

**BEFORE THE AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL**

**IN THE MATTER** of the Resource Management Act  
1991 and the Local Government  
(Auckland Transitional Provisions)  
Act 2010

**AND**

**IN THE MATTER** of Topic 081f Rezoning and  
Precincts (Geographical areas)

**AND**

**IN THE MATTER** of the submissions and further  
submissions set out in the Parties  
and Issues Report

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**REBUTTAL REPORT OF HUI (CINDY) YIN  
ON BEHALF OF AUCKLAND COUNCIL**

**KARAKA 1 PRECINCT**

**24 FEBRUARY 2016**

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## **1. SUMMARY**

- 1.1. My name is Hui (Cindy) Yin. I am providing rebuttal evidence in relation to Topic 081 Rezoning and Precincts (Geographical areas) (**Topic 081**) on behalf of the Auckland Council (**the Council**) on the Karaka 1 precinct.
- 1.2. In light of my review of the evidence prepared by Carey Pearce for New Zealand Bloodstock Limited (**NZB**) in relation to the Karaka 1 precinct for Topic 081, I consider that the precinct name should be reinstated to “Karaka 1” and I generally support the minor changes of wording proposed by the submitter.
- 1.3. However, I do not support other amendments proposed by the submitter, including an indicative area of visitor accommodation to be marked on the precinct plan, the use of “temporary accommodation” in the activity table and other relevant provisions, and the use of “equestrian related activities” in the precinct description.

## **2. INTRODUCTION**

- 2.1. My name is Hui (Cindy) Yin. I am a Planner in the Planning – South team of the Plans and Places Department of the Council. I prepared an Evidence Report (dated 26 January 2016) on behalf of the Council on submissions received in relation to the Karaka 1 precinct for Topic 081. I have the qualifications and experience set out at Attachment A of my Evidence Report.
- 2.2. This rebuttal report has been prepared in accordance with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014. In preparing this rebuttal statement I have read the evidence prepared by Mr Pearce for NZB on Topic 081. This rebuttal report addresses various matters raised in that evidence.

## **3. SCOPE**

- 3.1. In my Evidence Report I addressed matters raised in submissions in relation to the geographic areas to which they relate. This rebuttal report will adopt a similar approach in relation to Mr Pearce’s evidence for NZB.
- 3.2. I address the matters raised in other parties’ evidence based on the following issues:
  - (a) Precinct name;

- (b) Precinct plan – indicative visitor accommodation area; and
- (c) Undefined terminology – temporary accommodation and equestrian related activities.

#### **4. PRECINCT NAME**

##### **Matters raised in evidence**

- 4.1. Mr Pearce’s evidence states, at paragraph 1.4, that NZB prefers to retain the “Karaka 1” precinct name.
- 4.2. Mr Pearce’s evidence states at paragraph 1.3 that the “Karaka” name is synonymous with NZB’s Karaka Sales Centre and is widely known in both the local and international context where people come to buy or sell bloodstock at Karaka. “Karaka” is significant to the company as all of their sales-related collateral and media interface is based on this identity.

##### **Analysis**

- 4.3. No primary submission points have been received in relation to the precinct name. This was an out of scope change that I proposed at paragraph 12.27 of my Evidence Report intended to avoid potential confusion with Franklin sub-precinct C – Karaka South area which is named Karaka 1 precinct in the Auckland Council District Plan (Franklin Section).
- 4.4. The Council will renumber all the precinct names in a consistent approach prior to the Plan becoming operative in order to accommodate all new precincts and remove deleted precincts. As such, no confusion will be raised for this precinct with the Karaka 1 precinct in the Auckland Council District Plan (Franklin Section).
- 4.5. Having reviewed Linley Wilkinson’s evidence in chief for Topic 004 on behalf of the Council, dated 19 September 2014 (**Topic 004**), particularly in relation to the Editorial and Part 6 sections, I consider that “Karaka 1” is a more appropriate name for this precinct than “Hingaia Bloodstock”. The retention of the word “Karaka” reflects the geographical location of the precinct. Further, using company names to name a precinct is not ideal given the changing nature of companies.

## **Response**

- 4.6. Having regard to Ms Wilkinson's evidence for Topic 004 and the significance of the use of the word "Karaka" in the precinct name for the submitter, I consider that retaining the notified precinct name of "Karaka 1" is the most appropriate way to ensure a consistent approach is taken in relation to all precincts in the PAUP.

## **5. PRECINCT PLAN – INDICATIVE VISITOR ACCOMODATION AREA**

### **Matters raised in evidence**

- 5.1. Mr Pearce states at paragraph 1.5 of his evidence that the indicative area for the visitor accommodation on the precinct plan will provide the community with a clear indication of activities which may occur on the site in the future. It is not to identify a specific building platform on the plan, or to preclude any future resource consent processes, but rather to identify potential future site development.
- 5.2. At paragraph 9.4 of Mr Pearce's evidence, he refers to paragraph 12.22 of my Evidence Report and states that the NZB has no intention of identifying a building platform but rather, seeks to identify an area where visitor accommodation could be achieved on the site.

### **Analysis**

- 5.3. I concur with Mr Pearce that "indicative area for future visitor accommodation" is the most appropriate terminology to show the potential future site development, rather than "building platform". However, this does not change my position as outlined at paragraph 12.23 of my Evidence Report.
- 5.4. I acknowledge that the indicative area for future visitor accommodation to be shown on the precinct plan will not preclude any resource consent process, as visitor accommodation is a controlled activity in the notified precinct provisions, and has been proposed to be a restricted discretionary activity in my Evidence Report.
- 5.5. However, in my view, showing an indicative area for future visitor accommodation on the precinct plan may suggest that such a location is the most appropriate location to

operate the visitor accommodation in favour of other locations. NZB has not provided sufficient information from which such a position could be arrived at.

## **Response**

- 5.6. As stated in paragraph 12.23 of my Evidence Report, I do not support the identification of an indicative area for visitor accommodation on the precinct plan as proposed by Mr Pearce, because NZB has not provided sufficient information in order to determine that that location is, in fact, the most appropriate location.

## **6. UNDEFINED TERMINOLOGY - TEMPORARY ACCOMMODATION AND EQUESTRIAN RELATED ACTIVITIES**

### **Matters raised in evidence**

- 6.1. Mr Pearce states in paragraph 9.3 of his evidence that the “equestrian centres” activity does not sit well with the activities that are conducted on the site as equestrian events in themselves e.g. show jumping or eventing are not conducted on the site. The track changes at Attachment A of Mr Pearce’s evidence proposed replacing “equestrian centres” with “equestrian related activities” in the precinct description.
- 6.2. At paragraph 10.2 of Mr Pearce’s evidence, he notes that he has reinstated “temporary accommodation” in the activity table to recognise that a “small workforce is temporarily accommodated on the site mainly in mobile homes, caravans and tents for the duration of individual sales”.

### **Analysis**

- 6.3. I note that both “equestrian related activities” and “temporary accommodation” are not defined PAUP terms as they are not included in the tracked changes attached to the closing statement and points of clarification of counsel for the Council, dated 1 December 2015, in relation to Topic 065 Definitions (**Topic 065**).
- 6.4. The definition for “equestrian event” as set out in the closing statement to Topic 065 provides for a comprehensive set of activities and includes the equestrian related activities that are stated in Mr Pearce’s evidence.

- 6.5. I acknowledge the need for workforce related temporary accommodation to be established on the site. In the Council's closing statement for Topic 065, "workers accommodation" is defined as a dwelling for people whose duties require them to live on-site. The definition for the term "dwelling" includes living accommodation, used or designed to be used as a single household residence contained within one or more buildings, while the definition for the term "building" covers any permanent relocated or temporary structures on land.
- 6.6. I consider that the use of "workers accommodation" is the most appropriate term to be used in the precinct provisions. This is a PAUP defined term which clearly covers the temporary accommodation anticipated. I therefore propose that this replace the term "temporary accommodation".

### **Response**

- 6.7. Having undertaken a review of the closing statement to Topic 065, I do not consider that the use of undefined terms ("equestrian related activities" and "temporary accommodation") to be the most appropriate terminology for the precinct provisions. Their inclusion will result in duplication with other terms and potentially cause confusion in future.

## **7. CONCLUSION**

- 7.1. I have reviewed Mr Pearce's planning evidence on behalf of the NZB for Topic 081. I consider that the proposed amendments as set out in **Attachment A** to this rebuttal report most appropriately meet the purpose of the Act. I do not propose any amendments to the precinct plan and continue to support the version attached to my Evidence Report.
- 7.2. The changes proposed in Attachment A are based on the following positions
- (a) I support reinstatement of the precinct name to 'Karaka 1';
  - (b) I do not support identifying the indicative area for visitor accommodation on the precinct plan;

- (c) I do not support the use of “temporary accommodation” in the activity table and relevant provisions; and
- (d) I generally support the minor amendments proposed in Mr Pearce’s evidence, except for the proposed replacement of “equestrian related activities” with “equestrian centre” in the precinct description.

**Hui (Cindy) Yin**

**24 February 2016**



**ATTACHMENT A – TRACK CHANGES FOR KARAKA 1 PRECINCT**

#### Editorial notes:

Council's proposed changes are shown in ~~strikethrough~~ and underline

Black text changes record amendments proposed in track changes version

**Yellow highlighted text changes** record amendments that are considered to be outside the scope of submissions

**Grey highlighted text changes** records amendments that are consequential amendments from previous hearings/evidence. Any additional changes to consequential amendments are **highlighted in pink**.

**Red text changes** record amendments proposed in rebuttal evidence

Numbering of this precinct will be reviewed as part of the overall review of the UP numbering protocols.

## Chapter F: Precinct objectives and policies

### 6.8 Karaka 1

~~The objectives and policies of the underlying Light Industry zone do not apply in the following precinct. Refer to planning maps for the location and extent of the precinct.~~

#### Precinct description

The Karaka 1 precinct adjoins the Southern Motorway and the Papakura Interchange. ~~The underlying zone is Light Industry.~~ The purpose of the precinct is to provide for the continued use and development of the New Zealand Bloodstock Karaka Sales Centre which attracts national and international visitors to its ~~series of~~ annual sales.

The primary activities undertaken within the precinct relate to the sale and auction of horses and stock. This activity includes buildings and areas within the precinct that are used for administrative offices associated with the sales centre, stables, horse exercise areas and parking and circulation areas. There is a need to support these activities by providing for a range of accessory activities such as on-site accommodation for staff, ~~visitor accommodation,~~ equestrian ~~shows centres~~ and ~~reception and promotional competitions and reception~~ functions. The precinct ~~therefore~~ enables these activities to be undertaken.

~~The extent of this precinct can be found in [Precinct Plan 1: Karaka 1](#).~~

~~The underlying zone of land within this precinct is Light Industrial zone. Refer to the planning maps for the location and extent of the precinct.~~

Cindy Yin 23/2/2016 5:01 PM

**Comment [1]:** Support change of words proposed by the submitter.

Cindy Yin 23/2/2016 5:02 PM

**Comment [2]:** Support change of words proposed by the submitter.

Do not support change of words proposed by the submitter to an undefined term.

## Objectives

The objectives for this precinct are those listed below. The objectives in the Light Industry zone do not apply.

The underlying zone and Auckland-wide objectives apply in this precinct, in addition to those specified below, with the exception of D3.10 Objectives 1 and 2.

1. Bloodstock sales and associated temporary activities, equestrian centres and accessory activities continue to operate and any adverse effects on the environment are managed.
2. New buildings avoid or mitigate adverse effects contribute positively to the character of the surrounding area.

## Policies

The policies for this precinct are those listed below. The policies in the Light Industry zone do not apply.

The underlying zone and Auckland-wide policies apply in this precinct, in addition to those specified below, with the exception of D3.10 Policies 1, 1B and 2.

1. Allow bloodstock sales and associated temporary activities, equestrian centres and accessory activities to establish and operate within the precinct.
2. Restrict the scale, intensity, frequency and hours of operation of accessory activities.
3. Require the location and design of buildings and structures to avoid or mitigate adverse effects on adjoining residential zoned sites.

## Chapter K: Precinct rules

### 6.8 Karaka 1

The activities, controls and assessment criteria in the underlying Light Industry zone do not apply in the following precinct and sub-precincts unless otherwise specified. The activities, controls and assessment criteria in the Auckland-wide rules apply in the following precinct and sub-precincts unless otherwise specified. Refer to planning maps for the location and extent of the precinct.

The underlying zoning of land within this precinct is Light Industrial zone. Refer to the planning maps for the location and extent of the precinct.

The provision in Chapter I for the underlying zone and Auckland-wide provisions of Chapter H apply in this precinct unless otherwise specified below.

The rules in this section implement the objectives and policies in Chapter F, section 6.8.

#### 1. Activity table

The precinct activity table below replaces the underlying zone activity table. The Auckland-wide activity tables apply in this precinct unless otherwise specified below

The following table specifies the activity status of activities in the Karaka 1 precinct. **Activity table – Karaka 1 precinct**

Activity	Activity Status
<b>Accommodation</b>	
Dwellings	NC
Temporary accommodation	P
Visitor accommodation	C-RD
Workers accommodation	P
<b>Commerce</b>	
Sales and auction of horses and stock Retail	P
Food and beverage	P
Temporary activities	P
Equestrian centres	P
Existing lawfully established retail, office and commercial services as at the date the Unitary Plan becomes operative	P
Use of existing buildings for accessory activities to the primary activity on the site	D
All other activities in the Light Industry zone, other than activities identified as NC	D
NC activities in the Light Industry zone, other than activities listed in this table	NC
<b>Development</b>	
Buildings	P
Demolition of buildings	P
Additions and alterations to buildings	P

## 2. Land use controls

1. The land use controls applying in the Karaka 1 precinct are specified below.

The underlying zone and Auckland-wide land use controls apply in this precinct, unless otherwise specified below.

### 2.1 Visitor accommodation

1. Visitor accommodation activities may also include conference centres, restaurants, recreation facilities, shops, and other amenities, provided that they are accessory to the visitor accommodation.

## 2.2 Workers accommodation

1. Workers accommodation must be accessory to the sale and auction of horses and stock retail, provided that the range of goods to be sold is limited to horses and accessory goods.
2. Workers accommodation includes any required buildings.

## 2.3 Retail

1. Retail must limit the range of goods to be sold to horses and accessory goods

## 2.3 Temporary accommodation

1. Temporary accommodation must be accessory to the main activities of the New Zealand Bloodstock Centre offices.
2. Temporary accommodation includes any required buildings.

## 2.4 Food and beverage

1. Food and beverage activities must be accessory to the sale and auction of horses and stock retail, provided that the range of goods to be sold is limited to horses and accessory goods.
2. Food and beverage activities must be limited to the duration of temporary activities for any particular event.
- 2a. Food and beverage activities may also include catering, and any required buildings for catering.

## 2.5 Temporary activities

1. The controls set out in section H6.5 apply to this precinct, unless otherwise specified below.
2. Temporary activities must be limited to receptions, such as weddings, product launches, conferences, seminars and promotions.
3. Temporary activities must be limited to 7 days duration for any particular event.
4. Temporary activities must not be permanently based in the New Zealand Bloodstock Centre the precinct.
5. Temporary activities must not require permanent buildings or other activities to be developed for that activity.

## 2.6 Equestrian centres

1. Equestrian centres must be accessory to the sale and auction of horses and stock retail, provided that the range of goods to be sold is limited to horses and accessory goods.
2. Equestrian centres must be limited to equestrian and other animal-related shows and competitions.
3. Equestrian centres must be limited to 10 days duration for any particular event.
4. Equestrian centres must not be permanently based in the New Zealand Bloodstock Centre precinct.
5. Equestrian centres must not require permanent buildings or other activities to be developed for that activity.

### 3. Development controls

1. The development controls applying in the Karaka 1 precinct are specified below

The underlying zone development controls and Auckland-wide controls apply in this precinct, unless otherwise specified below.

#### 3.1 Building location

1. Buildings must be located in accordance with Precinct Plan 1: Karaka 1

#### 3.2 Building height

1. Buildings must not exceed a height of 15m.

#### 3.3 Additions and alterations

1. Alterations and additions must not exceed:
  - a. 10% of the existing GFA of the building, or
  - b. 250m<sup>2</sup>, whichever is the lesser

### 4. Assessment - Controlled activities – Restricted discretionary activities – development controls infringements

#### 4.1 Matters of discretion

For development that is a restricted discretionary activity in the Karaka 1 precinct, the council will reserve its discretion control to the following matters, in addition to the matters specified for the relevant restricted discretionary activities in the Light Industry zone and Auckland-wide provisions, below for the activities listed as controlled in the precinct activity table:

1. Intensity and scale
2. Traffic and access
3. Building scale and dominance

#### 4. Landscape design and site layout

##### 4.2 Assessment criteria

For development that is a restricted discretionary activity in the Karaka 1 precinct, The council will consider the following relevant assessment criteria apply, below for the controlled activity listed above in addition to the criteria specified for the relevant restricted discretionary activities in the Light Industry zone and Auckland-wide provisions:

1. Intensity and scale
  - a. The intensity and scale of the land use activity, in particular, the number of people involved and traffic generated by the activity (including vehicle noise and lights), should be compatible with the planning outcomes identified in the Unitary Plan for planned future form of the surrounding area and in particular, the adjoining residential land.

##### 2. Traffic and access

- a. The expected traffic generated by the activity should not create adverse effects on the surrounding transport network, particularly at peak times. Adverse effects may be mitigated by upgrades to road and intersection design.

#### 5. Assessment – Restricted discretionary activities – development control infringements

##### Matters of discretion

The council will restrict its discretion to the matters below for the relevant development control infringement:

1. building scale and dominance
2. landscape design and site layout

##### Assessment criteria

1. Building scale and dominance
  - a. Buildings that exceed the building height or do not comply with the building location control should be able to demonstrate that the height, location and design of the building will not dominate neighbouring sites, particularly those with residential uses.
2. Landscape design and site layout
  - a. Landscaping should enhance the visual appearance of the development, including around parking areas, service areas and at the precinct boundary, in general accordance with Precinct Plan 1: Karaka 1
  - b. Landscaping should be used to:
    - i. soften large facades
    - ii. provide visual screening of service buildings
    - iii. visually integrate development with ~~the any~~ adjoining rural zones

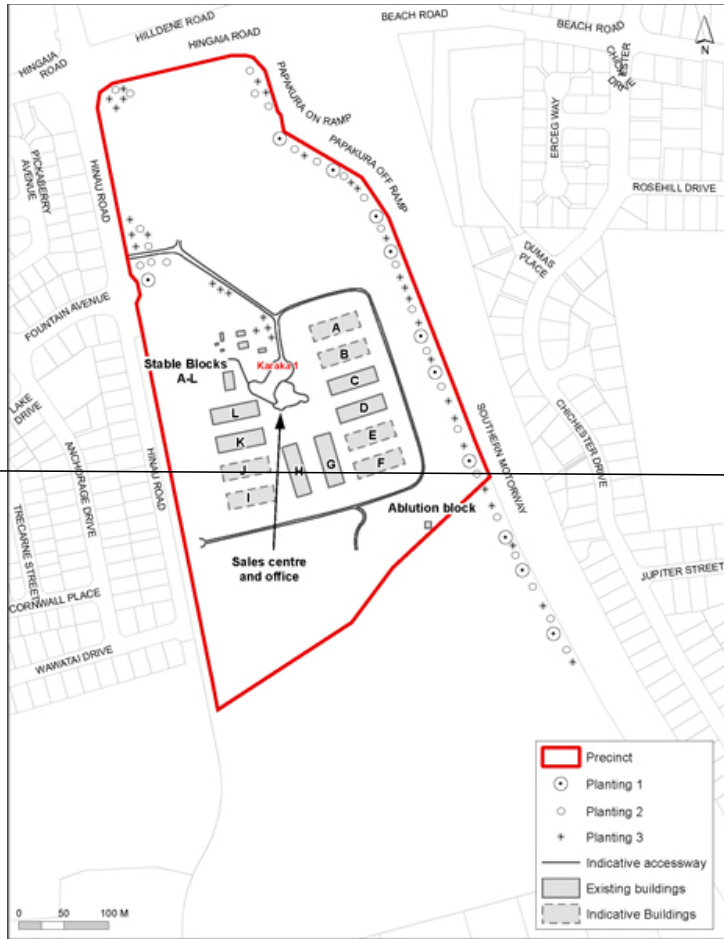
Cindy Yin 23/2/2016 5:02 PM

**Comment [3]:** Support change of words proposed by the submitter.

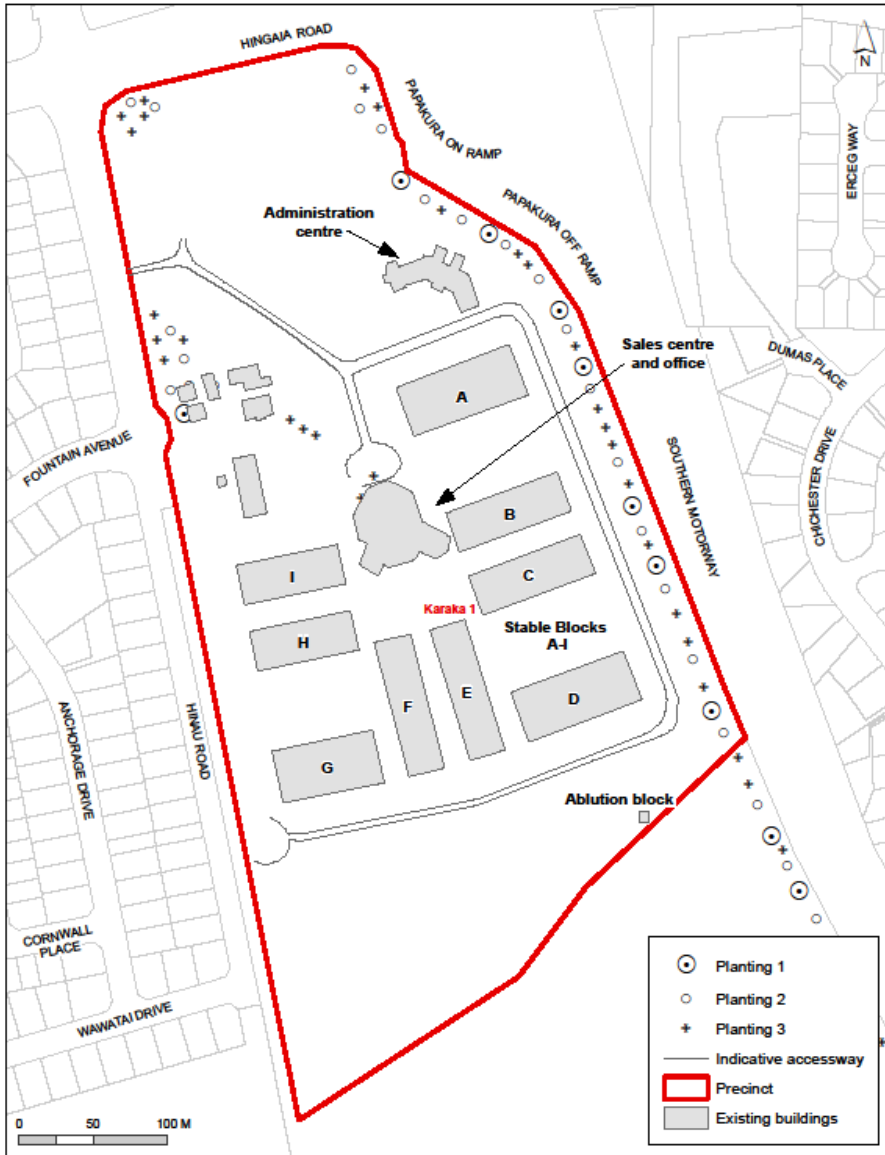
- c. The general layout of buildings should enable any adverse visual effects of the proposal to be internalised to the greatest extent practicable.

## 6. Precinct plan

### Precinct Plan 1: Karaka 1







Karaka : Precinct plan 1

