

Decision following the hearing of a Private Plan Change 92- Wellsford North by Wellsford Welding Club Limited to the Auckland Unitary Plan under the Resource Management Act 1991



Proposal

To rezone approximately 75 hectares of land in the northeastern edge of Wellsford currently zoned predominantly Future Urban and includes land zoned Rural – Countryside Living Zone, Rural – Rural Production Zone, and a small area of Residential – Single House Zone under the AUP to: predominantly Residential – Single House Zone and Mixed Housing Suburban Zone with the balance to be rezoned a mixture of Residential – Large Lot Zone, Business – Neighbourhood Centre Zone and Countryside Living Zone - and to apply a new precinct, Wellsford North Precinct to approximately 62.3 hectares of land within the PC92 area.

This plan change is **APPROVED** with modifications to that publicly notified. The reasons are set out below.

Private Plan Change:	Private Plan Change 92 - Wellsford North
Applicant:	Wellsford Welding Club Limited (WWC)
Hearing:	Wednesday 21 August 2024
Hearing panel:	Greg Hill (Chairperson) Lisa Mein Trevor Mackie
Appearances:	<p><u>For the Applicant:</u> Jeremy Brabant, Legal Cameron Wallace & Frank Pierard, Urban Design Jon Styles, Noise & Vibration Leo Hills, Transportation Mark Delaney, Ecology Paige Farley, Civil Engineering Matt Wansbone & Nick Speight, Geotechnical Engineering Nick Roberts, Planning Pranil Wadan & Bidara Pathirage, Stormwater & Flooding</p> <p><u>For the Submitters:</u> Viki Julia Carr</p> <p>Watercare Services Limited, represented by: Simon Pilkington, Legal Andrew Deutschle, Corporate Louise Allwood, Planning</p> <p>NZ Transport Agency (Waka Kotahi), represented by: Evan Keating, Planning.</p>

	<p><u>For the Rodney Local Board:</u> Michelle Carmichael, Board Member Colin Smith, Board Member</p> <p><u>For Council:</u> Robert Scott, Reporting Officer Ryan Bradley, Project Management Martin Peake, Traffic Engineering John Stenberg, Urban Design Alicia Wong, Ecology Christian Santafe, Development Engineering Frank Havel, Geotechnical Engineering Melean Absolum, Landscape Architecture Kedan Li, Healthy Waters Amber Tsang, Stormwater Gerard McCarten, Parks</p> <p><u>Council's Senior Hearings Advisor</u> Patrice Baillargeon</p>
Hearing adjourned:	Wednesday 21 August 2024
Commissioners' site visit:	Wednesday 14 August 2024

Introduction

1. This decision is made on behalf of the Auckland Council ("**the Council**") by Independent Hearing Commissioners Greg Hill (Chairperson), Lisa Mein and Trevor Mackie, appointed and acting under delegated authority under sections 34 and 34A of the Resource Management Act 1991 ("**the RMA**").
2. The Commissioners have been given delegated authority by the Council to make the decision on Private Plan Change 92 ("PC92") to the Auckland Council Unitary Plan Operative in Part (AUP-OP) after considering the application (including the section 32 evaluation report), the reports and memorandum prepared by the Council officers, the submissions, evidence presented at the hearing and the Applicant's Reply documentation.
3. PC92 is a private plan change accepted by the Council and has been prepared following the standard RMA Schedule 1 process (that is, the plan change is not the result of an alternative, 'streamlined' or 'collaborative' process as enabled under the RMA).
4. The plan change was publicly notified on 14 September 2023. The submission period closed 12 October 2023. A summary of submissions was notified for further submissions on 16 November 2023 and the further submission period (which was extended) closed on the 14 December 2023. A total of fifty primary submissions and five further submissions were made to PC92.
5. Kāinga Ora – Homes and Communities lodged a submission to PC92, but subsequently withdrew it. Accordingly, we have not addressed this submission.

SUMMARY OF PLAN CHANGE

6. The proposal is to rezone approximately 75 hectares of land located to the north of the existing Wellsford Township at Rodney Street / State Highway 1 (**SH1**) and Monowai Street (**Site**).
7. The PC92 area is currently zoned predominantly Future Urban Zone (**FUZ**) and includes land zoned Rural – Countryside Living Zone (**CLZ**), Rural – Rural Production Zone (**RPZ**), and a small area of Residential – Single House Zone (**SHZ**) under the AUP-OP. PC92 proposes:
 - a. To rezone the PC92 area to predominantly SHZ and Residential – Mixed Housing Suburban Zone (**MHS**) with the balance to be rezoned a mixture of Residential – Large Lot Zone (**LLZ**), Business – Neighbourhood Centre Zone (**NCZ**) and CLZ; and
 - b. To apply a new precinct, Wellsford North Precinct (**WNP**), to approximately 62.3ha of land within the PC92 area.
8. More specific details and information was set out in the Application and the Section 42A report relating to the proposal. We adopt all of that information as part of this decision. However, as there was broad agreement between Council reporting officers and the Applicant with respect to the appropriateness of the plan change, and that most of the substantive issues raised by a number of submitters (e.g. KiwiRail Holdings Limited (KiwiRail), The New Zealand Transport Agency (NZTA), Auckland Transport and Watercare Services Limited) were resolved, we see little point in including that material into this decision.
9. With respect to cultural issues, we acknowledge that a Cultural Values Assessment was provided by Ngāti Manuhiri to the Applicant. At the request of Ngāti Manuhiri it was a confidential document.
10. As set out in the section 32 report¹, engagement correspondence (20 July 2021) “was sent to the nine iwi authorities who had expressed interest in the area outlining the details of the proposal. A response was received from both Ngāti Manuhiri and Ngāti Wai. Representatives of those Iwi were met on the site on Wednesday 16 February 2022, and Ngāti Manuhiri have since provided a cultural values assessment report in support of both the Wellsford North Structure Plan and Plan Change proposals”.
11. No submissions were received in relation to cultural matters and no evidence was provided by any party. We are satisfied that any cultural issues have been appropriately addressed by the Applicant.

MAIN ISSUES RAISED BY SUBMITTERS

12. The main issues raised by the submissions included:

¹ Page 38 of the Section 32 Evaluation Report.

- Support for PC92 and the growth and development of Wellsford (e.g. support for the reduction of the minimum site size in the Single House zone to 300m² (rather than 600m²) and Large Lot zone to 3,000m² (rather than 4,000m²);
- Structure Planning (support and opposition of the Wellsford North Structure Plan of the Requestor);
- Support and opposition site for the Business – Neighbourhood Centre Zone;
- Transport (e.g. opposition to the use of Batten Street/Monowai Street to access the proposed development, seeking that a roundabout to be constructed on SH1 at the beginning of development rather than an interim right turn intersection);
- Reverse sensitivity (support and opposition for setbacks/buffers for buildings from SH1 and the railway corridor); and
- Infrastructure (provision of the required upgrades to the Wellsford water treatment plant and wastewater treatment plant and roading network).

HEARING AND HEARING PROCESS

13. The hearing commenced on the 21 August 2024 and was adjourned that day having heard from the Applicant, the Submitters and the Council. The Hearing Panel received the Council Officers' response Memorandum on the 28 August 2024. The Applicant's closing reply submissions, and a set of 'marked up' provisions, was provided on the 15 September 2024.

RELEVANT STATUTORY PROVISIONS CONSIDERED

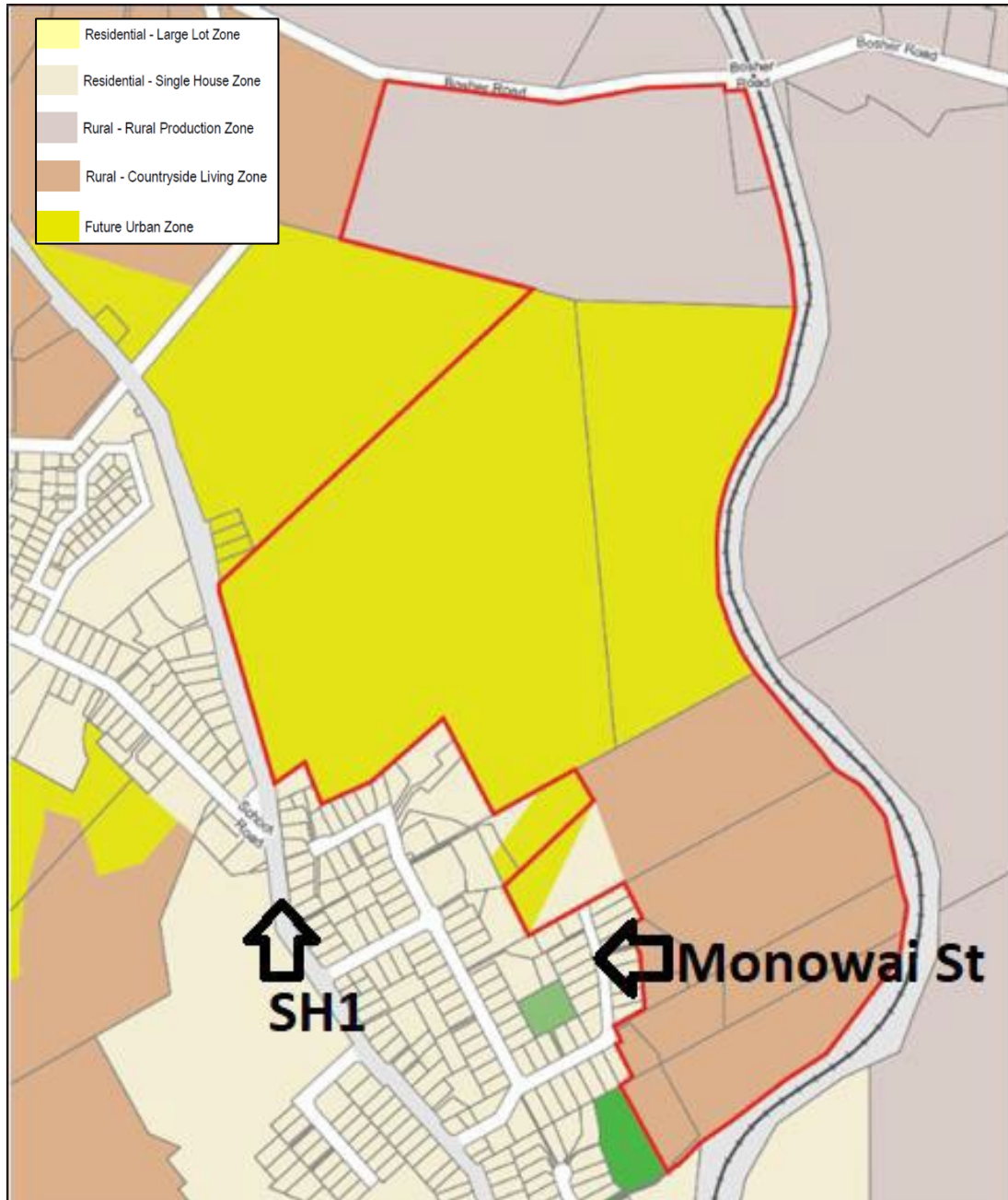
14. The RMA sets out a range of matters that must be addressed when considering a plan change, as identified in the section 32 evaluation report accompanying the notified plan change. We also note that section 32 clarifies that analysis of efficiency and effectiveness is to be at a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.
15. We do not need to repeat contents of the Applicant's Plan Change Request and Section 32 Assessment Report in any detail. We accept the appropriate requirements for the formulation of a plan change have been comprehensively addressed in the material before us.
16. We accept that the section 32 Evaluation Report provided an analysis of efficiency and effectiveness of the plan change and was at a level of detail that corresponded to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the plan change.
17. Furthermore, the Applicant in its evidence, at the hearing and in its reply submissions, proposed some changes to the plan change in response to concerns

raised by the Council and Submitters. We accept that an appropriate evaluation of those changes has been made in terms of section 32AA of the RMA.

18. We also accept that the plan change, subject to the modifications we have made, gives effect to the National Policy Statements regarding urban development, freshwater, highly productive land, and indigenous biodiversity; and also gives effect to the Regional Policy Statement. The details of these statutory (and other) documents vis-à-vis PC92 were comprehensively addressed in the Application documents, and in the section 42A report. There was broad agreement between the Applicant's, Council's and Submitters' planners that PC92 would give effect to these statutory documents. We agree, and accordingly do not need to address those documents in relation to PC92 in this decision.
19. Clause 10 of Schedule 1 requires that this decision must include the reasons for accepting or rejecting submissions. We set out our reasons for approving the plan change below, as well as our response to the submissions. As mentioned above, that decision must include a further evaluation of any proposed changes to the plan change arising from submission; with that evaluation to be undertaken in accordance with section 32AA. With regard to Section 32AA, we note that the evidence presented by the Applicant, Submitters and Council effectively represents this assessment, and that that material should be read in conjunction with this decision, where we have determined that a change to PC92 be made.
20. Having considered the application, legal submissions and the evidence (including the section 42A report), we are satisfied that PC92 has been developed in accordance with, and gives effect to (subject to the modification we have made), the relevant statutory requirements.

THE SITE AND SURROUNDING ENVIRONMENT

21. The Applicant, in the section 4.0 of the section 32 evaluation report, provided a full description of the PC92 site location and the surrounding environment. The Section 42A report also provided a description of the PC92 site location and the surrounding environment. We agree with and adopt those descriptions.
22. In summary the plan change area is bounded by SH1 to the west, the existing Wellsford urban area to the south, the North Auckland Railway line to the east, and Boshier Road to the north – as shown in the map below.



23. The plan change area generally comprises pastoral land, and a small number of dwellings and accessory buildings. Existing metalled access tracks service the properties and are utilised for farming activities. There are several existing residential dwellings dotted throughout the southern portion of the plan change area on rural lifestyle living type lots.
24. The overall topography of the area is moderate to steep slopes that fall towards existing gullies that extend through the southern portion of the plan change area, with more gently rolling topography in the north. The steep gullies typically flow in a south-east to north-west direction into the downstream receiving environment.

EVIDENCE

25. We received a considerable amount of evidence, including a section 42A report and response memorandum from the Council. A list of the evidence received is set out in Appendix 1. There was broad agreement between Council reporting officers, the submitters who prepared evidence and appeared at the hearing, and the Applicant with respect to the appropriateness of the plan change per se.
26. The issues between the parties mostly related to the whether the proposed plan/precinct provisions were the most appropriate in terms of section 32 of the RMA. These focused on urban design and landscape matters, transport matters and water supply, wastewater and stormwater matters. There was also a concern about the effects the proposed neighbourhood centre could have on the existing commercial centre of Wellsford, and if sufficient recognition of educational facilities had been provided.
27. The Hearing Panel issued Direction 2 - excusing some expert witnesses from attending the hearing². In that direction we excused those experts listed below on the basis that there are no issues in contention between the relevant experts, and/or we had no questions for those witnesses.
 - Arboriculture – Allan Holmes
 - Archaeology – Ellen Cameron
 - Soil and LUC – Reece Hill
 - Land contamination – Kelly Deihl
28. We also heard expert evidence on noise and vibration, civil engineering, geotechnical engineering and ecology³. There was little or no issues in contention between the Applicant's, Council's and Submitter's experts on these matters.
29. Given the above, and that we accept the evidence of those experts, we do not need to address that evidence further in this decision. Those experts' opinions and the planning response as reflected in the Wellsford North Precinct provisions, are accepted by us as being the most appropriate in terms of section 32 and 32AA of the RMA.
30. The balance of this decision focuses on those matters that remained in contention between the parties at the end of the hearing. These are those reflected in the Memorandum from Council (providing written comments as discussed during the hearing)⁴, and the Applicant's Reply Submissions⁵, and the Memorandum responding to landscape and urban design matters.

² Dated 14 August 2024

³ The Applicant's experts for these disciplines are listed in Appendix 1.

⁴ Dated 28 August 2024.

⁵ Dated 15 September 2024.

Rodney Local Board

31. Ms Carmichael, accompanied by Mr Smith, spoke to the Board's resolution RD/2024/25 in relation to this plan change. The Board's position was that it supported the plan change as it would provide additional housing in Wellsford, particularly as the location of this proposed development is near to the town centre allowing access to essential services for future residents (schools, shops, and medical centre, etc.). It also noted that the development would have economic benefits for local businesses (including support for the proposed village centre).
32. The Board sought, among other things; that the development be timed so as not to put unmanageable pressure on the existing Wellsford wastewater and water treatment plants; and integrated stormwater planning for all drainage sub-catchments be completed before any development occurs. It also addressed traffic management issues including its support for the proposed landscape buffers along State Highway 1, and recommended including a landscape buffer along the railway line.

AREAS IN CONTENTION AND OUR FINDINGS ON THOSE MATTERS

Urban design and landscape

33. By the time of the hearing, many of the urban design and landscape issues had been resolved and the Council officers reiterated that they were generally supportive of the proposed plan change subject to matters of detail with respect to:
 - a. the depth of front yards within the SHZ;
 - b. the extent of setback being offered adjacent to the North Auckland line;
 - c. provisions related to the Tōtara grove;
 - d. the boundary of the SHZ and LLZ;
 - e. the minimum lot size for the LLZ;
 - f. landscape setback to SH1; and
 - g. other amendments to provisions for landscape purposes
34. Subsequent to the hearing, the Applicant agreed to the Council's proposed wording addressing the mechanisms to ensure ongoing management of the landscape setback buffer from SH1. The Applicant also agreed, in part, to additional wording proposed by the Council in IX.3(1)(c) with respect to connections to the existing neighbourhood footpath network. These amendments were reflected in the revised precinct provisions attached to the Applicant's reply.

Depth of front yard setbacks within the SHZ

35. The Council's urban design specialists considered that a front yard setback of 4m was necessary to: maintain and support the current rural landscape character of Wellsford; and to maintain streetscape amenity and to enable greater ability for tree planting. Subsequent to the hearing, the Council offered additional provisions to address these matters for inclusion within the precinct.
36. The Applicant has rejected those suggested provisions. In their evidence in chief, Messrs Wallace and Pierard considered that the character of Wellsford was evolving and cited recent examples of development, such as North Estate, which are contributing to a change in character. They also observed that regardless of the size of new sites these all utilise the standard 3m front yard setback associated with the SHZ⁶.
37. We agree with the Applicant that Wellsford is evolving as a more urban as opposed to rural service township, and that PC92 will further contribute to this change. We also agree that there is nothing remarkable about the character of Wellsford that would require a bespoke front yard standard within the SHZ, particularly in light of the smaller minimum lot size.

IX.6.11 building setback along the North Auckland line

38. There was general support for both a building setback along the North Auckland line and for a future strategic greenway connection, as identified by Rodney Local Board in its Wellsford Greenways Plan⁷ and included within PC92 as an "indicative greenway connection". However, the Council's urban design specialists considered the proposed 5m building setback to be too shallow.
39. In its submission to PC92 KiwiRail supported the standard for the building setback along the North Auckland line as proposed in the notified version of PC92, their reason was to reduce potential conflict between the safe enjoyment and maintenance of buildings on adjacent properties and activities within the operational rail corridor. We note there was no reference to the greenway.
40. Prior to the hearing the Council's specialist Mr Demilrap had recommended a 10m setback to enable sufficient space for a greenway and private outdoor space. At the hearing, and subsequent to it in the Council's post-hearing response, Mr Stenberg recommended an 8m setback to accommodate a 3m wide shared path and rear yard space for dwellings.
41. The Applicant's urban designers considered a 5m to be sufficient to allow creation of a 2m-2.5m shared path and 2.5m-3m balance for landscaping should that be necessary. They referred to the KiwiRail land also being utilised to create the greenway connection.

⁶ Paragraph 44 of their evidence in chief

⁷ Dated 6 July 2015.

42. Regardless of the above, we note the Wellsford Greenways Network Plan is described by the Local Board as “an aspirational vision”⁸. The plan also identifies, on the maps, that the connection adjacent to the North Auckland line is on non-council land and is for *discussion purposes only* and that *access or easement would be required – if not possible an alternative route will be found*.
43. In his post-hearing commentary, Mr Stenberg considered it was unlikely that an ‘acquiring authority’ would designate for this greenway connection. He stated that as part of the justification for why the setback needed to be at least 8m. We agree with Mr Stenberg that it is unlikely that the Council or another organisation would designate this land, and then have to deal with multiple landowners who had purchased sections alongside the greenway/rail line. We are also of the view that few property owners would likely accept an easement over their land for the greenway, in which case it is highly likely that an alternative route would need to be found which could incorporate the new local road network and new parks through the PC92 land.
44. We therefore accept the Applicant’s position that 5m is sufficient and agree that no amendments need to be made to the standard IX.6.11.

Provisions related to the Tōtara Grove

45. One of the key areas of outstanding disagreement between the Applicant and the Council was around the provisions related to the Tōtara grove. At the hearing the Council’s landscape specialist, Ms Absolum, stated she did not support the diminution of expectation in the proposed provisions for the Tōtara grove. In her opinion these trees should be protected and the provisions should ensure retention by removal of the term “*where possible*”. Subsequent to the hearing, she provided recommended amendments to the assessment criteria and special information requirements to strengthen the provisions accordingly.
46. The ecologists for both the Applicant and the Council highlighted the indigenous terrestrial values of the trees which resulted in identification and inclusion of the grove of trees within the Precinct Plan. However, based on the evidence it appears to us that the trees have more of a sense of place and amenity value than necessarily a high ecological value or arboricultural value such that they would require protection.
47. We note the Applicant does not agree to the proposed amendments on the basis that the ecological and arboricultural experts are in agreement about the value of the Tōtara trees and the provisions relating to them. We agree with the Applicant that the provisions, as proposed within the latest set accompanying the reply, are sufficient relative to their importance to safeguard the grove of trees.

Boundary of the SHZ and LLZ

48. At the hearing Ms Absolum reaffirmed that she considered the boundary of the LLZ and the SHZ should be realigned. Following the hearing Ms Absolum stated that in her opinion the Fast Track proposal for 20 dwellings concurrent with PC92 did not

⁸ Rodney Local Board (6 July 2015) *Wellsford Greenways Plan* section 3.1, p20

justify the boundary as proposed, but rather demonstrated why it should be realigned as the proposal necessitates extensive earthworks and retaining walls. She was particularly concerned with the extent of earthworks extending 30m under the canopy of the Tōtara grove in light of the wording of policy 6(a) of PC92.

49. The Applicant's response was that:
- a. The Tōtara trees are not currently scheduled or protected and therefore could currently be removed as a permitted activity.
 - b. No arboricultural or ecological evidence supported the full retention of all Tōtara trees.
 - c. The proposed road alignment of the Monowai Street extension through to the wider PC92 area has been supported by the Council. The general alignment of the road follows an existing farm access track which sits south of the Tōtara grove. The construction of the road would result in the removal of several pine trees to the south of the farm track, and a small number of Tōtara trees and other species to the north of the farm track to facilitate the extension.
 - d. The Tōtara grove is located north of the farm track. The extent of earthworks required is approximately 12m rather than 30m noted by Ms Absolum.
 - e. The Fast Track application indicates that the majority of retaining in the eastern part of the site is less than 1m in height, and some lots do not require retaining.
 - f. The majority of Tōtara trees sit within riparian margins which will protect them, and that policy 6(a) is worded to incorporate the stand of Tōtara trees not to retain them as suggested by Ms Absolum.
50. In their 'reply memorandum' Messrs Wallace and Pierard also noted that shifting the road further to the south would likely necessitate a greater level of earthworks than currently proposed in the Fast Track application.
51. Taking the opinions of both the Council's and the Applicant's experts into consideration, we understand the Council specialist's concern regarding earthworks on the steeper terrain. However, we do not consider that the boundary adjustment proposed by the Council would materially change outcomes for the site and therefore do not consider it to be necessary to give effect to the objectives and policies of PC92 or the precinct provisions. We consider the proposed road represents a logical boundary between the zones and therefore agree with the Applicant - that no adjustments to the boundary between the SHZ and LLZ are required.

Minimum lot size for the LLZ

52. The reduction of the minimum net lot size in the LLZ from 4,000m² to 3,000m² remains an issue of contention. In its section 42A report the Council officers raised this as an issue and sought further analysis and justification for the reduction.

53. The response in the evidence in chief of Messrs Wallace and Pierard, drew reference to the master planning exercise that informed the precinct provisions, specifically the minimum 3,000m² lot sizes within the LLZ. In their opinion approximately 30 lots could be achieved within the LLZ ranging in size from 3,000m² to 4,339m². They further made the observation that the minimum will not mean a uniform result across the LLZ⁹. Nonetheless, they offered an additional assessment criterion to assist with minimising impacts associated with large retaining walls:

a. IX.8.2(1.I): Whether earthworks within the Residential – Large Lot zone minimises the requirement for significant retaining.

54. We note the additional assessment criterion was not included within the provisions provided by the Applicant at the hearing nor was it included in the most recent set of provisions accompanying the right of reply. We have included it.

55. At the hearing Mr Scott proposed an alternative solution requiring an average lot size of 4,000m², in order to accept a minimum of 3,000m². Ms Absolum remained concerned about the extent of retaining structures likely to be required to achieve the minimum lot size.

56. We agree with the Applicant's position that a minimum lot size will not mean a uniform result across the LLZ. For that reason, we do not find it to be necessary to require an average lot size of 4,000m². We do, however, recommend inclusion of the offered assessment criterion, as we are of the view that this would go some way to addressing the Council's outstanding concern about potential visual effects of retaining structures.

Transport

57. By the time of the hearing, many of the transport issues had been resolved and the Council officers reiterated that they were generally supportive of the proposed plan change subject to matters of detail with respect to:

- a. Pedestrian crossing on Rodney Street;
- b. Urbanising SH1 to north of collector road;
- c. Future proofing for potential roundabout;

58. Subsequent to the hearing, the Applicant provided reply submission setting out their final position on the outstanding matters of detail. This was in response to the Council officers' response provided verbally at the end of the hearing and reiterated in written form. The Applicant's final position was set out in a marked-up version of the proposed precinct provisions. As the transport matters of detail were still not agreed between the Applicant and the Council officers, the Hearing Panel has reviewed the transport and planning evidence and legal submissions and our decisions on those matters are set out below.

⁹ Paragraph 39 of their evidence in chief

Pedestrian crossing on Rodney Street

59. The Applicant's and Council's transport experts did not disagree that a pedestrian crossing was needed adjacent to the new collector road intersection, but whether the precinct provisions needed to state that a pedestrian crossing was to be provided, and in a specific location. Mr Hills (transport expert for the Applicant) and Mr Roberts (planner for the Applicant) considered that the design and location and need for a pedestrian crossing should be dealt with at the time the intersection was designed and consented. Mr Peake (transport expert for the Council) considered that the precinct provisions should include greater certainty that a pedestrian crossing would be provided, mainly for access to the school across the road.
60. We agree with the Applicant that the need for and form and location of a pedestrian crossing should be established as part of the intersection design and consenting stages of development. Although it is considered likely that a roundabout will not be required at the proposed intersection (discussed below), if the Warkworth to Wellsford State Highway roading project proceeds, we find that the pedestrian arrangements would more appropriately be determined at that future time.

Urbanising SH1 to north of collector road

61. Mr Hills addressed the extent of road urbanising¹⁰. There was agreement between Mr Hills and Mr Peake that Rodney Street should be urbanised between the collector road and the southern extent of the site. The disagreement related to whether the site frontage to the north of the collector road should also be upgraded to urban standard including footpath.
62. The extent of the upgrade to urban standard (including footpaths and cycle paths) is currently limited in Table IX.6.1.1 Threshold for Subdivision and Development within Wellsford North Precinct row (c) to the section of site frontage along SH1 south of the Collector Road intersection.
63. Mr Hills considered that the northern section (north of the collector road) was not required to mitigate the effects of the plan change. He also considered that the presence of the landscape buffer strip meant the development within the Precinct will have no direct relationship with Rodney Street.
64. Mr Peake remained of the view that the upgrade should be the whole of the site frontage. This was based on the land to the north of the plan change area may need to access the plan change area, and in particular the neighbourhood centre and parks network.
65. We prefer Mr Peake's evidence that the existing and future residents to the north of the plan change area may need access to the proposed neighbourhood centre, and this should be of an urban standard. We also find that even though the 5m planted buffer will likely mean the frontage properties will have vehicle access from the rear, the residents may wish to have pedestrian access directly to the road frontage,

¹⁰ Paragraphs 16 (c) and 100(d) of his evidence.

through the planted buffer. That would, in our view, support the need for urbanisation of the full Rodney Street frontage, with the provision being:

66. Table IX.6.1.1 Threshold for Subdivision and Development within Wellsford North Precinct

(c)	Prior to the occupancy of any subdivision and/or development with frontage to State Highway 1 (Rodney Street)	Upgrade to State Highway 1 (Rodney Street) frontage, for that part of State Highway 1 between the main collector road and State Highway 1 (Rodney Street) intersection and the southern Wellsford North Precinct boundary which adjoins the Primary Walking and Cycling Connection, to an urban standard consistent with Appendix 1: Road Function and Design Elements Table.
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Future proofing for a potential roundabout

67. Mr Hills was of the view, given the Government’s announcements about progressing with the new (Warkworth to Wellsford) State Highway, it was unlikely the roundabout would ever be needed or constructed. If it were needed, the approach to the roundabout from the site had been assessed by Mr Hills as close to a crossover point from single lane to two lane - however the roundabout would only need to be single lane.
68. The Applicant’s position in reliance upon the assessment of Mr Hills was that no changes to the precinct provisions were required. The Applicant prefers that the provisions refer to the roundabout and include an indicative roundabout design to provide more certainty, and to allow for the consideration of the required setback to enable construction if it were required.
69. Mr Peake’s proposition set out in his evidence was that IX.8.2(1)(c) be amended so that while it would still refer to the reservation of land to enable the development of a roundabout at the intersection between Rodney Street and a new collector road, that:
- reference no longer refer to the roundabout being “single lane”; and
 - the cross reference to the indicative roundabout design in Appendix 2 be removed (along with deletion of that Appendix 2).
70. He also suggested an associated amendment to IX.8.2(2).
71. We find that, as it is likely but not certain that a roundabout will not be required, it would be inappropriate to include the roundabout design within the precinct provisions. If a roundabout is ultimately required at some future time, then the need

for it and the design should be determined at that time. We accept Mr Peake's recommendation to simplify the precinct provision for future proofing the roundabout.

72. Mr Peake recommends, and we accept, that Appendix 2 with the drawing of the roundabout be deleted and the Assessment Criteria be amended to remove reference to "single lane" and the reference to Appendix 2 as follows. An amendment is also required to Assessment Criteria IX.8.2(2)(a) to remove the reference to Appendix A. It would be:

IX.8.2(1)(c) Whether sufficient land has been reserved to enable the development of a ~~single lane~~ roundabout at the intersection between Rodney Street and the new collector road ~~in accordance with Appendix 2: Indicative Rodney Street Roundabout Design~~.

IX.8.2(2) Development that exceeds a cumulative total of 750 dwellings:

- (a) Development that exceeds a cumulative total of 750 dwellings within the Precinct shall be assessed in terms of whether ~~the a~~ roundabout ~~shown at Appendix 2 at the intersection between Rodney Street and the new collector road~~ is required, with respect to the following:

And

Delete Appendix 2: Indicative Rodney Street Roundabout Design

Wastewater and Water Supply

73. There was disagreement between Watercare and the Applicant with respect to the appropriate provisions relating to servicing the development – related to bulk wastewater and water supply. The Council officers' position was more aligned to that Watercare.
74. As set out in the reply submissions, there has been further engagement with Watercare since the hearing. The outcome of that engagement was an agreed package of mark-up changes with respect to water supply and wastewater (as agreed on 13 September between the Applicant and Watercare). These have been reflected in the final precinct provisions that have been provided to us¹¹.
75. The amendments agreed to by the Applicant include, among other things:
- Additions to the precinct description which addresses wastewater and water supply and development considerations, including clarification that staged development may occur where there is capacity (i.e. capacity is not required to be completed for the development of the Precinct at full build out before avoid terminology can be satisfied) and express acknowledgment that the Large Lot zone may be serviced on-site;

¹¹ We note that the agreed position reached between the two parties addresses remaining issues identified by Mr Scott, the section 42A report author with respect to these matters.

- Adjustments to objectives and policies regarding infrastructure, water and wastewater matters, including introduction of a new Policy (7A) including “avoid” wording;
- Amendments and additions to activity tables, including amending Table IX.4.1 to make the activity status for specified use and development in (A5) non-complying, and introducing a new activity (A5A) that makes separate provision for the Residential Large Lot zone, along with equivalent changes for subdivision at (A9) and (A9A);
- Amendments to Standards IX.6.3 with respect to water supply and wastewater infrastructure to encompass staged development, and provide for potential on-site servicing for large lot development; and
- Introduction of a criterion at IX.8.2 addressing the Water and Wastewater Servicing Plan required in new IX.9 Special Information Requirements.

76. This ‘package’ of agreed provisions results in a non-complying activity status and use of “avoid” wording in the policy in relation to the development of the land for residential and commercial needing to be able to connect to reticulated wastewater and water supply services. Also, a staged approach and different treatment for the Large Lot zone has been provided for. This ‘position’ was also supported by the Council officers.

77. Given agreement has been reached between the parties, and we accept those provisions provided, there is no need for this decision to discuss these matters further. The details were set out in the Applicant’s reply submissions and the ‘marked-up’ set of provisions with comment boxes explaining the agreements reached.

Stormwater (including flooding)

78. There was a broad level of agreement between the Council’s technical and planning experts and the Applicant’s technical and planning experts. However, there were some remaining areas of disagreement following the receipt of the Council’s response Memorandum¹². This was addressed in some detail in the Applicant’s reply submissions.

79. With respect to the amendments suggested to Policy IX.3(9), Standard IX.6.5(1) and Assessment Criteria IX.8.2(1)(l) identified as remaining in contention, the response of the Applicant relying on the expert opinion of Mr Wadan, Ms Pathirage and Mr Roberts is set out below.

Policy IX.3(9)

80. As set out in the reply submissions, the Applicant agreed in part to the suggested wording as identified in the mark-up changes and comments in the Final Precinct

¹² Dated 28 August 2024.

Provisions. We note that the difference in positions relates to the wording of IX.3(9)(b), and where this aspect was not agreed. It was the Applicant's position that the most appropriate wording is "*all connected impervious surfaces*" whereas Ms Tsang and Ms Li suggested "*all impervious surfaces other than roofs*".

81. We understand the basis for the Applicant's position is advice that the "*all connected impervious surfaces*" wording is more certain and effective. Keeping 'connected surfaces' within the provisions provides clarity as to the impervious surfaces that do require treatment and not as set out in the reply submissions "*i.e., not requiring treatment to be provided for those smaller impervious surfaces located within a lot like the paths leading to the backyard laundry line. These isolated areas are mostly located adjacent to large sections of pervious surfaces such as lawns. The conveyance and treatment of these isolated areas is not always feasible*"¹³.
82. We agree with the Applicant's position and wording.

Standard IX.6.5(1)

83. The Applicant did not agree to the suggested wording change proposed by Ms Tsang and Ms Li. The reason for this was the is the same as that given above with respect to Policy IX.3(9)(b). Again, we agree.

Assessment Criteria IX.8.2)

84. The Applicant sought an Advice Note be included as part of Precinct's "Stormwater and Flooding" assessment criteria at IX.8.2. It is:

Note: *the existing SH1 culvert currently overtops prior to development within the Precinct, in the 10-year climate change (3.8°) scenario. The zoning assessment undertaken confirms there is no change in overall hazard, and therefore the change in risk is deemed no more than minor.*

85. Ms Tsang and Ms Li sought the deletion of the Advice Note.
86. Mr Keating (NZTA's planner) addressed this matter in his evidence and hearing summary statement. He stated in his hearing summary¹⁴:

"The remaining item of disagreement in the planning provisions is Mr Roberts' proposed advice note. In my experience an advice note in planning provisions is normally used to aid in the interpretation of technical terms or where there is ambiguity in how to comply with rules. In this case, the need for or benefit of an advice note is not mentioned in the stormwater evidence and Mr Roberts has not explained the reasoning for it in his evidence.

In the absence of a reason for including additional text in precinct provisions (and noting that the statement in the advice note is disputed), I do not recommend that it is included should the plan change be granted. In the

¹³ Paragraph 59 of the reply submissions.

¹⁴ Paragraphs 3.9 and 3.10.

alternative, should the commissioners believe that an advice note would be useful for future users of the precinct, then it should reflect the current level of uncertainty regarding existing hazards. An example of such a potential advice note is below:

Note: the approved Stormwater Management Plan states that the existing SH1 culvert currently overtops prior to development within the Precinct, in the 10-year climate change (3.8) scenario. This has not confirmed at the time of re-zoning and this issue should be re-considered at resource or subdivision consent.”*

87. Mr Roberts did not agree with Ms Tsang, Ms Li or Mr Keating. He sought that the Advice Note proposed by the Applicant be included in the precinct provisions (for the reasons set out in his evidence and Mr Wadan’s and Ms Pathirage’s evidence).
88. The background to the disagreement discussed above arises from detailed modelling work undertaken by the Applicant which identifies the culvert at SH1 overtopping in the existing development scenario with allowance for climate change. This was set out in the evidence-in-chief and rebuttal evidence of Mr Wadan and Ms Pathirage¹⁵.
89. NZTA had not undertaken its own modelling work on this matter, and did not provide any technical, modelling or information (or evidence) on this issue¹⁶. However, Mr Keating, in response to the criticism levelled at NZTA over this matter, stated that he did not agree with the characterisation of the information which he had provided as being ‘anecdotal site observations’¹⁷. He then referenced the source of information and factors he had relied on to inform his opinions on this matter (that overtopping did not occur)¹⁸.
90. Given NZTA did not provide any modelling or technical analysis and evidence on this matter, we have relied on, and accept, the expert evidence provided by the Applicant. However, notwithstanding this, we agree with Mr Keating as quoted above that (a precis of the quote above):

In my experience an advice note in planning provisions is normally used to aid in the interpretation of technical terms or where there is ambiguity in how to comply with rules

In the absence of a reason for including additional text in precinct provisions (and noting that the statement in the advice note is disputed), I do not recommend that it is included should the plan change be granted.

91. Accordingly, we have deleted the Advice Note from the precinct provisions.

¹⁵ Paragraphs 13.27 and Appendix A of the evidence-in-chief and paragraphs 4.10 and 4.12 of their rebuttal evidence.

¹⁶ Nor in response to a direct invitation/request to do so by WWC as set out in paragraph 72 of the Reply Submissions

¹⁷ Paragraph 3.3 of his Hearing Summary.

¹⁸ Paragraph 3.3 – 3.5 of his Hearing Summary.

Neighbourhood Commercial Centre

92. PC92 proposes a small neighbourhood centre. Its purpose was set out in the application document and evidence of Mr Wallace and Mr Pierard (Urban Design and Landscape Architecture). The evidence stated¹⁹:

“A key feature of the Wellsford North area is the proposal to incorporate a small neighbourhood centre to enable opportunities for convenience retail and services to help support the future residential population of the Site as well as existing residents who live in close proximity to the Site. The location of the neighbourhood centre evolved through the masterplanning process briefly described above. The intention of this centre is for it to straddle the collector road to enable the development of a small “main street” type environment.”

93. The inclusion of neighbourhood centre per se was proposed by the Council’s urban design experts.

94. Ms Carr, a submitter set out in her statement:

I am in full support of Wellsford’s future. The population growth of up to 800 families, holiday makers, tourism ‘foot traffic’ will help to compensate for the loss of the travelling public.

....I respectfully ask that the proposed-neighbourhood centre (0.9ha) be incorporated into the current Wellsford shopping centre be considered in the Plan Change 92

In closing, Wellsford town will benefit economically, socially and culturally from the anticipated population growth, encouraging new business ideas and innovation, creating employment within a ‘merging’ community, moving forward together

95. Ms Carr’s submission essentially supported PC92, and accepted (and addressed in her statement) that we had no scope to incorporate the proposed neighbourhood centre into the current Wellsford shopping centre²⁰. Notwithstanding this, Ms Carr’s concern was that the proposed neighbourhood centre could adversely affect the commercial viability of the current Wellsford shopping centre.

96. With respect to Ms Carr, we do not share her concern; nor did the Applicant. The Applicant’s legal counsel addressed this in his reply submissions stating²¹:

To the extent the submission was intended to address potential retail effects, WWC say that the small size of the neighbourhood centre proposed mean it presents no threat to the existing Wellsford main street shopping, and its limited size does not necessitate any detailed economic assessment. I note that the

¹⁹ Paragraph 26.

²⁰ Ms Carr’s written statement retracted this aspect of her submission.

²¹ Paragraphs 66 and 67.

Local Board comments state that the development will have economic benefits for local businesses.

It is evident from a real world assessment and Ms Carr's own evidence that there is significant retail leakage away from Wellsford to supermarkets located in Warkworth. The small size of the neighbourhood centre proposed in this plan change is unlikely to materially change that position but may play a small part in trying to mitigate that loss to some degree by extending the Wellsford offering.

97. While we acknowledge Ms Carr's concern, we agree with the Applicant's position on this matter. We also find that from an urban design and creating a 'well-functioning' urban environment, a small-scale neighbourhood centre in the location proposed is a positive outcome for Wellsford.

Ministry of Education

98. The Ministry for Education (MoE) had two main issues; safe walking and cycling infrastructure through the plan change area; and amendments to the objectives and policies to ensure that the precinct provisions specifically acknowledge and provide for educational facilities²².
99. With respect to the first issue, we have accepted the submission in part. It is our view that appropriate safe walking and cycling infrastructure through the plan change area, but some of the detail (e.g. the specific location of a pedestrian crossing) needs to be provided at the resource consent stage, and not the plan change.
100. In response to the second matter the Applicant's reply submissions stated²³:

In response to the Ministry of Education's tabled letter addressing relief seeking addition of an objective and policy supporting specific provision for potential educational facilities, WWC says such provisions are unnecessary.

The Ministry has designation powers and can exercise those if it chooses to do so.

101. In relation to this plan change, we agree with the Applicant's position on this matter.

SECTION 32AA EVALUATION

102. As addressed earlier, 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 out²⁴. This further evaluation must be undertaken at a level of detail that corresponds to the scale and significance of the changes²⁵. In our view this decision

²² The Ministry for Education filed a letter dated 20 August – and did not wish to attend the hearing and requested that the letter be tabled for the Hearing Commissioners' consideration.

²³ Paragraphs 75 and 76.

²⁴ RMA, section 32AA(1)(a)

²⁵ RMA, section 32AA(1)(c)

report, which among other things addresses the modifications we have made to the provisions of PC92, satisfies our section 32AA obligations.

PART 2 OF THE RMA

103. 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 if it is the Council who is approving the private plan change, which will change the AUP OP.
104. 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 appropriately addressed. PC92 and its provisions, as we have modified them, have respectively recognised and provided for, have had particular regard to, and have taken into account, those relevant section 6, 7 and 8 matters.
105. Finally, in terms of section 5 of the RMA, it is our finding that the provisions of PC92 are consistent with, and the most appropriate way, to achieve the purpose of the Act. PC92 will enable the efficient development of the site for a greater intensity of housing development, while also protecting the identified values (cultural and ecological), as well as avoiding, remedying, or mitigating any adverse effects on the environment.

DECISION

106. That pursuant to Schedule 1, Clause 10 of the Resource Management Act 1991, that Proposed Plan Change 92 - Wellsford North by Wellsford Welding Club Limited to the AUP- OP be **approved**, subject to the modifications as set out in this decision.
107. Submissions on PC92 are:
- **Accepted** where they supported the plan change, or where we have accepted the modifications to PC92 as set out in the submission;
 - **Accepted-in-part** where the submission supported the plan change but we have made modification to it in relation to other submissions, or have only partially agreed to modifications to PC92 as set out in the submission, or
 - **Rejected** where the submission sought to decline the plan change, or we have not modified the plan change as requested by the submission.
108. Appendix 2 sets out a table with our decision on each submission (and in some cases the submission points). Given the number of changes made to the Wellsford North Precinct provisions (in most part those agreed to by the Applicant to address

the concerns of Submitters and the Council), most of the submissions, in their totality, have been **accepted in part**.

109. With respect to further submissions, these can only support or oppose an initial submission. Our decision on the further submissions reflects our decisions on those initial submissions having regard to any relevant new material provided in that further submission. For example, if a further submission supports a submission(s) that opposes the Plan Change and we have determined that the initial submission(s) be rejected, then it follows that the further submission is also rejected.
110. In addition to the reasons set out above, the overall reasons for the decision are that PC92:
- is supported by necessary evaluation in accordance with section 32 and s32AA;
 - gives effect to the National Policy Statement on Urban Development and the National Policy Statement for Freshwater Management;
 - gives effect to the Auckland Regional Policy Statement; and
 - satisfies Part 2 of the RMA.



Greg Hill
Chairperson

Date: 30 September 2024

Appendix 1 – Index of the evidence received.

DESCRIPTION
APP = Applicant, SUB = Submitter and LB + Local Board
APP – Jermev Brabant - Legal Submissions
APP - Cameron Wallace & Francis (Frank) Pierard (Urban Design) - Statement of Evidence
APP - Cameron Wallace & Francis (Frank) Pierard (Urban Design) – Digital Presentation
APP - Jon Styles (Noise and Vibration) - Statement of Evidence
APP - Leo Hills (Transportation) - Statement of Evidence
APP - Mark Delaney (Ecology) - Statement of Evidence
APP - Paige Pamela Farley (Civil Engineering) - Statement of Evidence
APP - Matthew Wansbone & Nicholas Speight (Geotechnical Engineering) - Statement of Evidence
APP - Pranil Wadan & Bidara Pathirage (Stormwater & Flooding) - Statement of Evidence
APP - Pranil Wadan & Bidara Pathirage (Stormwater & Flooding) - Rebuttal Evidence
APP - Nicholas Jon Roberts (Planning) - Statement of Evidence
APP - Nicholas Jon Roberts (Planning) - Rebuttal Evidence
APP - Nicholas Jon Roberts (Planning) - Summary Statement of Evidence
APP - Nicholas Jon Roberts (Planning) - Digital Presentation
APP - Ellen Ann Cameron (Archaeology) - Statement of Evidence
APP - Kelly Deihl (Land Contamination) - Statement of Evidence
APP - Reece Blackburn Hill (Soil and Land Use Capability) - Statement of Evidence
APP - Allan Holmes (Arboriculture) - Statement of Evidence
SUB - Viki Julia Carr - Statement of Evidence
SUB - Auckland Transport - Simon Andrew (Planning) - Statement
SUB - Ministry of Education - Letter dated 20 August 2024 [tabled]
SUB - Ellper Holdings Limited - Diana Bell (Planning) - SoE [tabled]
SUB –Watercare Services Limited - Legal Submissions - Simon Pilkington -
SUB - Watercare Services Limited - Andrew Deutsche (Corporate) - Statement of Evidence
SUB - Watercare Services Limited - Louise Allwood (Planning) - Statement of Evidence
SUB - Watercare Services Limited - Louise Allwood (Planning) - Summary Statement
SUB - NZ Transport Agency - Evan Alexander Keating (Planning) - Statement of Evidence
SUB - NZ Transport Agency - Evan Alexander Keating (Planning) – Summary Statement
LB - Michelle Carmichael - Rodney Local Board’s Comments

Appendix 2 - Table with the decision on each submission

Sub #	Sub Point	Submitter Name	Summary of Decisions Requested	Decision
1	1.1	Centennial Park Trust	Accept the plan change.	Accept
2	2.1	Stephen David John Porteous	Decline the plan change.	Refuse
3	3.1	MacGillivray William James Fraser	Decline the plan change.	Refuse
3	3.2	MacGillivray William James Fraser	Object to use of Monowai Street to access proposed development.	Refuse
4	4.1	Pamela Rose Tod	Approve the plan change with the amendments requested.	Accept in part
4	4.2	Pamela Rose Tod	Object to use of Monowai Street to access proposed development.	Reject
4	4.3	Pamela Rose Tod	Use Armitage Road or a road off Boshier Road to access proposed development.	Reject
5	5.1	Mike Wilton	Decline the plan change.	Refuse
6	6.1	Michael Josephy Evans	Decline the plan change.	Refuse
7	7.1	Lionel Foster	Approve the plan change with the amendments requested.	Accept in part
7	7.2	Lionel Foster	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
7	7.3	Lionel Foster	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
7	7.4	Lionel Foster	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
7	7.5	Lionel Foster	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
8	8.1	Wharehine Group Limited	Approve the plan change with the amendments requested	Accept in part
8	8.2	Wharehine Group Limited	Progress a Wellsford-wide structure plan to clearly articulate how the town as a whole envisages growth over the short, medium, and long-term planning periods. This approach would encompass the Plan Change area's Future Urban zoned ("FUZ") land, as well as the FUZ parcels to the west of the live-zoned settlement and the southern FUZ, including Wharehine's land.	Refuse
8	8.3	Wharehine Group Limited	Support the infrastructure trigger approach.	Accept in part
8	8.4	Wharehine Group Limited	Include identified infrastructure upgrades in the Future Development Strategy into the Plan Change provisions.	Accept in part
9	9.1	Maria G Wallace	Accept the plan change	Accept
10	10.1	Paul Nicholas Warren Jones	Accept the plan change	Accept
10	10.2	Paul Nicholas Warren Jones	Approve the plan change with amendments	Accept in part
11	11.1	Phil Newland	Accept the plan change	Accept
12	12.1	Joshua Don	Approve the plan change with the amendments requested.	Accept in part
12	12.2	Joshua Don	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
12	12.3	Joshua Don	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
12	12.4	Joshua Don	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
12	12.5	Joshua Don	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
13	13.1	Benjamin James Wallace	Approve the plan change with the amendments requested.	Accept in part
13	13.2	Benjamin James Wallace	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
13	13.3	Benjamin James Wallace	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
13	13.4	Benjamin James Wallace	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
13	13.5	Benjamin James Wallace	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
14	14.1	Ricardo Person	Approve the plan change with the amendments requested.	Accept in part
14	14.2	Ricardo Person	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
14	14.3	Ricardo Person	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept

Sub #	Sub Point	Submitter Name	Summary of Decisions Requested	Decision
14	14.4	Ricardo Person	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
14	14.5	Ricardo Person	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
15	15.1	Jared Person	Approve the plan change with the amendments requested.	Accept
15	15.2	Jared Person	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
15	15.3	Jared Person	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
15	15.4	Jared Person	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
15	15.5	Jared Person	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
15	15.6	Jared Person	Rezone land within a 6km radius around Wellsford for residential housing and development.	Refuse
16	16.1	Gareth Stewart	Approve the plan change with the amendments requested.	Accept in part
16	16.2	Gareth Stewart	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
16	16.3	Gareth Stewart	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
16	16.4	Gareth Stewart	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
16	16.5	Gareth Stewart	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
17	17.1	Rine Bosman	Approve the plan change with the amendments requested.	Accept in part
17	17.2	Rine Bosman	Require that Monowai Street have significant improvements/upgrades prior to any construction traffic using this street, or that access occur from SH1.	Refuse
18	18.1	Michael Bosman-Wright	Approve the plan change with the amendments requested.	Accept in part
18	18.2	Michael Bosman-Wright	Amend to require the entry to the proposed development to be north of Batten Street (rather than via Monowai Street).	Refuse
19	19.1	Rams Investments 2008 Limited	Approve the plan change with the amendments requested.	Accept in part
19	19.2	Rams Investments 2008 Limited	Retain the amended Single House and Large Lot zone minimum vacant lot subdivision (300m ² and 3,000m ² respectively) and make any alterations to H3.6 Standards.	Accept in part
19	19.3	Rams Investments 2008 Limited	Support the proposed Single House zone minimum lot area.	Accept in part
19	19.4	Rams Investments 2008 Limited	Increase standards H3.6.7 (height in relation to boundary) and H3.6.10 (building coverage) to ensure that a two storied dwelling is able to be comfortably accommodated on a site.	Accept in part
19	19.5	Rams Investments 2008 Limited	Retain stormwater management and mitigation as proposed.	Accept in part
19	19.6	Rams Investments 2008 Limited	Support implementation of transport improvements.	Accept in part
20	20.1	Vicki Julia Carr	Approve the plan change with the amendments requested.	Accept in part
20	20.2	Vicki Julia Carr	Amend the zoning of the proposed Neighbourhood Centre (reduce or remove).	Refuse
21	21.1	Edwin Gilbert Person	Approve the plan change with the amendments requested.	Accept in part
21	21.2	Edwin Gilbert Person	Include the following properties in the plan change as residential large lot zone: 10, 20, 28, 40, 56, 56A, 60, 62, 68 Boshier Road, Wellsford (see map attached to submission).	Refuse
22	22.1	Dale Stewart	Approve the plan change with the amendments requested.	Accept in part
22	22.2	Dale Stewart	Seek that the proposed development has a number of large sections available (approx 30+ being between half acre and 1 acre out of 600+ sections).	Accept in part
22	22.3	Dale Stewart	Provide an access and services to the rear part of 70 Armitage Rd.	Refuse
23	23.1	Kingsley Don	Approve the plan change with the amendments requested.	Accept in part
23	23.2	Kingsley Don	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part

Sub #	Sub Point	Submitter Name	Summary of Decisions Requested	Decision
23	23.3	Kingsley Don	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
23	23.4	Kingsley Don	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
23	23.5	Kingsley Don	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
24	24.1	Owen Stewart	Approve the plan change with the amendments requested.	Accept in part
24	24.2	Owen Stewart	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
24	24.3	Owen Stewart	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
24	24.4	Owen Stewart	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
24	24.5	Owen Stewart	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
25	25.1	Lance Don	Approve the plan change with the amendments requested.	Accept in part
25	25.2	Lance Don	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
25	25.3	Lance Don	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
25	25.4	Lance Don	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
25	25.5	Lance Don	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
26	26.1	Kevin Person	Approve the plan change with the amendments requested.	Accept in part
26	26.2	Kevin Person	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
26	26.3	Kevin Person	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
26	26.4	Kevin Person	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
26	26.5	Kevin Person	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
27	27.1	Shy Walton	Approve the plan change with the amendments requested.	Accept in part
27	27.2	Shy Walton	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
27	27.3	Shy Walton	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
27	27.4	Shy Walton	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
27	27.5	Shy Walton	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
28	28.1	Karl Walton	Approve the plan change with the amendments requested.	Accept in part
28	28.2	Karl Walton	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
28	28.3	Karl Walton	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
28	28.4	Karl Walton	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
28	28.5	Karl Walton	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
29	29.1	Bug Walton	Approve the plan change with the amendments requested.	Accept in part
29	29.2	Bug Walton	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
29	29.3	Bug Walton	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
29	29.4	Bug Walton	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
29	29.5	Bug Walton	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
30	30.1	Amber Walton	Approve the plan change with the amendments requested.	Accept in part
30	30.2	Amber Walton	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
30	30.3	Amber Walton	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
30	30.4	Amber Walton	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse

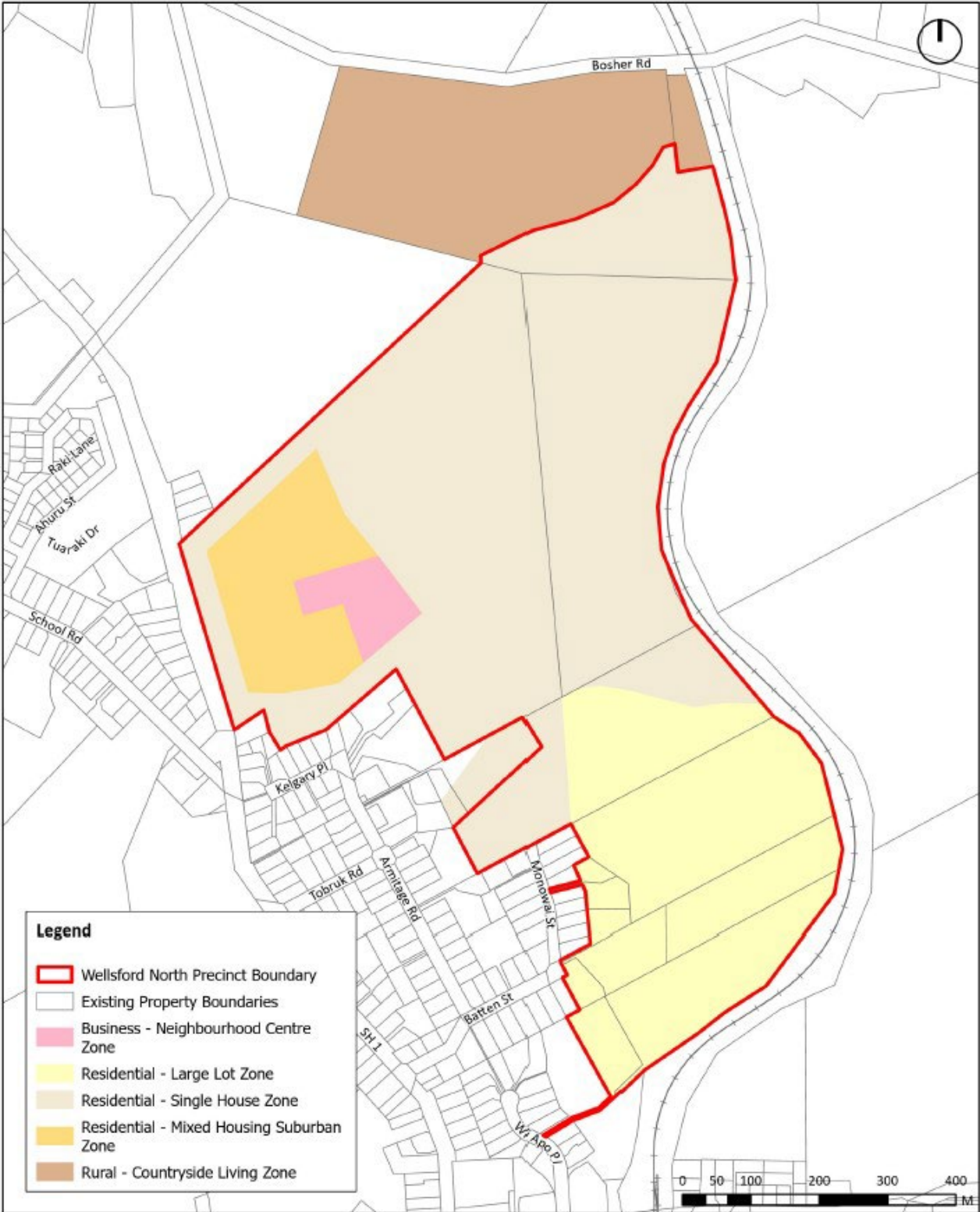
Sub #	Sub Point	Submitter Name	Summary of Decisions Requested	Decision
30	30.5	Amber Walton	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
31	31.1	Luka Walton	Approve the plan change with the amendments requested.	Accept in part
31	31.2	Luka Walton	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
31	31.3	Luka Walton	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
31	31.4	Luka Walton	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
31	31.5	Luka Walton	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
32	32.1	David Person	Approve the plan change with the amendments requested.	Accept in part
32	32.2	David Person	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
32	32.3	David Person	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
32	32.4	David Person	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
32	32.5	David Person	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
33	33.1	Sheryl Walton	Approve the plan change with the amendments requested.	Accept in part
34	34.1	Brad Don	Approve the plan change without any amendments	Accept in part
35	35	Wellsford Welding Club	Approve the plan change with the amendments requested. Plus, all of the other specific amendments requested.	Accept in part – for the reasons set out in the decision report
36	36	The New Zealand Transport Agency (Waka Kotahi)	Seek amendments to the plan change (neutral). Plus, all of the other specific amendments requested.	Accept in part – for the reasons set out in the decision report
37	37	Auckland Transport	Seek amendments to the plan change (neutral). Plus, all of the other specific amendments requested.	Accept in part – for the reasons set out in the decision report
38	38	Ellper Holdings Limited	Decline the plan change. This submission was changed to supporting the plan change in the written evidence of Ms Bell, the submitter's planner.	Accept in part – for the reasons set out in the decision report
39	39	Ministry of Education	Seek amendments to the plan change (neutral).	Accept in part – for the reasons set out in the decision report
40	40	KiwiRail Holdings Limited (KiwiRail)	Decline the plan change, but sought specific amendments that would, if agreed, satisfy KiwiRail's concerns. Plus, all of the other specific amendments requested.	Accept in part – for the reasons set out in the decision report
41	41	Watercare Services Limited	Seek amendments to the plan change (neutral). Plus, all of the other specific amendments requested.	Accept in part – for the reasons set out in the decision report
42	42.1	Llewellyn Walton	Approve the plan change with the amendments requested.	Accept in part
42	42.2	Llewellyn Walton	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
42	42.3	Llewellyn Walton	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
42	42.4	Llewellyn Walton	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
42	42.5	Llewellyn Walton	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
43	43.1	Stephen Phillip Wallace	Approve the plan change with the amendments requested.	Accept in part
43	43.2	Stephen Phillip Wallace	Amend plan change so that traffic entry / exit for the development is directly off SH1, not via Batten Street.	Accept in part
44	44.1	Daryl Walton	Approve the plan change with the amendments requested.	Accept in part
44	44.2	Daryl Walton	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
44	44.3	Daryl Walton	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept

Sub #	Sub Point	Submitter Name	Summary of Decisions Requested	Decision
44	44.4	Daryl Walton	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
44	44.5	Daryl Walton	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
45	45.1	Lionel Don	Approve the plan change with the amendments requested.	Accept in part
45	45.2	Lionel Don	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
45	45.3	Lionel Don	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
45	45.4	Lionel Don	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
45	45.5	Lionel Don	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
45	45.6	Lionel Don	Amend so that only a small part of the development can be reduced to 300m ² sections.	Accept in part
46	46.1	Andre Raikes	Approve the plan change with the amendments requested.	Accept in part
46	46.2	Andre Raikes	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
46	46.3	Andre Raikes	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
46	46.4	Andre Raikes	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
47	47.1	Andree Walton	Approve the plan change with the amendments requested.	Accept in part
47	47.2	Andree Walton	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
47	47.3	Andree Walton	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
47	47.4	Andree Walton	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
47	47.5	Andree Walton	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
49	49.1	Shyla Walton	Approve the plan change with the amendments requested.	Accept in part
49	49.2	Shyla Walton	Support the reduction of the minimum net site areas of the Single House Zone in the Wellsford North precinct to be 300m ² .	Accept in part
49	49.3	Shyla Walton	Support the reduction of the minimum net site areas of the Large Lot Residential zone in the Wellsford North precinct to be 3,000m ² .	Accept
49	49.4	Shyla Walton	Reduce the Countryside Living zone minimum average net site area to 1 hectare.	Refuse
49	49.5	Shyla Walton	Introduce some restricted scope for larger sites (1,000m ² or over) within the Single House zone.	Refuse
50	50.1	Giancarlo Penzo	Decline the plan change unless the matters set out in this submission are addressed and resolved.	Accept in part
50	50.2	Giancarlo Penzo	Require that all (construction) vehicles to access the proposed site is via Rodney Street (SH1).	Refuse
50	50.3	Giancarlo Penzo	Require speed reduction measures to be implemented.	Refuse
50	50.4	Giancarlo Penzo	Require that Monowai Street remains as a cul-de-sac.	Refuse
50	50.5	Giancarlo Penzo	Add more green spaces.	Accept in part
50	50.6	Giancarlo Penzo	Require that streets are widened to ensure contractors/emergency services can access all properties.	Refuse
50	50.7	Giancarlo Penzo	Amend the proposed zoning so that only the Residential Single House zone (min. 600m ²) and Residential Large Lot zone (min 3,000m ²) are applied.	Refuse

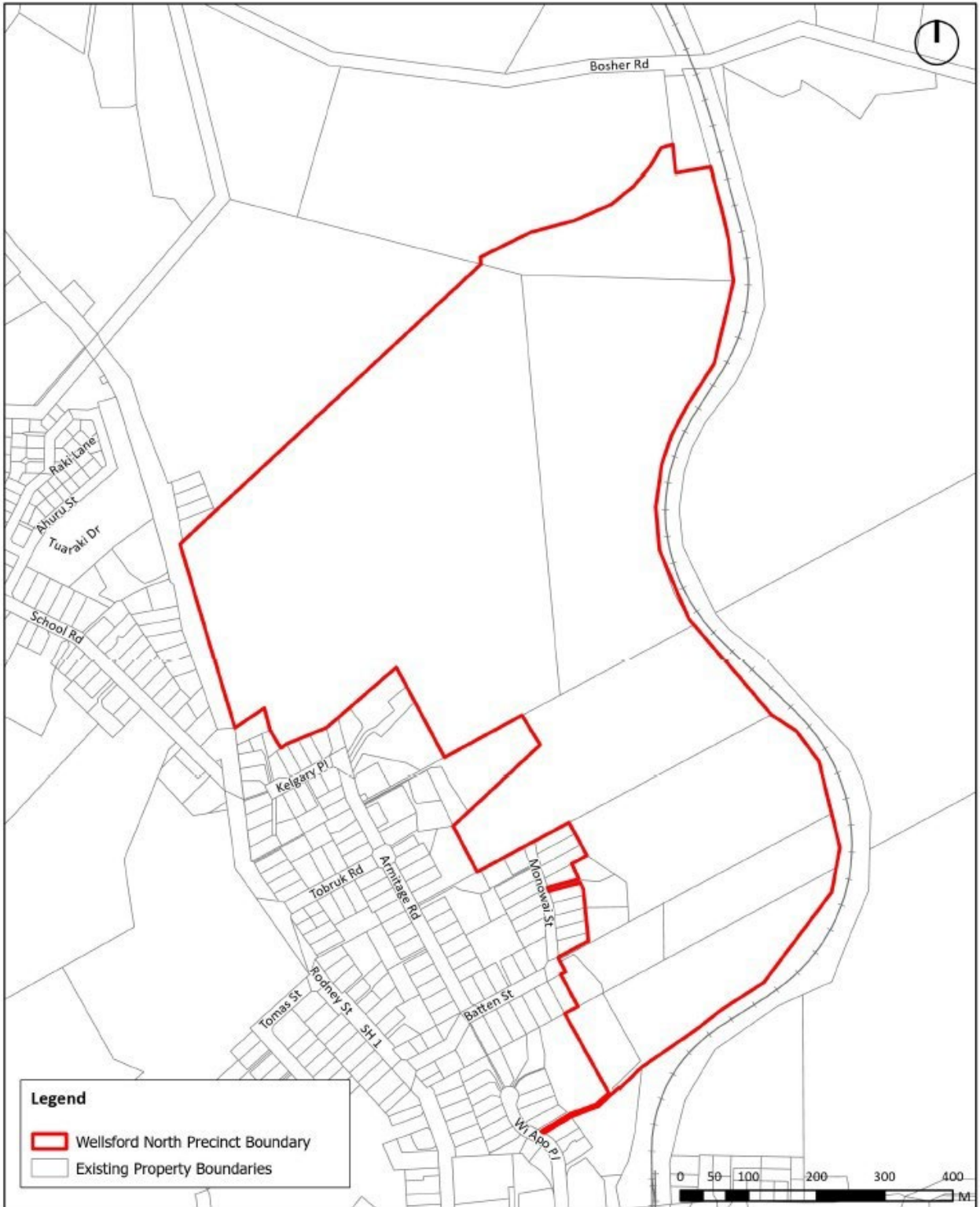
Appendix 3 - Wellsford North Precinct Provisions (Marked Up Version)

IX. Wellsford North Precinct - Hearing Panel's Decision Version (track change version based on the Applicant's Reply version)

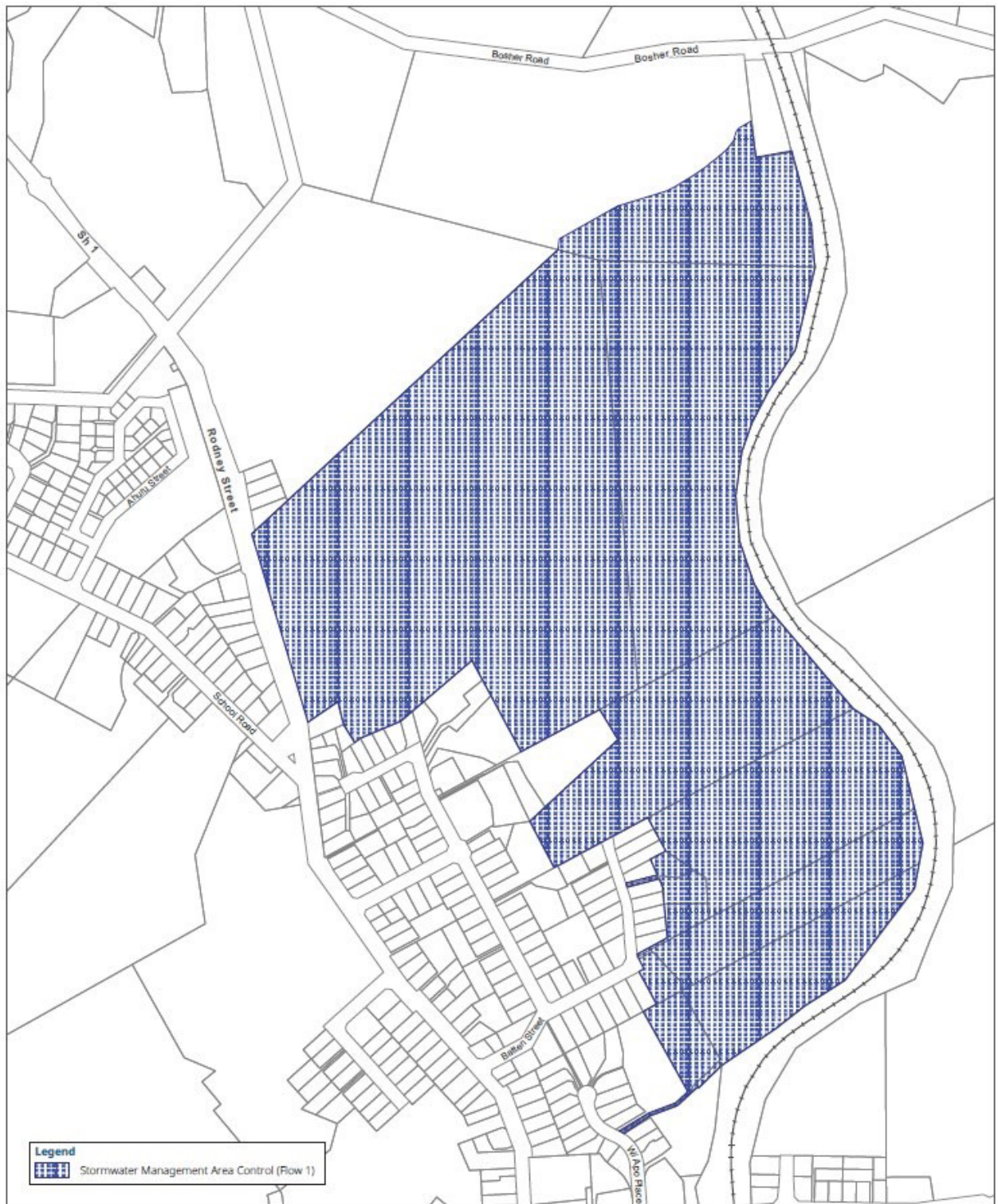
Wellsford North Zoning Plan



Wellsford North Precinct Plan



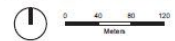
Wellsford North – Stormwater Management Area Control (Flow 1)



Wellsford North – Subdivision Variation Control



Subdivision Variation Control Plan



Scale @ A3

1:5,000

IX.1. Precinct Description

The Wellsford North Precinct applies to 62.3ha of land in Wellsford, generally bounded by State Highway 1 to the west, the North Auckland Railway Line to the east and south and a permanent stream to the north.

The purpose of the Wellsford North precinct is to provide for the development of a new, comprehensively planned residential community in Wellsford North that supports a quality compact urban form while also acknowledging the existing landscape character at Wellsford. The precinct provides for a range of residential densities, including medium residential densities enabled close to the Wellsford North Neighbourhood Centre and State Highway 1 to provide for development up to two storeys in a variety of sizes and forms. Lower residential densities are enabled in the northern and eastern parts of the precinct, to integrate with the existing character of Wellsford. The precinct also provides for large lot zoning in the southern portion of the precinct, where the topography lends itself to lower density residential land use.

A small neighbourhood centre is provided for in the centre of the precinct adjacent to the proposed collector road, to provide for the local day-to-day needs of residents in a central and highly accessible location.

The precinct amends the minimum net site area within the Residential - Large Lot and Residential – Single House zones to provide efficient use of greenfield land while integrating with the character of the existing town.

The precinct emphasises the need for development to create a unique sense of place for Wellsford North, by integrating existing natural features and responding to the landform. In particular there is a network of streams throughout the Wellsford North precinct. The precinct seeks to maintain and enhance these waterways and integrate them where possible within the open space network.

The precinct includes controls to ensure that new and altered buildings containing Noise Sensitive Spaces that are adjacent to State Highway 1 and the North Auckland Railway Line are designed, constructed and maintained to provide occupants with an adequate level of internal noise amenity.

Areas within the Precinct that are within 60m of the North Auckland Railway Line may experience vibration levels higher than would normally be experienced. A Vibration Alert Area is shown on Precinct Plan 2.

Subdivision and development does not proceed until the land zoned Business – Neighbourhood Centre zone, Residential – Single House zone and Residential – Mixed Housing Suburban zone within the Wellsford North Precinct is able to be connected to functioning bulk water supply and wastewater network infrastructure with sufficient capacity to service subdivision and development in the Precinct area. Subdivision and development can be undertaken in stages as the capacity of the bulk water supply and wastewater network infrastructure becomes available.

The Residential - Large Lot zone within the Precinct provides for self-sufficient means through the use of septic tanks and water tanks or connection to functioning bulk water supply and wastewater network infrastructure with sufficient capacity to service the subdivision and development.

The zoning of land within this precinct is Residential – Large Lot Zone, Residential – Single House Zone, Residential – Mixed Housing Suburban Zone and Business – Neighbourhood Centre Zone.

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

IX.2. Objectives

- (1) Wellsford North is a comprehensively developed residential environment that integrates with the existing Wellsford urban area and the natural environment.
- (2) Wellsford North is subdivided and developed in a comprehensive and integrated way which allows for a range of housing densities and typologies and that enables a safe and functional residential development.
- (3) Development of Wellsford North creates a distinctive sense of place, which responds to natural and built site features, landform and Mana Whenua values.
- (4) Access to, from and within the precinct for all modes of transport occurs in an effective, efficient and safe manner that manages adverse effects of traffic generation on the surrounding road network.
- (5) Subdivision and development does not occur in advance of the availability and capacity of bulk wastewater, bulk water supply, and operational transport infrastructure.
- (6) Subdivision and development is coordinated with the supply of sufficient stormwater, water supply, wastewater-three waters, energy and communications infrastructure.
- (7) Stormwater quality and quantity is managed to avoid, as far as practicable, or minimise or mitigate adverse water quality or flooding effects on the receiving environment.
- (8) Ecological values within terrestrial, wetland and stream habitats are protected, restored, maintained and enhanced.
- (9) Activities sensitive to noise adjacent to the State Highway and rail corridor are designed to protect people's health and residential amenity while they are indoors, and in a way which does not unduly constrain the operation of the State Highway and railway corridor.

IX.3. Policies

- (1) Require the Indicative Collector Road and associated Key Intersection to be provided generally in the location shown in IX.10.1 Wellsford North: Precinct Plan 1 while allowing for variation, where it would achieve a highly connected street layout that integrates with the surrounding transport network.
- (2) Require the Indicative Key Local Roads and Primary Walking and Cycling connection to be provided generally in the location shown in IX.10.1 Wellsford North: Precinct Plan 1, while allowing for variation where it would achieve a highly connected street layout and active mode network that integrates with the surrounding transport network.
- (3) Ensure that development provides a local road network that achieves a highly connected street layout and integrates with the collector road within the precinct, and the surrounding transport network, and supports the safety and amenity of the open space and stream network.
- (4) Require the transport network to be attractively designed and appropriately provide for all transport modes in accordance with IX.11: Appendix 1.
- (5) Require subdivision to deliver sites that are of an appropriate size and shape for development intended by the precinct including by providing for smaller site sizes within the Large Lot and Single House zones.
- (6) In addition to matters (a)-(c) of Policy E38.3.18, ensure that the location and design of publicly accessible open spaces contribute to a sense of place and a quality network of well-connected open spaces for Wellsford North, including by:
 - (a) Incorporating distinctive site features, including the stand of Native Totara Trees as shown on IX.10.1 Wellsford North: Precinct Plan 1; and (b) Integrating with the stream network to create a green corridor; and
 - (c) connecting to the existing neighbourhood footpath network, including at Curry's Bush Reserve.
- (7) Require subdivision and development in the precinct to be coordinated with the provision of sufficient stormwater, wastewater, water supply, energy and telecommunications infrastructure.

(7A) Avoid subdivision and development in advance of the provision of bulk water supply and wastewater network infrastructure with sufficient capacity to service subdivision and development within the Precinct.
- (8) Require subdivision and development in the precinct to be coordinated with required transport infrastructure upgrades to minimise the adverse effects of

development on the safety, efficiency and effectiveness of the surrounding road network.

- (9) Require subdivision and development to be consistent with ~~the treatment train approach outlined in~~ an approved stormwater management plan including the treatment train approach:
- (a) The use of inert building materials to eliminate or minimise the generation and discharge of contaminants;
 - (b) Requiring treatment of runoff from all connected impervious surfaces ~~public road carriageways and publicly accessible carparks at or near source~~ by a water quality device designed in accordance with GD01.3;
 - (c) ~~Requiring runoff from other trafficked impervious surfaces to apply a water sensitive approach to treat contaminant generating surfaces, including cumulative effects of lower contaminant generating surfaces.~~
- (10) Contribute to improvements to water quality, habitat and biodiversity, including by providing planting on the riparian margins of permanent and intermittent streams and wetlands.
- (11) Ensure that activities sensitive to noise adjacent to the State Highway and railway corridor are designed, constructed and maintained to reduce road and rail noise to protect people’s health and residential amenity while they are indoors and that such activities do not unduly constrain the operation of the State Highway and railway corridor.

IX.4. Activity table

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is otherwise listed in Activity Table IX.4.1 below.

Activity Table IX.4.1 specifies the activity status of subdivision and development in the Wellsford North Precinct pursuant to sections 9 and 11 of the Resource Management Act 1991.

Table IX.4.1 Activity table

Activity	Activity status
Use and Development	

(A1)	New buildings and development prior to subdivision, including private roads	RD
(A2)	Development that does not comply with Standard IX.6.1. Staging of Development with Transport Upgrades with respect to the following elements of Table IX.6.1.1: (a) Upgrades in rows (a)	NC
(A2A)	Development that does not comply with Standard IX.6.1. Staging of Development with Transport Upgrades with respect to the following elements of Table IX.6.1.1: (a) Upgrades in rows (b) and (c)	D
(A3)	Development that exceeds a cumulative total of 750 dwellings within the Precinct	RD
(A4)	Development that does not comply with Standard IX.6.1A Road Design	RD
(A5)	Use and development within the Neighbourhood Centre Zone, the Mixed Housing Suburban Zone, <u>and</u> the Single House Zone, and the Large Lot Zone that does not comply with Standard IX.6.3. Water Supply and Wastewater Infrastructure	D -NC
<u>(A5A)</u>	<u>Use and development within the Residential Large Lot Zone that does not comply with Standard IX.6.3A Water Supply and Wastewater Infrastructure Residential Large Lot Zone</u>	<u>NC</u>
Subdivision		
(A6)	Subdivision, including private roads	RD
(A7)	Subdivision that does not comply with Standard IX.6.1. Staging of Development with Transport Upgrades with respect to the following elements of Table IX.6.1.1: (a) Upgrades in rows (a)	NC

(A7A)	Subdivision that does not comply with Standard IX.6.1. Staging of Development with Transport Upgrades with respect to the following elements of Table IX.6.1.1: (a) Upgrades in rows (b) and (c)	D
Activity		Activity status
(A8)	Subdivision that does not comply with Standard IX.6.1A Road Design	RD
(A9)	Subdivision within Neighbourhood Centre Zone, the Mixed Housing Suburban Zone, <u>and</u> the Single House Zone, and the Large Lot Zone that does not comply with Standard IX.6.3 2 . Water Supply and Wastewater Infrastructure	D <u>NC</u>
<u>(A9A)</u>	<u>Subdivision within the Residential Large Lot Zone that does not comply with Standard IX.63A Water Supply and Wastewater Infrastructure Residential Large Lot Zone</u>	<u>NC</u>

IX.5 Notification

- (1) Except as provided for by IX.5(2), ~~A~~any application for resource consent for an activity listed in Table IX.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) Any application for resource consent that infringes the following standards will be considered without public or limited notification to any person other than Watercare or the need to obtain the written approval from any other affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:
 - (a) Standard IX.6.3 Water Supply and Wastewater Infrastructure
 - (b) Standard IX.6.3A Water Supply and Wastewater Infrastructure - Residential Large Lot Zone.
- (3) When deciding on 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).

IX.6. Standards

- (1) Unless specified in Standard IX.6(2) below, all relevant overlay, Auckland-wide and zone standards apply to the activities listed in Activity Table IX.4.1 above.
- (2) The following Auckland-wide standards do not apply to activities that comply with IX.6.1. Staging of Development with Transport Upgrades:
 - (a) E27.6.1 Trip generation
- (3) The following zone standards do not apply within the Residential - Single House Zone and Residential - Large Lot Zone ~~Mixed Housing Suburban Zone~~:
 - (a) E38.8.2.3. Vacant sites subdivisions involving parent sites of less than 1 hectare; and
 - (b) ~~E38.8.4.1.~~ E38.8.3.1. Vacant sites subdivision involving parent sites of 1 hectare or greater.

All activities listed in Activity Table IX.4.1 must also comply with the following Standards as relevant below. All activities listed in Activity Table IX.4.1 must also comply with IX.9 Special Information Requirements.

Where there is any conflict or difference between standards in this precinct and the Auckland-wide and zone standards, the standards in this precinct will apply.

IX.6.1. Staging of Subdivision and Development with Transport Upgrades

Purpose:

- Mitigate the adverse effects of traffic generation on the surrounding local and wider road network, consistent with Policy IX.3(8).
 - Achieve the integration of land use and transport, consistent with Policies IX.3(1), (2), (3) and (8).
- (1) Development and subdivision within the Precinct must not exceed the thresholds in Table IX.6.1.1 until such time that the identified infrastructure upgrades are constructed and are operational. Applications for resource consent in respect of activities, development or subdivision identified in Column 1 of the Table will be deemed to comply with this standard IX.6.1(1) if the corresponding infrastructure identified in Column 2 of the Table is:
 - (a) Constructed and operational prior to lodgement of the resource consent application; or

- (b) Under construction with relevant consents being given effect prior to the lodgement of the resource consent application and the application is expressly made on the basis that the relevant infrastructure upgrade(s) will be completed and operational prior to:
 - i. The issue of a section 224(c) RMA certificate in the case of a subdivision consent application; and/or
 - ii. The occupation of any dwellings, commercial, and/or community activities in the case of a land use consent application; or
 - (c) Proposed to be constructed by the applicant as part of the resource consent application and the application is expressly made on the basis that the relevant infrastructure upgrade(s) will be completed and operational:
 - i. Prior to or in conjunction with the issue of a section 224(c) RMA certificate in the case of a subdivision consent application; and/or
 - ii. Prior to the occupation of any dwellings, commercial, and/or community activities in the case of a land use consent application.
- (2) Any application lodged in terms of IX.6.1(1) (b) or (c) above must confirm the applicant's express agreement in terms of section 108AA(1)(a) of the RMA and on an *Augier* basis to the imposition of consent conditions requiring (as relevant) that:
- (a) No dwellings, retail, commercial and/or community floorspace shall be occupied until the relevant infrastructure upgrades are constructed and operational; and/or
 - (b) No section 224(c) certificate shall be issued and no subdivision survey plan shall be deposited until the relevant infrastructure upgrades are constructed and operational.

Any resource consent(s) granted on one or both of the above basis must be made subject to consent conditions as described in IX.6.1 (2)(a) and/or IX.6.1 (2)(b) above. Those conditions will continue to apply until appropriate evidence is supplied to Council confirming that the relevant infrastructure upgrades are operational.

- (3) For the purpose of this standard:
- (a) 'Dwelling' and 'retail/commercial/community floorspace' means buildings for those activities that have a land use consent, or subdivision that has a section 224(c) certificate that creates additional vacant lots;

(b) 'Occupation' and 'occupied' mean occupation and use for the purposes permitted by the resource consent but not including occupation by personnel engaged in construction, fitting out or decoration; and

(c) 'Operational' means the relevant upgrade is available for use and open to all traffic.

Table IX.6.1.1 Threshold for Subdivision and Development within Wellsford North Precinct

Column 1 Activities, development or subdivision, enabled by Transport Infrastructure in column 2		Column 2 Transport infrastructure required to enable activities, development or subdivision in column 1
(a)	Prior to any subdivision and/or development accessed via the State Highway 1 (Rodney Street) intersection	Upgrade to the Key Intersection between the main Collector Road and State Highway 1 (Rodney Street), refer to IX.10.1 Precinct Plan 1 • Right hand turn intersection with the main collector road and State Highway 1
(b)	Prior to the occupancy of any subdivision and/or development accessed via the State Highway 1 (Rodney Street) intersection	Provision of the Primary Walking and Cycling Connection along State Highway 1 (Rodney Street) between the main collector road and State Highway 1 (Rodney Street) intersection and the underpass at Tobruk Road, refer to IX.10.1 Precinct Plan 1.
(c)	Prior to the occupancy of any subdivision and/or development with frontage to State Highway 1 (Rodney Street)	Upgrade to State Highway 1 (Rodney Street) frontage, for that part of State Highway 1 between the main collector road and State Highway 1 (Rodney Street) intersection and the southern Wellsford North Precinct boundary which adjoins the Primary Walking and Cycling Connection, to an urban standard consistent with Appendix 1: Road Function and Design Elements Table.

IX.6.2 Road Design

Purpose: To ensure that any activity, development and/or subdivision complies with IX.11 Appendix 1: Road Function and Design Elements Table.

- (1) Any activity, development and/or subdivision must comply with IX.11 Appendix 1: Road Function and Design Elements Table.

IX.6.3. Water Supply and Wastewater Infrastructure

Purpose: To ensure subdivision and development in the precinct is adequately serviced with bulk water supply and wastewater infrastructure.

- (1) Bulk water supply and wastewater infrastructure required for servicing of each stage of development within the Business - Neighbourhood Centre zone, Residential - Mixed Housing Suburban zone, and Residential - Single House zone within the Precinct must demonstrate have capacity, and be completed and commissioned:
 - (a) In the case of subdivision, prior to the issuing of a certificate of title pursuant to s224(c) for any residential and/or business zoned lots; and or
 - (b) In the case of land use only, prior to construction of any buildings for activities that would require water and/or wastewater servicing.

IX.6.3A Water Supply and Wastewater Infrastructure - Residential Large Lot Zone

- (1) Development located within the Residential - Large Lot zone must demonstrate adequate on site self-servicing infrastructure via septic tanks and water tanks; or the bulk water supply and wastewater infrastructure required for water and wastewater servicing the development or subdivision must have capacity, and be completed and commissioned:
 - (a) In the case of subdivision, prior to the issuing of a certificate of title pursuant to s224(c) for any residential large lot zoned lots; or
 - (b) In the case of land use, prior to construction of any buildings for activities that would require water and/or wastewater servicing.

IX.6.4. Riparian Margin

Purpose: Contribute to improvements to water quality, habitat and biodiversity.

- (1) Riparian margins of permanent or intermittent streams and natural wetlands, (as shown as Indicative Natural Wetlands in IX.10.1 Wellsford North: Precinct Plan 1), must be planted either side to a minimum width of 10m measured from the top of bank of the stream and the edge of the wetland area, provided that:
 - (a) This rule shall not apply to road crossings over streams;

- (b) Walkways and cycleways must not locate within the riparian planting area;
 - (c) The riparian planting area is vested in Council or protected and maintained in perpetuity by an appropriate legal mechanism.
- (2) A building, or parts of a building, must be setback at least 20m from the bank of a river or stream measuring 3m or more in width, consistent with the requirements of E38.7.3.2.

IX.6.5. Stormwater Quality

Purpose: Contribute to improvements to water quality and stream health.

- (1) Stormwater runoff from all directly connected impervious surfaces, excluding roofs, must be treated with a stormwater management device(s) meeting the following standards:
- (a) The device or system must be sized and designed in accordance with 'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)'; or
 - (b) Where alternative devices are proposed, the device must demonstrate it is designed to achieve an equivalent level of contaminant or sediment removal performance to that of 'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)'.
- (2) New buildings, and additions to buildings must be constructed using inert cladding, roofing and spouting building materials that avoid the use of high contaminant yielding building products which have:
- (a) Exposed surface(s) or surface coating of metallic zinc of any alloy containing greater than 10% zinc; or
 - (b) Exposed surface(s) or surface coating of metallic copper or any alloy containing greater than 10% copper; or
 - (c) Exposed treated timber surface(s) or any roof material with a copper-containing or zinc-containing algaecide.
- (3) Roof runoff must be directed to a tank sized for the minimum of 5mm retention volume for non-potable reuse within the property.

IX.6.6 Minimum Net Site Area within Large Lot Zone

- (1) Site sizes for proposed sites must comply with the minimum net site areas specified in Table IX.6.6.1 Minimum net site area for subdivisions within the Large Lot Zone.

Table IX.6.6.1 Minimum Net Site Area within Large Lot Zone

Area	Minimum net site area
Large Lot Zone	3,000m ²

IX.6.7 Minimum Net Site Area within Single House Zone

- (1) Site sizes for proposed sites must comply with the minimum net site area specified in Table IX.6.7.1 Minimum net site area for subdivisions within the Single House Zone.

Table IX.6.7.1 Minimum Net Site Area within Single House Zone

Area	Minimum net site area
Single House Zone	400m ²

IX.6.8 Activities sensitive to noise within 100m of the North Auckland Line

Purpose: Ensure activities sensitive to noise adjacent to the railway corridor are designed to reduce rail noise to protect people's health and residential amenity while they are indoors and that such activities do not unduly constrain the operation of the railway corridor.

- (1) Any new building, or alteration to an existing building that contains a Noise Sensitive Space, within 100 metres of the nearest rail line must be designed, constructed and maintained to reduce external noise to not exceed 35 dB L_{Aeq(1 hour)} in bedrooms and sleeping areas, and 40 dB L_{Aeq(1 hour)} for all other Noise Sensitive Spaces. Written certification of such compliance shall be submitted from a Suitably Qualified and Experienced Acoustic Consultant with the building consent application for the building concerned. The design certificate shall be based on:
- (a) A source level for railway noise of 70 L_{Aeq (1hour)} at a distance of 12 metres from the nearest track; and
 - (b) The attenuation over distance being:
 - i. 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres; or
 - ii. As modelled by a Suitably Qualified and Experienced Acoustic Consultant using a recognised computer modelling method for freight trains with diesel locomotives, having regard to factors such as barrier attenuation, the location of the dwelling relative to the orientation of the track, topographical features and any intervening structures.

- (2) The requirements of IX.6.8(1) do not apply where the Noise Sensitive Space(s) within 100m of the boundary of the designated railway corridor:
- (a) Is in a location where the exterior façades of the Noise Sensitive Space(s) is at least 50m from the formed railway track and there is a solid building, fence, wall or landform that blocks the line of sight from all parts of all windows and doors of those spaces to all points 3.8m directly above the formed railway track; or
 - (b) Is in a location where it can be demonstrated by way of prediction or measurement by a Suitably Qualified and Experienced Acoustic Consultant that the rail noise level at all exterior façades of the Noise Sensitive Space(s) is no more than 15 dB above the relevant internal noise levels in IX.6.8(1).

IX.6.9 Activities sensitive to noise within 45m of the centreline of State Highway 1

- (1) Any new building or alteration to an existing building that contains a Noise Sensitive Space within 45 metres of the centreline of State Highway 1 must be designed, constructed and maintained so that road traffic noise from State Highway 1 does not exceed 40 dB $L_{Aeq(24\text{ hour})}$ in all Noise Sensitive Spaces.
- (2) Written certification of compliance with IX.6.9(1) shall be submitted from a Suitably Qualified and Experienced Acoustic Consultant with the relevant building consent application. The certification shall be based on the existing measured or predicted noise levels plus 3 dB. Noise level predictions for the building may be modelled by a Suitably Qualified and Experienced Acoustic Consultant using a recognised computer modelling method for road traffic, having regard to factors such as barrier attenuation, the location of the dwelling relative to the road, topographical features and any intervening structures.

IX.6.10 Mechanical cooling and ventilation requirements for IX6.8 and IX6.9

- (1) If opening windows of Noise Sensitive Spaces must be closed to achieve the design noise levels in IX6.8(1) or IX.6.9(1) those spaces must be designed, constructed and maintained with a mechanical ventilation system that achieves the following requirements:
 - (a) Provides mechanical ventilation that can operate continuously to satisfy clause G4 of the New Zealand Building Code and that provides at least 1 air change per hour, but no less than 7.5L/s per occupant; and
 - (b) Provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C when assessed using a 2.5% design weather condition for Wellsford. An acceptable design weather set would include IRHACE Yearbook 2009 NIWA weather data; and

- (c) Any system installed in compliance with IX.6.10(1)(a) and (b) above, must not generate more than 35 dB $L_{Aeq(30s)}$ when measured 1 metre away from any grille or diffuser. The noise level must be measured after the system has cooled the rooms to the temperatures in IX.6.10(1)(b), or after a period of 30 minutes from the commencement of cooling (whichever is the lesser);

OR:

- (d) Alternatively, in lieu of section IX.6.10(3)(a) - (c) above, a design verified by a suitably qualified and experienced HVAC expert stating the design proposed will provide ventilation and internal space temperature controls to meet or exceed the outcomes described in IX.6.10(3)(a)-(c).

- (2) A commissioning report must be submitted to the Council prior to occupation of the building demonstrating compliance with the mechanical ventilation system performance requirements in IX.6.10(1)(a)-(c) or IX.6.10(1)(d).

IX.6.11 Building setback along the North Auckland Line

Purpose: To ensure the safe operation of the North Auckland Line by providing for buildings on adjoining sites to be maintained within their site boundaries and provide space for a future strategic Indicative Greenway Connection as shown in IX.10.1 Wellsford North: Precinct Plan 1.

- (1) Buildings must be setback at least 5 metres from any boundary which adjoins the North Auckland Line.

IX.6.12 Garage Doors within the Single House zone

Purpose: To ensure that garages do not unduly dominate the street frontage.

All garage doors must comply with the following:

- (1) A garage door facing a street must be no greater than 45 percent of the width of the front façade of the dwelling to which the garage relates.
- (2) Garage doors must be set back behind ~~not project forward of~~ the front façade of a dwelling.

IX.6.13 Height in relation to Boundary within the Single House zone

Purpose: To ensure that smaller site sizes within the Single House zone, enabled by Standard IX.6.7, can be developed in a single house typology, while enabling a reasonable level of sunlight access and minimising adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 45-degree recession plane measured from a point 3m vertically above ground level along side and rear boundaries.

IX.7 Assessment – Controlled Activities

There are no controlled activities in this precinct.

IX.8. Assessment – Restricted Discretionary Activities

IX.8.1. Matters of discretion

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

- (1) Subdivision, or new buildings prior to subdivision, including private roads:
 - (a) Location and design of the collector road, key local roads and connections with neighbouring sites to achieve an integrated street network, and appropriately provide for all modes;
 - (b) Provision of cycling and pedestrian networks and connections;
 - (c) Open space network;
 - (d) Stormwater and flooding effects;
 - (e) Provision of a landscape buffer strip along the State Highway 1 (Rodney Street) frontage; ~~and~~
 - (f) Matters of discretion IX.8.1(1) (a)-(f) apply in addition to the matters of discretion in E38.12.1-; ~~and~~
 - (g) The effects of infrastructure provision and capacity, including locations and size identified in the Water and Wastewater Servicing Plan required in IX.9 Special Information Requirements.
- (2) Development that exceeds a cumulative total of 750 dwellings:
 - (a) Effects of traffic generation on the safety and operation of the surrounding road network;
 - (b) Effects on pedestrian and cyclist connectivity and safety; and
 - (c) Effects on public transport.

- (3) Infringement to standard IX.6.2 Road Design:
 - (a) The design of the road, and associated road reserve and whether it achieves policies IX.3(1), (2) and (3);
 - (b) Design constraints;
 - (c) Interface design treatment at property boundaries, particularly for pedestrians and cyclists.
- (4) Infringements to Standard IX6.4 Riparian Margins:
 - (a) Effects on water quality, wetland and stream habitat.
- (5) Infringements to Standard IX6.5 Stormwater Quality:
 - (a) Matters of discretion E9.8.1(1) apply.
- (6) Infringements to Standard IX6.6 Subdivision of sites within the Large Lot Zone:
 - (a) Matters of discretion E38.12.1(7) apply.
- (7) Infringements to Standard IX6.7 Subdivision of sites within the Single House Zone:
 - (a) Matters of discretion E38.12.1(7) apply.
- (8) Infringement of standard IX.6.8 – Activities sensitive to noise within 100m of the rail line:
 - (a) Effects on human health and residential amenity while people are indoors and effects on the operation of the railway corridor.
- (9) Infringement of standard IX.6.9 – Activities sensitive to noise within 45m from the centreline of State Highway 1:
 - (a) Effects on human health and residential amenity while people are indoors and effects on the operation of the State Highway.
- (10) Infringement of standard IX6.10 - Mechanical cooling and ventilation requirements for IX6.8 and IX6.9:
 - (a) Effects on human health and residential amenity while people are indoors and effects on the operation of the railway corridor and the State Highway.
- (11) Infringement of standard IX.6.11 Building setback along the North Auckland Line:
 - (a) Effects on the safe operation of the North Auckland Line, by providing for buildings on adjoining sites to be maintained within their site boundaries; and

- (b) Effects on pedestrian and cyclist connectivity and safety for the future Indicative Greenway Connection (shown on IX.10.1 Wellsford North: Precinct Plan 1) or existing Greenway Connection, if already constructed.

IX.8.2. Assessment Criteria

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

- (1) Subdivision, and new building prior to subdivision, including private roads:

Location of roads and other transport connections

- (a) Whether the Indicative Collector Road, Indicative Key Local Roads (including Indicative Park Edges Roads and Primary Walking and Cycling connections) are provided generally in the location shown on IX.10.1 Wellsford North: Precinct Plan 1 to achieve a highly connected street layout and active mode network that integrates with the surrounding transport network. An alternative alignment that provides an equal or better degree of connectivity and amenity within and beyond the precinct may be appropriate, having regard to the following functional matters:
 - i. Landowner patterns, the presence of natural features, natural hazards, contours or other constraints and how this impacts the placement of Indicative roads and the Primary Walking and Cycling connections;
 - ii. The need to achieve an efficient block structure and layout within the precinct suitable to the proposed activities; and
 - iii. The constructability of roads and the ability for them to be delivered by a single landowner and connected beyond any property boundary within the precinct.
- (b) Whether a high quality and integrated network of Indicative Key Local Roads (including the Indicative Collector Road) is provided within the precinct that has a good degree of accessibility and supports a walkable and cyclable street network. Whether roads and indicative walking and cycling connections are aligned to provide visual and physical connections to open spaces, including along the stream network, where the site conditions allow.
- (c) Whether sufficient land has been reserved to enable the development of a ~~single-lane~~ roundabout at the intersection between Rodney Street and the new collector road ~~in accordance with Appendix 2: Indicative Rodney Street Roundabout Design~~.

Design of Roads

- (d) Whether the design of new collector roads and local roads accord with the road design details provided in IX.11.1 Wellsford North: Appendix 1: Road Function and Design Elements Table.
- (e) Whether Rodney Street (State Highway 1) is designed to an urban standard and enables the walking and cycling connection identified on IX.10.1 Wellsford North: Precinct Plan 1 along Rodney Street to connect with the existing Wellsford urban environment.

Open space network

- (f) Neighbourhood and Suburban Parks should have adequate street frontage to ensure they are visually prominent and safe.
- (g) Whether existing Native Totara Trees and native vegetation within the Native Totara Tree Stand, as shown on IX.10.1 Wellsford North: Precinct Plan 1, is retained where possible.
- (h) Whether a cohesive and well-connected walking and cycling network is achieved.
- (i) Whether the Indicative Recreational Track, as shown on IX.10.1 Wellsford North: Precinct Plan 1, contributes to a well-connected active mode network throughout the Precinct.

Stormwater and flooding

- (j) Whether development is in accordance with the approved Stormwater Management Plan and policies E1.3(1) – (14).
- (k) The design and efficacy of infrastructure and devices with consideration given to the likely effectiveness, life-cycle cost, ease of access, operation, ongoing viability and maintenance, and integration with the surrounding environment including the road corridor where relevant.
- (l) Whether the proposal ensures that subdivision and development manages flooding effects (including cumulative effects) downstream of the precinct so that the risks to people, property, and infrastructure are not increased for all flood events, up to a 1% AEP flood event, including allowance for climate change.

~~**Note:** the existing SH1 culvert currently overtops prior to development within the Precinct, in the 10-year climate change (3.8°) scenario. The zoning assessment undertaken confirms there is no change in overall hazard, and therefore the change in risk is deemed no more than minor.~~

Landscape Buffer

- (m) Whether the landscape buffer strip is provided generally in the location shown on IX.10.1 Wellsford North: Precinct Plan 1 to achieve a buffer between State Highway 1 (Rodney Street) and development within the Wellsford North Precinct. As a guide the landscape buffer strip should be a minimum of 5m in width and mechanisms to ensure its ongoing management are confirmed.

Water and Wastewater Servicing Plan

- (n) Whether water and wastewater infrastructure is provided in accordance with the Water and Wastewater Servicing Plan required in IX.9 Special Information Requirements.

Earthworks

- (o) Whether earthworks within the Residential – Large Lot Zone minimises the requirement for significant retaining.
- (2) Development that exceeds a cumulative total of 750 dwellings:
- (a) Development that exceeds a cumulative total of 750 dwellings within the Precinct shall be assessed in terms of whether the a roundabout shown at Appendix 2 at the intersection between Rodney Street and the new collector road is required, with respect to the following:
 - i. Whether the transport network at the intersection of the main collector road and State Highway 1, can operate safely and efficiently during all periods, with all movements operating no worse than Level of Service (LOS) D;
 - ii. Whether the transport network at the intersection of Batten Street and State Highway 1 can operate safely and efficiently during all periods, with all movements operating no worse than Level of Service (LOS) E;
 - iii. Whether safe connections can be achieved to public transport services, schools and community facilities within Wellsford; and
 - iv. Whether the Ara Tūhono – Pūhoi to Wellsford corridor is under construction.
- (3) Infringement to standard IX.6.2 Road Design:
- (a) Whether there are constraints or other factors present which make it impractical to comply with the required standards.

- (b) Whether the design of the road and associated road reserve achieves policies IX.3(1), (2), (3) and (4).
 - (c) Whether the proposed design and road reserve:
 - i. incorporates measures to achieve the required design speeds; ii. can safely accommodate required vehicle movements;
 - iii. can appropriately accommodate all proposed infrastructure and roading elements including utilities and/or any stormwater treatment.
 - (d) Whether there is an appropriate interface design treatment at property boundaries, particularly for pedestrians and cyclists.
- (4) Infringement to standard IX.6.4 Riparian Margins:
- (a) Whether the infringement is consistent with Policies IX.3(6) and IX.3(10).
- (5) Infringement to standard IX.6.5 Stormwater Quality:
- (a) Assessment criteria E9.8.2(1) apply.
 - (b) Whether the proposal is in accordance with the approved Stormwater Management Plan and Policies E1.3(1) – (10) and (12) – (14).
 - (c) Whether a water sensitive approach is implemented to treat runoff so that all contaminant generating surfaces are treated, including cumulative effects of lower contaminant generating surfaces.
- (6) Infringements to IX6.6 Subdivision of sites within the Large Lot Zone:
- (a) The matters in E38.12.1(7) and assessment criteria in E38.12.2(7) apply.
- (7) Infringements to IX6.7 Subdivision of sites within the Single House Zone:
- (a) The matters in E38.12.1(7) and assessment criteria in E38.12.2(7) apply.
- (8) Infringement of standard IX.6.8 or standard IX.6.9 Activities sensitive to noise within 100m of the rail line or 45m from the centreline of State Highway 1:
- (a) Whether activities sensitive to noise adjacent to the State Highway or rail line are designed to protect people's health and amenity while they are indoors, and whether such activities unduly constrain the operation of the State Highway or rail line. This includes:

- i. the extent to which building(s) containing activities sensitive to noise have been located and designed with particular regard to proximity to the State Highway or rail corridor;
 - ii. the extent of non-compliance with the noise standard and the effects of any non-compliance;
 - iii. the extent to which topographical features or location of other buildings or structures will mitigate noise effects; and
 - iv. Any noise management implications arising from technical advice from an acoustic expert and the relevant transport authority.
- (9) Infringement of standard IX6.10 - Mechanical cooling and ventilation requirements for IX6.8 and IX6.9:
- (a) The extent to which any alternative ventilation and temperature control system provides sufficient thermal comfort and fresh air supply to ensure that the requirements of Clause G4 of the New Zealand Building Code are met and that occupants of Noise Sensitive Spaces can remain cool and comfortable at all times without having to open windows and doors for cooling or fresh air (where doing so would result in the indoor noise levels exceeding the standards in IX6.8 and IX6.9).
- (10) Infringement of standard IX.6.11 Building Setback of the North Auckland Line:
- (a) Whether the proposal ensures that buildings can be maintained within their site boundaries while providing for the safe operation of the North Auckland Line, including:
 - i. the size, nature and location of the buildings on the site;
 - ii. the extent to which the safety and efficiency of railway operations will be adversely affected;
 - iii. any characteristics of the proposal that avoid or mitigate any effects on the safe operation of the North Auckland Line; and
 - iv. Any implications arising from advice from KiwiRail.
 - (b) Whether the Indicative Greenways Connection (shown on IX.10.1 Wellsford North: Precinct Plan 1) can provide a connected and safe cycling link.

IX.9 Special information requirements

- (1) Riparian and wetland margin planting plan

- (a) An application for land modification, development and subdivision which adjoins a permanent or intermittent stream and/or wetland must be accompanied by a riparian planting plan identifying the location, species, planter bag size and density of the plants. Plant species should be native.
 - (b) An application for land modification, development and subdivision which occurs within the area of identified Native Totara Trees on IX.10.1 Wellsford North: Precinct Plan 1 must be accompanied by a riparian planting plan identifying the extent to which the Totara Trees will be retained.
- (2) Activities sensitive to noise proposed within 100m of the rail corridor which infringe Standard IX.6.8 and/or buildings proposed within 5m from any boundary which adjoins the North Auckland Line which infringe Standard IX.6.11:
- (a) Evidence of consultation with KiwiRail and its responses to that consultation.
- (3) Transport Design Report

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

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

(4) Site Specific Watercourse Assessment

An application for any land modification, subdivision or development which adjoins a permanent or intermittent stream must be accompanied by a Site Specific Watercourse Assessment prepared by a suitably qualified person. The assessment must include a stream reach assessment identifying any erosion hotspots, stream bank erosion and appropriate erosion mitigation measures.

(5) Water and Wastewater Servicing Plan

Within the application for the first subdivision or development within the Precinct lodged after [insert date of plan change approval] the applicant is required to provide a Water and Wastewater Servicing Plan for the Precinct Area. The Water and Wastewater Servicing Plan must:

- (a) Identify the location, size and capacity of the proposed water supply and wastewater network within the Precinct.

- (b) Identify the timing, location, size and capacity of the key water and wastewater infrastructure dependencies located outside of the Precinct Area but are necessary to service the Precinct, including the available capacity of the Wellsford Water Treatment Plant and the Wellsford Wastewater Treatment Plant and timing of upgrades.

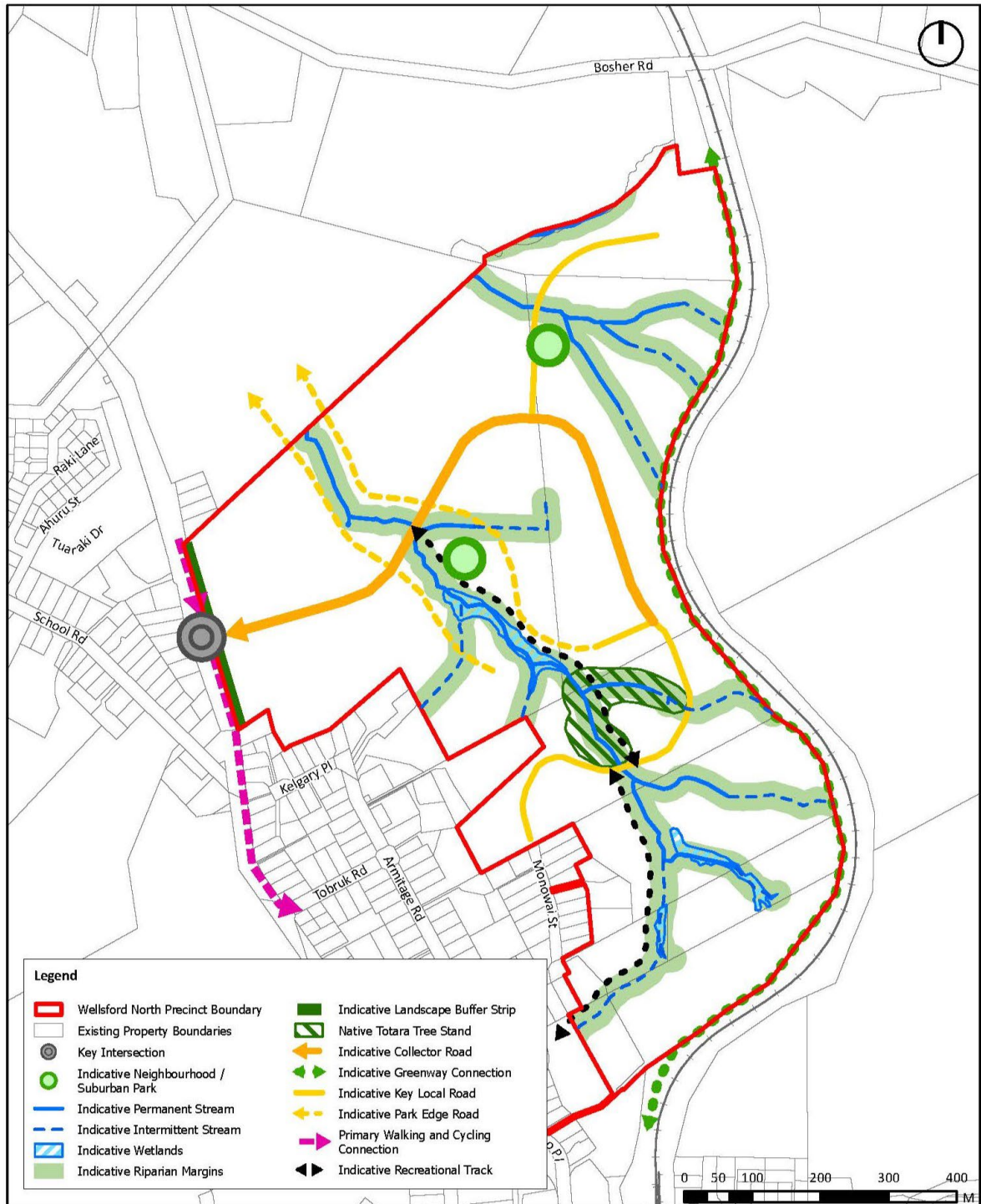
(6) Water Supply and Wastewater Infrastructure Capacity Assessment

All applications for subdivision or development must be accompanied by a Water Supply and Wastewater Infrastructure Capacity Assessment. The applicant is required to produce a water supply and wastewater infrastructure capacity assessment for the precinct to demonstrate there is sufficient capacity in the wider water and wastewater reticulated network to service the proposed development or lots. The Water Supply and Wastewater Capacity Assessment must:

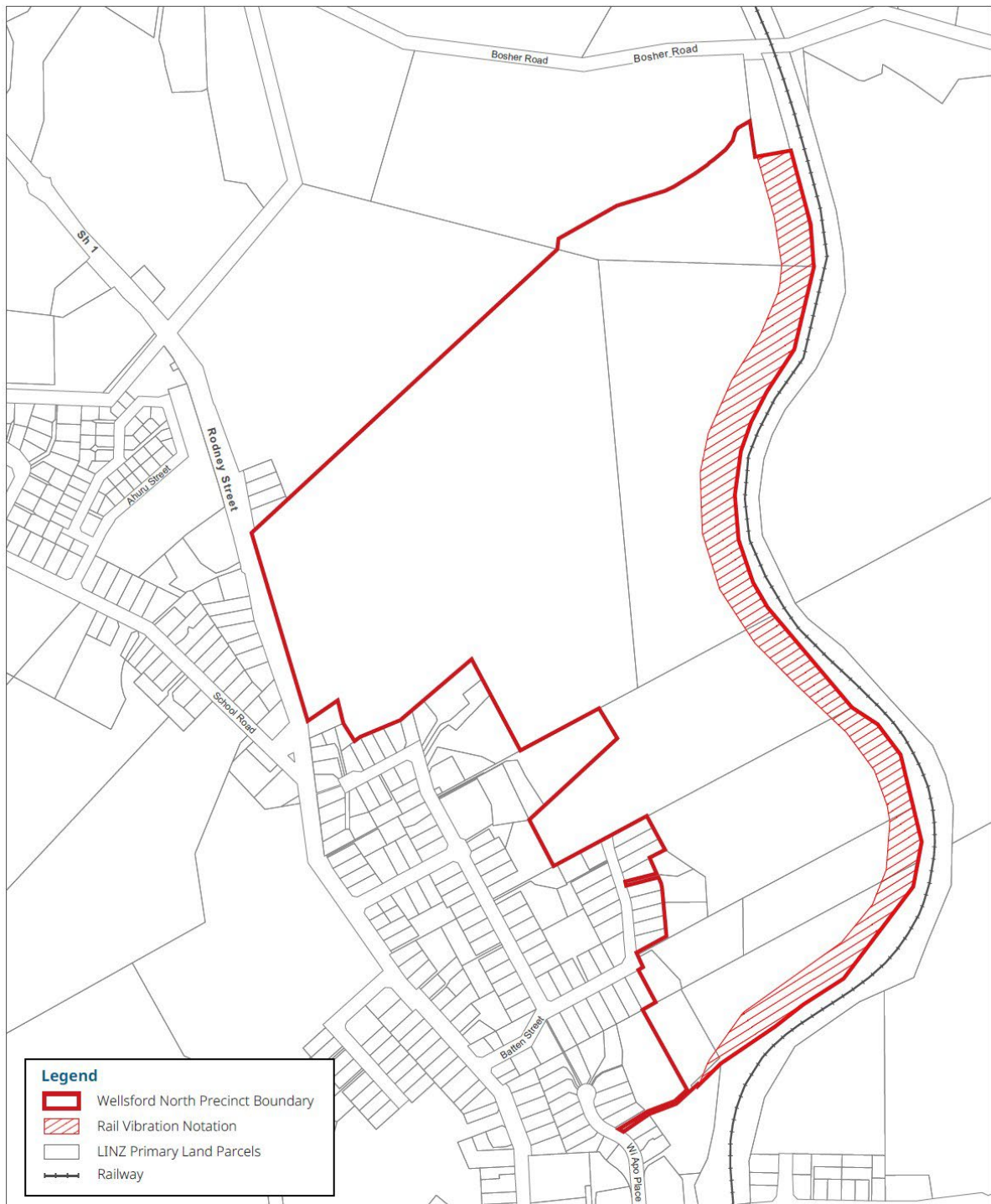
- (a) Identify the available capacity of the Wellsford Water Treatment Plant and the Wellsford Wastewater Treatment Plant.
- (b) Identify the timing and capacity of any planned upgrades of the Wellsford Water Treatment Plant and the Wellsford Wastewater Treatment Plant.
- (c) Identify the available capacity in the water and wastewater networks from the development to the Water and Wastewater Treatment Plants.

IX.10 Precinct Plans

IX.10.1 Wellsford North: Precinct Plan 1 – Indicative Road and Open Space Network



IX.10.2 Wellsford North: Precinct Plan 2 – Rail Vibration Plan



Wellsford Rail Vibration Plan

The "Rail Vibration Notation identifies" an area that may experience vibration levels higher than would normally be expected, because of proximity to the rail corridor

Scale 1: 7,000 @ A4

IX.11 Appendices

Appendix 1: Road Function and Design Elements Table

Road Function and Required Design Elements Table										
Road Name (refer to Precinct Plan 1)	Proposed Role and Function of Road in Precinct Area	Min. Road Reserve (subject to note 1)	Total number of lanes	Speed Limit	Access Restrictions	Median	Bus Provision (subject to note 2)	On Street Parking	Cycle Provision	Pedestrian Provision
Collector Road	Collector	26m	2	50	Yes	Yes (Raised)	Yes	Yes On-street parking (interspersed between trees)	Yes Both sides	Yes Both sides
Local Road	Local	16m	2	30	No	No	No	Yes On-street parking (interspersed between trees)	Optional	Yes Both sides
Park Edge Local Road	Local	16m (note 3)	2	30	No	No	No	One side only	Optional	Both sides, but one may be able to be provided within reserve rather than the road

Road Function and Required Design Elements Table										
Road Name (refer to Precinct Plan 1)	Proposed Role and Function of Road in Precinct Area	Min. Road Reserve (subject to note 1)	Total number of lanes	Speed Limit	Access Restrictions	Median	Bus Provision (subject to note 2)	On Street Parking	Cycle Provision	Pedestrian Provision
State Highway 1 (Rodney Street) – frontage to Wellsford North Precinct south of the State Highway 1 and Collector Road intersection	Arterial		2	50	Yes	Yes (Flush)	Yes	No	Frontage side only	Frontage side only

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

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

Note 3: Width of Open Space Edge Roads may be reduced to 14m where pedestrian provision for one side of the road can be made within the adjoining reserve.

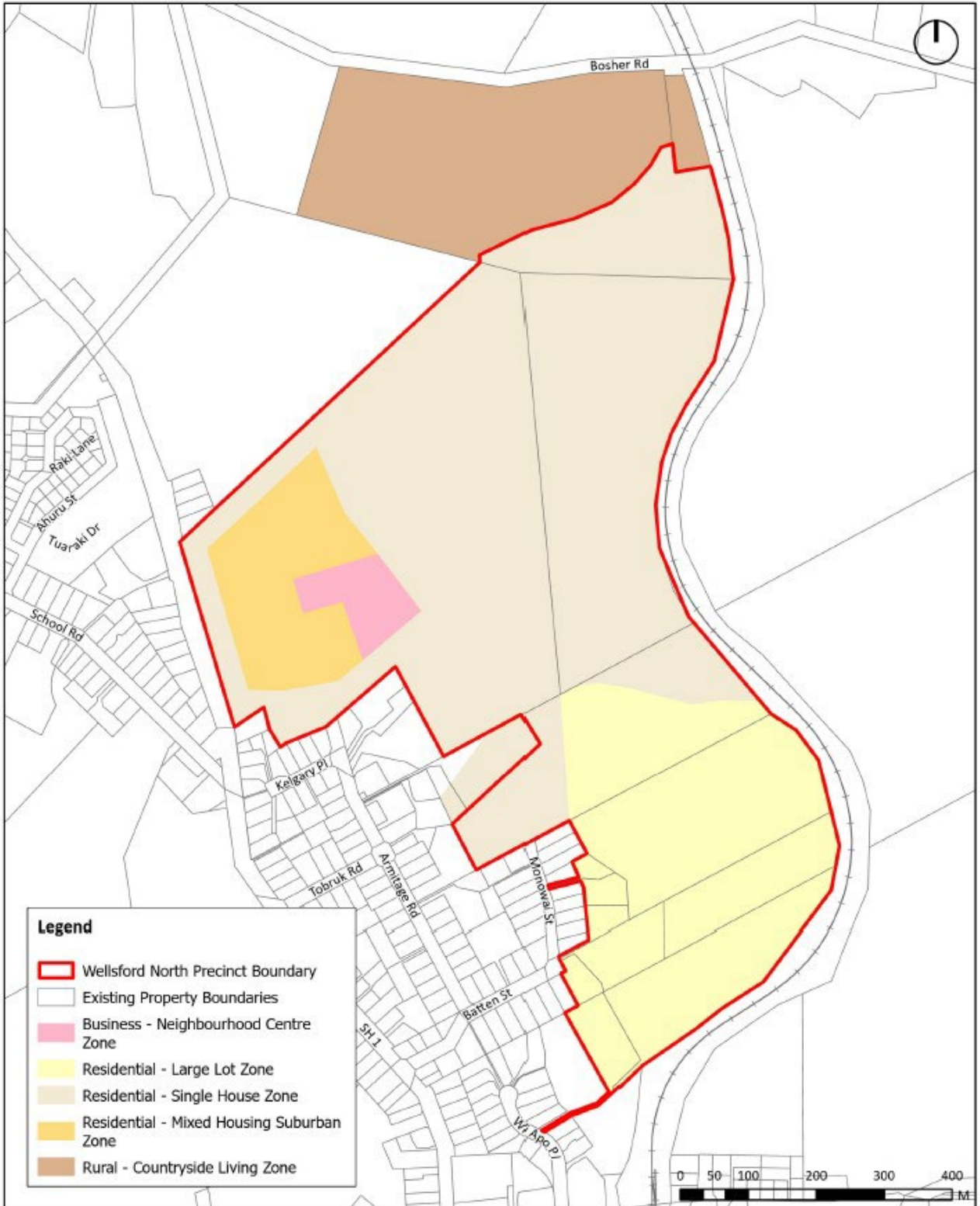
Appendix 2: Indicative Rodney Street Roundabout Design



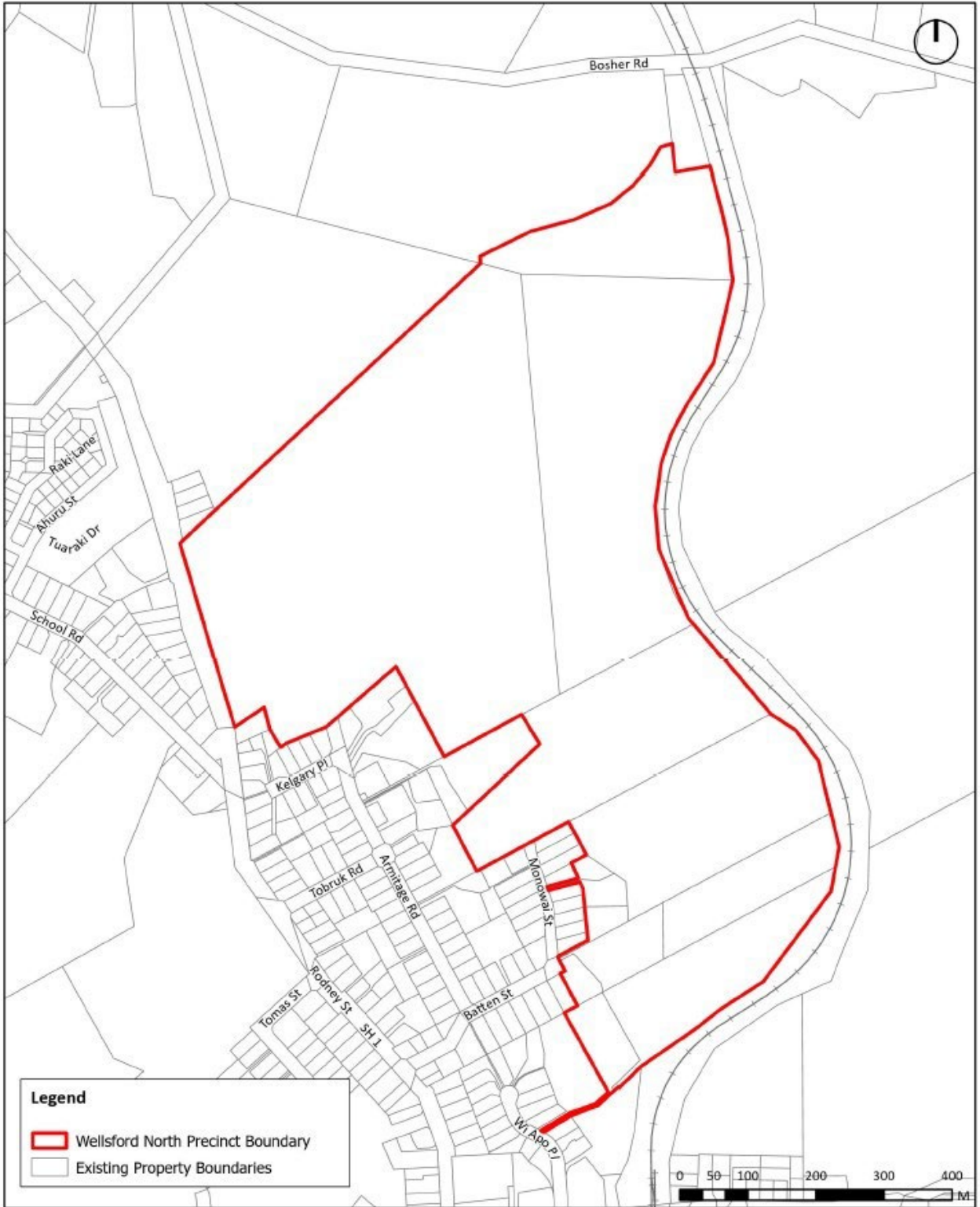
Appendix 4 - Wellsford North Precinct Provisions (Clean Version)

IX. Wellsford North Precinct - Hearing Panel's Decision Version (clean)

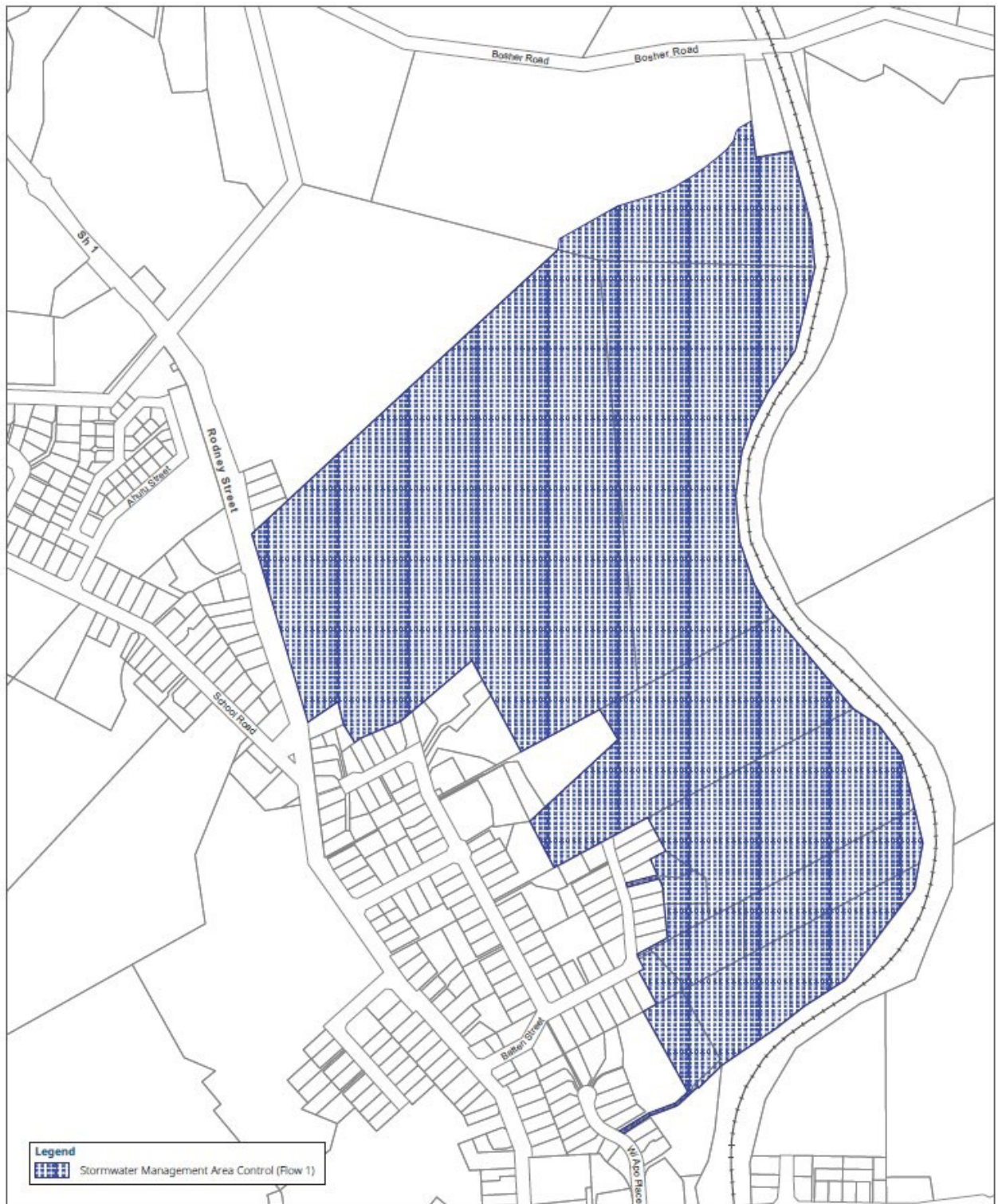
Wellsford North Zoning Plan



Wellsford North Precinct Plan



Wellsford North – Stormwater Management Area Control (Flow 1)



Wellsford North – Subdivision Variation Control



Subdivision Variation Control Plan



Scale @ A3

1:5,000

IX.1. Precinct Description

The Wellsford North Precinct applies to 62.3ha of land in Wellsford, generally bounded by State Highway 1 to the west, the North Auckland Railway Line to the east and south and a permanent stream to the north.

The purpose of the Wellsford North precinct is to provide for the development of a new, comprehensively planned residential community in Wellsford North that supports a quality compact urban form while also acknowledging the existing landscape character at Wellsford. The precinct provides for a range of residential densities, including medium residential densities enabled close to the Wellsford North Neighbourhood Centre and State Highway 1 to provide for development up to two storeys in a variety of sizes and forms. Lower residential densities are enabled in the northern and eastern parts of the precinct, to integrate with the existing character of Wellsford. The precinct also provides for large lot zoning in the southern portion of the precinct, where the topography lends itself to lower density residential land use.

A small neighbourhood centre is provided for in the centre of the precinct adjacent to the proposed collector road, to provide for the local day-to-day needs of residents in a central and highly accessible location.

The precinct amends the minimum net site area within the Residential - Large Lot and Residential – Single House zones to provide efficient use of greenfield land while integrating with the character of the existing town.

The precinct emphasises the need for development to create a unique sense of place for Wellsford North, by integrating existing natural features and responding to the landform. In particular there is a network of streams throughout the Wellsford North precinct. The precinct seeks to maintain and enhance these waterways and integrate them where possible within the open space network.

The precinct includes controls to ensure that new and altered buildings containing Noise Sensitive Spaces that are adjacent to State Highway 1 and the North Auckland Railway Line are designed, constructed and maintained to provide occupants with an adequate level of internal noise amenity.

Areas within the Precinct that are within 60m of the North Auckland Railway Line may experience vibration levels higher than would normally be experienced. A Vibration Alert Area is shown on Precinct Plan 2.

Subdivision and development does not proceed until the land zoned Business – Neighbourhood Centre zone, Residential – Single House zone and Residential – Mixed Housing Suburban zone within the Wellsford North Precinct is able to be connected to functioning bulk water supply and wastewater network infrastructure with sufficient capacity to service subdivision and development in the Precinct area. Subdivision and development can be undertaken in stages as the capacity of the bulk water supply and wastewater network infrastructure becomes available.

The Residential - Large Lot zone within the Precinct provides for self-sufficient means through the use of septic tanks and water tanks or connection to functioning bulk water supply and wastewater network infrastructure with sufficient capacity to service the subdivision and development.

The zoning of land within this precinct is Residential – Large Lot Zone, Residential – Single House Zone, Residential – Mixed Housing Suburban Zone and Business – Neighbourhood Centre Zone.

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

IX.2. Objectives

- (1) Wellsford North is a comprehensively developed residential environment that integrates with the existing Wellsford urban area and the natural environment.
- (2) Wellsford North is subdivided and developed in a comprehensive and integrated way which allows for a range of housing densities and typologies and that enables a safe and functional residential development.
- (3) Development of Wellsford North creates a distinctive sense of place, which responds to natural and built site features, landform and Mana Whenua values.
- (4) Access to, from and within the precinct for all modes of transport occurs in an effective, efficient and safe manner that manages adverse effects of traffic generation on the surrounding road network.
- (5) Subdivision and development does not occur in advance of the availability and capacity of bulk wastewater, bulk water supply, and operational transport infrastructure.
- (6) Subdivision and development is coordinated with the supply of sufficient stormwater, water supply, wastewater, energy and communications infrastructure.
- (7) Stormwater quality and quantity is managed to avoid, as far as practicable, or minimise or mitigate adverse water quality or flooding effects on the receiving environment.
- (8) Ecological values within terrestrial, wetland and stream habitats are protected, restored, maintained and enhanced.
- (9) Activities sensitive to noise adjacent to the State Highway and rail corridor are designed to protect people's health and residential amenity while they are indoors, and in a way which does not unduly constrain the operation of the State Highway and railway corridor.

IX.3. Policies

- (1) Require the Indicative Collector Road and associated Key Intersection to be provided generally in the location shown in IX.10.1 Wellsford North: Precinct Plan 1 while allowing for variation, where it would achieve a highly connected street layout that integrates with the surrounding transport network.
- (2) Require the Indicative Key Local Roads and Primary Walking and Cycling connection to be provided generally in the location shown in IX.10.1 Wellsford North: Precinct Plan 1, while allowing for variation where it would achieve a highly connected street layout and active mode network that integrates with the surrounding transport network.
- (3) Ensure that development provides a local road network that achieves a highly connected street layout and integrates with the collector road within the precinct, and the surrounding transport network, and supports the safety and amenity of the open space and stream network.
- (4) Require the transport network to be attractively designed and appropriately provide for all transport modes in accordance with IX.11: Appendix 1.
- (5) Require subdivision to deliver sites that are of an appropriate size and shape for development intended by the precinct including by providing for smaller site sizes within the Large Lot and Single House zones.
- (6) In addition to matters (a)-(c) of Policy E38.3.18, ensure that the location and design of publicly accessible open spaces contribute to a sense of place and a quality network of well-connected open spaces for Wellsford North, including by:
 - (a) Incorporating distinctive site features, including the stand of Native Totara Trees as shown on IX.10.1 Wellsford North: Precinct Plan 1;
 - (b) Integrating with the stream network to create a green corridor; and
 - (c) connecting to the existing neighbourhood footpath network, including at Curry's Bush Reserve.
- (7) Require subdivision and development in the precinct to be coordinated with the provision of sufficient stormwater, wastewater, water supply, energy and telecommunications infrastructure.
- (7A) Avoid subdivision and development in advance of the provision of bulk water supply and wastewater network infrastructure with sufficient capacity to service subdivision and development within the Precinct.
- (8) Require subdivision and development in the precinct to be coordinated with required transport infrastructure upgrades to minimise the adverse effects of

development on the safety, efficiency and effectiveness of the surrounding road network.

- (9) Require subdivision and development to be consistent with an approved stormwater management plan including the treatment train approach:
 - (a) The use of inert building materials to eliminate or minimise the generation and discharge of contaminants;
 - (b) Requiring treatment of runoff from all connected impervious surfaces by a water quality device designed in accordance with GD01.
- (10) Contribute to improvements to water quality, habitat and biodiversity, including by providing planting on the riparian margins of permanent and intermittent streams and wetlands.
- (11) Ensure that activities sensitive to noise adjacent to the State Highway and railway corridor are designed, constructed and maintained to reduce road and rail noise to protect people’s health and residential amenity while they are indoors and that such activities do not unduly constrain the operation of the State Highway and railway corridor.

IX.4. Activity table

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is otherwise listed in Activity Table IX.4.1 below.

Activity Table IX.4.1 specifies the activity status of subdivision and development in the Wellsford North Precinct pursuant to sections 9 and 11 of the Resource Management Act 1991.

Table IX.4.1 Activity table

Activity		Activity status
Use and Development		
(A1)	New buildings and development prior to subdivision, including private roads	RD

(A2)	Development that does not comply with Standard IX.6.1. Staging of Development with Transport Upgrades with respect to the following elements of Table IX.6.1.1: (a) Upgrades in rows (a)	NC
(A2A)	Development that does not comply with Standard IX.6.1. Staging of Development with Transport Upgrades with respect to the following elements of Table IX.6.1.1: (a) Upgrades in rows (b) and (c)	D
(A3)	Development that exceeds a cumulative total of 750 dwellings within the Precinct	RD
(A4)	Development that does not comply with Standard IX.6.1A Road Design	RD
(A5)	Use and development within the Neighbourhood Centre Zone, the Mixed Housing Suburban Zone, and the Single House Zone that does not comply with Standard IX.6.3. Water Supply and Wastewater Infrastructure	NC
(A5A)	Use and development within the Residential Large Lot Zone that does not comply with Standard IX.6.3A Water Supply and Wastewater Infrastructure Residential Large Lot Zone	NC
Subdivision		
(A6)	Subdivision, including private roads	RD
(A7)	Subdivision that does not comply with Standard IX.6.1. Staging of Development with Transport Upgrades with respect to the following elements of Table IX.6.1.1: (a) Upgrades in rows (a)	NC

(A7A)	Subdivision that does not comply with Standard IX.6.1. Staging of Development with Transport Upgrades with respect to the following elements of Table IX.6.1.1: (a) Upgrades in rows (b) and (c)	D
Activity		Activity status
(A8)	Subdivision that does not comply with Standard IX.6.1A Road Design	RD
(A9)	Subdivision within Neighbourhood Centre Zone, the Mixed Housing Suburban Zone, and the Single House Zone that does not comply with Standard IX.6.3. Water Supply and Wastewater Infrastructure	NC
(A9A)	Subdivision within the Residential Large Lot Zone that does not comply with Standard IX.6.3A Water Supply and Wastewater Infrastructure Residential Large Lot Zone	NC

IX.5 Notification

- (1) Except as provided for by IX.5(2), any application for resource consent for an activity listed in Table IX.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) Any application for resource consent that infringes the following standards will be considered without public or limited notification to any person other than Watercare or the need to obtain the written approval from any other affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:
 - (a) Standard IX.6.3 Water Supply and Wastewater Infrastructure
 - (b) Standard IX.6.3A Water Supply and Wastewater Infrastructure - Residential Large Lot Zone.
- (3) When deciding on 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).

IX.6. Standards

- (1) Unless specified in Standard IX.6(2) below, all relevant overlay, Auckland-wide and zone standards apply to the activities listed in Activity Table IX.4.1 above.
- (2) The following Auckland-wide standards do not apply to activities that comply with IX.6.1. Staging of Development with Transport Upgrades:
 - (a) E27.6.1 Trip generation
- (3) The following zone standards do not apply within the Residential - Single House Zone and Residential - Large Lot Zone:
 - (a) E38.8.2.3. Vacant sites subdivisions involving parent sites of less than 1 hectare; and
 - (b) E38.8.3.1. Vacant sites subdivision involving parent sites of 1 hectare or greater.

All activities listed in Activity Table IX.4.1 must also comply with the following Standards as relevant below. All activities listed in Activity Table IX.4.1 must also comply with IX.9 Special Information Requirements.

Where there is any conflict or difference between standards in this precinct and the Auckland-wide and zone standards, the standards in this precinct will apply.

IX.6.1. Staging of Subdivision and Development with Transport Upgrades

Purpose:

- Mitigate the adverse effects of traffic generation on the surrounding local and wider road network, consistent with Policy IX.3(8).
 - Achieve the integration of land use and transport, consistent with Policies IX.3(1), (2), (3) and (8).
- (1) Development and subdivision within the Precinct must not exceed the thresholds in Table IX.6.1.1 until such time that the identified infrastructure upgrades are constructed and are operational. Applications for resource consent in respect of activities, development or subdivision identified in Column 1 of the Table will be deemed to comply with this standard IX.6.1(1) if the corresponding infrastructure identified in Column 2 of the Table is:
 - (a) Constructed and operational prior to lodgement of the resource consent application; or
 - (b) Under construction with relevant consents being given effect to prior to the lodgement of the resource consent application and the application is

expressly made on the basis that the relevant infrastructure upgrade(s) will be completed and operational prior to:

- i. The issue of a section 224(c) RMA certificate in the case of a subdivision consent application; and/or
 - ii. The occupation of any dwellings, commercial, and/or community activities in the case of a land use consent application; or
- (c) Proposed to be constructed by the applicant as part of the resource consent application and the application is expressly made on the basis that the relevant infrastructure upgrade(s) will be completed and operational:
- i. Prior to or in conjunction with the issue of a section 224(c) RMA certificate in the case of a subdivision consent application; and/or
 - ii. Prior to the occupation of any dwellings, commercial, and/or community activities in the case of a land use consent application.
- (2) Any application lodged in terms of IX.6.1(1) (b) or (c) above must confirm the applicant's express agreement in terms of section 108AA(1)(a) of the RMA and on an *Augier* basis to the imposition of consent conditions requiring (as relevant) that:
- (a) No dwellings, retail, commercial and/or community floorspace shall be occupied until the relevant infrastructure upgrades are constructed and operational; and/or
 - (b) No section 224(c) certificate shall be issued and no subdivision survey plan shall be deposited until the relevant infrastructure upgrades are constructed and operational.

Any resource consent(s) granted on one or both of the above basis must be made subject to consent conditions as described in IX.6.1 (2)(a) and/or IX.6.1 (2)(b) above. Those conditions will continue to apply until appropriate evidence is supplied to Council confirming that the relevant infrastructure upgrades are operational.

- (3) For the purpose of this standard:
- (a) 'Dwelling' and 'retail/commercial/community floorspace' means buildings for those activities that have a land use consent, or subdivision that has a section 224(c) certificate that creates additional vacant lots;

(b) 'Occupation' and 'occupied' mean occupation and use for the purposes permitted by the resource consent but not including occupation by personnel engaged in construction, fitting out or decoration; and

(c) 'Operational' means the relevant upgrade is available for use and open to all traffic.

Table IX.6.1.1 Threshold for Subdivision and Development within Wellsford North Precinct

Column 1 Activities, development or subdivision, enabled by Transport Infrastructure in column 2		Column 2 Transport infrastructure required to enable activities, development or subdivision in column 1
(a)	Prior to any subdivision and/or development accessed via the State Highway 1 (Rodney Street) intersection	Upgrade to the Key Intersection between the main Collector Road and State Highway 1 (Rodney Street), refer to IX.10.1 Precinct Plan 1 • Right hand turn intersection with the main collector road and State Highway 1
(b)	Prior to the occupancy of any subdivision and/or development accessed via the State Highway 1 (Rodney Street) intersection	Provision of the Primary Walking and Cycling Connection along State Highway 1 (Rodney Street) between the main collector road and State Highway 1 (Rodney Street) intersection and the underpass at Tobruk Road, refer to IX.10.1 Precinct Plan 1.
(c)	Prior to the occupancy of any subdivision and/or development with frontage to State Highway 1 (Rodney Street)	Upgrade to State Highway 1 (Rodney Street) frontage to an urban standard consistent with Appendix 1: Road Function and Design Elements Table.

IX.6.2 Road Design

Purpose: To ensure that any activity, development and/or subdivision complies with IX.11 Appendix 1: Road Function and Design Elements Table.

(1) Any activity, development and/or subdivision must comply with IX.11 Appendix 1: Road Function and Design Elements Table.

IX.6.3. Water Supply and Wastewater Infrastructure

Purpose: To ensure subdivision and development in the precinct is adequately serviced with bulk water supply and wastewater infrastructure.

- (1) Bulk water supply and wastewater infrastructure required for servicing of each stage of development within the Business - Neighbourhood Centre zone, Residential - Mixed Housing Suburban zone, and Residential - Single House zone must have capacity, and be completed and commissioned:
 - (a) In the case of subdivision, prior to the issuing of a certificate of title pursuant to s224(c) for any residential and/or business zoned lots; or
 - (b) In the case of land use, prior to construction of any buildings for activities that would require water and/or wastewater servicing.

IX.6.3A Water Supply and Wastewater Infrastructure - Residential Large Lot Zone

- (1) Development located within the Residential - Large Lot zone must demonstrate adequate on site self-servicing infrastructure via septic tanks and water tanks; or the bulk water supply and wastewater infrastructure required for water and wastewater servicing the development or subdivision must have capacity, and be completed and commissioned:
 - (a) In the case of subdivision, prior to the issuing of a certificate of title pursuant to s224(c) for any residential large lot zoned lots; or
 - (b) In the case of land use, prior to construction of any buildings for activities that would require water and/or wastewater servicing.

IX.6.4. Riparian Margin

Purpose: Contribute to improvements to water quality, habitat and biodiversity.

- (1) Riparian margins of permanent or intermittent streams and natural wetlands, (as shown as Indicative Natural Wetlands in IX.10.1 Wellsford North: Precinct Plan 1), must be planted either side to a minimum width of 10m measured from the top of bank of the stream and the edge of the wetland area, provided that:
 - (a) This rule shall not apply to road crossings over streams;
 - (b) Walkways and cycleways must not locate within the riparian planting area;
 - (c) The riparian planting area is vested in Council or protected and maintained in perpetuity by an appropriate legal mechanism.

- (2) A building, or parts of a building, must be setback at least 20m from the bank of a river or stream measuring 3m or more in width, consistent with the requirements of E38.7.3.2.

IX.6.5. Stormwater Quality

Purpose: Contribute to improvements to water quality and stream health.

- (1) Stormwater runoff from all directly connected impervious surfaces, excluding roofs, must be treated with a stormwater management device(s) meeting the following standards:
 - (a) The device or system must be sized and designed in accordance with ‘Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)’; or
 - (b) Where alternative devices are proposed, the device must demonstrate it is designed to achieve an equivalent level of contaminant or sediment removal performance to that of ‘Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)’.
- (2) New buildings, and additions to buildings must be constructed using inert cladding, roofing and spouting building materials that avoid the use of high contaminant yielding building products which have:
 - (a) Exposed surface(s) or surface coating of metallic zinc of any alloy containing greater than 10% zinc; or
 - (b) Exposed surface(s) or surface coating of metallic copper or any alloy containing greater than 10% copper; or
 - (c) Exposed treated timber surface(s) or any roof material with a copper-containing or zinc-containing algaecide.
- (3) Roof runoff must be directed to a tank sized for the minimum of 5mm retention volume for non-potable reuse within the property.

IX.6.6 Minimum Net Site Area within Large Lot Zone

- (1) Site sizes for proposed sites must comply with the minimum net site areas specified in Table IX.6.6.1 Minimum net site area for subdivisions within the Large Lot Zone.

Table IX.6.6.1 Minimum Net Site Area within Large Lot Zone

Area	Minimum net site area
Large Lot Zone	3,000m ²

IX.6.7 Minimum Net Site Area within Single House Zone

- (1) Site sizes for proposed sites must comply with the minimum net site area specified in Table IX.6.7.1 Minimum net site area for subdivisions within the Single House Zone.

Table IX.6.7.1 Minimum Net Site Area within Single House Zone

Area	Minimum net site area
Single House Zone	400m ²

IX.6.8 Activities sensitive to noise within 100m of the North Auckland Line

Purpose: Ensure activities sensitive to noise adjacent to the railway corridor are designed to reduce rail noise to protect people's health and residential amenity while they are indoors and that such activities do not unduly constrain the operation of the railway corridor.

- (1) Any new building, or alteration to an existing building that contains a Noise Sensitive Space, within 100 metres of the nearest rail line must be designed, constructed and maintained to reduce external noise to not exceed 35 dB L_{Aeq(1 hour)} in bedrooms and sleeping areas, and 40 dB L_{Aeq(1 hour)} for all other Noise Sensitive Spaces. Written certification of such compliance shall be submitted from a Suitably Qualified and Experienced Acoustic Consultant with the building consent application for the building concerned. The design certificate shall be based on:
- (a) A source level for railway noise of 70 L_{Aeq(1hour)} at a distance of 12 metres from the nearest track; and
 - (b) The attenuation over distance being:
 - i. 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres; or
 - ii. As modelled by a Suitably Qualified and Experienced Acoustic Consultant using a recognised computer modelling method for freight trains with diesel locomotives, having regard to factors such as barrier attenuation, the location of the dwelling relative to the orientation of the track, topographical features and any intervening structures.
- (2) The requirements of IX.6.8(1) do not apply where the Noise Sensitive Space(s) within 100m of the boundary of the designated railway corridor:

- (a) Is in a location where the exterior façades of the Noise Sensitive Space(s) is at least 50m from the formed railway track and there is a solid building, fence, wall or landform that blocks the line of sight from all parts of all windows and doors of those spaces to all points 3.8m directly above the formed railway track; or
- (b) Is in a location where it can be demonstrated by way of prediction or measurement by a Suitably Qualified and Experienced Acoustic Consultant that the rail noise level at all exterior façades of the Noise Sensitive Space(s) is no more than 15 dB above the relevant internal noise levels in IX.6.8(1).

IX.6.9 Activities sensitive to noise within 45m of the centreline of State Highway 1

- (1) Any new building or alteration to an existing building that contains a Noise Sensitive Space within 45 metres of the centreline of State Highway 1 must be designed, constructed and maintained so that road traffic noise from State Highway 1 does not exceed 40 dB $L_{Aeq(24\text{ hour})}$ in all Noise Sensitive Spaces.
- (2) Written certification of compliance with IX.6.9(1) shall be submitted from a Suitably Qualified and Experienced Acoustic Consultant with the relevant building consent application. The certification shall be based on the existing measured or predicted noise levels plus 3 dB. Noise level predictions for the building may be modelled by a Suitably Qualified and Experienced Acoustic Consultant using a recognised computer modelling method for road traffic, having regard to factors such as barrier attenuation, the location of the dwelling relative to the road, topographical features and any intervening structures.

IX.6.10 Mechanical cooling and ventilation requirements for IX6.8 and IX6.9

- (1) If opening windows of Noise Sensitive Spaces must be closed to achieve the design noise levels in IX6.8(1) or IX.6.9(1) those spaces must be designed, constructed and maintained with a mechanical ventilation system that achieves the following requirements:
 - (a) Provides mechanical ventilation that can operate continuously to satisfy clause G4 of the New Zealand Building Code and that provides at least 1 air change per hour, but no less than 7.5L/s per occupant; and
 - (b) Provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C when assessed using a 2.5% design weather condition for Wellsford. An acceptable design weather set would include IRHACE Yearbook 2009 NIWA weather data; and
 - (c) Any system installed in compliance with IX.6.10(1)(a) and (b) above, must not generate more than 35 dB $L_{Aeq(30s)}$ when measured 1 metre away from

any grille or diffuser. The noise level must be measured after the system has cooled the rooms to the temperatures in IX.6.10(1)(b), or after a period of 30 minutes from the commencement of cooling (whichever is the lesser);

OR:

- (d) Alternatively, in lieu of section IX.6.10(3)(a) - (c) above, a design verified by a suitably qualified and experienced HVAC expert stating the design proposed will provide ventilation and internal space temperature controls to meet or exceed the outcomes described in IX.6.10(3)(a)-(c).
- (2) A commissioning report must be submitted to the Council prior to occupation of the building demonstrating compliance with the mechanical ventilation system performance requirements in IX.6.10(1)(a)-(c) or IX.6.10(1)(d).

IX.6.11 Building setback along the North Auckland Line

Purpose: To ensure the safe operation of the North Auckland Line by providing for buildings on adjoining sites to be maintained within their site boundaries and provide space for a future strategic Indicative Greenway Connection as shown in IX.10.1 Wellsford North: Precinct Plan 1.

- (1) Buildings must be setback at least 5 metres from any boundary which adjoins the North Auckland Line.

IX.6.12 Garage Doors within the Single House zone

Purpose: To ensure that garages do not unduly dominate the street frontage.

All garage doors must comply with the following:

- (1) A garage door facing a street must be no greater than 45 percent of the width of the front façade of the dwelling to which the garage relates.
- (2) Garage doors must be set back behind the front façade of a dwelling.

IX.6.13 Height in relation to Boundary within the Single House zone

Purpose: To ensure that smaller site sizes within the Single House zone, enabled by Standard IX.6.7, can be developed in a single house typology, while enabling a reasonable level of sunlight access and minimising adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 45-degree recession plane measured from a point 3m vertically above ground level along side and rear boundaries.

IX.7 Assessment – Controlled Activities

There are no controlled activities in this precinct.

IX.8. Assessment – Restricted Discretionary Activities

IX.8.1. Matters of discretion

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

- (1) Subdivision, or new buildings prior to subdivision, including private roads:
 - (a) Location and design of the collector road, key local roads and connections with neighbouring sites to achieve an integrated street network, and appropriately provide for all modes;
 - (b) Provision of cycling and pedestrian networks and connections;
 - (c) Open space network;
 - (d) Stormwater and flooding effects;
 - (e) Provision of a landscape buffer strip along the State Highway 1 (Rodney Street) frontage;
 - (f) Matters of discretion IX.8.1(1) (a)-(f) apply in addition to the matters of discretion in E38.12.1; and
 - (g) The effects of infrastructure provision and capacity, including locations and size identified in the Water and Wastewater Servicing Plan required in IX.9 Special Information Requirements.
- (2) Development that exceeds a cumulative total of 750 dwellings:
 - (a) Effects of traffic generation on the safety and operation of the surrounding road network;
 - (b) Effects on pedestrian and cyclist connectivity and safety; and
 - (c) Effects on public transport.
- (3) Infringement to standard IX.6.2 Road Design:
 - (a) The design of the road, and associated road reserve and whether it achieves policies IX.3(1), (2) and (3);

- (b) Design constraints;
 - (c) Interface design treatment at property boundaries, particularly for pedestrians and cyclists.
- (4) Infringements to Standard IX6.4 Riparian Margins:
- (a) Effects on water quality, wetland and stream habitat.
- (5) Infringements to Standard IX6.5 Stormwater Quality:
- (a) Matters of discretion E9.8.1(1) apply.
- (6) Infringements to Standard IX6.6 Subdivision of sites within the Large Lot Zone:
- (a) Matters of discretion E38.12.1(7) apply.
- (7) Infringements to Standard IX6.7 Subdivision of sites within the Single House Zone:
- (a) Matters of discretion E38.12.1(7) apply.
- (8) Infringement of standard IX.6.8 – Activities sensitive to noise within 100m of the rail line:
- (a) Effects on human health and residential amenity while people are indoors and effects on the operation of the railway corridor.
- (9) Infringement of standard IX.6.9 – Activities sensitive to noise within 45m from the centreline of State Highway 1:
- (a) Effects on human health and residential amenity while people are indoors and effects on the operation of the State Highway.
- (10) Infringement of standard IX6.10 - Mechanical cooling and ventilation requirements for IX6.8 and IX6.9:
- (a) Effects on human health and residential amenity while people are indoors and effects on the operation of the railway corridor and the State Highway.
- (11) Infringement of standard IX.6.11 Building setback along the North Auckland Line:
- (a) Effects on the safe operation of the North Auckland Line, by providing for buildings on adjoining sites to be maintained within their site boundaries; and
 - (b) Effects on pedestrian and cyclist connectivity and safety for the future Indicative Greenway Connection (shown on IX.10.1 Wellsford North: Precinct Plan 1) or existing Greenway Connection, if already constructed.

IX.8.2. Assessment Criteria

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

(1) Subdivision, and new building prior to subdivision, including private roads:

Location of roads and other transport connections

- (a) Whether the Indicative Collector Road, Indicative Key Local Roads (including Indicative Park Edges Roads and Primary Walking and Cycling connections are provided generally in the location shown on IX.10.1 Wellsford North: Precinct Plan 1 to achieve a highly connected street layout and active mode network that integrates with the surrounding transport network. An alternative alignment that provides an equal or better degree of connectivity and amenity within and beyond the precinct may be appropriate, having regard to the following functional matters:
- i. Landowner patterns, the presence of natural features, natural hazards, contours or other constraints and how this impacts the placement of Indicative roads and the Primary Walking and Cycling connections;
 - ii. The need to achieve an efficient block structure and layout within the precinct suitable to the proposed activities; and
 - iii. The constructability of roads and the ability for them to be delivered by a single landowner and connected beyond any property boundary within the precinct.
- (b) Whether a high quality and integrated network of Indicative Key Local Roads (including the Indicative Collector Road) is provided within the precinct that has a good degree of accessibility and supports a walkable and cyclable street network. Whether roads and indicative walking and cycling connections are aligned to provide visual and physical connections to open spaces, including along the stream network, where the site conditions allow.
- (c) Whether sufficient land has been reserved to enable the development of a roundabout at the intersection between Rodney Street and the new collector road.

Design of Roads

- (d) Whether the design of new collector roads and local roads accord with the road design details provided in IX.11.1 Wellsford North: Appendix 1: Road Function and Design Elements Table.

- (e) Whether Rodney Street (State Highway 1) is designed to an urban standard and enables the walking and cycling connection identified on IX.10.1 Wellsford North: Precinct Plan 1 along Rodney Street to connect with the existing Wellsford urban environment.

Open space network

- (f) Neighbourhood and Suburban Parks should have adequate street frontage to ensure they are visually prominent and safe.
- (g) Whether existing Native Totara Trees and native vegetation within the Native Totara Tree Stand, as shown on IX.10.1 Wellsford North: Precinct Plan 1, is retained where possible.
- (h) Whether a cohesive and well-connected walking and cycling network is achieved.
- (i) Whether the Indicative Recreational Track, as shown on IX.10.1 Wellsford North: Precinct Plan 1, contributes to a well-connected active mode network throughout the Precinct.

Stormwater and flooding

- (j) Whether development is in accordance with the approved Stormwater Management Plan and policies E1.3(1) – (14).
- (k) The design and efficacy of infrastructure and devices with consideration given to the likely effectiveness, life-cycle cost, ease of access, operation, ongoing viability and maintenance, and integration with the surrounding environment including the road corridor where relevant.
- (l) Whether the proposal ensures that subdivision and development manages flooding effects (including cumulative effects) downstream of the precinct so that the risks to people, property, and infrastructure are not increased for all flood events, up to a 1% AEP flood event, including allowance for climate change.

Landscape Buffer

- (m) Whether the landscape buffer strip is provided generally in the location shown on IX.10.1 Wellsford North: Precinct Plan 1 to achieve a buffer between State Highway 1 (Rodney Street) and development within the Wellsford North Precinct. As a guide the landscape buffer strip should be a minimum of 5m in width and mechanisms to ensure its ongoing management are confirmed.

Water and Wastewater Servicing Plan

- (n) Whether water and wastewater infrastructure is provided in accordance with the Water and Wastewater Servicing Plan required in IX.9 Special Information Requirements.

Earthworks

- (o) Whether earthworks within the Residential – Large Lot Zone minimises the requirement for significant retaining.
- (2) Development that exceeds a cumulative total of 750 dwellings:
- (a) Development that exceeds a cumulative total of 750 dwellings within the Precinct shall be assessed in terms of whether a roundabout at the intersection between Rodney Street and the new collector road is required, with respect to the following:
 - i. Whether the transport network at the intersection of the main collector road and State Highway 1, can operate safely and efficiently during all periods, with all movements operating no worse than Level of Service (LOS) D;
 - ii. Whether the transport network at the intersection of Batten Street and State Highway 1 can operate safely and efficiently during all periods, with all movements operating no worse than Level of Service (LOS) E;
 - iii. Whether safe connections can be achieved to public transport services, schools and community facilities within Wellsford; and
 - iv. Whether the Ara Tūhono – Pūhoi to Wellsford corridor is under construction.
- (3) Infringement to standard IX.6.2 Road Design:
- (a) Whether there are constraints or other factors present which make it impractical to comply with the required standards.
 - (b) Whether the design of the road and associated road reserve achieves policies IX.3(1), (2), (3) and (4).
 - (c) Whether the proposed design and road reserve:
 - i. incorporates measures to achieve the required design speeds; ii. can safely accommodate required vehicle movements;
 - iii. can appropriately accommodate all proposed infrastructure and roading elements including utilities and/or any stormwater treatment.

- (d) Whether there is an appropriate interface design treatment at property boundaries, particularly for pedestrians and cyclists.
- (4) Infringement to standard IX.6.4 Riparian Margins:
- (a) Whether the infringement is consistent with Policies IX.3(6) and IX.3(10).
- (5) Infringement to standard IX.6.5 Stormwater Quality:
- (a) Assessment criteria E9.8.2(1) apply.
 - (b) Whether the proposal is in accordance with the approved Stormwater Management Plan and Policies E1.3(1) – (10) and (12) – (14).
 - (c) Whether a water sensitive approach is implemented to treat runoff so that all contaminant generating surfaces are treated, including cumulative effects of lower contaminant generating surfaces.
- (6) Infringements to IX6.6 Subdivision of sites within the Large Lot Zone:
- (a) The matters in E38.12.1(7) and assessment criteria in E38.12.2(7) apply.
- (7) Infringements to IX6.7 Subdivision of sites within the Single House Zone:
- (a) The matters in E38.12.1(7) and assessment criteria in E38.12.2(7) apply.
- (8) Infringement of standard IX.6.8 or standard IX.6.9 Activities sensitive to noise within 100m of the rail line or 45m from the centreline of State Highway 1:
- (a) Whether activities sensitive to noise adjacent to the State Highway or rail line are designed to protect people's health and amenity while they are indoors, and whether such activities unduly constrain the operation of the State Highway or rail line. This includes:
 - i. the extent to which building(s) containing activities sensitive to noise have been located and designed with particular regard to proximity to the State Highway or rail corridor;
 - ii. the extent of non-compliance with the noise standard and the effects of any non-compliance;
 - iii. the extent to which topographical features or location of other buildings or structures will mitigate noise effects; and
 - iv. Any noise management implications arising from technical advice from an acoustic expert and the relevant transport authority.

- (9) Infringement of standard IX6.10 - Mechanical cooling and ventilation requirements for IX6.8 and IX6.9:
- (a) The extent to which any alternative ventilation and temperature control system provides sufficient thermal comfort and fresh air supply to ensure that the requirements of Clause G4 of the New Zealand Building Code are met and that occupants of Noise Sensitive Spaces can remain cool and comfortable at all times without having to open windows and doors for cooling or fresh air (where doing so would result in the indoor noise levels exceeding the standards in IX6.8 and IX6.9).
- (10) Infringement of standard IX.6.11 Building Setback of the North Auckland Line:
- (a) Whether the proposal ensures that buildings can be maintained within their site boundaries while providing for the safe operation of the North Auckland Line, including:
- i. the size, nature and location of the buildings on the site;
 - ii. the extent to which the safety and efficiency of railway operations will be adversely affected;
 - iii. any characteristics of the proposal that avoid or mitigate any effects on the safe operation of the North Auckland Line; and iv. Any implications arising from advice from KiwiRail.
- (b) Whether the Indicative Greenways Connection (shown on IX.10.1 Wellsford North: Precinct Plan 1) can provide a connected and safe cycling link.

IX.9 Special information requirements

- (1) Riparian and wetland margin planting plan
- (a) An application for land modification, development and subdivision which adjoins a permanent or intermittent stream and/or wetland must be accompanied by a riparian planting plan identifying the location, species, planter bag size and density of the plants. Plant species should be native.
- (b) An application for land modification, development and subdivision which occurs within the area of identified Native Totara Trees on IX.10.1 Wellsford North: Precinct Plan 1 must be accompanied by a riparian planting plan identifying the extent to which the Totara Trees will be retained.
- (2) Activities sensitive to noise proposed within 100m of the rail corridor which infringe Standard IX.6.8 and/or buildings proposed within 5m from any boundary which adjoins the North Auckland Line which infringe Standard IX.6.11:

(a) Evidence of consultation with KiwiRail and its responses to that consultation.

(3) Transport Design Report

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

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

(4) Site Specific Watercourse Assessment

An application for any land modification, subdivision or development which adjoins a permanent or intermittent stream must be accompanied by a Site Specific Watercourse Assessment prepared by a suitably qualified person. The assessment must include a stream reach assessment identifying any erosion hotspots, stream bank erosion and appropriate erosion mitigation measures.

(5) Water and Wastewater Servicing Plan

Within the application for the first subdivision or development within the Precinct lodged after [insert date of plan change approval] the applicant is required to provide a Water and Wastewater Servicing Plan for the Precinct Area. The Water and Wastewater Servicing Plan must:

- (a) Identify the location, size and capacity of the proposed water supply and wastewater network within the Precinct.
- (b) Identify the timing, location, size and capacity of the key water and wastewater infrastructure dependencies located outside of the Precinct Area but are necessary to service the Precinct, including the available capacity of the Wellsford Water Treatment Plant and the Wellsford Wastewater Treatment Plant and timing of upgrades.

(6) Water Supply and Wastewater Infrastructure Capacity Assessment

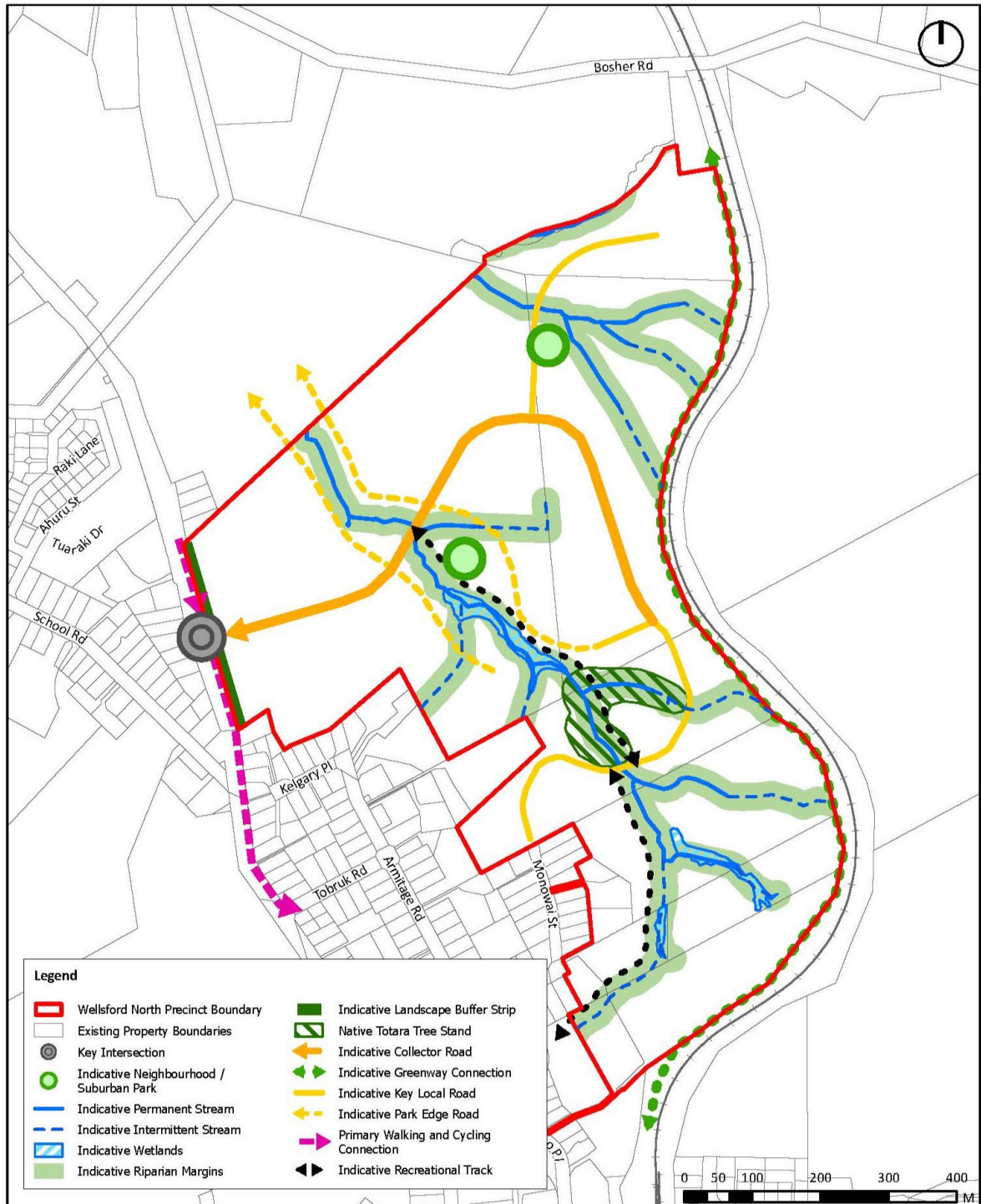
All applications for subdivision or development must be accompanied by a Water Supply and Wastewater Infrastructure Capacity Assessment. The applicant is required to produce a water supply and wastewater infrastructure capacity assessment for the precinct to demonstrate there is sufficient capacity

in the wider water and wastewater reticulated network to service the proposed development or lots. The Water Supply and Wastewater Capacity Assessment must:

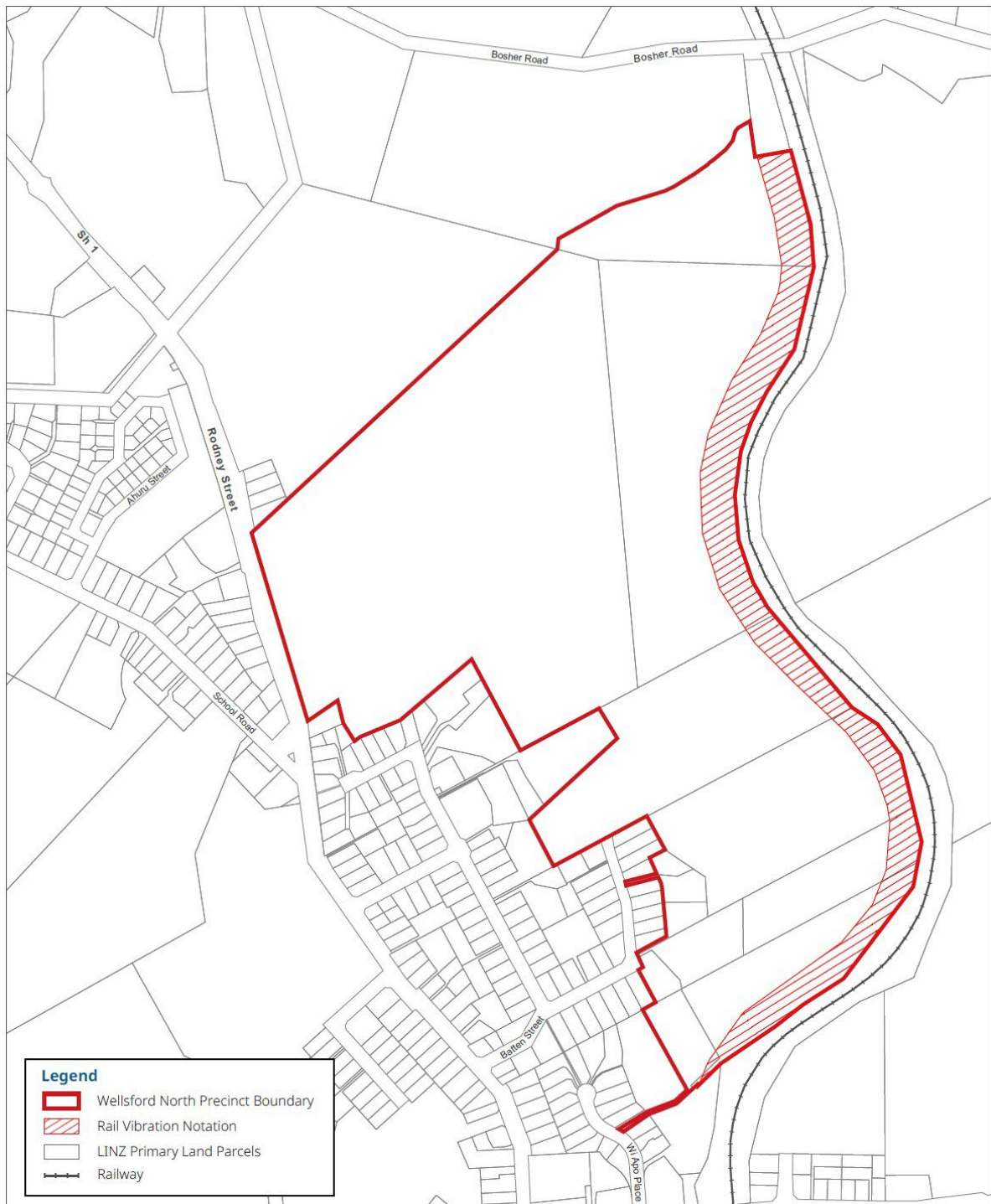
- (a) Identify the available capacity of the Wellsford Water Treatment Plant and the Wellsford Wastewater Treatment Plant.
- (b) Identify the timing and capacity of any planned upgrades of the Wellsford Water Treatment Plant and the Wellsford Wastewater Treatment Plant.
- (c) Identify the available capacity in the water and wastewater networks from the development to the Water and Wastewater Treatment Plants.

IX.10 Precinct Plans

IX.10.1 Wellsford North: Precinct Plan 1 – Indicative Road and Open Space Network



IX.10.2 Wellsford North: Precinct Plan 2 – Rail Vibration Plan



Wellsford Rail Vibration Plan

The "Rail Vibration Notation identifies" an area that may experience vibration levels higher than would normally be expected, because of proximity to the rail corridor

Scale 1: 7,000 @ A4

IX.11 Appendices

Appendix 1: Road Function and Design Elements Table

Road Function and Required Design Elements Table										
Road Name (refer to Precinct Plan 1)	Proposed Role and Function of Road in Precinct Area	Min. Road Reserve (subject to note 1)	Total number of lanes	Speed Limit	Access Restrictions	Median	Bus Provision (subject to note 2)	On Street Parking	Cycle Provision	Pedestrian Provision
Collector Road	Collector	26m	2	50	Yes	Yes (Raised)	Yes	Yes On-street parking (interspersed between trees)	Yes Both sides	Yes Both sides
Local Road	Local	16m	2	30	No	No	No	Yes On-street parking (interspersed between trees)	Optional	Yes Both sides
Park Edge Local Road	Local	16m (note 3)	2	30	No	No	No	One side only	Optional	Both sides, but one may be able to be provided within reserve rather than the road

Road Function and Required Design Elements Table										
Road Name (refer to Precinct Plan 1)	Proposed Role and Function of Road in Precinct Area	Min. Road Reserve (subject to note 1)	Total number of lanes	Speed Limit	Access Restrictions	Median	Bus Provision (subject to note 2)	On Street Parking	Cycle Provision	Pedestrian Provision
State Highway 1 (Rodney Street) – frontage to Wellsford North Precinct	Arterial		2	50	Yes	Yes (Flush)	Yes	No	Frontage side only	Frontage side only

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

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

Note 3: Width of Open Space Edge Roads may be reduced to 14m where pedestrian provision for one side of the road can be made within the adjoining reserve.