

## **I414. Franklin Trotting Club Precinct**

### **I414.1. Precinct description**

The Franklin Trotting Club Precinct provides specific planning controls for the use of the Franklin Trotting Club. The Franklin Trotting Club is a horse racing complex situated on Station Road, Pukekohe.

The zoning of the land within the Franklin Trotting Club Precinct is Special Purpose - Major Recreation Facility Zone. The overlay, Auckland-wide and zone objectives and policies apply in this precinct in addition to those listed below.

Refer to the planning maps for the location and extent of the precinct.

### **I414.2. Objectives**

- (1) The Franklin Trotting Club is protected as a regionally and nationally important venue for horse racing.
- (2) A range of activities compatible with, or accessory to, the primary activity are enabled.
- (3) The adverse effects of the operation of the Franklin Trotting Club are avoided, remedied or mitigated as far as is practicable recognising that the primary activity will by virtue of its nature, character, scale and intensity, generate adverse effects on surrounding land uses which are not able to be fully internalised.

### **I414.3. Policies**

- (1) Enable the safe and efficient operation of the Franklin Trotting Club for its primary activity.
- (2) Protect the primary activity of the Franklin Trotting Club from the reverse sensitivity effects of adjacent development.
- (3) Enable a range of accessory and compatible activities which:
  - (a) avoid, remedy or mitigate adverse effects; and
  - (b) are of a character and scale which will not displace the primary activity.
- (4) Manage the adverse effects of the operation of the Franklin Trotting Club, having regard to the amenity of surrounding properties.
- (5) Recognise that the Franklin Trotting Club's primary activity may generate adverse effects that are not able to be fully internalised and may need to be further mitigated by limiting or controlling their scheduling, duration and frequency.

### **I414.4. Activity table**

The provisions in any relevant overlays and Auckland-wide apply in this precinct except those specified below.

- (1) E24 Lighting;

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- (2) E25 Noise and vibration (noise provisions only);
- (3) E27 Transport – Rule E27.6.1;
- (4) E27 Transport – Rule E27.6.2; and
- (5) E40 Temporary activities.

Table I414.4.1 specifies the activity status of land use and development activities in the Franklin Trotting Club Precinct pursuant to section 9(3) of the Resource Management Act 1991.

**Table I414.4.1: Activity table**

	Activity	Activity status
<b>Use</b>		
<b>Primary activity</b>		
(A1)	Horse racing	P
(A2)	Horse racing not meeting Standard I414.6.3 but meeting all other standards	C
<b>Accessory activities</b>		
(A3)	Accessory activities	P
(A4)	Any accessory activity not meeting Standard I414.6.3 but meeting all other standards	C
<b>Compatible activities</b>		
(A5)	Organised sport and recreation	P
(A6)	Informal recreation	P
(A7)	Markets, fairs and trade fairs	P
(A8)	Filming activities	P
(A9)	Displays and exhibitions	P
(A10)	Sports, recreation and community activities	P
(A11)	Professional fireworks displays meeting Standard I414.6.8	P
(A12)	Professional fireworks pyrotechnics displays not meeting Standard I414.6.8	RD
(A13)	Helicopter flights meeting Standard I414.6.9	P
(A14)	Helicopter flights not meeting Standard I414.6.9	RD
(A15)	Any compatible activity not meeting Standard I414.6.3 but meeting all other standards	C
<b>Development</b>		
(A16)	New buildings, external building alterations or additions to a building for a primary, compatible, or accessory activity up to 10m in height	P

(A17)	New buildings, external building alterations or additions to a building for a primary, compatible, or accessory activity greater than 10m and up to 15m in height	RD
(A18)	New buildings, external building alterations or additions to a building for a primary, compatible, or accessory activity greater than 15m in height	D
(A19)	Light towers and associated fittings up to and greater than 15m in height	P
(A20)	New buildings, building alterations or additions to a building for a primary, compatible, or accessory activity not meeting Standard I414.6.6	RD
(A21)	Demolition of buildings	P
(A22)	Temporary buildings	P
(A23)	Workers' accomodation	P

#### **I414.5. Notification**

- (1) An application for resource consent for a controlled activity listed in Table I414.4.1 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table I414.4.1 Activity table and which is not listed in I414.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

#### **I414.6. Standards**

All permitted, controlled or restricted discretionary activities listed in Table I414.4.1 must comply with the following activity standards unless otherwise stated.

##### **I414.6.1. Noise**

- (1) The noise (rating) level from any activity as measured within the boundary of any site containing activity sensitive to noise must not exceed the noise limits in Table I414.6.1.1.

**Table I414.6.1.1: Noise standards**

Time, day, duration and frequency	Noise limit
Any day including Christmas Day, Good Friday and Anzac Day between 8:00am and 10:00pm	55dB L <sub>Aeq</sub>
At all other times	40dB L <sub>Aeq</sub> and 70dB L <sub>Amax</sub>

- (2) Noise levels must be measured in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.
- (3) Crowd noise is to be excluded from any assessment of compliance with these limits.
- (4) Professional fireworks displays and helicopter flights are excluded from this standard.

**I414.6.2. Lighting**

- (1) Lighting limits must be measured and assessed in accordance with Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting). In the event of any conflict between these documents and the lighting standards set out below, the below standards will prevail.
- (2) Any calculation must be based on a maintenance factor of 1.0 (i.e. no depreciation).
- (3) Where measurements of any illuminance above background levels from the use of artificial lighting cannot be made because the owner will not turn off artificial lighting, measurements may be made in areas of a similar nature that are not affected by the artificial light. The result of these measures may be used for determining the effect of the artificial light.
- (4) For the purposes of Standard I414.6.2, the curfew and pre-curfew times are as stated in Table I414.6.2.1.

**Table I414.6.2.1: Pre-curfew and curfew times**

	Times
Pre-curfew	7am – 10pm
Curfew	10pm – 7am

- (5) The added illuminance from the use of any artificial lighting on any site must not exceed either one of the following:
  - (a) The limits in Table I414.6.2.2 when measured at the boundary of any adjacent site containing a lawfully established dwelling. The illuminance

limit will apply horizontally and vertically at any point on the boundary and at any height; or

**Table I414.6.2.2: Horizontal and vertical illuminance at a boundary**

	Illuminance limit
Pre-curfew	100 lux (above the background level)
Curfew	10 lux (above the background level)

(b) The vertical illuminance limits in Table I414.6.2.3 when measured at the windows of habitable rooms of a lawfully established dwelling.

**Table I414.6.2.3: Vertical illuminance at a window**

	Vertical illuminance limit
Pre-curfew	10 lux
Curfew	2 lux

(6) Outdoor artificial lighting operating on any site between sunset and sunrise must not exceed a threshold increment limit of 15% (based on an adaption luminance of 2cd/m<sup>2</sup>) on any public road, calculated within each traffic lane in the direction of travel.

(7) Any exterior lighting must be selected, located, aimed, adjusted and/or screened to ensure that glare resulting from the lighting does not exceed the applicable limits for pre-curfew times in Table I414.6.2.4 and 1,000 cd for curfew times at the windows of habitable rooms of a lawfully established dwelling or at the boundary of any residential site where a dwelling does not yet exist.

**Table I414.6.2.4: Pre-curfew luminous intensity**

	Pre-curfew luminous intensity limit
Standard	10,000 cd

(8) The average surface luminance for an intentionally artificially lit building façade must not exceed the limits in Table I414.6.2.5. The values may be determined by calculation or measurement in accordance with CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3.

(9) Professional fireworks displays are excluded from this standard.

**Table I414.6.2.5: Building façade luminance**

	Luminance limit
Standard	10 cd/m <sup>2</sup>

**I414.6.3. Traffic management**

All activities must meet at least one of the following traffic management standards:

- (1) The activity and management of associated transport and traffic effects is undertaken in accordance with a Transport and Traffic Management Plan authorised by Auckland Transport; or
- (2) The activity generates a crowd of less than 5,000 people and does not require the closure of a public road.

**I414.6.4. Parking**

- (1) Any loss of existing formed and marked parking spaces from 30 September 2013 must be accommodated elsewhere within the precinct unless the number of parking spaces provided exceeds the requirements set out in E27 Transport – district rule E27.6.2.

**I414.6.5. Screening**

- (1) Any outdoor storage or rubbish collection areas that are visible from a residential zone or an open space zone must be screened from those areas

**I414.6.6. Interface control areas**

- (1) New buildings, external building alterations or additions to a building must be located outside the Interface Control Area (ICA) as illustrated on the precinct plan. Temporary buildings are excluded from this standard.

**I414.6.7. Height in relation to boundary**

- (1) Along the boundaries where the Franklin Trotting Club Precinct directly adjoins a zone, the height in relation to boundary standard that applies in the adjoining zone will also apply to the precinct boundary.
- (2) Where the Franklin Trotting Club Precinct directly adjoins a road or a zone with no height in relation to boundary standard, buildings must not project beyond a 45 degree recession plane measured from a point 8.5m vertically above ground level on the precinct boundary.
- (3) Temporary buildings, light towers and associated fittings are excluded from this height in relation to boundary standard.

**I414.6.8. Professional fireworks displays**

- (1) Displays are limited to 3 in any 12 month period.
- (2) Displays must not exceed 15 minutes in duration.

- (3) Displays must be finished by 10:30pm.
- (4) Fireworks must be discharged at least 120 meters from any residential zone.
- (5) Displays must comply with 140dB  $L_{zpeak}$  at any point in the audience area and within the boundary of any activity sensitive to noise.

#### **I414.6.9. Helicopter flights**

- (1) There must be no more than 30 helicopter movements in any 12 month period and 10 on any day (where an arriving flight and a departing flight comprises two movements).
- (2) Landing and departures must take place at least 150m from any neighbouring site.

#### **I414.6.10. Temporary buildings**

- (1) Temporary buildings must be erected for a continuous period of no greater than 90 days, excluding set up and dismantling time.

### **I414.7. Assessment – controlled activities**

#### **I414.7.1. Matters of control**

The Council will consider the relevant assessment criteria below for controlled activities, in addition to the assessment criteria specified for the relevant controlled activities in the overlay or Auckland-wide provisions:

- (1) The effects of the proposed activity on the safety and efficiency of the transport network.

#### **I414.7.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for controlled activities, in addition to the assessment criteria specified for the relevant activities in the overlay and Auckland-wide provisions:

- (1) Effects on the safety and efficiency of the transport network:
  - (a) the extent to which there are likely to be adverse effects on the safe and efficient operation of the transport network and pedestrian movements;
  - (a) the extent to which entry and exit points to the precinct will be managed to accommodate traffic and pedestrian movements; and
  - (b) the extent to which any proposed mitigation measures will address adverse traffic and parking effects. Such measures may include travel planning, providing alternatives to private vehicle trips and the preparation and implementation of a Transport and Traffic Management Plan (prepared by a suitably qualified and experienced person).

## **I414.8. Assessment – restricted discretionary activities**

### **I414.8.1. Matters of discretion**

The Council will restrict its discretion to the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant activities in the overlay and Auckland-wide provisions:

- (1) Any activity that does not comply with noise and/or lighting standards:
  - (a) The effects of non-compliance with a noise and/or lighting standard on the amenity values of surrounding properties and safety of transport networks.
- (2) Any activity that does not comply with permitted helicopter flight standards:
  - (a) The effects of non-compliance with the permitted helicopter flight standards on the amenity of surrounding properties.
- (3) Any activity that does not comply with permitted professional fireworks display standards:
  - (a) The effects of non-compliance with the permitted fireworks display standard on the amenity of surrounding properties.
- (4) Any new buildings, external building alterations or additions to a building for a primary, compatible, or accessory activity greater than 10m and up to 15m in height and/or which does not comply with height in relation to boundary standards:
  - (a) The visual effects of the additional bulk and scale of buildings on the amenity of private properties, streets and public open spaces.
- (5) Any new buildings, external building alterations or additions to a building for a primary, compatible, or accessory activity not meeting Standard I414.6.6:
  - (a) The visual effects of the building design and external appearance on the amenity of private properties, streets and public open spaces.
- (6) Any activity that does not comply with screening standards:
  - (a) The visual effects of rubbish and storage areas on residential and open space sites.

### **I414.8.2. 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 activities in the overlay and Auckland-wide provisions:

- (1) The effects of non-compliance with a noise and/or lighting standard on the amenity values of surrounding properties and safety of transport networks:
  - (a) Whether the effects of the activity will give rise to noise effects that are unreasonable, having regard to all of the following:



- (i) the cumulative noise effects of other activities which are permitted on the site;
  - (ii) the cumulative effect of numerous infringements of noise standards; and
  - (iii) the degree of non-compliance;
- (b) Whether people likely to be affected by the exceedance of noise standards will be given reasonable notice of the likely effects of the infringement including start time and end time;
- (c) The extent to which duration and hours of operation are managed to minimise the effects of the infringement having regard to the operational requirements and reason for the infringement;
- (d) The extent to which any artificial lighting will create a traffic safety issue;
- (e) Whether the number, placement, design, height, colour, orientation and screening of light fittings and light support structures minimise light spill, glare, and loss of night time viewing;
- (f) The extent to which the amount of light falling into habitable rooms of during the hours of darkness is minimised to control effects on indoor amenity and sleep disturbance; and
- (g) Whether the artificial lighting is necessary, suitable and adequately protects the amenity of the surrounding environment.
- (2) The effects of non-compliance with the permitted helicopter flight and/or fireworks display standard on the amenity of surrounding properties:
- (a) The extent to which the additional activities adversely affect the amenity of surrounding properties, having regard to all of the following:
    - (i) the sensitivity of the surrounding environment;
    - (ii) the cumulative effect of numerous infringements of this standard;
    - (iii) the additional number of activities; and
    - (iv) whether there is an operational need for the exceedance.
- (3) The visual effects of the additional bulk and scale of buildings on the amenity of private properties, streets and public open spaces:
- (a) The extent to which the height, location and design of the building allow reasonable sunlight and daylight access to:
    - (i) streets and public open spaces; and
    - (ii) adjoining sites, particularly those in residential zones;

- (b) The extent to which the building avoids, remedies or mitigates any potential loss of privacy for surrounding properties (particularly those in residential zones);
  - (c) Whether there is an operational, technical or locational need to exceed height and/or height in relation to boundary standard/s; and
  - (d) The extent to which adverse effects of the visual dominance of the building on the surrounding area (including roads) are avoided, remedied or mitigated having regard to the amenity and character of the surrounding area and the functional and operational needs of the facility.
- (4) The visual effects of the building design and external appearance on the amenity of private properties, streets and public open spaces.
- (a) The extent to which the building design and external appearance avoids, remedies or mitigates adverse effects on the surrounding area having regard to all of the following:
    - (i) the amenity values and character of the surrounding area;
    - (ii) the functional and operational requirements of the precinct;
    - (iii) whether crime prevention through environmental design (CPTED) principles have been integrated into external building and layout design;
    - (iv) whether long unrelieved frontages and excessive bulk and scale when viewed from the public realm and residential zones have been avoided;
    - (v) whether mechanical and electrical equipment has been integrated into the building design as far as is practicable;
    - (vi) whether quality, durable, fit for purpose and easily maintained materials have been used for building design and construction; and,
    - (vii) whether landscape design is utilised to enhance the visual appearance of the development, including around parking areas and service areas.
- (5) The visual effects of rubbish and storage areas on residential and open space zoned sites:
- (a) The extent to which screening is practicable; and
  - (b) The extent to which distance and topographical matters mitigate likely adverse visual effects.

#### **I414.9. Special information requirements**

There are no special information requirements for this precinct.

**I414.10. Precinct plans**

**I414.10.1. Franklin Trotting Club: Precinct plan 1**

