defensible boundary, she is of the view that it would not be giving effect to the RPS and thereby be contrary to objective B2.2.2(4) as this form of urban development would be outside the proposed urban edge for Patumahoe. As previously discussed, we considered the ‘edge’ issue and found that the eastern boundary of Patumahoe Road is appropriate.
59. As a result we do not agree with Ms Nairn’s view on this matter. In the alternative, we agree with Ms Trenouth and Mr Hook. Moreover, we note that Ms Nairn was also using this as a justification for the inclusion of her client’s property within the plan change. As previously discussed, this is beyond our scope to address.
60. We find that the PC55 is consistent with the RPS and there are no higher order planning reasons, including an examination against Part 2 of the RMA, that would preclude the approval of this plan change and we find it is in accordance with Part 2. We note for completeness that we agree with the position reached between Ms Trenouth and Mr Hook on the s.32 and s.32AA evaluations of the plan change.
61. The final version of the I430 Patumahoe Precinct (Sub Precinct E) is included as Attachment Two, which we find is appropriate for the AUP: OP.

Submissions

62. Finally, in terms of the submissions and further submissions we agree with the position reached, for rationale set in Mr Hook’s helpful table, updated by Ms Tremouth. As a result, we adopt this for our decision and it is attached as Attachment 1, save the final changes required to meet this decision.

¹⁶ Page 2 of Ms Trenouth’s memo to the panel dated 13 January 2022

¹⁷ Page 4 of Ms Trenouth’s memo to the panel dated 13 January 2022

STATUTORY PROVISIONS

63. The RMA sets out a range of matters that must be addressed when considering a plan change. These are identified in the section 32 report accompanying the notified plan change. We note that the plan change application has addressed these matters as set out above.
64. Section 32 requires that analysis of efficiency and effectiveness of a proposal to meet its objectives 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 proposal. In our view this decision report, which among other things, addresses the modifications we have made to the provisions of PC55, satisfies our s.32 obligations.
65. Section 32AA of the RMA requires a further evaluation for any changes that are proposed to the notified plan change after the section 32 evaluation was carried out. This further evaluation must be undertaken at a level of detail that corresponds to the scale and significance of the changes. In our view this decision report, which among other things, addresses the modifications we have made to the provisions of PC 55, satisfies our section 32AA obligations. It coming to this view we have adopted the final version of Mr Hook to fulfil these obligations.
66. Section 32(1)(a) of the RMA requires assessment of whether the objectives of a plan change are the most appropriate way for achieving the purpose of the RMA in Part 2. Section 72 of the Act 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, section 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.
67. For all of the reasons set out in this decision, we are satisfied the matters set out in sections 6, 7 and 8 of the RMA have been addressed. PC55 and its provisions, as amended, have respectively recognised and provided for, have had particular regard to and taken into account those relevant section 6, 7 and 8 matters.
68. In terms of section 5 of the RMA, it is our finding that the provisions of PC55 are consistent with, and are the most appropriate way, to achieve the purpose of the Act. PC55 will enable the efficient development of the site for residential and light industrial activities while also protecting the identified values (cultural, archaeological, geological and ecological), as well as avoiding, remedying, or mitigating any adverse effects on the environment.
69. Having considered all the evidence and relevant background documents, we are satisfied, overall, that PC55 has been developed in accordance with the relevant statutory and policy matters with regard to s.32, s.32AA and Part 2 of the RMA. The plan change will clearly assist the Council in its effective administration of the Unitary Plan.

DECISION

70. That pursuant to Schedule 1, Clauses 10 and 29 of the Resource Management Act 1991, that Proposed Plan Change 55 to the Auckland Unitary Plan (Operative in Part) be **approved**, subject to the modifications as set out in this decision.
71. Submissions on the plan change are accepted, accepted in part or refused in accordance with this decision as Attachment One
72. In addition to the reasons set out above, the overall reasons for the decision are that PC 55 is supported by necessary evaluation in accordance with section 32, s.32AA and satisfies Part 2 of the RMA.



Dr Lee Beattie

Chairperson (on behalf of Commissioners Basil Morrison and Hugh Leersnyder)

Date: 16 May 2022

ATTACHMENT ONE

Table of Decision on Submissions

Sub Point	Submitter Name	Summary	Decision	Reasons
1.1	Tania Shine	Decline the plan change	Reject	The Plan changes meet the relevant requirements under the Act .
2.1	Joanne Ineson	Approve the plan change with the amendments I requested	Accept	Plan change approved.
2.2	Joanne Ineson	Seeks a new AT bus stop with a shelter on Patumahoe Road up by the school, and a shelter for the existing Mauku Road bus stop. Also seeks a better bus service for Patumahoe.	Accept	Provision made within precinct provisions for additional bus stops on Patumahoe Road to service residential development within the plan change area (sub-precinct E).
3.1	Karen Bright	Decline the plan change	Reject	Issues addressed through by precinct provisions.
4.1	Barry John Stephens	Approve the plan change with the amendments I requested	Accept in part	Plan change approved but amendments to rezone 75 Patumahoe Road not supported.
FS01.1	<i>Barry Stephens</i>	<i>Supports</i>	<i>Accept in part</i>	
4.2	Barry John Stephens	Rezone 75 Patumahoe Road to a live submission [zoning] instead of future urban.	Reject	No longer part of plan change area.
FS01.2	<i>Barry Stephens</i>	<i>Supports</i>	<i>Reject</i>	

Sub Point	Submitter Name	Summary	Decision	Reasons
FS02.1	<i>Auckland Transport</i>	Opposes	Reject	The amended plan change addressed AT concerns
5.1	Deborah Tangney	Decline the plan change	Reject	Expert assessment is that the subject land does not contain Elite soils and that the Prime soils are not highly valued for their productive potential.
6.1	David Murray McLean	Decline the plan change	Reject	Expert assessment is that the subject land does not contain Elite soils and that the Prime soils are not highly valued for their productive potential.
7.1	David Hopkins	Decline the plan change	Reject	Expert assessment is that the subject land does not contain Elite soils and that the Prime soils are not highly valued for their productive potential.
8.1	William Thomas Colgan	Approve the plan change with the amendments requested	Accept in part	Plan change approved but amendments requested not supported.
8.2	William Thomas Colgan	Include the eastern sector in the Proposed Plan Change from Rural - Rural Production Zone to Residential - Single House Zone	Reject	No longer part of plan change area.

Sub Point	Submitter Name	Summary	Decision	Reasons
FS02.2	Auckland Transport	Opposes	Reject	The amended plan change addressed AT concerns
9.1	Doug Lloyd	Decline the plan change	Accept in part	Mauku Road connection (intersection D) removed from the plan change.
9.1	Karam Dhadli	Oppose in part	Accept in part	<i>The amended plan provide the 20metre buffer</i>
10.1	Michael Graeme Weck	Approve the plan change without any amendments	Accept	Plan change approved.
11.1	Kelven and Beverley Eastman	Decline the plan change	Accept in part	Mauku Road connection (intersection D) removed from the plan change.
FS05.1	Kelven and Beverley Eastman	Oppose [The further submitter opposes PC55 rather than their own original submission #11.1]	Accept in part	Addressed by precinct provisions.
FS09.2	Karam Dhadli	Oppose in part	Accept in part	Addressed by precinct provisions.
12.1	Louise Brotherton	Decline the plan change	Reject	Addressed by precinct provisions.
13.1	Te Akitai Waiohau Waka Taua Incorporated	Decline the plan change	Reject	Addressed by precinct provisions.

Sub Point	Submitter Name	Summary	Decision	Reasons
FS10	Heritage New Zealand Pouhere Taonga	Supports	Accept	
14.1	Brad Michie	Decline the plan change	Accept in part	Mauku Road connection (intersection D) removed from the plan change.
FS09.3	Karam Dhadli	Oppose in part	Accept in part	Addressed by precinct provisions.
15.1	Philippa Williams	Decline the plan change, but if approved, make the amendments I requested	Accept in part	Mauku Road connection (intersection D) removed from the plan change.
FS09.4	Karam Dhadli	Oppose in part	Accept in part	Addressed by precinct provisions.
FS03.1	Philippa and Todd Williams	Support	Accept in part	Addressed by precinct provisions.
15.2	Philippa Williams	Amend the plan change so that the new road placement (Intersection D) is reconsidered.	Accept	Mauku Road connection (intersection D) removed from the plan change.
FS09.5	Karam Dhadli	Support in part	Accept in part	Addressed by precinct provisions.
FS02.2	Auckland Transport	Opposes	Reject	The amended plan change addressed AT concerns

Sub Point	Submitter Name	Summary	Decision	Reasons
FS11.1	Claire & Wayne Boyd	Supports	Accept	
16.1	Karena Brady-Leathem	Decline the plan change	Reject	Addressed by precinct provisions.
17.1	Midnight Orchard	Supports the proposal	Accept	Plan change approved.
18.1	Yvonne Wagner	Decline the plan change	Reject	Addressed by precinct provisions.
18.2	Yvonne Wagner	Use Lots 18 & 19 for community gardens and community vegetable allotments.	Reject	The potential future use of public open spaces within the plan change area for community allotments is a matter for the Community to raise with Council's Parks Department.
19.1	Nicola Ermens	Decline the plan change	Reject	Expert assessment is that the subject land does not contain Elite soils and that the Prime soils are not highly valued for their productive potential.
20.1	Anthony Roy Bellhouse	Decline the plan change	Reject	Addressed by precinct provisions.
21.1	Lyn Bellhouse	Decline the plan change	Reject	The plan change gives effect to the Auckland Unitary Plan

Sub Point	Submitter Name	Summary	Decision	Reasons
				Regional Policy Statement provisions for growth.
22.1	Wayne and Brenda Hussey	Decline the plan change	Reject	Addressed by precinct provisions.
23.1	Lynette Frances Hickey	Decline the plan change	Reject	Addressed by precinct provisions.
24.1	Gary Neil McLean	Decline the plan change	Accept in part	Mauku Road connection (intersection D) removed from the plan change.
FS06.1	Gary Neil McLean	Oppose [Further submitter opposes PC55, not their original submission #24]	Accept in part	Addressed by precinct provisions.
FS09.6	Karam Dhadli	Oppose in part	Accept in part	Addressed by precinct provisions.
25.1	Brett Robert Hunter and Bronwyn Hunter	Decline the plan change	Accept in part	104 Patumahoe Road is excluded from the plan change area.
26.1	Peter Joseph Watt	Decline the plan change	Reject	Addressed by precinct provisions.
27.1	Tamsin Wilson	Decline the plan change	Reject	Expert assessment is that the subject land does not contain Elite soils and that the Prime

Sub Point	Submitter Name	Summary	Decision	Reasons
				soils are not highly valued for their productive potential.
FS09.7	Karam Dhadli	<i>Oppose in part</i>	<i>Accept</i>	Addressed by precinct provisions.
28.1	Auckland Council	Decline the plan change to avoid urbanisation on elite and prime soils.	Reject	Expert assessment is that the subject land does not contain Elite soils and that the Prime soils are not highly valued for their productive potential.
FS07.1	<i>Federated Farmers of New Zealand</i>	<i>Support in part</i>	<i>Accept in part</i>	Addressed by precinct provisions.
28.2	Auckland Council	In the alternative, any other such relief that would protect and retain the high productive potential of the soil within the plan change boundary.	Reject	Expert assessment is that the subject land does not contain Elite soils and that the Prime soils are not highly valued for their productive potential.
FS07.2	<i>Federated Farmers of New Zealand</i>	<i>Support in part</i>	<i>Reject</i>	Addressed by precinct provisions.
28.3	Auckland Council	Decline the plan change [in relation to a compact urban form]	Reject	The plan change gives effect to the Auckland Unitary Plan Regional Policy Statement provisions for growth.

Sub Point	Submitter Name	Summary	Decision	Reasons
28.4	Auckland Council	In the alternative, any other such relief that would align the plan change request with the Auckland Plan growth strategy and the FULSS.	Accept in part	Addressed in precinct provisions.
28.5	Auckland Council	Decline the plan change [in relation to the National Policy Statement on Urban Development]	Reject	The plan change gives effect to the NPSUD.
28.6	Auckland Council	In the alternative, any other such relief that would align the plan change request with the NPS-UD.	Accept	Addressed in precinct provisions.
28.7	Auckland Council	Decline the plan change [in relation to reverse sensitivity]	Reject	Addressed in precinct provisions.
FS09.8	<i>Karam Dhadli</i>	<i>Support in part</i>	<i>Accept in part</i>	Addressed by precinct provisions.
FS07.8	<i>Federated Farmers of New Zealand</i>	<i>Support in part</i>	<i>Accept in part</i>	Addressed by precinct provisions.
FS04.01	<i>Kāinga Ora</i>	<i>Oppose in part</i>	<i>Accept in part</i>	The plan change gives effect to the NPSUD.
28.8	Auckland Council Attn: Austin Fox	In the alternative, any other such relief that would remove potential for reverse sensitivity effects on established rural production activities.	Accept in part	Addressed in precinct provisions.
FS07.1	<i>Federated Farmers of New Zealand</i>	<i>Support in part</i>	<i>Accept in part</i>	Addressed in precinct provisions.

Sub Point	Submitter Name	Summary	Decision	Reasons
FS09.9	Karam Dhadli	<i>Support in part</i>	<i>Accept in part</i>	Addressed in precinct provisions.
28.9	Auckland Council	Decline the plan change [in relation to geotechnical issues]	Reject	Expert assessment of the subject land identified land was not subject to geotechnical hazards.
28.10	Auckland Council	In the alternative, any other such relief that would avoid, mitigate, or remedy geotechnical hazards.	Reject	Expert assessment of the subject land identified land was not subject to geotechnical hazards.
28.11	Auckland Council	Decline the plan change [in relation to transport]	Reject	Addressed in precinct provisions.
28.12	Auckland Council	In the alternative, any other such relief that would mitigate effects on the wider transport network from the urbanisation proposed by plan change request.	Accept in part	Addressed in precinct provisions.
28.13	Auckland Council	If the proposed Plan Change is accepted, then PC55 be amended to incorporate widened landscape buffers similar to these imposed in other areas around Patumahoe, with a greater use of native species.	Accept in part	Addressed in precinct provisions.
FS04.2	Kāinga Ora	<i>Oppose in part</i>	<i>Accept in part</i>	Addressed by precinct provisions.
FS09.10	Karam Dhadli	<i>Support in part</i>	<i>Accept in part</i>	Addressed in precinct provisions.

Sub Point	Submitter Name	Summary	Decision	Reasons
28.14	Auckland Council	If the proposed Plan Change is accepted, then PC55 be amended to align the amount and location of open space to be provided with Council's Open Space Provision Policy 2016.	Accept	No land is identified for open space zone and precinct plan identifies indicative location for open space land.
29.1	Environmental Defence Society Incorporated	Decline the plan change	Reject	Expert assessment is that the subject land does not contain Elite soils and that the Prime soils are not highly valued for their productive potential.
FS09.11	Karam Dhadli	Oppose in part	Accept in part	Addressed in precinct provisions
30.1	Kāinga Ora	Remove Standard I430.6.17 Protection from Railway Noise and Vibration in Sub-precinct E in its entirety from the precinct provisions	Accept	Provisions removed from precinct provisions.
FS02.3	Auckland Transport	Opposes	Reject	The amended plan change addressed AT concerns
30.2	Kāinga Ora	Seeks any consequential relief necessary to satisfy Kāinga Ora's concerns	Accept in part	No consequential relief sought.
31.1	Horticulture New Zealand	Amend the proposed precinct provisions so that: - an additional 5m to afford further separation distance to better assist in avoiding reverse sensitivity issues - landscaping includes shelter belts to ensure avoidance of any risk of reverse sensitivity arising from sprays, noise and smell, and - public access be excluded from the buffer strip as this	Accept in part	Addressed in precinct provisions.

Sub Point	Submitter Name	Summary	Decision	Reasons
		would hinder the ability of the strip to adequately manage reverse sensitivity		
FS04.3	Kāinga Ora	<i>Oppose in part</i>	<i>Accept in part</i>	Addressed in precinct provisions
FS09.12	Karam Dhadli	<i>Support in part</i>	<i>Accept in part</i>	Addressed in precinct provisions
32.1	David Walsh	Decline the plan change	Reject	The Plan Change gives effect to the NPSUD.
33.1	Auckland Transport	Decline the proposed rezoning of 9 hectare on the eastern side of Patumahoe Road from Rural Production to Future Urban zone	Accept in part	Land removed from plan change area.
33.2	Auckland Transport	Retain the proposed rezoning of 2.5 hectares at the southern end of the development from Rural Production and Strategic Transport Corridor to Light Industrial.	Accept	Plan change approved.
33.3	Auckland Transport	Require more information about the impact of the development on the wider transport network, including if the infrastructure improvements identified as providing a contribution to the traffic impact associated with the Plan Change are not realised or not realised by the timeframes identified. If these infrastructure requirements are necessary to support the development to be enabled by this Plan Change in any way, then identify appropriate methods to address them, such as appropriate staging triggers.	Accept	Addressed in precinct provisions.

Sub Point	Submitter Name	Summary	Decision	Reasons
33.4	Auckland Transport	Require analysis with revised trip generation rates based on development level/quantum proposed and any additional mitigation required.	Accept in part	Addressed in precinct provisions.
33.5	Auckland Transport	Require wider network assessment of the effects of this development given that the strategic network assessment did not include the effects of this development and much of the strategic capacity is utilised by others.	Accept in part	Addressed in precinct provisions.
33.6	Auckland Transport	Amend Objective 3(a) as follows. '(3) Development and/or subdivision within the precinct facilitates a transport network that: (a) integrates with, and avoids adverse effects on the safety and efficiency of, the transport network of the surrounding area, including any upgrades to the surrounding network.'	Reject	Addressed in precinct provisions.
33.7	Auckland Transport	Amend Objective 4 as follows: '(4) Subdivision and development minimise the potential for reverse sensitivity conflicts with adjoining rural activities and land uses and the <u>railway network</u> .'	Reject	Addressed in precinct provisions.
FS04.4	Kāinga Ora	Oppose	Accept	
33.8	Auckland Transport	Retain Policy 5.	Accept	Policy 5 retained.

Sub Point	Submitter Name	Summary	Decision	Reasons
33.9	Auckland Transport	Amend I430.3 to add a policy that recognises the requirements to protect development in Sub-precinct E from railway noise and vibration.	Reject	Relevant provisions removed from the precinct.
FS04.5	Kāinga Ora	Oppose	Accept in part	
33.10	Auckland Transport	Amend the activity table I430.4.2(A5) to specifically identify the 'applicable building and development standards in I430.6'	Reject	The use of RDA status is the appropriate to achieve the purchase of the act
33.11	Auckland Transport	Amend the activity table I430.4.2(A7) as follows: (A7) 'Subdivision which does not comply with <u>one or more of</u> the subdivision standards listed in (A6) above'	Reject	The use of NC status is the appropriate to achieve the purchase of the act
33.12	Auckland Transport	Amend Standard I430.6.3 to clarify the standard does not apply to roads to be vested in Auckland Council.	Accept	Addressed by precinct provisions.
33.13	Auckland Transport	Amend Standard I430.6.5(1) as follows: '(1) All stormwater from impervious areas <u>on sites</u> shall be mitigated to achieve flow attenuation, such that 5m ² /100m ² of roof area and 3m ³ /100m ² of other impervious areas are attenuation by one (or a combination) of the following methods: ...'	Reject	Addressed by precinct provisions.

Sub Point	Submitter Name	Summary	Decision	Reasons
33.14	Auckland Transport	Amend Standard I430.6.13(1) as follows: '(1) Before any S224(c) certificates for <u>subdivision</u> or building consents for new dwellings are issued for any stage of development within Sub-precinct E, excluding the subdivision of up to 50 lots on Lot 1 DP169130 <u>in accordance with SUB60318096 and LUC60329723 (while those consents remain valid), the following works shall be constructed and completed to the Council's satisfaction.'</u>	Accept in part	Addressed in precinct provisions.
33.15	Auckland Transport	Amend Standard I430.6.13(1)(a) as follows: '(a) A new road access either from Patumahoe Road or from Mauku Road into the precinct within 50m of one of from the indicative locations shown on Patumahoe: Precinct Plan 3 (and meeting the Sight Distances specified in the Austroads Guide to Road Design)'; <i>Oppose in part</i>	Accept in part	Addressed in precinct provisions.
FS09.13	Karam Dhadli	<i>Oppose in part</i>	<i>Accept in part</i>	Addressed by precinct provisions.
33.16	Auckland Transport	Reword Standard I430.6.13(1)(b) as follows: '(b) a <u>footpath, appropriate kerb and channel, berm and street trees; and a services corridor along the road frontage(s) adjacent to the portion of land being developed;</u> '(b) <u>the width of the road from the property boundary of the proposed site to the kerb on the opposite site of the road'</u> .	Accept in part	Addressed in precinct provisions.

Sub Point	Submitter Name	Summary	Decision	Reasons
33.17	Auckland Transport	Reword Standard 1430.6.13(1)(c) as follows: '(c) for subdivision of existing land parcels (as at 30 June 2020) resulting in the formation of access from Carter Road; '(c) <u>subdivision creating sites with access from Carter Road</u> '	Accept in part	Addressed in precinct provisions.
33.18	Auckland Transport	Reword Standard 1430.6.13(1)(c)(i) to clarify what road needs to be formed.	Accept in part	Addressed in precinct provisions.
33.19	Auckland Transport	Reword Standard 1430.6.13(1)(c)(ii) as follows: '(ii) formation of a Shared Path for pedestrians and cyclists over the northern section of Carter Road onto Patumahoe Road; and' '(ii) <u>the northern portion of Carter Road, which is identified as 'pedestrian / cycle lane' on Precinct Plan 3 is to be closed to vehicle traffic and formed with pedestrian access and separated cycle facilities'</u>	Accept in part	Addressed in precinct provisions.
33.20	Auckland Transport	Reword 1430.6.13(1)(c)(iii) to clarify how vehicle access is to be provided to the Watercare facility at 6 Carter Road.	Accept in part	Addressed in precinct provisions.
33.21	Auckland Transport	Request clarification on the loss of access for Lot 12 DP83912 and ongoing provision of such if required.	Accept in part	Addressed in precinct provisions.

Sub Point	Submitter Name	Summary	Decision	Reasons
33.22	Auckland Transport	Amend Standard I430.6.13, and other parts of the precinct provisions as relevant, to require the vesting of land as road adjacent to Patumahoe Road as identified on Precinct Plan 3.	Accept	Addressed in precinct provisions.
33.23	Auckland Transport	Amend Standard I430.6.13, and other parts of the precinct provisions as relevant including identification on Precinct Plan 3, to require the upgrade of Patumahoe Road frontage in conjunction with subdivision and development. This includes separated walking and cycling facilities to be provided along the western side of Patumahoe Road extending to Woodhouse Road and vesting of land to accommodate this infrastructure.	Accept in part	Addressed in precinct provisions.
33.24	Auckland Transport	Insert a new heading ' <u>I430.8.1A Matters of discretion</u> ' and renumber consequently if required.	Accept in part	Addressed in precinct provisions.
33.25	Auckland Transport	Reword I430.8(2) as follows: '(2) Subdivision and infringement of subdivision standards <u>other than those standards listed in (A2) and (A6)</u> '.	Accept in part	Addressed in precinct provisions.
33.26	Auckland Transport	Delete the matter of discretion at I430.8(2)(c) as follows: (e) ' <u>Compliance with minimum site size requirements</u> '	Reject	Not relevant to sub-precinct E.

Sub Point	Submitter Name	Summary	Decision	Reasons
33.27	Auckland Transport	Remove the matter of discretion at 1430.8(2)(f) as follows: '(f) the layout and design of any roads, vehicle access ways or pedestrian walkways shown on Figure 5 (Reading Hierarchy) and Figures 6-11 (Cross Sections) below.' Insert a new matter of discretion for 1430.8(2) as follows: '(x) <u>The adequacy of the transport infrastructure and services to provide for the subdivision'</u>	Accept in part	Addressed in precinct provisions.
33.28	Auckland Transport	Amend the matter of discretion at 1430.8(2)(h) as follows: '(h) establishment of <u>suitable safe and efficient</u> road access from Patumahoe Road to Sub-precinct E and the <u>internal roading network including</u> , footpaths and cycleways within the Sub-precinct.'	Accept in part	Addressed in precinct provisions.
33.29	Auckland Transport	Amend the matter of discretion at 1430.8(2)(i) as follows: '(i) need for and provision of road safety improvements to these sections of Patumahoe and/or Mauku Roads, including at the intersection with <u>Woodhouse Road</u> , <u>adjacent to</u> to <u>mitigate the transport effects of development in</u> Sub-precinct E.'	Accept in part	Addressed in precinct provisions.
33.30	Auckland Transport	Retain the matter of discretion at 1430.8(2)(j)	Accept in part	Addressed in precinct provisions.

Sub Point	Submitter Name	Summary	Decision	Reasons
33.31	Auckland Transport	Remove Figures 5 – 11 in the Precinct Plan, showing the roading hierarchy and cross sections of roads and a shared path. Replace the cross-sections with an approach that identifies the minimum road reserve widths, functional requirements, and particular components such as separated cycle facilities.	Accept in part	Addressed in precinct provisions.
<i>FS09.14</i>	<i>Karam Dhadli</i>	<i>Oppose in part</i>	<i>Accept in part</i>	
33.32	Auckland Transport	Amend the Precinct Plan to clearly identify which roads in Sub-precinct E are intended to be public roads vested to Auckland Council.	Accept	Addressed in precinct provisions.
33.33	Auckland Transport	Amend assessment criterion 1430.8.1(1)(b) as follows: '(b) For Sub-precinct E, <u>the extent to which an activity a development complies with the Patumahoe: Precinct Plan 3 and implements the identified transport infrastructure.</u> '	Accept	Addressed in precinct provisions.
33.34	Auckland Transport	Amend assessment criterion 1430.8.1(1)(c) as follows: '(c) For Sub-precincts A, B, C, and D and E whether the design of any roads, vehicle access ways or pedestrian walkways is consistent with the relevant Precinct Plan and relevant Figures 1 - 4 or 5-9 above'.	Accept in part	Addressed in precinct provisions.
33.35	Auckland Transport	Amend assessment criteria at 1430.8.1(2) as follows: '(2) Subdivision and infringement of subdivision standards <u>other than those standards listed in (A2) and (A6)</u> '	Accept in part	Addressed in precinct provisions

Sub Point	Submitter Name	Summary	Decision	Reasons
33.36	Auckland Transport	Amend assessment criterion 1430.8.1(2)(a) as follows: '(a) For Sub-precincts A, B, C, <u>and D</u> and E the extent to which the design of the subdivision, the layout of any roads, vehicle access ways or pedestrian walkways and the location of any building envelopes shown on the plan of subdivision is consistent with the relevant Precinct Plan and relevant Figures 1 - 4 and 5-14 above.'	Accept	Addressed in precinct provisions.
33.37	Auckland Transport	Insert new assessment criterion for 1430.8.1(2) as follows: '(x) For <u>Sub-precinct E</u> , the extent to which the <u>subdivision implements the transport infrastructure identified on Precinct Plan 3</u> '	Accept	Addressed in precinct provisions.
33.38	Auckland Transport	Delete assessment criterion 1430.8.1(2)(b) as follows: '(b) Whether site sizes meet the minimum requirements in Standard 1430.6.7 above. '	Accept	Addressed in precinct provisions
33.39	Auckland Transport	Amend assessment criterion 1430.8.1(4)(b)(i) as follows: '(i) Whether the <u>subdivision will implement</u> any works are required within Patumahoe or Mauku Roads, and existing intersections with those roads, to ensure traffic and pedestrian safety is maintained at, or enhanced from, pre-development levels; and'	Accept	Addressed in precinct provisions.

Sub Point	Submitter Name	Summary	Decision	Reasons
33.40	Auckland Transport	Amend assessment criterion I430.8.1(4)(b)(ii) as follows: '(ii) Whether the <u>subdivision will implement any safety improvements required to the local road network are facilitated by subdivision in order to safely accommodate the additional activity address any transport effects associated with development in Sub-precinct E.</u> '	Accept	Addressed in precinct provisions.
33.41	Auckland Transport	Amend assessment criterion I430.8.1(4)(b)(iii) as follows: '(iii) Whether the <u>subdivision provides for any safety improvements are required to maintain the safe operation of the railway level crossing on Patumahoe Road, and</u> '	Accept	Addressed in precinct provisions.
33.42	Auckland Transport	Delete assessment criterion I430.8.1(4)(b)(iv) as follows: '(iv) Whether subdivision and development in Sub precinct E contributes proportionately to any required safety improvements to the level crossing- '	Reject	With be addressed in the resource consent process
33.43	Auckland Transport	Amend assessment criterion I430.8.1(4)(c)(i) as follows: '(i) Whether the establishment of reading, footpaths, eyeleways and landscaping in each stage is consistent with Patumahoe: Precinct Plan 3, Auckland Council Codes of Practice and the Auckland Design Manual'	Accept	Addressed in precinct provisions

Sub Point	Submitter Name	Summary	Decision	Reasons
33.44	Auckland Transport	<p>Insert two new criteria for 1430.8.1(4)(c) as follows: '<u>x) Whether the staging of development is aligned with the delivery of transport infrastructure needed to service the development</u>' '<u>x) Whether the establishment of any transport infrastructure in each stage is consistent with Precinct Plan 3 and whether any transport infrastructure in existing roads or to be vested in Auckland Council is consistent with the Auckland Transport's design standards.</u>'</p>	Accept	Addressed in precinct provisions.
33.45	Auckland Transport	<p>Amend assessment criterion 1430.8.1(4)(f) as follows: '<u>f) The extent to which subdivision design and associated provisions address ensure that the specific Standards 1430.8(4)(b-d) and matters of discretion in 1430.8(2)(b, e, f-1) applicable to Sub-precinct E achieve their respective purpose(s).</u>'</p>	Accept in part	Addressed in precinct provisions.

Sub Point	Submitter Name	Summary	Decision	Reasons
33.46	Auckland Transport	<p>Amend Precinct Plan 3 to delete the section of 'indicative road layout' located adjacent to the south-west boundary of the Patumahoe Recreation Reserve.</p> <p>Amend Precinct Plan 3 to include other transport works required to support the proposal including:</p> <ul style="list-style-type: none"> • Pedestrian crossings on Patumahoe Road • Upgrade and widening of Patumahoe Road frontage to accommodate a separated walking and cycling facility extending to Woodhouse Road • Pedestrian and potential cycling connection through Patumahoe Recreation Reserve • Safety improvements at the Patumahoe / Mauku / Woodhouse Roads intersection • Additional bus stops on Patumahoe Road • Identification of roads for speed reduction measures. <p>Make consequential amendments to precinct provisions, including rules such as staging triggers and assessment criteria, to require these works in conjunction with subdivision and development.</p>	Accept in part	Addressed in precinct provisions.
33.47	Auckland Transport	Amend Precinct Plan 3 to remove one of the proposed intersections onto Patumahoe Road but retain the intersection adjacent to the industrial zone.	Accept	Addressed in precinct provisions.
33.48	Auckland Transport	Amend the Precinct Plan to include reference to the road stopping process which would be required to realign the southern part of Carter Road in the manner	Accept in part	Plan change does not seek to close the road.

Sub Point	Submitter Name	Summary	Decision	Reasons
		<p>proposed. The Precinct Plan should acknowledge through advice notes and special information requirements that development which relies on the road realignment cannot proceed until road stopping is completed and there is an unconditional agreement in place to acquire the stopped road.</p>		
33.49	Auckland Transport	<p>Amend the Precinct Plan to add provisions, including rules, identifying where speed limits on Patumahoe Road need to be lowered to support safety for the proposed development and that this process will be funded by the applicant.</p>	Accept in part	Addressed in precinct provisions.
33.50	Auckland Transport	<p>Amend the Precinct Plan to require two pairs of bus stops meeting Auckland Transport standards to be provided along Patumahoe Road in conjunction with subdivision and development of Sub-precinct E. The indicative location of the bus stops should be identified on Precinct Plan 3.</p>	Accept in part	Addressed in precinct provisions.
33.51	Auckland Transport	<p>Amend the precinct plan to incorporate provisions, including rules, relating to the provision of a pedestrian and, potential cycling connection through the Patumahoe Recreation Reserve, subject to the approval of the relevant group within Auckland Council.</p>	Accept in part	Addressed in precinct provisions.

Sub Point	Submitter Name	Summary	Decision	Reasons
34.1	Alpito Hill Limited	Decline the plan change as it relates to the rezoning of 28 Mauku Road and surrounds to Single House Zone unless provisions are put in place to protect the site's land use activities from the effects of Single House development and use (ie reverse sensitivity).	Accept in part	28 Mauku Road was removed from the plan change area.
FS09.15	Karam Dhadli	<i>Oppose in Part</i>	<i>Reject</i>	
34.2	Alpito Hill Limited	Seeks the removal of the Indicative Road through 28 Mauku Road from Precinct Plan 3.	Accept	Mauku Road connection (intersection D) removed from the plan change.
FS02.4	Auckland Transport	<i>Opposes</i>	<i>Accept in part</i>	
FS09.16	Karam Dhadli	<i>Oppose in Part</i>	<i>Accept in part</i>	
35.1	The Surveying Company	Decline the plan change, but if approved, make the amendments I requested	Reject	Out of scope.
FS01.3	Barry Stephens	<i>Supports</i>	<i>Reject</i>	
35.2	The Surveying Company	Seeks that the private plan change is withdrawn and a replacement private plan change is prepared on the basis of a comprehensive structure planning process, including meaningful consultation with the Patumahoe community;	Reject	Plan change is approved.
FS01.4	Barry Stephens	<i>Supports</i>	<i>Reject</i>	

Sub Point	Submitter Name	Summary	Decision	Reasons
FS09.17	Karam Dhadli	<i>Support in Part</i>	<i>Reject</i>	
35.3	The Surveying Company	Seeks that the subject site at 23 Clive Howe Road is included within the private plan change area and the Patumahoe Precinct;	<i>Reject</i>	Out of scope.
FS01.5	Barry Stephens	<i>Supports</i>	<i>Reject</i>	
35.4	The Surveying Company	Seeks that the subject site at 23 Clive Howe Road and the adjoining site at 75 Patumahoe Road are rezoned Residential Large Lot and are subject to a subdivision standard which requires all new lots to have a minimum size of 2000m ² and an average size of 4000m ² .	<i>Reject</i>	Out of scope
FS01.6	Barry Stephens	<i>Supports</i>	<i>Reject</i>	
35.5	The Surveying Company	Seeks that the sites at 24, 25, 26 and 28 Clive Howe Road and 59, 61 and 71 Patumahoe Road are rezoned to Residential Single House.	<i>Reject</i>	Land removed from plan change area.
FS02.5	Auckland Transport	<i>Opposes</i>	<i>Accept</i>	
FS01.7	Barry Stephens	<i>Supports</i>	<i>Reject</i>	
35.6	The Surveying Company	Seeks any other alternative relief that will enable the subject site at 23 Clive Howe Road and adjoining/surrounding sites to be used for urban (residential) use.	<i>Reject</i>	Out of scope.

Sub Point	Submitter Name	Summary	Decision	Reasons
FS02.6	Auckland Transport	Opposes	Accept	
FS01.8	Barry Stephens	Supports	Reject	
36.1	Kiwirail Holdings Limited	Support 1430.1 Precinct Description, with amendment to read: “...The <u>Paerata-Waiuku Mission Bush Branch</u> railway line forms the southern boundary of the precinct...”	Accept	Addressed in precinct provisions.
36.2	Kiwirail Holdings Limited	Retain 1430.2. Objectives (1), (3) and (4) as notified	Accept	Addressed in precinct provisions.
FS04.6	Kāinga Ora	Support	Accept	
36.3	Kiwirail Holdings Limited	Retain 1430.10.2 Patumahoe: Precinct plan 3 - Sub-Precinct E, with amendment: Add a notation to Precinct plan 3 – Sub-Precinct E to show the location of the landscape buffer area along the southern boundaries of the Light Industrial zone of Sub-precinct E, adjoining the railway, referred to in 1430.6.9 (4).	Accept	Addressed in precinct provisions.
FS04.7	Kāinga Ora	Oppose in part	Accept	
36.4	Kiwirail Holdings Limited	Retain Table 1430.4.2 Activity table, as notified	Accept in part	Addressed in precinct provisions.

Sub Point	Submitter Name	Summary	Decision	Reasons
FS04.8	Kāinga Ora	Oppose	Accept	
36.5	Kiwirail Holdings Limited	Retain Standard I430.6.9. Landscape buffers in sub-precincts B, C, and D and E clauses (3) and (4) relating to sub Precinct E, as notified	Accept in part	Addressed in precinct provisions.
FS04.9	Kāinga Ora	Oppose in part	Accept	
36.6	Kiwirail Holdings Limited	Retain Standard I430.6.17, with amendment as follows: 1. Insert after the Table in (1); or; <u>is at least 50 metres from any railway network, and is designed so that a noise barrier completely blocks line-of-sight from all parts of doors and windows, to all points 3.8 metres above railway tracks</u>	Reject	Provisions removed from the precinct provisions.
FS04.10	Kāinga Ora	Oppose	Accept	
36.7	Kiwirail Holdings Limited	Amend Standard I430.6.17 clause (b) as follows: (b) Compliance may be achieved by adopting the following construction schedule specified by Kiwirail (refer to Schedule XX Construction schedule for indoor noise control, page 5, KiwiRail Plan Provisions October 2018.)	Reject	Provisions removed from the precinct provisions.
FS04.11	Kāinga Ora	Oppose	Accept	
36.8	Kiwirail Holdings Limited	Within Standard I430.6.17, insert a construction schedule for indoor noise [Refer to page 4 of submission for construction schedule].	Reject	Provisions removed from the precinct provisions.

Sub Point	Submitter Name	Summary	Decision	Reasons
FS04.12	Kāinga Ora	Oppose	Accept	
36.9	Kiwirail Holdings Limited	<p>Within Standard I430.6.17, insert a new clause: <u>(xx) Mechanical ventilation</u> <u>If windows must be closed to achieve the design noise levels in clause 1, the building is designed, constructed and maintained with a mechanical ventilation system that:</u> <u>(a) For sleeping rooms, achieves the following requirements:</u> i. <u>provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and</u> ii. <u>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</u> iii. <u>provides relief for equivalent volumes of spill air;</u> iv. <u>provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and</u> v. <u>does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.</u> <u>(b) For other habitable spaces, is as determined by a suitably qualified and experienced person.</u></p>	Reject	Provisions removed from the precinct provisions.
FS04.13	Kāinga Ora	Oppose	Accept	

Sub Point	Submitter Name	Summary	Decision	Reasons
36.10	Kiwirail Holdings Limited	<p>Within Standard I430.6.17, insert after proposed clause (2) Any new building or alteration to an existing building located within 60 metres of the railway network shall be designed, constructed and maintained to achieve rail vibration levels not exceeding 0.3 mm/s ($\sqrt{w,95}$)-<u>or</u> (b) is a <u>single storey framed residential building with:</u></p> <ul style="list-style-type: none"> i. <u>a constant level floor slab on a full-surface vibration isolation bearing with natural frequency not exceeding 10 Hz, installed in accordance with the supplier's instructions and recommendations; and</u> ii. <u>vibration isolation separating the sides of the floor slab from the ground; and</u> iii. <u>no rigid connections between the building and the ground.</u> 	Reject	Provisions removed from the precinct provisions.
FS04.14	Kāinga Ora	Oppose	Accept	
36.11	Kiwirail Holdings Limited	<p>Within Standard I430.6.17, insert a new clause referring to all preceding clauses;</p> <p>(xxx) <u>A report is submitted to the council demonstrating compliance with the clauses above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise.</u></p>	Reject	Provisions removed from the precinct provisions.
FS04.15	Kāinga Ora	Oppose	Accept	

Sub Point	Submitter Name	Summary	Decision	Reasons
36.12	Kiwirail Holdings Limited	Retain 1430.8. Assessment – restricted discretionary activities (2) clause (j) as notified	Reject	Provisions removed from the precinct provisions.
36.13	Kiwirail Holdings Limited	Retain 1430.8. Assessment – restricted discretionary activities clause (2) (n) with amendment to clause (2) (n) to add sub criteria as follows: (n) Compliance with Railway Noise and Vibration Standards in Sub-precinct E including: <u>(i) Whether the sensitive activity could be located further from the railway corridor.</u> <u>(ii) The extent to which the noise and vibration criteria are achieved and the effects of any noncompliance.</u> <u>(iii) Special topographical, building features or ground conditions which will mitigate vibration impacts</u>	Reject	Provisions removed from the precinct provisions.
FS04.16	Kāinga Ora	Oppose	Accept	
36.14	Kiwirail Holdings Limited	Retain 1430.8.1(4)(b)(iii) and (iv) as notified	Reject	Provisions removed from the precinct provisions.
37.1	Watercare Services Limited	Seeks a decision that ensures that the water and wastewater capacity and servicing requirements of the Proposal will be adequately met, such that the water and wastewater related effects are appropriately managed.	Accept	Addressed in precinct provisions.
FS09.17	Karam Dhadli	Support in Part	Accept in part	

Sub Point	Submitter Name	Summary	Decision	Reasons
37.2	Watercare Services Limited	<p>Seeks that the following information be provided in order for it to adequately assess the effects of this Proposal:</p> <p>(a) How the additional water storage to service the Plan Change Area will be provided.</p> <p>(b) The availability of suitable land to accommodate the necessary upgrades to service the Plan Change Area, including identification of suitable land adjacent to the Patumahoe Reservoir to meet the appropriate hydraulic grade line to expand the existing asset in order to provide water supply to service the Plan Change Area.</p> <p>(c) An additional assessment of the full potential impacts of the rezoned land, including the proposed Sub-precinct E.</p> <p>(d) Any additional existing upgrades, and proposed wastewater infrastructure that will be required to accommodate additional flows.</p> <p>(e) Confirmation of how both the water and wastewater upgrades are intended to be funded.</p>	Accept	Addressed in precinct provisions.
FS09.18	Karam Dhadli	Support in Part	Accept in part	
38.1	Counties Power Ltd	Accept the Plan Change	Accept	Plan change approved.
38.2	Counties Power Ltd	If the overhead lines are to remain, Counties Power Limited advises that clearance must be maintained between the overhead lines and any proposed street	Accept	Plan change approved.

Sub Point	Submitter Name	Summary	Decision	Reasons
		trees. These clearances are required under the Electricity (Hazards from Trees) Regulations 2003;		
38.3	Counties Power Ltd	Seeks consultation regarding the species of trees/shrubs proposed by any Standard in the vicinity of overhead lines in all Sub-precincts (to ensure that due consideration is given to the height and spread of the tree and any potential hazards to the electricity network associated with the species of the tree.	Reject	No provisions included in the plan change.
38.4	Counties Power Ltd	Retain provisions as notified/proposed, subject to submission points raised above: - I430.6.13 (1)(b) - I430.8 (2) - I430.8.1(4)(e)	Accept in part	Addressed in precinct provisions.
39.1	Federated Farmers of New Zealand	Accept the Proposal as a whole, while taking proper account of reverse sensitivity matters.	Accept	Addressed in precinct provisions.
FS04.18	Kāinga Ora	<i>Support</i>	<i>Accept</i>	
FS09.19	Karam Dhadli	<i>Support in Part</i>	<i>Accept</i>	
40.1	David George Harper	Decline the plan change	Reject	Expert assessment is that the subject land does not contain Elite soils and that the Prime

Sub Point	Submitter Name	Summary	Decision	Reasons
				soils are not highly valued for their productive potential.
41.1	Ministry of Education	Requests regular engagement with Auckland Council and the developer to understand the housing typologies being proposed, the staging and timing of the subsequent development. This will allow the Ministry to appropriately plan for the potential impact of the development on the school network including the investigation of the provision of new schools and planning for interim and significant upgrades to existing schools.	Accept in part	Noted.
41.2	Ministry of Education	No specific decision requested but supports the proposed safety improvements to mitigate traffic effects on pedestrian safety	Accept	Noted.
41.3	Ministry of Education	No specific decision but supports the partial closure of Carter Road to be converted into a walking and cycling pathway	Accept in part	Addressed in precinct provisions.
41.4	Ministry of Education	No specific decision requested but supports the proposed speed reduction to 30km/hr in the wider Proposed Plan Change area	Reject	Noted.
42.1	Karam Dhadli	Approve PPC55 subject to - i. confirming the zoning of land abutting the rear boundary of the Submitter's site as Open Space zoned land; and	Accept in part	Addressed in precinct provisions

Sub Point	Submitter Name	Summary	Decision	Reasons
42.2	Karam Dhadli	<p>ii. reviewing and, if necessary, refining the extent of the plan change area to ensure this best achieves sustainable growth and the efficient use of land and is the most appropriate method to achieve the purpose of the Resource Management Act 1991; and</p> <p>b. Approve PPC55 subject to amending the AUP-OP maps and text to -</p> <p>i. extend the plan change area to include the Submitter's site and to apply an appropriate zone to the land to enable settlement growth, for instance as Future Urban Zone and/or Residential -Single House zone and/or a Business-Light Industry zone; and</p> <p>ii. apply the proposed Patumahoe Sub-Precinct E to the Submitter's site.</p>	Reject	Land not included in plan change area.
FS02.7	Auckland Transport	Opposes	Accept	
42.3	Karam Dhadli	<p>In the event that the PPC55 is approved without inclusion of the Submitter's site within the plan change area, require –</p> <p>i. the imposition of a sufficiently wide, planted Landscape Buffer adjoining the entire boundary of the Submitter's site; and</p> <p>ii. the registration of a 'no complaints' covenant on those</p>	Accept	Addressed in precinct provisions.

Sub Point	Submitter Name	Summary	Decision	Reasons
		residential sites along the western boundaries of Sub-Precinct E adjoining the Submitter's site in respect of the effects of lawful activities undertaken on its land to create separation at the zone interface and ensure protection against reverse sensitivity effects.		
FS04.19	Kāinga Ora	<i>Oppose in part</i>	<i>Reject</i>	
42.4	Karam Dhadli	Seeks consequential amendments as necessary to achieve the relief sought above [Submission points 42.1, 42.2 and 42.3].	Accept in part	Addressed in precinct provisions.
43.1	Douglas Rex Embling	Decline the plan change	Reject	Plan change approved.
44.1	Heritage New Zealand Pouhere Taonga	Accept the proposed plan change with amendments to include appropriate provisions within the precinct plan to fully address Māori cultural heritage values identified and require the incorporation of Te Aranga principles into development through the resource consenting process.	Accept	Addressed in precinct provisions.
45.1	Peter Hardy	Seeks that the proposal recognises the long term transport requirements of Patumahoe Village.	Accept in part	Addressed in precinct provisions.

ATTACHMENT TWO

PC55 –Precinct Provisions – 30 April 2022

With updates to Precinct Plan 3 and Figure 13 (Landscape Concept Plan for Sub-precinct E)

I430. Patumahoe Precinct

(N.B. Includes PC4 Modifications to AUP:OIP)

I430.1. Precinct Description

Patumahoe Sub-precinct A consists of approximately 25 hectares of land located northwest of the existing Patumahoe settlement. The precinct is bounded to the east by Woodhouse Road and to the west by an existing residential area fronting Kingseat Road. To the south of the precinct is the Patumahoe town centre/commercial area, while to the north are horticultural and pastoral activities. The sub-precinct is bisected by an open watercourse that drains into the headwaters of the Taihiki River. A second, less significant watercourse is located in the western aspect of the precinct which includes the western wetland.

Sub-precincts B, C and D comprise approximately 9.93 hectares and are located on a weathered volcanic cone to the west of the Patumahoe town. The three sub-precincts are bounded by Mauku Road to the south east, Kingseat Road to the north east and Day Road to the north west. Land to the west and south of the precinct remain in rural/horticultural use.

The zoning of land within this precinct is Residential - Single House Zone and Open Space – Informal Recreation.

Sub-precinct E comprises approximately 22ha of land adjoining the southern edge of the existing settlement. The sub-precinct extends from the western side of Patumahoe Road across Carter Road to Patumahoe Domain. The Mission Bush Branch railway line forms the southern boundary of the precinct, with land to the south of the railway (outside of the precinct) remaining in rural land use.

The zoning of land within this precinct is Residential - Single House, and Business – Light Industrial.

Patumāhoe has cultural values derived from the longstanding occupation and enduring connections of Mana Whenua. The area was highly valued for mahinga kai (food harvesting), rongoā (natural medicines) and as a source of building resources. Mana whenua have an on-going responsibility as custodians, protectors and guardians (kaitiaki) of their cultural interests and taonga at Patumāhoe.

I430.2. Objectives

- (1) Development provides a high standard of amenity, safety and convenience and contributes to a positive sense of place and identity for the Patumahoe area.

I430 Patumahoe Precinct

- (2) Efficient infrastructure is provided to service the needs of the precinct area.
- (3) Development and/or subdivision within the precinct facilitates a transport network that:
 - (a) integrates with, and avoids adverse effects on the safety and efficiency of, the transport network of the surrounding area, including any upgrades to the surrounding network;
 - (b) facilitates transport choices by providing for pedestrians, cyclists, public transport facilities, and vehicles;
 - (c) is designed and constructed in a manner that is consistent with the requirements of Auckland Transport and any relevant code of practice or engineering standards.
- (4) Subdivision and development minimise the potential for reverse sensitivity conflicts with adjoining rural activities and land uses.
- (5) Subdivision within Sub-precinct E that recognises cultural values and enhances the relationship Mana Whenua to the land and their enduring role as Kaitiaki of the whenua, water, sites, wāhi tapu, and other taonga.

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

I430.3. Policies

- (1) Require dwellings developed within the precinct, to make efficient use of land and infrastructure while achieving an overall pattern and intensity of development compatible with the rural character of Patumahoe.
- (2) Enable a range of site sizes while maintaining a compact, centre focused urban form that is compatible with the current scale and development pattern of Patumahoe.
- (3) Require subdivision and design of residential, open space, and infrastructure to enhance landscape amenity and recreational values associated with the principal watercourse including the bush gully and waterfall area at the north-western corner of the Sub-precinct A.
- (4) Provide quality public open spaces which generally abut streets rather than residential sections and thus provide opportunities for passive surveillance and public amenity.
- (5) Require subdivision and/or development within the precinct to provide for a transport network that:
 - (a) as a minimum, is in accordance with the transport network elements shown on Patumahoe: Precinct plans 1 and 3;

I430 Patumahoe Precinct

- (b) supports safe and efficient movement of pedestrians, cyclists, public transport and vehicles;
 - (c) is designed and constructed in accordance with the requirements of Auckland Transport and any relevant code of practice or engineering standards.
- (6) Require all lots within sub-precincts B, C, D and E to be connected efficiently and cost effectively to the existing public sewerage and water supply networks in Patumahoe, and recognise that the council may enter into such arrangements as are appropriate with any developer to ensure this happens in a timely manner.
- (7) Require the use of water harvesting within sub-precincts B, C, D and E (i.e. roof water collection tanks) for non-potable uses for individual dwellings as a means of achieving stormwater management objectives and to promote water conservation and efficiency.
- (8) Require low impact stormwater management techniques to be integrated into the design of the stormwater network in the area and stormwater management to occur in accordance with the Patumahoe Integrated Catchment Management Plan and associated Stormwater Network Discharge Consent.
- (9) Recognise, protect and enhance the cultural, spiritual and historic values and relationships of Mana Whenua to the land within Sub-precinct E and their enduring role as Kaitiaki of the whenua, water, sites, wāhi tapu, and other taonga by:
- a) incorporating Te Aranga Design principles in subdivision, use and development of the land;
 - b) encouraging development to reflect the whakapapa, ancestral names, history and stories of the area in reference to and use of the names of the various sites, places, areas, wāhi tapu and other taonga of special significance and value to Mana Whenua.

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

I430.4. Activity table

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

Table I430.4.1 Activity table specifies the activity status of activities in the Patumahoe sub-precincts B, C and D pursuant to sections 9(3) and 11 of the Resource Management Act 1991. A blank table cell with no activity status specified means that the zone, Auckland-wide and overlay provisions apply.

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Table I430.4.1 Activity table

Activity		Activity status
Development		
(A1)	Building	
Subdivision		
(A2)	Subdivision which complies with the subdivision standards I430.6.4 Vehicle parking and access in sub-precincts B, C and D, I430.6.7 Minimum net site area, I430.6.8. Maximum number of lots in sub-precincts B, C and D, I430.6.9 Landscape buffer in sub-precincts B, C, and D, I430.6.10 Public open space in sub-precincts B, C and D, I430.6.11 Staging in sub-precincts B, C and D and I430.6.12 Stormwater management in sub-precincts B, C and D;	
(A3)	Subdivision which does not comply with the subdivision standards I430.6.4 Vehicle parking and access, I430.6.7 Minimum net site area, I430.6.8. Maximum number of lots in sub-precincts B, C and D, I430.6.9 Landscape buffer, I430.6.10 Public open space, I430.6.11 Staging and I430.6.12 Stormwater management.	NC

I430 Patumahoe Precinct

Table I430.4.2 Activity table specifies the activity status of activities in Patumahoe sub-precinct E pursuant to sections 9(3) and 11 of the Resource Management Act 1991. A blank table cell with no activity status specified means that the zone, Auckland-wide and overlay provisions apply.

Table I430.4.2 Activity table

Activity	Activity status
Development	
(A4) Building in the Single House Zone	P
(A5) Building in the Single House Zone which does not comply with the applicable building and development standards in I430.6.	RD
(A6) Activities in the Business Light Industrial Zone	
Subdivision	
(A6) Subdivision which complies with the subdivision standards I430.6.7 Minimum net site area, I430.6.9 Landscape buffer in sub-precincts B, C, and D and E I430.6.13. Infrastructure Staging in Sub-precinct E; I430.6.14. Stormwater management in Sub-precinct E; I430.6.15. Reverse Sensitivity in Sub-precinct E.	RD
(A7) Subdivision which does not comply with the subdivision standards listed in (A6) above.	NC

I430.5. Notification

- (1) Any application for resource consent for an activity listed in Tables I430.4.1 and I430.4.2 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).

I430.6. Standards

The overlay, zone and Auckland-wide standards apply in this precinct in addition to the following standards, unless otherwise specified below. All activities listed in Table I408.4.1 Activity table must comply with the following standards.

I430.6.1. Building design in sub-precincts B, C, D and E

- (1) The finishing of external walls of buildings shall have a light reflectivity value of no more than 70%.
- (2) The finishing of roofs shall have a light reflectivity value of no more than 40% and the roof finishing shall be darker than the external walls of the building.

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- (3) Buildings fronting Patumahoe Road between the railway line and Carter Road must have a minimum front yard setback of 7 metres.

I430.6.2. Retaining walls in sub-precincts B, C, D and E

- (1) The height of a single retaining wall shall not exceed 1.2m.
- (2) The use of more than one 1.2 metre retaining wall is permitted, provided this can be done by terracing a second wall behind the first. The space in between the two walls cannot be less than 0.75 metres and this intervening area must be landscaped in accordance with Figure 4 Retaining detail below.
- (3) At the base of each retaining wall landscape plantings shall be established in accordance with the Figure 4 Retaining detail below, to visually break up the appearance of the face of the retaining wall.
- (4) Retaining walls must be constructed of natural stone, or timber or designed with materials that match materials used on the exterior of a dwelling on the same lot. Crib or keystone are not permitted.

I430.6.3. Paving materials in sub-precincts B, C, D and E

- (1) Paving materials must comprise either exposed aggregate concrete, concrete with charcoal oxide (6.0kg/m³), natural stone, natural timber, or be undertaken with dark or earth toned pavers. This standard shall not apply to public roads.

I430.6.4. Vehicle parking and access in sub-precincts B, C and D

- (1) No vehicle access to private lots is permitted from Kingseat Road. Vehicle access for properties with frontage onto Kingseat Road shall be from public roads or private lanes at the rear of properties.

I430.6.5. On-site stormwater mitigation in sub-precincts B, C, D and E

- (1) All stormwater from impervious areas shall be mitigated to achieve flow attenuation, such that 5m³/100m² of roof area and 3m³/100m² of other impervious areas are attenuation by one (or a combination) of the following methods:
 - (a) Stormwater soakage pits where geotechnical conditions allow.
 - (b) Stormwater rain tanks where geotechnical conditions do not allow for effective soakage, or to provide generally for rainwater harvesting.

I430.6.6. Interface with Kingseat Road – all sites fronting Kingseat Road in sub-precincts B, C and D

- (1) That part of Standard H3.6.8 Yards specifying front yards does not apply.
- (2) Front yards: a front yard of not less than 4.0 metres, and not more than 5.0 metres must be provided.
- (3) That part of the front façade of a dwelling within 10m of the front boundary must contain glazing to a habitable room or habitable rooms that is cumulatively at least 10 per cent of the area of that part of the front façade.

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- (4) Any retaining wall adjacent to the Kingseat Road boundary shall be a maximum of 1.2 metres high, as illustrated in Figure 3 Kingseat Road below, Landscaping shall be planted to the front of any such retaining wall facing Kingseat Road for its entire length.

I430.6.7. Minimum net site area

- (1) Standards E38.8.2.3 Vacant sites subdivisions involving parent sites of less than 1 hectare and E38.8.3.1 Vacant sites subdivision involving parent sites of 1 hectare or greater, do not apply.
- (2) Site sizes for proposed residential sites must comply with the minimum net site areas specified in Table I430.6.7.1 Minimum net site area.
- (3) Standard E38.8.2.4 Subdivision of sites in the Subdivision Variation Control does not apply to Sub-precinct E.

Table I430.6.7.1 Minimum net site area

Sub-precinct	Minimum net site area
A	800m ²
B	950m ²
C	600m ²
D	700m ²
E	600m ² for lots either wholly or partially located within 400m of the SE corner of the intersection of Patumahoe Road and Mauku Road; 1500m ² for lots adjoining the Mission Bush railway; 800m ² for all other lots

I430.6.8. Maximum number of lots in sub-precincts B, C and D

- (1) The total number of residential lots within sub-precincts B, C and D, including those containing the two existing dwellings shall not exceed 73.

I430.6.9. Landscape buffer_s in sub-precincts B, C, D and E

- (1) A landscape buffer area with an average width of no less than 20m, shall be established by way of reserve to vest in the council or restrictive covenant/s (or similar) along the south western boundary of Sub-precinct B in accordance with Patumahoe: Precinct plan 1.
- (a) The landscape buffer area must be planted with a mixture of indigenous trees, shrubs or ground cover plants (including grass) along the full extent of the landscape strip.
- (b) A recreation trail must be established within the landscape buffer area and have a minimum width of 2 metres.

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- (2) A landscape buffer of 20m width shall be established by way of reserve to vest in the Council or restrictive covenant/s (or similar) along the southwestern boundary of Sub-precinct E adjoining rural zoned land in accordance with Patumahoe: Precinct plan 3.
 - (a) The landscape buffer area must include a hedge of fast-growing indigenous shelterbelt species along the southwestern boundary of Sub-precinct E adjoining rural zoned land.

- (3) A landscape buffer area with an average width of no less than 5m, shall be established by way of restrictive covenant/s (or similar legal mechanisms) on Single House zoned lots along the southern boundaries of Sub-precinct E, between Light Industrial zoned land and 104 Patumahoe Road; along the Patumahoe Road frontage of the Light Industrial zoned land; and between the Light Industrial and Single House zone land mid-way along the south boundary, in accordance with Patumahoe: Precinct plan 3.
 - (a) The landscape buffer area must be planted with a mix of indigenous trees and shrubs along the full extent of the landscape strip.

- (4) A landscape buffer area with an average width of no less than 3m, shall be established by way restrictive covenant/s (or similar) along the southern boundaries of the Single House and Light Industrial zone of Sub-precinct E adjoining the railway in accordance with Patumahoe: Precinct plan 3.
 - (a) The landscape buffer area must be planted with a mixture of fast-growing exotic shelterbelt species and/or indigenous specimen trees and shrubs along the full extent of the landscape strip.

I430.6.10. Public open space in sub-precincts B, C, D and E

- (1) A neighbourhood park shall be established in the general location identified in Patumahoe: Precinct plan 1.

I430.6.11. Staging in Sub-precincts B, C and D

- (1) Before any S224(c) certificates of building consents are granted for any stage of development, the following works shall be constructed and completed to the council's satisfaction:
 - (a) the central spine road – major as shown on Patumahoe: Precinct plan 1;
 - (b) a shared footpath, appropriate kerb and channel, berm and street trees; and
 - (c) a services corridor along the frontages of Day Road, Mauku Road and Kingseat Road, where they are adjacent to the portion of land being developed.

I430.6.12. Stormwater management in Sub-precincts B, C and D

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- (1) Before S224(c) certificates or building consents are granted for development within Stage 2, either:
 - (i) a stormwater management pond shall be constructed and completed to Council's satisfaction within Sub-precinct D at the corner of Kingseat and Day roads; or
 - (ii) any upgrades necessary to the Western Pond within Sub-precinct A shall be constructed and completed to the council's satisfaction.
 - (iii) The works outlined above shall be undertaken in accordance with the Patumahoe stormwater network discharge consent.

I430.6.13. Infrastructure Staging in Sub-precinct E

- (1) Before any S224(c) certificates for subdivision or building consents for new dwellings are issued for any stage of development within Sub-precinct E, (excluding subdivision consent BUN60329721) the following works shall be constructed and completed to the Council's satisfaction:
 - (a) A new road from Patumahoe Road into the precinct from one of the indicative locations shown on Patumahoe: Precinct plan 3;
 - (b) A raised platform pedestrian crossing on Patumahoe Road near Patumahoe school, following consultation with Auckland Transport and the Ministry of Education regarding the location and design of the crossing;
 - (c) Where lots are created fronting Carter Road, Pedestrian and cycle facilities on Carter Road identified as 'cycle lane' on Patumahoe: Precinct Plan 3 when adjacent land is subdivided with a connection to Patumahoe Road, identified as 'cycle lane' on Precinct plan 3 and Table 1A;
 - (d) A cycle facility along Patumahoe Road from Carter Road to the Mauku / Patumahoe / Woodhouse Road Intersection;
 - (e) Provision of vehicle access to the Watercare facility at 6 Carter Road – Lot 13 DP83912;
 - (f) Upgrade the Patumahoe Road / Carter Road / Clive Howe intersection to provide safe and efficient movement for all transport modes.
 - (g) A road abutting the Patumahoe Domain when adjacent land is subdivided;
 - (h) An extension of the public wastewater network and water supply networks, along with any necessary upgrades, to ensure sufficient capacity to service the proposed allotments and any future subdivision stages.

Advice Note: Unless otherwise confirmed, upgrades are likely to be required to the water reservoir and wastewater network capacity and functional requirements (pump station and storage, plus lift station).

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- (2) Before any S224(c) certificates for subdivision or building consents for new buildings are issued for development within the Light Industrial zone in Sub-precinct E, the following works shall be constructed and completed to the Council's satisfaction:
 - (a) A new road from Patumahoe Road into the precinct to connect with the indicative roading shown on Patumahoe: Precinct plan 3. This connection should also provide safe cycle facilities to link with the cycle facilities on Carter Road;
 - (b) Provide a central island pedestrian refuge crossing facility on Patumahoe Road approximately 200m north of the railway level crossing.

Advice Note:

Where these standards require works on Patumahoe Road they may be met by either completion of physical works or, at Council's discretion in consultation with Auckland Transport, by payment of a financial contribution in lieu of works prior to the issue the roading improvement works.

I430.6.14. Stormwater management in Sub-precinct E

- (1) Before S224(c) certificates or building consents for new dwellings are issued for development within Sub-precinct E:
 - (a) a stormwater management pond suitably sized for the relevant stage(s) shall be constructed and completed to Council's satisfaction within Sub-precinct E to the southeast of the Patumahoe Domain as shown on Precinct plan 3.
 - (b) The stormwater management system shall be designed and implemented in accordance with the applicable stormwater network discharge consent.

I430.6.15. Reverse Sensitivity in Sub-precinct E

- (1) Before any subdivision of land in Sub-precinct E enabling dwellings to be located within 200m of the poultry sheds located at 75 Patumahoe Road (Lot 2 DP 2119808) either:
 - (a) Use of the poultry sheds shall be discontinued; or
 - (b) Reverse sensitivity measures shall be implemented to Council's satisfaction, for example the registration of a "no complaints" covenant on the respective sites restricting the owners and occupiers of such land from complaining about any offensive and objectionable odours or dust within the buffer area generated by the poultry sheds.
- (2) Before any subdivision of land in Sub-precinct E enabling dwellings to be located between 200m and 400m away from the poultry sheds located at 75 Patumahoe Road (Lot 2 DP 2119808) reverse sensitivity measures shall be implemented to Council's satisfaction by requiring the registration of a "no complaints" covenant on the respective sites restricting the owners and

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occupiers of such land from complaining about any offensive and objectionable odours or dust within the buffer area generated by the poultry sheds.

I430.6.16. Fencing in Sub-precinct E

- (1) Front yard fences must not exceed a height of 1.4m (measured from ground level at the boundary) and be a minimum 50% visually open as viewed perpendicular to the front boundary.
- (2) Side and Rear fences adjoining the Open Space zone must not exceed a height of 1.8m (measured from ground level at the boundary), or if they have more than 1.4m in height must be a minimum 50% visually open as viewed perpendicular to the boundary.
- (3) Any front fences on lots fronting Patumahoe Road, must be a post and rail, post and wire or wire mesh rural type fence, and may be supplemented by hedges.

I430.6.17. Interface with 104 Patumahoe Road and sub-precinct E

The following standards apply to the Light Industrial zone adjoining 104 Patumahoe Road (Lot 1 DP 147416):

- (1) The following activities are restricted discretionary activities within 30m of the boundary of 104 Patumahoe Road
 - (a) bars and taverns
 - (b) drive-through restaurants
 - (c) outdoor eating areas accessory to restaurants
 - (d) entertainment facilities
 - (e) child care centres; and
 - (f) animal breeding and boarding
- (2) Standard H17.6.2 Height in relation to boundary (refer to Figure H17.6.2.1).
- (3) Side and Rear Yards must be a minimum 12m.

I430.6.18. Dairy and Food and Beverage Retail in Light Industry Area

- (1) No more than one dairy and one other food and beverage retail business shall be located within the Sub-precinct E Light Industry zone.

I430.7. Assessment – controlled activities

I430.7.1. Matters of control

There are no controlled activities in this precinct.

I430.7.2. Assessment criteria

There are no controlled activities in this precinct.

I430.8. Assessment – restricted discretionary activities

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

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matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) Development and infringements of development standards:
 - (a) for sub-precincts A, B, C and D consistency with Patumahoe: Precinct plan 1 and Patumahoe: Precinct plan 2 – Staging and stormwater sub-catchment plan;
 - (b) for sub-precinct E consistency with the Patumahoe: Precinct plan 3.
 - (c) the location of any buildings and earthworks;
 - (d) protection and planting of vegetation.
- (2) Subdivision and infringements of subdivision standards for sub-precincts A, B, C and D other than those standards listed in (A2) and (A6):
 - (a) consistency with Patumahoe: Precinct plan 1 and Patumahoe: Precinct plan 2 – Staging and stormwater sub-catchment plan;
 - (b) Whether site sizes meet the minimum requirements in Standard I430.6.7 above;
 - (c) the location of any building envelopes shown on the plan of subdivision;
 - (d) the layout and design of any roads, vehicle access ways or pedestrian walkways shown on the Patumahoe: Precinct plan 1 and on Figures 1 – 4 below;
 - (e) protection and planting of vegetation;
- (3) Subdivision and infringements of subdivision standards for sub-precinct E:
 - (a) consistency with the Patumahoe: Precinct plan 3;
 - (b) The adequacy of the transport infrastructure and services to provide for the subdivision including the provision roads in sub-precinct E consistent with Table 1A Road Function and Required Design Elements in Sub-Precinct E;
 - (c) establishment of safe and efficient road access from Patumahoe Road to sub-precinct E and the internal road network including, footpaths and cycle facilities within the sub-precinct;
 - (d) need for and provision of road safety improvements on Patumahoe Road, including at the intersections with Woodhouse/Mauku Road and Carter/Clive Howe Road to mitigate the transport effects of development in sub-precinct E;

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- (e) provision of additional bus stops on Patumahoe Road to service residential development in sub-precinct E;
- (f) need for and provision of safety improvements to the railway level crossing on Patumahoe Road,
- (g) provision of adequate capacity in the public water supply and wastewater networks to service sub-precinct E;
- (h) establishment of stormwater management and reticulation in sub-precinct E;
- (i) for specified activities under Standard I430.6.17 the Matters of discretion in rule H17.8.1(1);
- (j) consistency with the Landscape Concept plan for sub-precinct E;
- (k) compliance with fencing standards in sub-precinct E;
- (l) application of Te Aranga design principles in subdivision design and development;
- (m) safe access to the Patumahoe School drop-off zone in association with any upgrades to Patumahoe/Carter/Clive Howe Road intersection.

I430.9. 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 or zone provisions:

- (1) Development and infringement of development standards.
 - (a) For sub-precincts A, B, C and D the extent to which an activity complies with the Patumahoe: Precinct plan 1 and Patumahoe: Precinct plan 2 – Staging and stormwater sub-catchment plan;
 - (b) For sub-precinct E the extent to which a development complies with the Patumahoe: Precinct plan 3 and implements the identified transport infrastructure under Standard I430.6.13. Infrastructure Staging in Sub-precinct E.
 - (c) For sub-precincts A, B, C, and D whether the design of any roads, vehicle access ways or pedestrian walkways is consistent with the relevant precinct plan and relevant Figures 1- 4 above.
 - (d) The extent to which existing vegetation will be removed and what mitigation planting is proposed to increase the overall vegetated area.

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- (e) How the landscape character and amenity of the area will be enhanced.
- (f) Where it can be demonstrated it is not possible or practicable to meet other assessment criteria with respect to vegetation, whether provision is made for replacement planting that will enhance the landscape character and amenity of the area.
- (g) The extent to which buildings and works are not visually prominent or do not create any scars on the landscape that would be visually prominent.
- (h) The extent to which the height and the scale, massing and form of the building is compatible with the low density and natural character of the landscape.
- (i) The extent to which development in sub-precincts B, C and D maintains the natural landform of the Patumahoe Hill.
- (j) Whether the presence and scale of retaining walls in sub-precincts B, C and D is minimised to avoid modification of the natural gradient of the Patumahoe Hill.

(2) Subdivision and infringement of subdivision standards

- (a) For sub-precincts A, B, C, D the extent to which the design of the subdivision, the layout of any roads, vehicle access ways or pedestrian walkways and the location of any building envelopes shown on the plan of subdivision is consistent with the relevant precinct plan and relevant Figures 1- 4 above.
- (b) Whether site sizes meet the minimum requirements in Standard I430.6.7 above.
- (c) For sub-precinct E consistency with the Patumahoe: Precinct plan 3 and the extent to which the subdivision provides the identified transport infrastructure under Standard I430.6.13. Infrastructure Staging in Sub-precinct E.
- (d) The extent to which the subdivision is designed to protect existing indigenous vegetation and provide for the planting of new vegetation to mitigate the effects of removing any existing significant vegetation.
- (e) Whether the subdivision is in accordance with the Auckland-wide Stormwater Network Discharge Consent.
- (f) For Sub Precinct E, the extent to which subdivision implements the transport infrastructure identified on Patumahoe: Precinct plan 3 and provides roads consistent with Table 1A Road Function and Required Design Elements for sub-precinct E.

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- (3) Additional assessment criteria for subdivision and infringement of subdivision standards in sub-precincts B, C and D
- (a) Stormwater
 - (i) Whether stormwater from sub-catchments “East” and “West 1” as identified in Patumahoe: Precinct plan 2 – Staging and stormwater sub catchment plan is directed to the Main Stormwater Treatment/Detention Pond in Sub-precinct A
 - (ii) Whether stormwater flows from the western sub-catchments “West 2” and “West 3” as identified in Patumahoe: Precinct plan 2 – Staging and stormwater sub-catchment plan are maintained at pre-development levels.
 - (iii) Whether a pond should be established on the northern corner of Sub-precinct D, primarily as a flood management system and landscape amenity feature but also as a stormwater quality improvement device if a pond in that location is required for the purpose of maintaining stormwater flows at a pre-development level.
 - (iv) If a pond is established on Sub-precinct D, whether it is treated as an amenity feature and landscaped accordingly.
 - (v) Whether on-site stormwater detention is also required (such as soakage pits) except where it can be demonstrated that geotechnical conditions within sub-precincts B, C and D do not allow for on-site soakage.
 - (vi) Whether the development uses water sensitive design techniques, including swales, grey water rainwater harvesting for outdoor use, rain gardens, and/or permeable paving etc.
 - (b) In the event development of the sub-precincts B, C and D is staged:
 - (i) Whether sub-catchments “East” and “West 1” comprising stage 1 should be developed first and drain to the main pond on Sub-precinct A.
 - (ii) Whether sub-catchments “West 2” and “West 3” comprising stage 2 should drain to the western pond in Sub-precinct A.
 - (c) The extent to which the subdivision in sub-precincts B, C and D maintains the natural landform of the Patumahoe Hill by ensuring that the grading of individual lots does not occur as part of the subdivision engineering works; rather, the formation of building platforms occurs at the time individual sites are developed and the modification of the natural gradient of the Patumahoe Hill is thereby minimised.
 - (d) The extent to which lighting design for streets recognises the visually prominent hillside location of sub-precincts B, C and D by minimising all light pollution.

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- (e) Whether design of lighting standards includes bollard style standards for street lighting which can be mixed with pedestrian scaled light standards.
- (f) The extent to which landscaping consists of ecologically sourced native plants (i.e. those that naturally occur in the Manukau Ecological District) which are appropriate to the site. (Examples of such species are set out in the typical plant palettes in Figure 5 and Tables 1–7 below).
- (g) Whether plantings and other landscape features will result in a maintenance free mature landscape, insomuch as is practical.

Figure 5: Landscape concept plan and typical plant palettes sub-precincts B, C and D



(4) Additional assessment criteria for subdivision in sub-precinct E

- (a) Stormwater
 - (i) Whether stormwater is directed to the Main Stormwater Treatment/Detention Pond;
 - (ii) Whether stormwater flows from the Main Stormwater Treatment/Detention Pond are maintained at pre-development levels.

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- (iii) Whether on-site stormwater detention is also required (such as soakage pits) except where it can be demonstrated that geotechnical conditions within sub-precinct E do not allow for on-site soakage.
 - (iv) Whether the development uses water sensitive design techniques, including swales, grey water rainwater harvesting for outdoor use, rain gardens, and/or permeable paving etc.
- (b) Rooding and Infrastructure
- (i) Whether the subdivision will implement any works required within Patumahoe Road including existing intersections, to ensure traffic, pedestrian and cycle safety is maintained at, or enhanced from, pre-development levels.
Particular regard should be given to the existing intersections at:
 - Patumahoe Road / Mauku Road/ Woodhouse Road
 - Patumahoe Road / Carter Road / Clive Howe Road; and
 - To the pick up/drop off needs of Patumahoe School.
 - (ii) Whether the subdivision includes upgrades to the intersection of Patumahoe Road / Carter Road / Clive Howe Road to ensure a safe and efficient function of the intersection for all road users following completion of the subdivision and development within sub-precinct E including ensuring the safe function and operation of the Patumahoe School drop-off zone.
 - (iii) Whether the subdivision will implement any safety improvements required to the road network to safely address any transport effects associated with development in sub-precinct E. Such improvements are likely to include pedestrian crossings on Patumahoe Road.
 - (iv) Whether the subdivision provides for any safety improvements are required to maintain the safe operation of the railway level crossing on Patumahoe Road, and
 - (v) Whether provision is made for additional bus stops on Patumahoe Road to service the new residential development, in consultation and agreement with Auckland Transport.
 - (vi) Whether subdivision and development in sub-precinct E contributes proportionately to any required safety improvements to the level crossing.

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(vii) Whether the subdivision/development is aligned with the delivery of public water supply and wastewater network capacity required to adequately service lots and/or development.

(viii) Whether the roads provided or upgraded are consistent with Table 1A Road Function and Required Design Elements.

Table 1A Road Function and Required Design Elements in Sub-Precinct E

<u>Road name</u>	<u>Proposed role and function of road in precinct area</u>	<u>Minimum road reserve width¹</u>	<u>Total number of lanes</u>	<u>Design speed</u>	<u>Median</u>	<u>Cycle provision²</u>	<u>Pedestrian provision</u>	<u>Freight or heavy vehicle route</u>	<u>Access restriction</u>	<u>Bus provision³</u>
<i>Patumahoe Road (between Carter Road and Railway Level Crossing)</i>	<i>Collector</i>	<i>20m</i>	<i>2</i>	<i>50 & 60 km/hr⁴</i>	<i>No</i>	<i>No</i>	<i>Yes - one side (south / west)</i>	<i>No</i>	<i>No</i>	<i>Yes</i>
<i>Patumahoe Road (between Carter Road and Mauku Road)</i>	<i>Collector</i>	<i>20m</i>	<i>2</i>	<i>50 km/hr</i>	<i>No</i>	<i>Yes - one side (south / west)</i>	<i>Both sides</i>	<i>No</i>	<i>No</i>	<i>Yes</i>
<i>Greenway Road (from Domain to Carter Road, and Carter Road to Patumahoe Road)</i>	<i>Local</i>	<i>20m</i>	<i>2</i>	<i>30km/hr</i>	<i>No</i>	<i>Yes - one side</i>	<i>Both sides</i>	<i>No</i>	<i>No</i>	<i>No</i>
<i>Light industry road</i>	<i>Local</i>	<i>19m</i>	<i>2</i>	<i>30 km/h</i>	<i>No</i>	<i>Yes - one side</i>	<i>Both sides</i>	<i>No</i>	<i>No</i>	<i>No</i>

<u>Road name</u>	<u>Proposed role and function of road in precinct area</u>	<u>Minimum road reserve width¹</u>	<u>Total number of lanes</u>	<u>Design speed</u>	<u>Median</u>	<u>Cycle provision²</u>	<u>Pedestrian provision</u>	<u>Freight or heavy vehicle route</u>	<u>Access restriction</u>	<u>Bus provision³</u>
<i>Other local roads</i>	<i>Local</i>	<i>16m</i>	<i>2</i>	<i>30 km/hr</i>	<i>No</i>	<i>No</i>	<i>Both sides</i>	<i>No</i>	<i>No</i>	<i>No</i>

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

² Cycle provision generally not required on local roads where design speeds are 30 km/h or less and traffic volumes are fewer than 2000 vehicles per day.

³ Carriageway lanes and geometry of intersections capable of accommodating buses.

⁴ The change in design speed matches the increase in speed limit approximately 150m southeast of Carter Road.

- (c) In the event subdivision/development of sub-precinct E is staged:
- (i) Whether the establishment of roading, footpaths, cycleways and landscaping in each stage is consistent with Patumahoe: Precinct Plan 3, Auckland Council Codes of Practice and the Auckland Design Manual'.
 - (ii) Whether subdivision staging is aligned with the delivery of public water supply and wastewater network capacity required to adequately service lots and/or development in each stage;

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- (iii) Whether each stage of development can drain to the main Stormwater Treatment/Detention pond within the sub-precinct.
 - (iv) Whether the staging of development is aligned with the delivery of transport infrastructure needed to service the development
 - (v) Whether the establishment of any transport infrastructure in each stage is consistent with Patumahoe: Precinct plan 3 and whether any transport infrastructure is existing roads or to be vested in Auckland Council is consistent with the Auckland Transport's design standards.
- (d) Landscaping
- (i) The extent to which landscaping consists of ecologically sourced native plants (i.e. those that naturally occur in the Manukau Ecological District) which are appropriate to the site. (Examples of such species are set out in the typical plant palettes in Tables 1– 8 below).
 - (ii) The extent to which subdivision landscaping gives effect to the Landscape Concept Plan for sub-precinct E [Figure 6].
 - (iii) The extent to which a high proportion of large scale street trees (such as Puriri – *Vitex Lucens*) are provided within and around sub precinct E.
 - (iv) Whether plantings and other landscape features will result in a maintenance free mature landscape, insomuch as is practical.

Figure 6: Landscape concept plan and typical plant palettes sub-precinct E

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- (e) The extent to which subdivision in sub-precinct E makes provision for public open space, including whether provision of a recreation reserve is required by Auckland Council.
- (f) For specified activities under Standard I430.6.17 the Assessment criteria under rule H17.8.2(1).
- (g) The extent to which Te Aranga design principles have been included in subdivision and land development design, including:
- Design of stormwater treatment systems;
 - Incorporation of groundwater recharge measures;
 - The design of open space/reserve areas;
 - The use of predominantly eco-sourced native plant species;
 - Recognition of sites, places, areas, wāhi tapu and other taonga of special significance and value to Mana Whenua in the naming of streets and open space/reserve areas.
 - The application of sustainable design measures.

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Table 1 Native Restoration Planting Schedule (all species to be ecosourced)

SPECIES	COMMON NAME	MINIMUM SIZE	SPACING
Native Restoration: Nurse Species			
<i>Carex</i> sp	Native grasses	PB2	500mm
<i>Coprosma repens</i>	Taupata	PB2	1.0m
<i>Coprosma robusta</i>	Karamu	PB2	1.0m
<i>Cordyline australis</i>	Cabbage tree	PB2	1.0m
<i>Geniostoma rupestre</i>	Hangehange	PB2	1.0m
<i>Hebe stricta</i>	Koromiko	PB2	1.0m
<i>Kunzea ericoides</i>	Kanuka	PB2	1.0m
<i>Leptospermum scoparium</i>	Manuka	PB2	1.0m
<i>Libertia sp</i>	NZ Iris	PB2	0.5m
<i>Melicytus ramiflorus</i>	Mahoe	PB2	1.0m
<i>Myrsine australis</i>	Mapou	PB2	1.0m
<i>Phormium sp (dwarf)</i>	Dwarf flax	PB2	0.5m
<i>Phormium tenax</i>	Flax	PB2	1.5m
Native Restoration Enrichment Species			
<i>Cordyline australis</i>	Cabbage tree	PB5	2.0m
<i>Cyathea medullaris</i>	Tree fern	PB5	4.0m
<i>Knightia excelsa</i>	Rewarewa	PB5	4.0m
<i>Meryta sinclairii</i>	Puka	PB5	4.0m
<i>Podocarpus totara</i>	Totara	PB5	5.0m
<i>Vitex lucens</i>	Puriri	PB5	5.0m

Table 2: Specimen Tree Planting Schedule

SPECIES	COMMON NAME	MINIMUM SIZE	SPACING [approximate]
Large Scale Street Trees			
<i>Vitex lucens</i>	Puriri	P8150	20.0m
Residential Scale Street Trees			
<i>Alectryon excelsa</i>	Titoki	P8150	10.0m

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Table 3: Native Garden Specimen Tree Planting Schedule

SPECIES	COMMON NAME	MINIMUM SIZE	SPACING (approximate)
Native Garden Specimen Trees			
<i>Alectryon excelsa</i>	Titoki	PB95	4.0m
<i>Cordyline australis</i>	Cabbage tree	PB95	2.0m
<i>Hoheria populnea</i>	Lacebark	PB95	3.0m
<i>Meryta sinclairii</i>	Puke	PB95	3.0m
<i>Plagianthus regius</i>	Ribbonwood	PB95	3.0m
<i>Sophora microphylla</i>	Kowhai	PB95	4.0m
<i>Vitex lucens</i>	Puriri	PB95	5.0m

Table 4: Garden Specimen Tree Planting Schedule

SPECIES	COMMON NAME	MINIMUM SIZE	SPACING (approximate)
Garden Specimen Trees			
<i>Alectryon excelsa</i>	Titoki	PB95	4.0m
<i>Cordyline australis</i>	Cabbage tree	PB95	2.0m
<i>Fraxinus sp</i>	Asc	PB95	4.0m
<i>Ginkgo sp</i>	Maidenhair	PB95	5.0m
<i>Liquidambar styracifluo</i>	America sweet gum	PB95	5.0m
<i>Liriodendron tulipifera</i>	Tulip tree	PB95	5.0m
<i>Magnolia sp</i>	Magnolia	PB95	6.0m
<i>Meryta sinclairii</i>	Puke	PB95	3.0m
<i>Quercus palustris</i>	Pin Oak	PB95	5.0m
<i>Vitex lucens</i>	Puriri	PB95	5.0m

Table 5 Gateway Specimen Tree Planting Schedule

SPECIES	COMMON NAME	MINIMUM SIZE	SPACING (approximate)
Gateway Specimen Trees			
<i>Cordyline australis</i>	Cabbage tree	PB150	2.0m
<i>Meryta sinclairii</i>	Puke	PB150	3.0m
<i>Vitex lucens</i>	Puriri	PB150	5.0m

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Table 6: Evergreen Hedging Planting Schedule

SPECIES	COMMON NAME	MINIMUM SIZE	SPACING (approximate)
<i>Camellia sp</i>	Camellia	PB8	1.0m
<i>Griselinia sp</i>		PB8	1.0m
<i>Pittosporum sp</i>		PB8	1.0m

Table 7: Retaining Wall Planting Schedule

SPECIES	COMMON NAME	MINIMUM SIZE	SPACING (approximate)
Shrubs and Hedging species			
<i>Camellia sp</i>	Camellia	PB5	1.0m
<i>Griselinia sp</i>		PB5	1.0m
<i>Phormium sp (dwarf)</i>	Dwarf flax	PB5	0.5m
<i>Pittosporum sp</i>		PBS	1.0m
Groundcovers			
<i>Dietes grandiflora</i>		PBS	0.5m
<i>Lomandra sp</i>		PB5	0.5m
Climbers			
<i>Ficus pumila</i>	Creeping fig	PB5	0.5m

Table 8: Exotic Shelterbelt Planting Schedule

SPECIES	COMMON NAME	MINIMUM SIZE	SPACING (approximate)
<i>Alnus jorullensis</i>	Mexican alder	PB8	2.0m

I430.10. Special information requirements

(1) Sub-precincts A, B, C and D

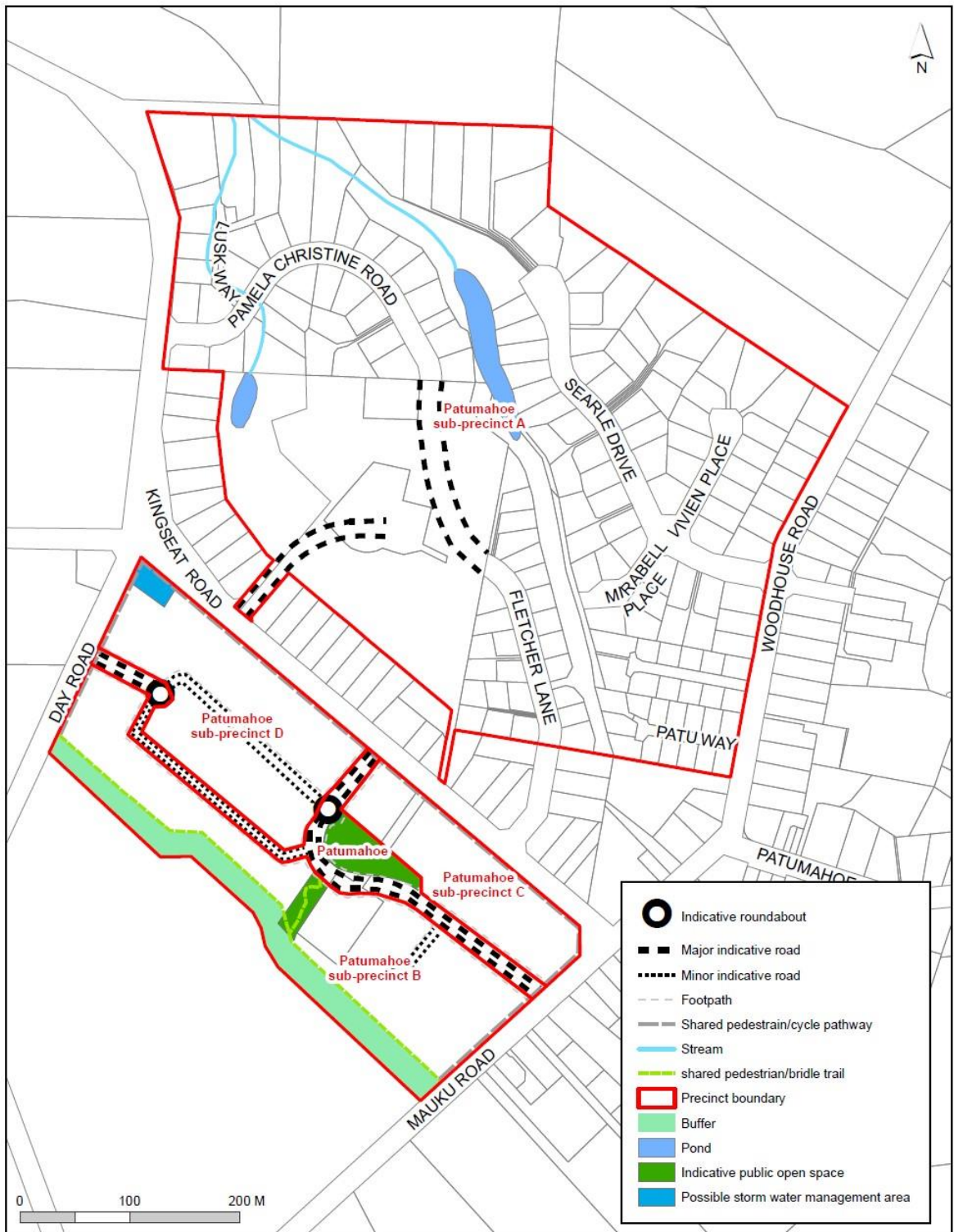
There are no special information requirements for sub-precincts A, B, C and D.

(2) Sub-precinct E

An application for subdivision in sub-precinct E must be accompanied by a transport assessment that includes an assessment of the effects of subdivision and associated development of the Patumahoe Road / Carter Road / Clive Howe Road intersection and identifies any upgrades required to that intersection to provide safe and efficient movement, and must consider and address the safe function and operation of the Patumahoe School drop-off zone.

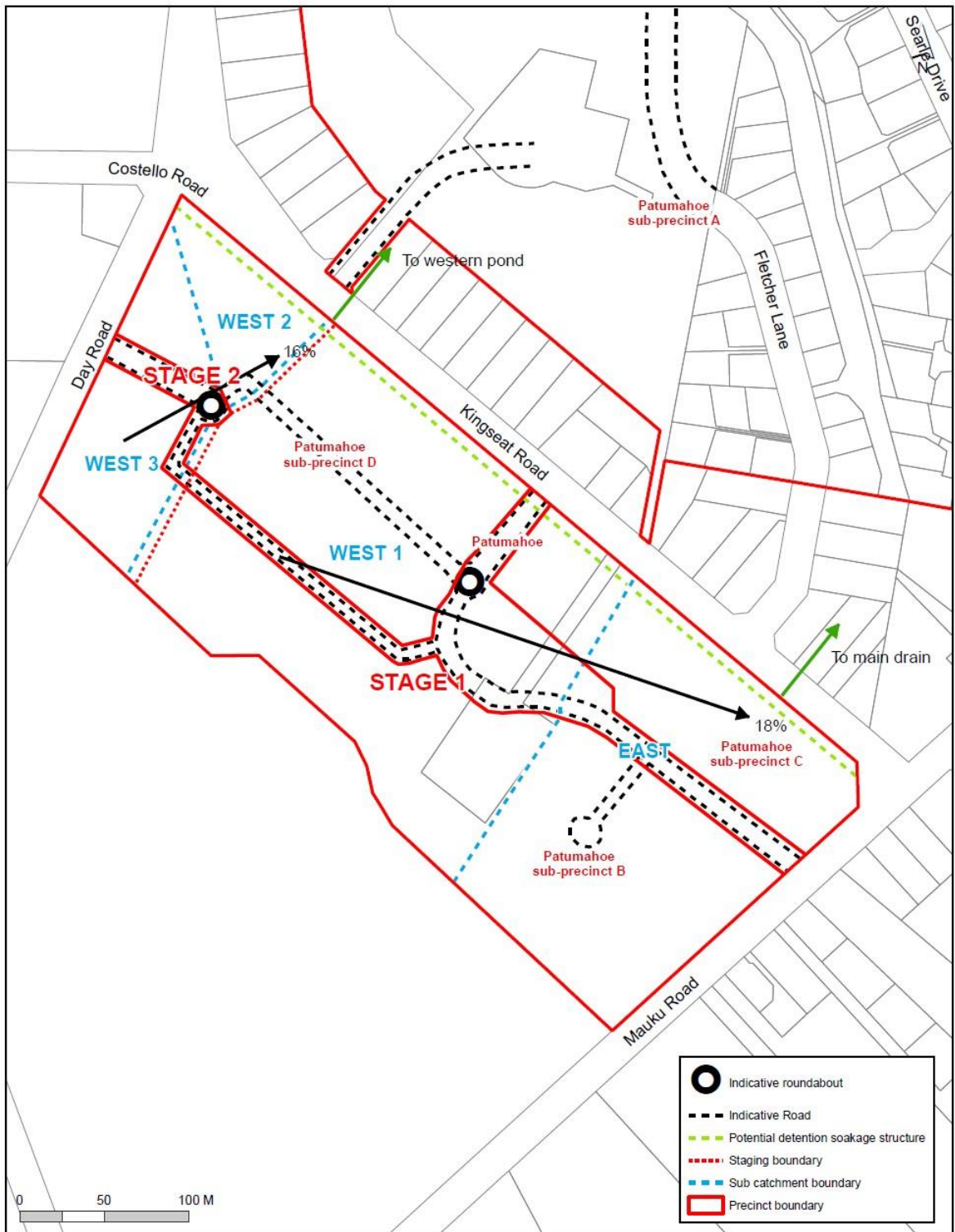
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I430.11. Precinct plans I430.10.1 Patumahoe: Precinct plan 1



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I430.11.2 Patumahoe: Precinct plan 2 – Staging and stormwater sub-catchment plan



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I430.11.3 Patumahoe: Precinct plan 3 – Sub-precinct E

