

AUCKLAND UNITARY PLAN
INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

Interim Guidance Text for Topic 076

Major Recreation Zone and Precincts

7 September 2015

PAUP Sections

D.8.4 Major Recreation Facility Zone

F.1.5 Motorsports

F.1.6 Racing

F.1.9 Sports

F.1.10 Stadiums and Showgrounds

F.2.24 Zoo and MOTAT

I.18 Special Purpose – Major Recreation Facility Zone

K.1.5 Motorsports

K.1.6 Racing

K.1.9 Sports

K.1.10 Stadiums and Showgrounds

K.2.24 Zoo and MOTAT

Planning Maps

Motorsports, Racing, Sports, Stadiums and Showgrounds, the Zoo, and MOTAT

Precinct Maps

Having read submissions and heard evidence and legal submissions from submitters (including the Auckland Council), the Panel issues this guidance to enable submitters and the Council to further consider the proposed provisions and advance any further changes to those provisions in order to give effect to the matters set out in this guidance. There are directions to the parties at the end of this interim guidance to allow this to occur.

This guidance is issued at the request of the Auckland Council, the Eden Park Trust Board, the Counties Manukau Pacific Trust, and a number of the other major recreation facility operators. The Eden Park Trust Board and the Counties Manukau Pacific Trust have requested precinct specific guidance, while the Council notes it does not consider precinct specific guidance is needed. The absence of guidance on any particular issue is not intended to indicate that the Panel has no view on that issue or that it is unimportant.

This interim guidance is not a recommendation within the meaning of section 144 of the Local Government (Auckland Transitional Provisions) Act 2010. It is not binding on submitters (including the Council) or on the Panel.

The Panel may revise the position in this interim guidance after considering the outcome of submitter's advancement of the provisions and any further evidence presented on the provisions.

The Panel will not enter into correspondence on this interim guidance. However submitters and their representatives are welcome to raise any questions and seek clarification of the interim guidance in the context of the continuing process for Topic 076.

This interim guidance should be read in conjunction with all of the following:

- Memorandum of Counsel for the Major Recreation Facility Group dated 26 August 2015;
- Memorandum of Counsel for the Auckland Council dated 27 August 2015;
- Memorandum for the Counties Manukau Pacific Trust dated 27 August 2015;
- Memorandum of Counsel for the Eden Park Trust Board dated 28 August 2015.

Structure of Zones and Precincts

1. The Panel endorses the structure of a single zone and precincts (17 currently) as proposed by the Council. We do not consider there is a need to differentiate stadia from other types of facilities, but rather suggest the zone be renamed “Major Event Facilities” to avoid any misunderstanding that the word “recreation” might otherwise create.

Activity Tables

Primary Activities

2. This list is important as these activities provide the public benefits for which some accommodation of adverse effects is considered acceptable. We suggest commencing with the lists provided by each operator and then considering whether there is a good reason not to include any item on their lists. We also think the primary activities should be identified in the objectives and policies for each precinct to establish a clear foundation for the purpose of the precinct.

Complementary Activities

3. Given the various available meanings of “complementary”, we consider that these activities would be better reframed as “activities compatible with” the primary activities. This term may need to be defined, recognising that the activity can be independent of a primary activity but must not be of a character or scale which could displace the primary activity.
4. While it is probably useful to have lists to provide clarity as to what these activities include, they should be inclusive lists so as to allow for other non-listed activities, provided that they are compatible with the primary activity.
5. We also think there is some merit to setting limits on the extent to which each precinct is able to develop its compatible activities as a permitted activity. We suggest the approach put forward by the Auckland Racing Club be used as a model structure with

gross floor area (GFA) thresholds that shift development into a Restricted Discretionary Activity status. We leave the completion of the activity tables to mediation.

6. Accessory activities are defined in the PAUP so it is sufficient to state "accessory activities" in the activity list, citing particular accessory activities only if this is essential for clarity.

Land use controls

Noise

7. We support the framework put forward by Messrs Day and Styles of a three-tiered assessment for noise levels (taking into account any special audible characteristics as needed), supplemented with controls on event frequency and duration and scheduling of respite intervals. We also support their approach to crowd noise which should be considered when assessing activities but not included in the noise measurements when checking compliance.
8. Noise levels should be measured at the nearest residential zone boundaries plus specific measurement points for each precinct should be identified if possible. We leave it to mediation to settle the values for each of these items for each precinct.

Pukekohe Park Noise

9. In the case of Pukekohe Park we will be taking into account the level of adverse noise effects in the zoning hearings and the appropriateness of a Rural Zone, Future Urban Zone or 'live' urban zoning in this area. We encourage the affected parties to propose a solution for the Pukekohe Park Precinct that takes into account the possible changing nature of land use in this area.

Eden Park

10. In the case of Eden Park, we suggest that controls be developed that reflect the existing resource consents while also providing greater flexibility where the effects are within the current consented "envelope". We do not consider that the extent of the additional night games or concerts proposed by Eden Park Trust Board has been justified by the evidence provided to date. The Panel would need to be provided with evidence of appropriate mitigation measures that Eden Park is willing to commit to prior to the Panel being convinced that the extent of the proposed additional night games or concerts are appropriate.

Lighting

11. We support the approach put forward by Mr McKensey, including controls relating to night illumination, but consider precinct-specific modifications are justifiable on a case-by-case basis. We leave the parties to settle the details of any changes during mediation.

Transport Issues

12. We support Mr Wong-Toi's approach to transport management, with mediation to settle the thresholds for each precinct that would trigger the requirement to develop a Traffic and Transport Management Plan (TTMP) for events not already covered.

Helicopter Usage

13. Helicopter usage was raised as an issue for ASB Showgrounds, Pukekohe Park, and Eden Park. For Pukekohe Park and ASB Showgrounds we adopt Mr Styles' recommendations, as they seemed the most reasonable and recognised the need for some limited flexibility in that these activities do not appear essential in most cases to the wider use of the facilities and are very disruptive. For Eden Park we refer to existing consents. In all cases helicopter trips should be counted as the total number of take-offs and landings within the precinct and across precinct boundaries, as this best reflects the noise effects from them.

Development Controls

14. In general, we think that these controls should be focused to deal with effects at the precinct perimeter (e.g. amenity values for neighbouring activities and streetscape). This should not trigger a design assessment of all buildings or influence the siting of temporary buildings and structures.

Temporary Buildings and Structures

15. Temporary buildings and structures should be permitted activities in all locations within the precinct for up to ninety days, excluding set up and dismantling periods. We encourage mediation to settle on variations to this general rule if needed.

Interface Control Areas (ICAs)

16. We support the ICAs provided they are tailored to the various precincts. Where there are no adverse effects on adjoining land, there is no need to have an ICA. We suggest commencing with the extent and location of ICAs as recommended by each operator and assess whether there is a good reason to move from those recommendations.

Building Heights and Height to Boundaries

17. We support heights set at a level to enable the primary activities on the site. We suggest commencing with the heights and height to boundaries recommended by each operator and assessing whether there is a good reason to move from them. On height to boundaries we favour a rule that adopts the height to boundary rules from abutting zones, where the abutting zone has such rules.

Urban Design Control Rules Other Than Those Related to the ICA

18. We suggest these be deleted. This includes deleting footprint controls for the primary activities. Effects should be able to be addressed by ICAs, height, and height to boundary controls. These are all specialised buildings designed and used for specific purposes and we see little gain from generic design rules.

Subdivision

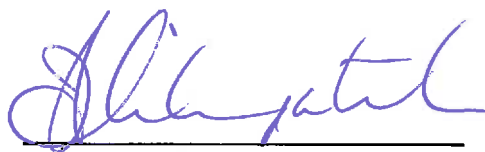
19. A number of operators requested the ability to subdivide in relation to the primary use or for other uses. For the purposes of this topic, the key issue would be whether any subdivision would promote the primary activities in the precinct.

Other Matters

20. The Panel is still considering other matters with general application across the Plan, or that have not yet been heard. These include issues relating to design statements, notification rules, Historic Heritage Overlays, SEA Overlays, and rezoning requests.

Directions and Next Steps

- 1. Auckland Council is to circulate amended precinct provisions to relevant parties by 24 September 2015;**
- 2. Submitters are to undertake offline (not formally facilitated) discussions with Auckland Council by 14 October 2015;**
- 3. Auckland Council is to provide the Panel with a summary of agreements reached, a list of outstanding issues, and mediation track change versions of the precinct provisions by 16 October 2015;**
- 4. The Panel will appoint a mediator and mediation will be held between 2 and 13 November 2015 (if required);**
- 5. The outcome of the mediation will be reported to the Panel by the mediator;**
- 6. Closing statements are to be provided to the Panel by 20 November 2015;**
- 7. Upon receipt of the mediation outcome and closing statements, the Panel will consider whether any further hearing time is necessary or desirable and parties will be informed accordingly.**



David Kirkpatrick

Chairperson for the Hearings Panel of Topic 076 on the
Proposed Auckland Unitary Plan