



NOTICE OF MEETING

HEARING BY COMMISSIONER

I hereby give notice that a Hearing By Commissioner will be held on:-

DATE: **Thursday, 24 July 2003** **TIME:** **9.30 am**

VENUE: **Civic Centre, 6 Waipareira Avenue, Lincoln, Waitakere City**

to consider the business as set out herein and to take any necessary action connected therewith.

22 July 2003

Owena Schuster
COMMITTEE SECRETARY

Telephone (09) 836 8000 extn 8864

MEMBERSHIP:

Commissioner H Bhana

(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

**AGENDA FOR AN ORDINARY MEETING OF A HEARING BY COMMISSIONER TO BE HELD
IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON THURSDAY, 24 JULY 2003, COMMENCING AT 9.30 AM.**

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ON THURSDAY, 24 JULY 2003, COMMENCING AT 9.30 AM.**

**RE-IDENTIFICATION OF LAND AT 1 AND 1A GLENDALE ROAD FROM OPEN SPACE
ENVIRONMENT TO COMMUNITY ENVIRONMENT**

1.0 INTRODUCTION

A1-A2

This report addresses the issues that relate to Proposed Plan Change 1. This Proposed Plan Change relates to a site on the corner of Glendale and West Coast Roads, locally known as 'Glen Eden Green', and seeks to change the existing Human Environment classification from Open Space Environment to Community Environment. The proposed Plan Change comprises a change to the District Plan Maps as attached at pages A1 to A2. (*Affects Map 6 Glen Eden and Map 7 Glendene.*)

The report sets out the statutory process requirements and the policy framework. Furthermore, the report addresses Section 32 issues and provides an analysis of the submission received.

2.0 SUMMARY

The site at 1 and 1A Glendale Road is comprised in two lots, with a total area of 1617m². The land is currently identified as Open Space Environment under the District Plan, although the land is not a reserve.

In October 2001, the Council resolved to transfer the land to Waitakere Properties Limited (Council's property development company), to enable it to be used in conjunction with the adjoining site to the south to facilitate a comprehensive commercial development. At that stage, it was envisaged that the land would primarily be used for car parking associated with the proposed development of a medical centre on the adjoining site, and for additional parking required to serve other users in the vicinity such as the Playhouse Theatre. This was considered necessary to facilitate Council's strategic objectives relating to the strengthening of town centres and in particular the development of the new library and pedestrian precinct in the Glen Eden town centre.

It was therefore apparent that the current zoning of the land (as Open Space Environment) would not be appropriate if the land is to be developed for commercial activities. The proposed Plan Change to re-identify the subject site from Open Space Environment to Community Environment would enable the land to be used for commercial development.

Plans for the new library have been finalised since the subject land was transferred from the Council. Parking for the library will be located at the back of the building with access off Oates Road. Landscaping, which includes planting, seating and footpaths will be provided around three sides of the building. The new library building, associated parking, relocated bus stop and landscaped pedestrian areas will provide a new civic focus to the town centre. Glendale Road will be narrowed by the pedestrian crossing to provide a safer linkage to the western side of the road and the facilities there. The library parking will be available after hours for the Playhouse Theatre. The development of the new library has the potential to contribute significantly to the development of the Glen Eden town centre in a manner that is consistent with the Council's strategic direction. Re-identification of the subject land has to be seen within this context of rationalisation and regeneration. The nature of development that is now proposed on the subject land will provide 'closure' to the western end of the town centre, and provide additional commercial premises adjacent to the Glen Eden shops.

The proposed Plan Change was publicly notified on Wednesday, 9 April 2003 in the New Zealand Herald. One submission was received. The public notice calling for further submissions was publicly notified on Friday, 23 May 2003. None were received.

3.0 THE SITE

3.1 Background

Historically the Glen Eden Post Office was located on the site. Following the divestment by the Crown of its postal services to New Zealand Post Limited (a state owned enterprise) in 1989, the land was transferred to the Glen Eden Borough Council, and the new Post Shop relocated to 254 West Coast Road. The Post Office was subsequently demolished. During this time the land was zoned Commercial B under the Glen Eden Section of the Transitional Waitakere City District Plan. The zoning of the land was changed at the time the Proposed District Plan was notified in 1995, when the site was identified as Open Space Environment.

The land in question, although identified as Open Space is not vested as a park or reserve under the Reserves Act 1977.

3.2 Site Description and Locality

The subject site is at the western extremity of the existing Glen Eden town centre. The site has been maintained as a small gently sloping grassed open space. Apart from a small brick toilet block with a tiled roof located on the site beside the southern boundary, and two picnic tables set on concrete pads close to the front boundary with Glendale Road, the site is otherwise undeveloped. A hedge of pittosporum tenuifolium trees is located along the western boundary against a 1.8m high close-boarded fence. Approximately 3m from, this hedge there is a widely spaced row of six exotic trees with a further two trees along the frontage with West Coast Road. There is also an evergreen tree (Queensland Box), at the northeast corner of the site. Two plane trees and a bus shelter are located in the berm in Glendale Road adjacent to the site.

Adjacent to the western boundary of the site and continuing along West Coast Road the land is classified Living Environment and there is a residentially developed property, then a vacant site (a house having been recently moved off the land) and beyond it there is a church. The land adjoining the southern boundary of the site is in the Community Environment, and contains a two-storey building, which previously housed the Glen Eden Library. A church is located behind the former library building. Further south along the western side of Glendale Road there are other community uses consisting of the Returned Servicemen's Association premises and the Playhouse Theatre, the latter being in the Living Environment.

The shopping precinct of Glen Eden town centre is located in the block bounded by West Coast Road, Captain Scott Road and the eastern side of Glendale Road. It includes both sides of Glen Mall. The western extremity of the existing Glen Eden town centre is opposite the subject site. Glen Mall has been repaved and landscaped to provide a safer pedestrian environment while accommodating local traffic and parking. The pedestrian connections between the shops in West Coast Road and the Mall have also been paved and landscaped with planting and art works. There is new medium density housing behind the existing shops on the southern side of the Mall. The proposed new Council library, which is currently being designed, will be located on the vacant land on the south east corner of Glen Mall and Glendale Road.

4.0 STATUTORY REQUIREMENTS

4.1 Resource Management Act 1991

Section 73 of the Resource Management Act 1991 provides for changes to District Plans. The First Schedule of the Act sets out the process that must be followed for plan changes.

The Council must have regard to Section 74 when changing its District Plan. Section 74 states as follows:

- “(1) *A territorial authority shall prepare and change its district plan in accordance with its functions under section 31, the provisions of Part II, its duty under section 32, and any regulations.*
- (2) *In addition to the requirements of section 75(2), when preparing or changing a district plan, a territorial authority shall have regard to -*
- (a) *Any -*
 - (i) *Proposed regional policy statement; or*
 - (ii) *Proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part IV; and*
 - (b) *Any -*
 - (i) *Management plans and strategies prepared under other Acts; and*
 - (ii) *Relevant planning document recognised by an iwi authority affected by the district plan; and*
 - (iia) *Relevant entry in the Historic Places Register; and*
 - (iii) *Regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Maori customary fishing), -*
to the extent that their content has a bearing on resource management issues of the district; and
 - (c) *The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.*
- (3) *In preparing or changing any district plan, a territorial authority must not have regard to trade competition.”*

Section 5 of the Act sets out its purpose as follows:

- “(1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, "sustainable management" means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while -*
- (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

Case law has emphasised the importance of Section 5 of the Act when considering changes to the zoning of land. In the case of *Cornwall Park Trust Board Inc v Auckland C.C.* (A058/97 2 NZED 360), the Environment Court held that “In considering the rezoning of land the test is whether the zoning is appropriate for the purpose of, and in terms of, the Resource Management Act.”

Section 75 requires consistency with a regional policy statement. In addition, Section 32 imposes a statutory responsibility to evaluate the options available to achieve the Council's particular objectives or policies.

4.2 District Plan Provisions

4.2.1 Open Space Environment

As noted the subject land is in the Open Space Environment, and also falls within the General Natural Area. The District Plan describes the Open Space Environment as "areas of publicly owned open space ranging from the large park areas in the Waitakere Ranges to the small local parks in the urban area."

Policy 10.7 of the District Plan relating to open space states:

"New public and semi-public spaces should be designed in a way that ensures the safety of all users and, in particular, should provide for:

- *overlooking (surveillance) of public and semi-public spaces from surrounding buildings during the day and where possible at night;*
- *direct and efficient movement routes through such spaces;*
- *adequate signage indicating connections with other routes, and the location of the space within the surrounding area for public reserves, walkways, and within Community Environments;*
- *adequate lighting;*
- *integration of pedestrian systems with vehicle routes;*
- *the minimisation of any physical barrier to the reasonable movement of people within any public space."*

Policy 11.5 states:

"New public open space should be designed and located in a way that:

- *minimises isolation and separation of such space from public roads;*
- *maximises access to local neighbourhoods (where that is compatible with the role such open space may have within the Green Network);*
- *where possible, creates or contributes to a neighbourhood focal point;*
- *ensures, where appropriate, integration with the objectives and policies relating to the Green Network;*
- *enhances practical public access linkages between areas of public open space, roads, and to and along waterways and the coast;*
- *enhances the amenity values of the surrounding Environment and neighbourhood character."*

Development in the Open Space Environment has been designed to reflect the above policies and the City's recreation strategies and Reserve Management Plans. Therefore, the development of parks facilities within the Open Space Environment in the City is generally a permitted activity when there is an Operative Reserve Management Plan.

Reserve Management Plans are required under the Reserves Act 1977 to be prepared for all reserves, and are a tool for managing the development and operation of parks, in conjunction with the rules of the Open Space Environment and Natural Area rules in the Proposed Plan. When there is no Reserve Management Plan for a reserve or public open space, all buildings are deemed to be a non-complying activity under the rules of the Open Space Environment in the Proposed Plan. The land at 1 and 1A Glendale Road is not vested as a reserve under the Reserves Act 1977, and therefore has no Reserve Management Plan.

The subject land currently provides for passive recreation on the periphery of the Glen Eden Town Centre.

4.2.2 The Community Environment

The Community Environment includes the town centres and other smaller areas, which are the focus of shopping, service, recreational and communal activities.

Policy 11.14 relates to development in the Community Environment and states:

“Activities and structures located within the Community and Working Environments:

- *must be of a height and scale which is compatible with the scale of buildings of any adjacent Environment;*
- *should not physically dominate any residential building to the extent that the amenity values of an area are adversely affected;*
- *should be screened in a way that buildings, parking and storage areas are not visible from any site adjacent to the Environment boundary.”*

The development controls in the Community Environment are designed to protect residential activities, by requiring a 6m setback from the boundary as well as fencing and landscaping where commercial land adjoins sites in the Living Environment. Other effects, which require management are noise from garage doors, loading bays, fans and air conditioning equipment. Other rules are concerned with providing a level of amenity for pedestrians by requiring canopies or verandas, seating or pedestrian areas and the provision of a certain percentage of display space in the front of a building facing the street. Parking associated with a development is required to be landscaped. Noise controls are also applicable to activities adjoining Living Environments.

5.0 PLANNING FRAMEWORK

5.1 Auckland Regional Policy Statement

The Auckland Regional Policy Statement became operative in July 1999. Section 75(2) of the Regional Policy Statement provides that “a district plan must not be inconsistent with the Regional Policy Statement”. This document is therefore very important to the consideration of any change to a District Plan.

Chapter 2 of the Regional Policy Statement covers “regional overview and strategic direction”. The general approach of the Regional Policy Statement, and the Regional Growth Strategy, is to emphasise consolidation of urban development via intensification within the existing urban area. The policy method, which the Regional Policy Statement adopts in following up this intention, is the “metropolitan urban limits”. The metropolitan urban limits are defined by a Metropolitan Urban Limit Line, which is shown on maps forming part of the Regional Policy Statement. Strategic Policy 2.5.2.3 provides that:

“Urban development is to be contained within the metropolitan urban limits shown on Maps Series 1 and the limits of rural and coastal settlements ...”

Urban development outside the Metropolitan Urban Limit is, effectively, not permitted under the Regional Policy Statement.

Policy 2.6.1.2, relating to urban growth management provides that:

“urban development shall be contained within the defined limits(including the metropolitan urban limits ... and its form shall be planned and undertaken through an integrated process on a regional basis ... In ways that (include) maintain and enhance amenity values within the existing urban area, and achieve high standards of amenity in areas of new development” and “do not give rise to conflicts between incompatible land users” and avoids, remedies, or mitigates adverse effects on the environment”.

Section 2.6.2 - Methods requires that:

“provision shall be made in district plans for urban development of metropolitan Auckland to be contained within the metropolitan urban limits shown on Map Series ...”

5.2 Waitakere City Council District Plan

The general policy approach of the Waitakere District Plan has two main themes – consolidation of urban growth and management of the “Green Network”. In terms of consolidation, the District Plan is consistent with the Regional Policy Statement, in that urban development will be consolidated within the existing urban area, which is the land within the Metropolitan Urban Limit.

In essence then, the urban development made possible through a Community Environment identification in the District Plan is not inconsistent with the Regional Policy Statement. In fact the re-identification of the land is consistent with the possibilities provided for in the Regional Policy Statement.

The subject land at 1 and 1A Glendale Road is not identified in the Regional Policy Statement Maps as being of any Significant Natural Heritage Areas and Landscape Quality, or Significant Landscape Sensitivity.

6.0 THE PROPOSED PLAN CHANGE

6.1 Assessment of Environmental Effects

6.1.1 Amenity / Landscape Aspects

The use of the subject site as a reserve does not allow good integration with the existing town centre given that it is separated from the shops and it is necessary to cross Glendale Road to use it. While it provides a pleasant open space, the facilities for users are limited to the public toilets and two picnic tables and associated seating. There is no shelter from the weather and it is located at the intersection of two major roads, which makes it noisy and potentially dangerous for pedestrians and park users, particularly children. The existing close boarded fence and hedge of pittosporum tenuifolium shrubs currently provides privacy to the residential development on the property adjoining the subject site.

The rules relating to the development of land in the Community Environment, which adjoins land in the Living Environment require buildings to be set back 6m from that boundary and to comply with height in relation to boundary controls of 2.5m plus 35 degrees (southern boundary) or 45 degrees for all other site boundaries.

These rules would ensure that future buildings on the subject site did not limit daylight and sunlight access into adjoining property, which is somewhat necessary in that there is no height control for buildings in the Community Environment. The provision of on site parking is usually the determinant of the size and scale of any future building. Other requirements of the Community Environment rules that would apply to the future development of the site are for a 6m high close boarded fence and a 1m wide planted strip alongside the fence. Therefore the existing hedge and fence would either be retained, ensuring the continuity of existing privacy for the adjoining residential property, or similar screening provided. It should be noted that parking could be provided to within one metre of the boundary with the residential property, but the fence would provide screening.

Currently the landscaping on the site is mown lawn with a row of six deciduous trees about 3m high close to the western boundary, and two along the frontage in the road berm and an evergreen exotic tree on the corner and two behind the public toilets. Without any plans of the future proposed development the retention of the trees on the site cannot be ascertained. Under the vegetation alteration rules in the General Natural Area these trees could be removed as a permitted activity.

The City Projects Manager has indicated that the future development of the land will need to maintain the open character of the frontage with West Coast Road and increase the landscaping to improve the amenity of the street. Although the intersection is now controlled by traffic lights, any future planting would also need to maintain sight lines. The use of species that are compatible with the landscaping theme in the Glen Eden town centre would also be appropriate.

The rules require the provision of landscaping in association with car parking. It is a permitted activity for 5 - 20 cars if 10% of the area in car parking is landscaped. However given that there is a road widening designation along the West Coast Road frontage of the site, and this land cannot therefore be used for parking, it could provide additional landscaping in the interim. Thus an additional 98m² of landscaping could be provided.

Mr and Mrs Ward the submitters have stated that they do not want shops next to their property. However, while the future development of the site has not been confirmed and although the original use of the land for retailing was not contemplated, the identification of the land as Community Environment would allow retailing as a permitted use on the site. However, as discussed in this report, the controls within the Community Environment for the development and use of land where it adjoins a Living Environment would ensure that any adverse effect on the adjoining site that could arise from commercial activity would be minimised and the amenities protected.

6.1.2 Traffic / Transport

Glendale and West Coast Roads are part of the major road network in the City as they are both classified as District Arterial roads in the District Plan. The intersection is controlled by traffic lights. There is a 2.6m wide road widening designation (WCCRW13) along the West Coast Road frontage of the site and the Transport Assets Section of the Council would require that it be retained. Therefore, this means that any development of the site could not take place within the road widening designation. The Transport Assets Section of Council have also advised that in terms of a potentially more intensive use of the site any future vehicle access would need to be provided as far away as possible from the intersection. The existing vehicle crossing at the western end of the frontage on West Coast Road would satisfy this requirement. Any new access from Glendale Road would also need to be located away from the intersection.

6.1.3 Infrastructure

The site is connected to the public water and wastewater systems. There is no stormwater reticulation serving the site other than to the kerb and channel on West Coast Road. Stormwater from the site would be required to drain to the stormwater system located to the west at 290 West Coast Road. Consent from the affected property owners is required for a new stormwater drain to be constructed to the site. Consent and construction is the responsibility of the applicant. Stormwater quality treatment would also be required for development of the site, particularly if a car park is proposed.

6.1.4 Noise

The site is on the corner of an intersection of two major roads, and there is the usual vehicle noise associated with the stopping and starting of vehicles at the traffic lights and the movement of vehicles on both roads. There is currently no protection or screening for users of the park from the traffic noise. If the land is re-identified to Community Environment, if necessary any building on the site could be designed to reduce the internal effects of noise. However, acoustic insulation is only a requirement of the City Wide rules of the District Plan if it is a residential use. The amenity values of the adjoining residential property would be protected by the rules of the District Plan, which do not allow vehicle access doors or loading bays, fans, or air conditioning equipment within 20m of the boundary of a Living Environment.

6.1.5 Cultural / Heritage

There are no known archaeological or heritage issues associated with the land. These are not therefore a constraint to any development option, or a factor to be considered in this proposal to re-identify the land.

6.1.6 Social / Economic

The subject site currently provides visual amenity to the streetscape, particularly for the motoring public as well as limited opportunities for passive recreation. However, the public toilets require modernising and are not well located with respect to shoppers in the Town Centre. There would be new toilets in the proposed new library, and a new stand alone facility within the shopping precinct, that would be available twenty four hours a day. The provision of landscaping along the front of the site would ensure the visual amenities of the streetscape were retained, albeit in a different manner. The proposed pedestrian precinct, which would be provided on the northern and western sides of the new library building, would provide a more conveniently located area for passive recreation.

6.2 Section 32 Considerations

Section 32 of the Resource Management Act 1991 requires a rigorous test to ensure that before any objective, policy, rule or other method is adopted, a local authority has had regard to:

- *The necessity of the objective, policy or rule or other method; and*
- *Other means of achieving the purpose of the Resource Management Act 1991; and*
- *Reasons for and against adopting the proposed objective, policy or rule or other method; and*
- *Evaluation of the likely costs and benefits of the principal alternative means; including consideration of effectiveness and efficiency.*

The Section 32 analysis done prior to notification of the Proposed Plan Change identified that the proposed rezoning was necessary and the most efficient and effective means of achieving the purpose of the Act.

It is summarised below:

The necessity of the objective, policy or rule or other method; and reasons for and against adopting the proposed objective, policy or rule or other method.

The Council has resolved that in order to achieve its strategic objective relating to the development of the Glen Eden Town Centre, the subject land should be developed in conjunction with the redevelopment of the adjoining property in Glendale Road and new civic works being undertaken. The use of the subject land for commercial development would be a non-complying activity in terms of the rules of the Open Space Environment of the Proposed District Plan. While it would be possible to develop and use the land for such activities, an application for resource consent for a non-complying activity would be required and it would potentially be publicly notified. The bulk and location controls may not be appropriate for uses, which do not specifically relate to recreational activities. Retention of the existing zoning would not facilitate the use of the land for Council's stated objectives.

The Community Environment of the Proposed District Plan would enable the natural and the future physical resources on 1 and 1A Glendale Road to be sustainably managed via the implementation of the Objectives, Policies and Rules of the Proposed District Plan.

The re-identification of the land at 1 and 1A Glendale Road from Open Space Environment to Community Environment would provide an appropriate Human Environment to enable further development in the Glen Eden Town Centre, thereby providing for urban consolidation without compromising the amenities of the adjoining residential property.

The re-identification of the land at 1 and 1A Glendale Road to Community Environment would not involve the adoption of any new objective, policy or method. The existing framework of policies and rules within the Proposed District Plan is adequate to address any adverse effects on natural and physical resources arising from land and resource use within the site being identified as Community Environment.

Other means of achieving the purpose of the Resource Management Act 1991; and evaluation of the likely costs and benefits of the principal alternative means; including a consideration of effectiveness and efficiency.

It would not be appropriate to designate for the proposed use as the land is no longer owned by Waitakere City Council. As already noted the option of retaining the Open Space Environment is also not considered appropriate for the future use of the land, as this will not be related to recreational activities. Given that residential development on land in the Living Environment adjoins the western boundary of the subject site the option of re-identifying the land for residential use has also been considered. However, while the rules of the Living Environment would allow potential activities such as commercial development it would be a non-complying activity and potentially would require notification. Furthermore, "mixed use development", which would enhance Council's strategic direction by consolidating a range of uses including higher density residential development, on sites such as the subject site and around transport nodes, would not be precluded by the re-identification of the land to Community Environment.

As it is now proposed to relocate the Glen Eden library to the opposite side of Glendale Road (on the corner with Glen Mall), a new building would be constructed and a landscape pedestrian precinct would be developed on the northern and western sides of the building. The development of the pedestrian precinct in conjunction with the new library would be more conveniently located and accessible to shoppers because they would not have to cross Glendale Road. The existing bus shelter in the berm adjacent to the subject land will be relocated to the edge of the new pedestrian precinct, ensuring that redevelopment is integrated and conveniently located. It is considered that the new library and associated landscaped pedestrian seating and paths would more than compensate for the loss of the subject existing open space.

7.0 ANALYSIS OF SUBMISSIONS

One submission was received from Mr TS and Mrs MP Ward who live at 282 West Coast Road. Their property adjoins the subject site. Their concerns can be summarised as follows:

- Do not want shops next to their property
- Existing open space is suitable for families and people working in Glen Eden
- Question whether an equivalent area of land would be available on the corner of Glendale Rd and Glen Mall for use as open space
- No further submissions were received.

The submitters live in the property adjoining the western boundary of the subject site. The submitters have stated that they do not want shops next to their property. However, the Community Environment zoning would allow shops as a permitted activity. Although when the land was purchased it was originally envisaged that it would be used for parking, Waitakere Properties Limited (the owner of 1 and 1A Glendale Road) have advised that the current plans for the development of the site could include a bank and a video hire centre. The latter is considered to be a retail activity but it has different characteristics from the usual shops. However, the rules for development in the Community Environment also provide protection for adjoining sites in the Living Environment. While some retailing could be undertaken in the future it should be noted that the car parking requirements for banks are lower than for retail activities. Therefore, future activities, such as offices, which have lower parking requirements, are more likely to be suitable occupants of the site.

Other concerns raised by the submitters relate to the existing open space providing for families and people working in Glen Eden. As already discussed a pedestrian precinct will be provided in association with the new library. While the pedestrian precinct would be a smaller area of land, it would be landscaped with seating and planting and better integrated with the existing shops in the Glen Eden Town Centre. It is considered that the proposed pedestrian precinct would better satisfy the objectives and policies of the District Plan relating to the provision of public open space in terms of its location, focus, design and linkages compared to 'Glen Eden Green'.

It is also acknowledged that the development of the site will result in a change to the open appearance of the land. However town centres are dynamic and there is a need to facilitate opportunities to maintain a vibrant town centre. It is considered that the land at 1 and 1A Glendale Road has sufficient association with the activities on the adjoining property in the Community Environment and in the general vicinity of the site.

8.0 CONCLUSIONS

The proposed Plan Change would re-identify the Human Environment of an existing corner site at 1 and 1A Glendale Road from Open Space Environment to Community Environment to provide for future commercial development. This is consistent with Council's strategic objectives of strengthening town centres, in particular the development of the new library and associated pedestrian precinct and urban consolidation. The current use of the subject land does not meet the District Plan policies for open space as it is poorly located in terms of the Glen Eden Town Centre.

Provision of a pedestrian precinct in association with the new library on the corner of Glenmall and Glendale Road would provide the opportunity to provide a well designed open space for passive recreation which is better integrated in the town centre and more conveniently located for shoppers in the town centre. The existing toilets would also be replaced with a new 'eco toilet' elsewhere in the town centre.

The road widening designation on the site would be retained, and in the interim it could be used for additional landscaping as it could not be used for the development of the site.

There would be minor adverse effects arising from the Proposed Plan Change because the land provides a level of visual amenity. The future use of the subject site for a commercial development would require compliance with the rules of the Community Environment. Additional controls apply to the development of sites adjoining a property zoned for residential activities (Living Environment), with yard and height in relation to boundary controls requiring a generous set back. The parking areas within the site would be landscaped to protect neighbourhood amenities. There is existing fencing and vegetation on the boundary, which would continue to provide screening between the residential property of the submitter and the subject land. As the assessment of effects indicated, the use of the land for a commercial activity could be managed to ensure the amenity values of the adjoining residential property were maintained.

RECOMMENDATIONS

That, subject to any contrary or additional evidence being submitted at the Hearing, Proposed Plan Change 1 to the Waitakere District Plan be recommended to Waitakere City Council for approval.

That the relief sought by the submitters is rejected for the following reasons:

- The provision of a pedestrian precinct in association with the new library will provide an open space, albeit smaller than the existing 'Glen Eden Green', in a convenient location for shoppers and workers in the Glen Eden Town Centre.
- The existing fence on the boundary of the subject land and the submitters property would either be retained, ensuring the continuity of existing privacy for the adjoining residential property, or similar screening provided.
- The re-identification of the land in conjunction with new civic facilities would facilitate Council's strategic objectives relating to the strengthening of Glen Eden Town Centre.
- The existing rules relating to development in the Community Environment would ensure that adequate protection of the amenities of the adjoining site in the Living Environment is maintained.

Report Prepared By: Pamela Wells, City Service Planner and Philip Brown, Group Manager: Planning and Community Services.

