

## **Part 1: General Support**

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- 1.1 Waitakere is generally supportive of the proposed Bill, in that the purpose of the Bill –
- “(a) to provide the New Zealand public with safe, unimpeded walking access to the outdoors (such as around the coast and lakes, along rivers, and to public resources) so that the public can enjoy the outdoors; and*
  - (b) to provide for walkways to be declared over public and private land; and*
  - (c) to establish the New Zealand Walking Access Commission; and*
  - (d) to make the Commission responsible for declaring and administering walkways and for encouraging and co-ordinating improvement of walking access and associated activities”*

is laudable and suggests a commitment to both the provision of greater public access (to new walkways) and improved accessibility (to existing public access resources that are unclear or uncertain). Waitakere strongly supports public access to the coast, waterways and lakes, and promotion of an effective form of promoting and enhancing access, however do query some of the mechanisms proposed for this.

- 1.2 Waitakere City Council is a local authority bounded by extensive coasts on three sides: to the west by the Tasman Sea, to the south by the Manukau Harbour, and to the east by the Waitemata Harbour. There are numerous rivers and lakes (including significant water catchment reservoirs) within the district. In addition to these natural resources, half of the City is Regional Parkland, in various tenures, but generally open to the public. For this reason, the majority of the extensive coastline, almost all the lakes and many of the major waterways are publicly accessible. (Refer illustrative Map at Appendix A).
- 1.3 All of the Manukau and Tasman coasts are also subject to the recently assented Waitakere Ranges Heritage Area Act 2008. (Refer illustrative Map at Appendix A).
- 1.4 On the Tasman coast, the only stretch of private land where there is a significant barrier to the public access to the coast, (adjacent to Bethells Beach) is subject to an agreement to negotiate with the Waitakere City Council to establish a walkway pursuant to the New Zealand Walkways Act 1990.
- 1.5 It also appears that the proposed Bill has replicated many of the existing provisions of the New Zealand Walkways Act 1990, which it is proposed to repeal and replace. This approach is also supported, as these provisions will be supported by a weight of case law and existing general practice, that will improve the efficiency and effectiveness of the new law by reducing the ‘lag time’ inherent in the introduction of any new legislation.
- 1.6 Waitakere also support the Bills intention to introduce a Code of Responsible Conduct – with rights come responsibilities and it will be important to the ability of the new Commission in its negotiations regarding access over private land, that it can satisfy landowners that the public

will be educated as to appropriate behaviour when using the walkway, and that penalties are in place where behaviours are unacceptable.

- 1.7 Additionally, the retention of the Liability Clause (Cl 37, of s10 NZWA1990) will be an important asset in the obtaining of additional walking access over private land.
- 1.8 In this respect the use of strict liability offences and offences where intent must be proven as well as reasonable defences are also supported.
- 1.9 Waitakere also supports the Walking Access Commissions intended functions (as set out at Cl.10), particularly Cl.10(c) which relates to the important role of compiling, holding and publishing information about land over which members of the public have walking access. This role in particular will be a massive undertaking, but should yield significant results in 'rediscovering' public access where none was thought to exist, as well as identifying areas where intervention will be required or should be prioritised

## Part 2: Areas of Concern

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### 2.1 General Concerns

- 2.2 Waitakere's concerns are based on a general support of the intent and purpose of the Bill, and are intended therefore to improve the ability of the Bill and the Walking Access Commission (or an appropriately funded and focussed Department of Conservation) and others acting under the Bill to better achieve the purpose of the Bill in an efficient and sustainable manner.
- 2.3 Waitakere strongly supports public access to the coast, waterways and lakes, and promotion of an effective form of promoting and enhancing access, however do query some of the mechanisms proposed in the Bill for achieving this.
- 2.4 In this spirit, Waitakere has concerns about the following broad areas, which are addressed under separate headings, but are inter-related:

#### Need for new Agency/Legislation:

- 2.5 In an urban context and in the context of the Waitakere City area, the Bill adds nothing significant to the suite of mechanisms currently available, that could not be better and more cost-effectively achieved by properly funding and mandating the Department of Conservation.
- 2.6 Waitakere is not aware of any evidence that warrants
- The removal of existing functions from the Department of Conservation;
  - Not properly funding and mandating an existing and expert agency (i.e. Department of Conservation) with these functions;
  - Establishing a potentially costly new agency with no operational capacity or dedicated funding to undertake these tasks; or
  - Transferring these responsibilities to an administering agency inexperienced and ill-equipped for the task (i.e. the Ministry of Agriculture and Fisheries).
- 2.7 The preferred option of a dedicated agency appears to be the result of a narrow analysis of the available options which ignores other interests in the coast and outdoors including habitat and historic values
- 2.8 The creation of a new and dedicated Walking Access Commission is questioned, as while the Department of Conservation has undertaken the role under the New Zealand Walkways Act 1990 pretty well under the circumstances, the mandate of the Department is so wide ranging, combined with severe budgetary limitations, that the provision of walking access (outside of the Conservation Estate) has not received fullness of attention it deserved.
- 2.9 In this respect the statement at p14 (emphasis added) in the RIS is supported:

*The preferred option is to establish a new Crown entity. The new entity will also take over operational responsibility for the New Zealand Walkways Act 1990 from the Department of Conservation. This will rationalise responsibility for walking access in 1 organisation, provide the new Crown entity with a valuable tool for creating 1 particular form of walking access, and revive a legislative mechanism that has become somewhat sidelined in the Department of Conservation because of lack of focus and a lack of dedicated funding.*

- 2.10** However, Waitakere questions whether the best solution to the 'problem' identified is the creation of a new agency with the costs and bureaucracy associated with such a process, or rather the provision of appropriate, sufficient and dedicated funding, combined with ministerial direction to the Department of Conservation, would be a better solution, thereby allowing the Department to provide the human resource and focus required to this issue.
- 2.11** The discussion in the RIS also overlooks the policy decisions made to replace the New Zealand Walkways Act 1975, disestablish the New Zealand Walkways Commission and transfer the responsibilities to the (then) new Department of Conservation. This responsibility has atrophied because a dedicated funding stream was not tied to this function and because of other bureaucratic battles. Waitakere submit that the Walkways function could be re-imposed and appropriately funded (noting that the RIS also had assessed this option as being 'cost neutral').
- 2.12** Adequate funding at the Department of Conservation adequate to discharge its statutory roles (with appropriate contingency monies for fire fighting and whale strandings for example) is an ongoing issue that requires addressing<sup>1</sup>.

Funding:

- 2.13** Waitakere is concerned that the Bill may represent yet another disguised transfer of responsibilities and an unfunded mandate from central government to local authorities.
- 2.14** For example, cl 3 is silent on the construction and funding of newly created walkways. Will the capital and operational costs of 'Controlling Authorities' be met, and how?
- 2.15** Cl.39(1) provides that the administering authority of public land over which a walkway is declared becomes the controlling authority, which results in the functions and powers under Cl.40 being imposed on that authority. The administering authority may only 'not consent' to being a controlling authority, which would allow the Walking Commission to appoint any other 'department, local authority, public body or statutory officer to be the controlling authority of a walkway' including appointing a local authority from outside the district in question.
- 2.16** The New Zealand Walkways Act 1990 contains a number of sections (see esp. s15-18 inclusive) that related to funding sources and activities authorised by that funding. The Bill as proposed contains no such provisions (though these may be rendered unnecessary by reference to the Crown Entities Act 2004, which defines the Commission as a Crown Agent).
- 2.17** It may also be inappropriate for a Bill to specify the funding for the Commission (which would be dependent on Budget), however Waitakere is concerned that the Commissions ability to operate successfully, particularly in respect of its functions in relation to the negotiation and payment of consideration for easements (and the survey of same) over private land; and in the role of compiling, holding and publishing information about land over which members of the public have walking access will be very limited if funding is not secured or left to the Commission to source independently.
- 2.18** Funding is only mentioned in Cl 10(i) which relates to the functions of the Commission in relation to "*administering a fund to finance the activities of the Commission, or any other person, in acquiring, developing, improving, maintaining and administering walking access over any land*", and in Cl 57 relating to the management of grants and gifts to the Commission, including the current Department of Conservation Grants and Gifts Trust Account. In contrast there is more discussion of the Government Superannuation Fund in the Bill than the funding

<sup>1</sup> The continued funding issues within the Department of Conservation is illustrated by the intended layoff of up to 56 staff due to expenditure of core conservancy funds on fire fighting and other contingencies, to the detriment of core conservation work. This should be considered in the context of increased pressure on (and growth of) conservation lands from increased tourism, spread of pest and weed species, increased development, climate change and the High Country Tenure Review.

<http://www.stuff.co.nz/stuff/4490724a10.html>

required to undertake its functions, which will be significant if the purpose of the Bill is to be realised.

- 2.19** Waitakere would also suggest that the offence related fine regime include provisions to ensure that at least a portion of the fines money is payable to the Commission to further its work.
- 2.20** Waitakere submit that in order to promote the purpose of the Bill and undertake its statutory functions, the Commission will require significant funding and resourcing, and that the responsible Ministry provide details to this Committee for its consideration as to the expected budgetary requirements of the new Commission, including setup costs, including a comparison of the costs relating to provision of a dedicated budget (and therefore an ability to focus) in the Department of Conservation.

Better Integration with Resource Management Act 1991 processes:

- 2.21** The maintenance and enhancement of public access to and along the coast and coastal marine area, lakes and rivers is a Matter of National Importance (s6(d)) under the Resource Management Act 1991. The mechanisms in the Resource Management Act 1991 for enabling improved public access are however linked to development, which is often in conflict with other matters of national importance such as 6(a) – the preservation of natural character of the coastal environment; 6(b) protection of outstanding natural landscapes; 6(c) protection of areas of significant indigenous vegetation; 6(e) the relationship of māori with their ancestral taonga; 6(f) the protection of historic heritage; and 6(g) the protection of recognised customary activities.
- 2.22** These other matters of national importance are also reflective of the very sites, locations and landscapes to which the public are drawn and to which public access should be enhanced. However, if the only trade off for development is public access such as through provision of a 20m esplanade reserve, the very values for which public access would be desirable may be denigrated by the development that facilitates the access.
- 2.23** In addition it should be noted that public access is only available along rivers (wider than 3.0m) lakes (greater than 8Ha) and the coast, and only when a subdivision results in a site of less than 4.0Ha – in these cases, a 20m esplanade reserve is required to be vested in the local authority. Where a river is say 2.9m wide, or a site is 4.01Ha no esplanade reserve is required, and the local authority must negotiate access or purchase the reserve, using money from development contributions or rates. Both of these funding sources are however severely limited and generally focussed towards more pressing needs.
- 2.24** It is also noted that while the 20m esplanade reserve is a plan distance, this area may not provide *practicable* public access along sometimes steep waterway margins or coastal cliffs.
- 2.25** Additionally, while the reserve may be provided and the public theoretically has access, such reserves may be *practically inaccessible* by having no linkages to existing public access ways. The limited ability of the Resource Management Act 1991 to provide for a practicable public access network in urban locations is illustrated in Figure 1 below, which is a District Plan zoning map, which shows a fairly typical situation in the upper reaches of the Henderson Creek in Waitakere City – the northern side of the creek has an esplanade reserve (green), while the southern side (probably developed prior to the passing of the Resource Management Act 1991) has intermittent reserves, only created as sites are re-developed or subdivided. However some of the southern bank sites may not be sub-divisible, or may simply never be subdivided, leaving 'pockets' of inaccessible and alienated public land that never develops to a useable network. Such a pattern is also typical of many other urban locations, but would also be repeated in rural and coastal areas, but simply on a larger scale:



**Figure 1:** District Plan land use zoning map illustrating isolated esplanade reserves created via ad-hoc subdivision. This example is illustrative of a 'typical' urban location in Waitakere City, but would be similar to many urban locations. The principal can be applied to rural, coastal and remote locations, where only the scale size of the sites in question change.

- 2.26** Waitakere submits that the Bill is currently a blunt instrument for resolving such matters in an urban context, and for high use urban sites, such as the Okura Walkway (in North Shore City) or the Te Henga Walkway (Bethells Beach in Waitakere City to Muriwai in Rodney District) and should be amended to better provide for the urban context.
- 2.27** It is an increasing trend that subdivision is a 'one time only' opportunity, where once subdivision is approved covenants and other binding agreements in perpetuity are brought down on titles to prevent further subdivision and development, particularly in areas of high natural character (i.e. those locations where public access would be most desirable). It is therefore very important that the 'one off' subdivision process provides for public access in a useful manner, as the opportunity will not arise again. This will require a strategic framework within which decisions of public access can be made, and would be anticipated to be developed by the Commission (refer para 2.30 below).

- 2.28** In high value coastal locations, it is often the 'exclusive' nature of the location that generates sales – it may be in the developers interest therefore to ensure that lot sizes are such, that an esplanade reserve is not provided, leaving the negotiation of public access to local bodies, which would need to pay a high price based on the loss of exclusivity and underlying land values. To facilitate this, often a trade off is made to allow additional lots in return for providing public access, potentially to the detriment of the landscape or natural character.
- 2.29** In these situations it would be desirable that the Commission, with appropriate funding from the central government, could contribute to the maintenance and enhancement of the matter of national importance, rather than relying on the vagaries of local body funding and developers altruism.
- 2.30** It is also submitted that the Commission in its role of (Cl.10(b)) "*providing local and regional leadership on, and co-ordination of, walking access*" should develop maps/plans/strategies illustrating key 'breaks' or gaps in the existing public access network and provide input via the consent process (including non-notified consents) to ensure that these key linkages are provided for.
- 2.31** The Commission will however need to be careful that it does not expend public monies to purchase an easement, only to have a subsequent subdivision or development proposal provide the same. This risk should be balanced against pressing access requirements following from the plan/map/strategy the Commission should develop to identify and prioritise access blockages, as subdivision may never occur. Such risks could be covered by appropriate 'payback' provisions in any walkways lease or easement agreement, where a walkways easement is effectively replaced by an esplanade or other access offered as mitigation for development.
- 2.32** Waitakere have also noted the Members Bill "Overseas Investment (Queens Chain Extension) Amendment Bill" is being considered by this Committee, which appears to concern itself with similar subject matter – it may therefore be appropriate for some aspects of the Members Bill to be incorporated into the Public Bill currently being considered, (or the reverse as the case may be) with amendments to reflect the intended role of the Walking Access Commission under this proposed Walking Access Bill.
- 2.33** Waitakere therefore submit that the Walking Access Bill should be amended to better integrate with the Resource Management Act 1991, particularly in relation to s6(d) Resource Management Act 1991 matters and the subdivision process.
- 2.34** Should legislative amendment not be considered appropriate, the development of a National Policy Statement linking the Walking Access Commissions functions and (once developed) maps/strategies/priorities with s6(d), is a possible alternative that could improve integration of the intentions and purpose of the of the Bill with existing Resource Management Act 1991 processes.

Applicability to Urban Context:

- 2.35** The proposed Bill appears to have been written with a focus on provision of access to rural and remote locations – the coast, rivers and lakes. However, the issue of walking access in urban areas is also of concern to Waitakere, and the government as illustrated in the Local Government (Auckland) Amendment Act 2004, the New Zealand Urban Design Protocol and various other policy documents and legislation intended to promote walking and cycling as alternatives to the motor vehicle for a wide range of positive health, social, economic, and environmental outcomes.
- 2.36** Identified barriers to the achievement of such outcomes is the built form, or layout of street networks, particularly their interconnectedness. A connected street network facilitates non-vehicular transport, by reducing the distance between points. A convoluted and disconnected

street network, characterised by winding streets and cul-de-sacs (common in many post 1950's sub-urban areas across New Zealand) which promotes use of the private motor vehicle, discourages walking and cycling, and causes inefficiencies for public transport provision.

- 2.37** Waitakere submits that the Bill should recognise that the provision and improvement of walking access in urban areas (for similar but distinct reasons from those why walking access is desirable in rural or remote locations) is important, and should form part of the ambit of the Bill and the Commission.

Public Liability:

- 2.38** A key benefit of the Bill is the retention of s10 New Zealand Walkways Act 1990 in Cl 37 of the Bill, which absolves the landowner of liability (except for deliberate act or omission).
- 2.39** This theme is also followed in the Transitional Provisions (Clauses 72 to 75 inclusive), which provides for the transfer of responsibilities for existing easements and liabilities from the Director-General of Conservation and New Zealand Walkways Act 1990 to the Walking Access Commission and Walking Access Bill.
- 2.40** However, there appears to be a conflict in Cl75(1) which absolves the Commission of liability for acts or omissions under the New Zealand Walkways Act 1990 – Waitakere would be concerned that the Walking Access Bill appears to remove a key protection for landowners who have entered into Walkway agreements with the understanding that liability rests with the Crown, to have this protection removed.
- 2.41** Waitakere submits that this issue will need clarification in the final drafting.

Ability to Compel:

- 2.42** The Bill as proposed is enabling, and presupposes a situation where a willing seller and willing buyer meet and amicably agree for mutual benefit. Unfortunately such a relationship may not exist in all situations, and the ability of the Commission to give effect to the purpose of the Bill may be limited without the power to compel.
- 2.43** Waitakere submit that the Bill should include provisions either specifically, or by reference to the Public Works Act 1981, and/or the designation process under the Resource Management Act 1991 for the ability for the Commission, where a genuine public access need is identified, to compulsorily acquire a walking access easement.
- 2.44** Such a provision will require checks and balances and should only be used as a last resort, where good faith negotiations have failed. Wording such as that proposed in Cl.3 of the Overseas Investment (Queens Chain Extension) Amendment Bill provide a good starting point for the drafting of appropriate provisions to enable this power. This private members Bill is attached at Appendix B<sup>2</sup>.

Adjacent Land:

- 2.45** The Bill provides for a number of offences, where "every person commits an offence who, without lawful authority, - " Offences listed in Cl57 and Cl59 refer to 'a walkway or land adjacent to a walkway'. In contrast the New Zealand Walkways Act 1990 refers to 'on a walkway, or within 100m of a walkway', where proximity of activities to a walkway is a concern.
- 2.46** In this manner, while flexibility is provided as a discretion, the Bill would effectively impose strict limitations on any land parcel that abuts the walkway easement, under force of an offence

<sup>2</sup> downloaded from: [http://www.parliament.nz/NR/rdonlyres/3A99A01B-320C-48CC-B23C-DC54ABD453FC/73056/DBHOH\\_BILL\\_6198\\_2699994.pdf](http://www.parliament.nz/NR/rdonlyres/3A99A01B-320C-48CC-B23C-DC54ABD453FC/73056/DBHOH_BILL_6198_2699994.pdf)

against the Bill. The situation may arise, where, for example, a walkway is provided over private land to conservation land (such as a forest park) where hunting is permitted – while the access agreement may permit the carrying of firearms, the Bill would preclude the discharge of that firearm on the land adjacent (i.e. the forest park/conservation land) which would be a strict liability offence subject to a \$1000 fine.

- 2.47** This would include many common activities for which walking access would be required, such as hunting, possum trapping and so on.
- 2.48** Waitakere submits that the exception clause “without lawful authority” be clarified to ensure reasonable use of adjacent land is not unnecessarily or unintentionally curtailed, particularly as this may result in many landowners being wary of allowing a walking access easement.

### **3.0 Summary**

In summary, Waitakere supports the Walking Access Bill 2008 in principle for the reasons outlined in Section 1 of this submission.

However, Waitakere also have some concerns with the specifics of the Walking Access Bill 2008 as proposed, which are outlined in Section 2 of this submission.

Most of the concerns are however based on ensuring the Bill better achieves its purpose in an efficient and sustainable manner, for which some suggestions are proposed.

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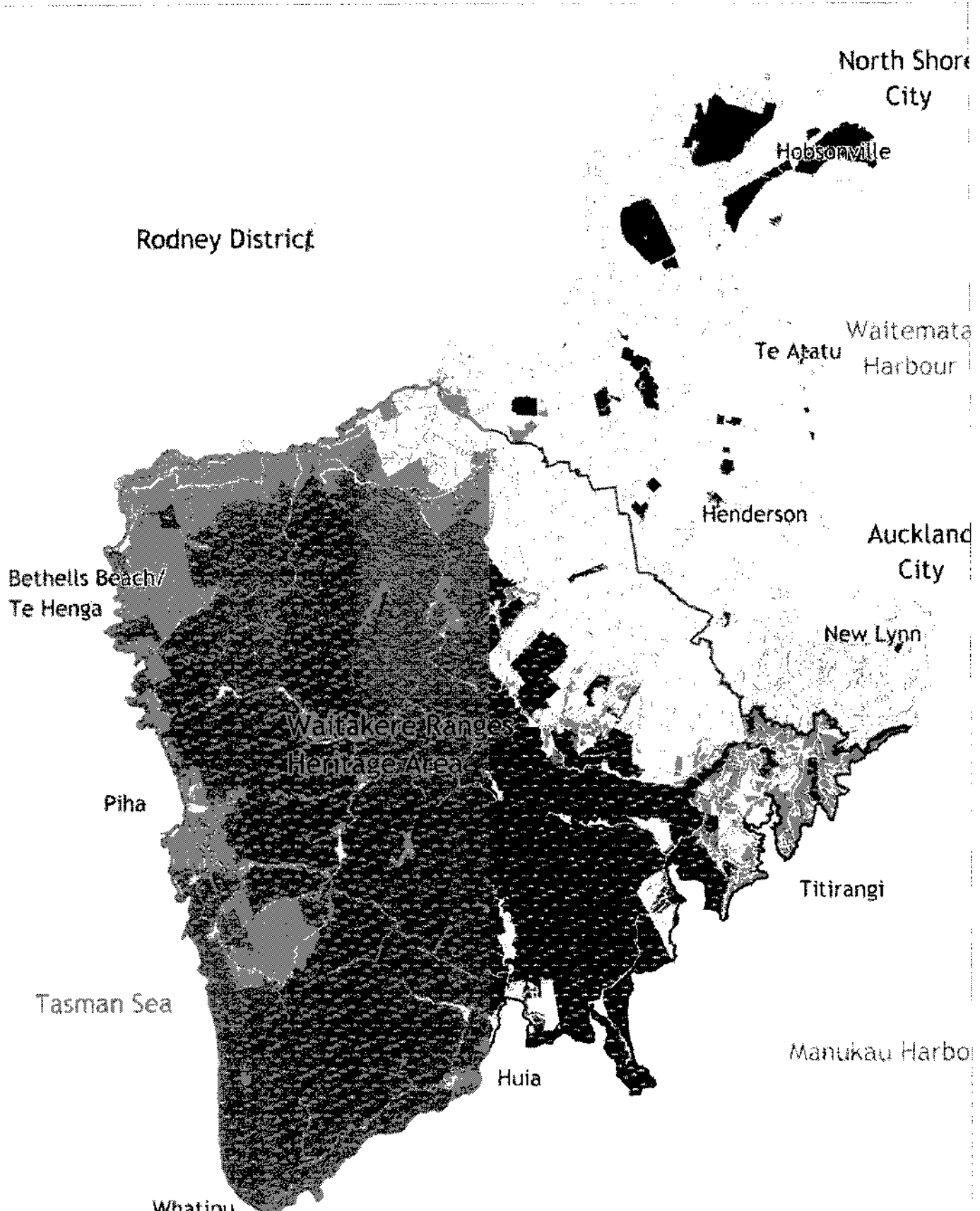
Signed for, and on behalf of the Waitakere City Council:

  
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Graeme Campbell, Director, Strategic Planning

23 May 2008

**APPENDIX A:**

Map of Waitakere City illustrating coastline, waterways and lakes, existing public reserves and the Waitakere Ranges Heritage Area.



Created: 23/05/2008  
 Scale: 1:400000 @ A3  
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**Streams, Water Bodies, Coast and Public Reserves**  
 Waitakere Ranges Heritage Area and Waitakere Ranges Regional Park

## Executive Summary

- The nature of ownership within the centre is fragmented and predominantly that of private investors and family trusts. Many of these investors have adopted passive investment strategies and this has contributed to the current micro-economic environment, whereby an aversion to vacancy has rated above proper profiling of the asset and its suitability for particular tenant types.

This has resulted in a somewhat conservative approach to growth of the assets and a continuation of existing uses, despite their apparent poor performance

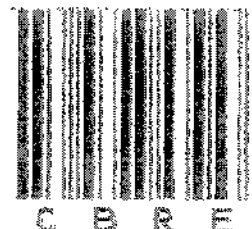
- Rentals throughout the mainstreet offer some of Waitakere City's most affordable retail and office accommodation options.

In general terms, rentals north of the Harbourview Road and Taikata Road intersection, generally fall within a range of between \$1,200 - \$1,500 per month. Towards the central mainstreet, higher rentals predominate, although the quality of accommodation is somewhat mixed affecting the variance of the rental range.

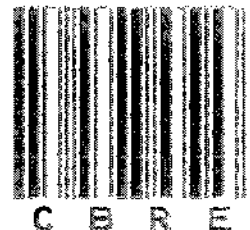
Our discussions with local occupiers has revealed that many acknowledge the role that Te Atatu Peninsula plays is of a secondary centre and therefore quality and rental price are not major considerations.

- There is a disproportionate concentration of convenience and takeaway food outlets coupled with discount variety stores. The establishment of these uses would tend to indicate an economic environment driven by rental affordability, rather than strategic location within the centre.

The centre's requirement for change is therefore prompted by the necessity to accommodate the local population's needs, re-identify the centre's role and economic function and provide a sustainable basis for growth and intensification.



- We believe there are a range of activities that are not represented or would be suitable within the town centre, however specific identification of these activities is a somewhat irrelevant exercise as market forces will dictate their occupation. We believe that the centre's role is firmly that of providing convenience services and retail opportunities.



- Boutique retailing, such as fashion, electronics and furniture would appear to offer limited appeal to the catchment, as more extensive ranges are readily available within the nearby regional centres of Henderson and Westgate.

Rather, it is our opinion that specialised food retailing (fresh meat, fish and poultry retailing) and pharmaceutical and other store-based retailing (stationary, used goods and flower retailing) provides a more suitable base, coupled with a range of health and professional services.

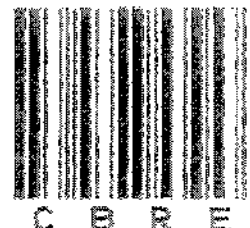
- Our investigations, in conjunction with Waitakere City Council's consultation with local stakeholders, confirms that a number of proprietors are intending to undertake redevelopment of their properties, typically by way of low to medium rise apartment complexes, with ground floor commercial frontages.

As these owners have not participated in active management of their assets, this has resulted in a somewhat circular scenario, whereby rental returns are not sufficient to feasibly develop new stock, without developing higher yielding residential units in conjunction with commercial components.

- Te Atatu Peninsula is currently experiencing a change in demographic, with two age ranges in particular experiencing a significant uplift during the period between 2001 and 2006. Specifically, those residents aged 35 - 49 years and over 65 years of age have grown in representation.

Waitakere City Council have questioned whether the changing demographic will affect local spend and development 'on the ground'.

Our brief investigation of markets affected by aging populations reveals that historically, developments have had limited regard to the particular age characteristics of the surrounding population. More so the rationale for new development is based upon attracting tenants seeking quality accommodation, able to pay premium



rentals over and above required rates of return. These include high turnover or high margin business and those which have a national presence.

- There would appear to be limited demand for office accommodation within Te Atatu Peninsula, largely as a result of locational barriers (transportation, labour supply pool) in addition to such requirements being satisfied elsewhere.

Given the nature of the location upon a Peninsula and the lack of uses that would attract co-location of office activities, we would envisage continued soft levels of office attraction, other than professional, bank and real estate services.

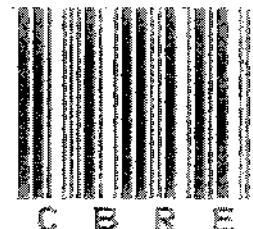
- We have completed a trigger point analysis whereby retail and office redevelopment could proceed on a feasible basis.

Whilst we acknowledge that there are a number of subjective factors which would affect required rental rates, we are able to confirm that in general, ground floor retail rates would need to breach \$300 psm and office accommodation achieve rental rates of at least \$230 psm, excluding GST and outgoings.

These rates exceed those found elsewhere within Waitakere City and therefore, modern redevelopment is unlikely to proceed in the short term unless it is underpinned by higher yielding development. Although rental rates in excess of this threshold have been achieved within the Bella Vista development, we do not believe there is sufficient depth within the market at present to attract these rental rates and occupier types.

Recommended interventions and measures that we believe warrant further investigation include:

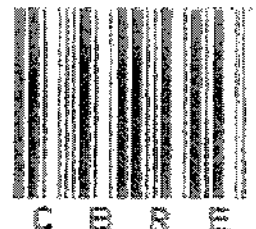
- The existing tenant composition of the centre is weighted towards convenience foods and discount variety stores, attracted to the centre by low to moderate rental levels. This has resulted in a tempering of rental growth by comparison to other established town centres throughout



Waitakere City and accordingly the centre has attracted a secondary profile.

We believe that a contraction, rather than expansion, of the retail core may be required in order to provide equilibrium to the nature of uses and rentals able to be paid. With increased scarcity of space, there is a greater likelihood of 'higher and better' being attracted.

Although the addition of new bulk to the centre, may equally provide accommodation suitable for more highly regarded, nationally branded tenants, we believe that this may result in further piecemeal style development and as a consequence, exacerbating those areas which continue to perform poorly.



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- The style of recent (and proposed) development within the centre has been somewhat opportunistic, being clustered around sites which were previously vacant or presented few complexities with regard to their relationship with adjoining residential development.

In order to optimise the layout and configuration of the existing centre's roading and pedestrian network, we would advocate clustering of uses and promotion of development types within various quadrants.

For example, we have identified that commercial office facilities should be fostered within the north-western quadrant of Te Atatu Peninsula, where low-moderate retail rental rates predominate and development effects can be more effectively mitigated.

In addition, Council should actively support residential focussed development upon 'landmark' and 'gateway' corner sites within the centre, which benefit from uninterrupted views towards the Upper Waitemata Harbour and/or benefit from a close association with public amenities (Community Centre, Village Green, Jack Pringle Park).

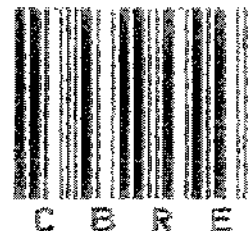
These initiatives will potentially enhance the function of the town centre, by consolidating retail focus towards the core and creating an 'amphitheatre' of development around larger parcels such as the Community Centre and Woolworths sites.

- Other than general market movements in apartment values and retail rentals, car parking requirements would appear to impose the greatest barrier to redevelopment within the centre.

It is our recommendation that Council develop a clear and definitive policy with regard to onsite car parking within Te Atatu Peninsula and investigate other interventions relating to car parking as noted below.

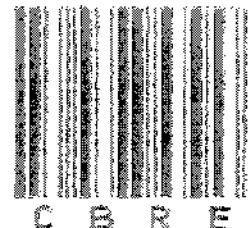
- It has previously been identified that the centre is well served by public car parking, comprising a mix of public kerbside car parks, those located within council owned facilities and larger lots of a private nature.

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We have an opinion to the contrary, as kerbside car parking along the mainstreet has contributed to congestion as the Peninsula's population has grown; council facilities are segregated from the retail core and private car park lots offer no secure future car parking benefits.

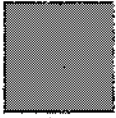
Rather we believe that a comprehensive public car parking / transportation area should be provided, to promote extended customer stays within the centre and a reinforced focus towards the western mainstreet frontage. Furthermore, such a designated area would provide for future retail expansion opportunities to its periphery and promote the potential for dual / split retail frontages upon the existing mainstreet properties given their extended lot depth.



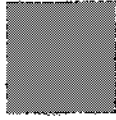
# Te Atatu Town Centre Concept



Design Concept Report  
Prepared for Waitakere City Council  
2 June 2008 [www.wkc.govt.nz](http://www.wkc.govt.nz)



# contents



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- mix + intensity 14-17
- movement + circulation 18-21
- public space 22-23
- community 24-25

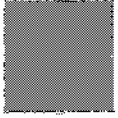


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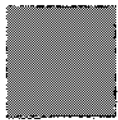


part I: background

background

|                       |     |
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## background

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In the 1990's, Waitakere City's investment in the town centre upgrade & joint development of Harbour View was a catalyst for further private investment.

However, council & the community have recognised that Te Atatu Peninsula needs to plan for the future. A series of community workshops in 2007, followed by technical work, has laid the basis for preliminary concept planning for the peninsula, focussed around the core town centre.

With a current (2006) population of 11,688 people, the Peninsula is expected to absorb a further 2,500 people by 2021. Waitakere's Growth Strategy also anticipates a corresponding increase in commercial activity, with a further 1,000 jobs on the Peninsula (a 200% increase from present).

To accommodate this growth in people & jobs, development on the Peninsula will need to intensify. Over the last 5 years, the majority of population growth has occurred in the new developments on the eastern side of the town centre, in particular Harbour View.

Much of the recent new development has been high quality medium or higher density, demonstrating the market interest in such product. Community acceptance of new forms of living has been encouraged by the high standard of design, both internal amenity & public spaces, delivered by comprehensive development. The town centre has benefited from more residents living within walking distance.

Harbour View was an early demonstration of comprehensive development taking into account sustainable urban design principles. Higher density living was concentrated closer to the town centre or overlooking

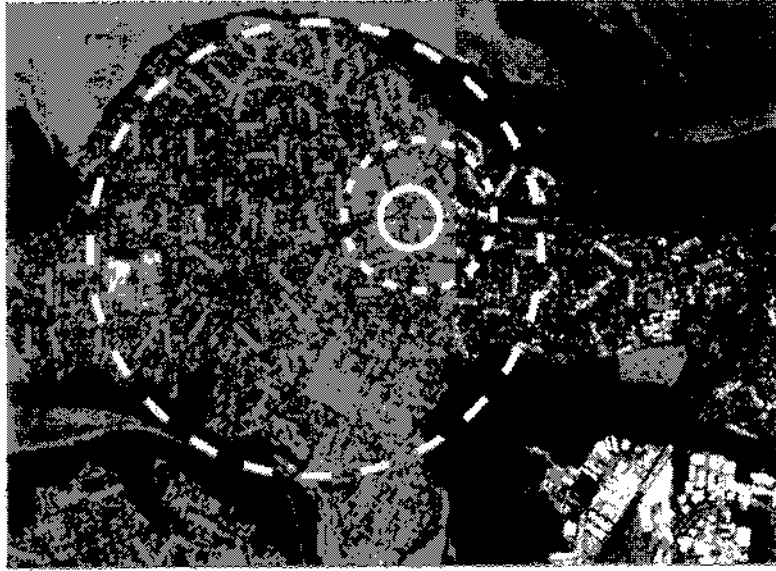
the high amenity of parks or coastal edge. A connected network of open spaces, & streets designed to calm vehicle traffic, provided direct & safe walking routes to town & local facilities. Design standards for new housing ensured that streets were overlooked by balconies & windows, & streets were not dominated by high walls or garage doors.

Later development of apartments & mixed use retail & residential complexes at the edge of Harbour View have continued to demonstrate these principles. Concept plans for the remainder of the town centre must encourage pedestrian-friendly streets & continue to provide opportunity for viable commercial development.

Within the town centre itself, there are two major sites ready for investment, the council's library & community centre, & the Waitakere Licensing Trust's facilities. Both sites are in critical locations to contribute to the town centre, providing an opportunity to rationalise circulation around the east of the centre, & provide a strong edge to Jack Pringle Park, linking the town centre to the harbour's edge.

Planning for the Peninsula must also demonstrate areas appropriate for future redevelopment as market demands grow & pressures to redevelop existing areas increase. As demonstrated at Harbour View, higher intensity housing works best when it is around higher amenity (such as parks or views) or within walking distance of the urban amenities of town.

## te atatu peninsula design brief



In response to the expected growth in Te Atatu South, this document acts as a guidance tool for the proper design & development of the following areas;

### peninsula structure plan

- managing growth + change
- future opportunities

### town centre development concept

- managing growth + change
- commercial & retail locations
- opportunities for residential intensification
- connections
- public spaces

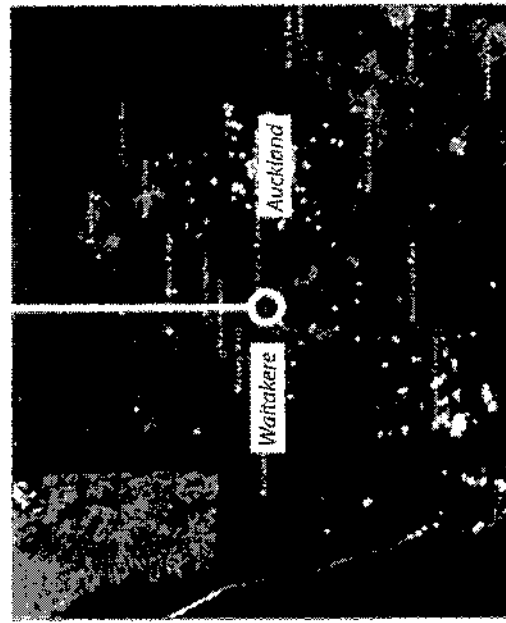
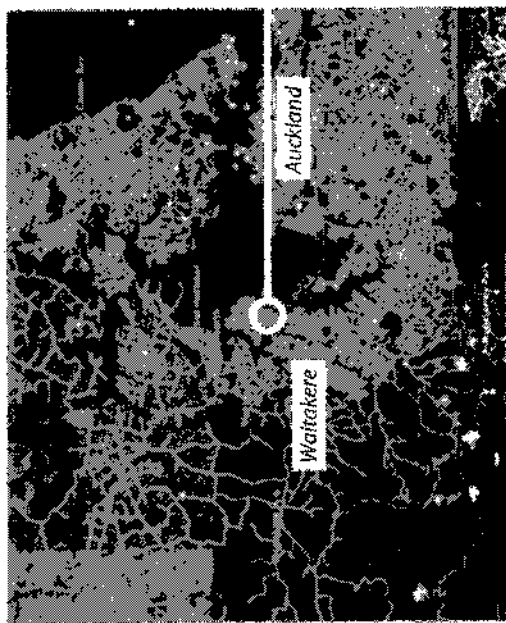
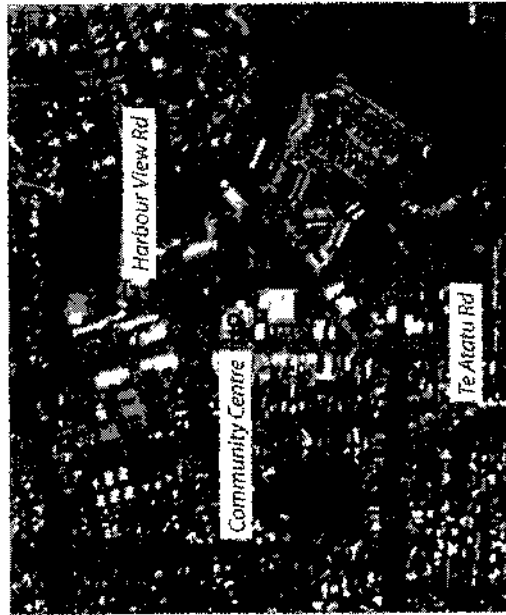
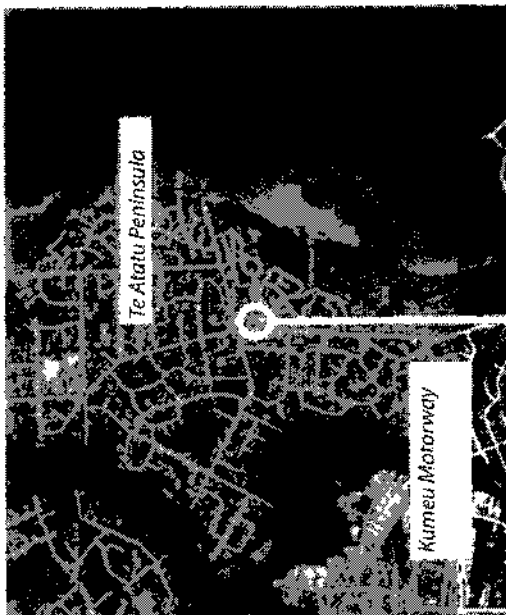
### town centre core

- upgraded library + community centre
- redevelopment of licensing trust land
- linking green networks
- pedestrian safety + amenity

background

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location



background

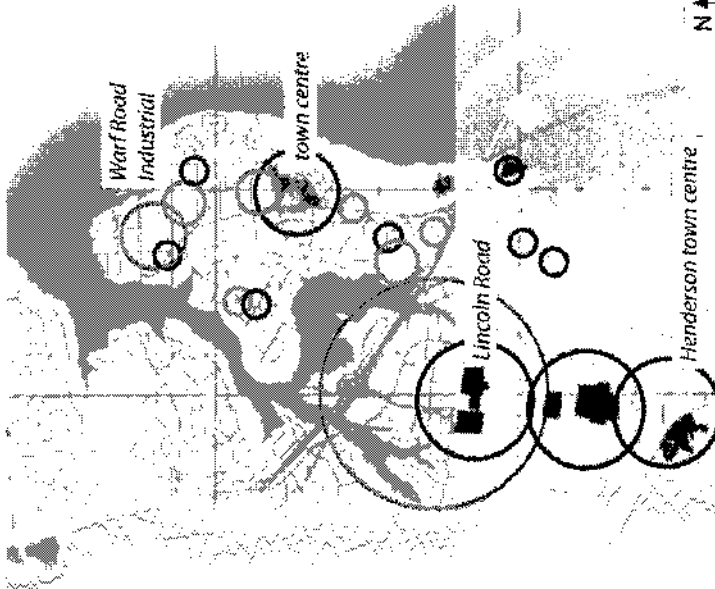
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# growth

# background

Te Atatu South is growing in population. In the five years prior to the 2006 census report, Te Atatu's population grew by 14%. The population is expected to increase in size of nearly 16,000 residents by 2030. Assuming the current average household size with remain constant, an additional 1,500 homes will be required over the next two decades.

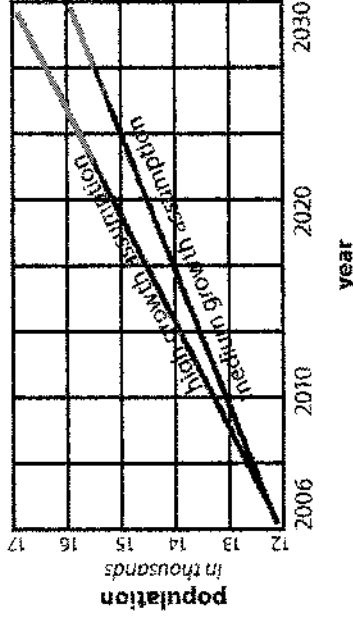
Currently the Peninsula provides jobs for 1,380 people, amounting to a less than 12 jobs per 100 persons. Although the total employment in the centre has grown 19% since 1997, predominantly in the retail sector, it will need to grow much more if Te Atatu hopes to become a sustainable city.



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## commercial & working centres

- living reserve
- working
- commercial
- education



Te Atatu Peninsula Projected Resident Population 2006-2031  
 Durham Green, Te Atatu Central & Matipo Census Area Units  
 (Source: Waitakere City Council: 2001 Statistics NZ CAU projections  
 rebased to 2006 Statistics NZ Territorial Authority projections)

| 2006                   | Te Atatu Central | Durham Green | Matipo | Total |
|------------------------|------------------|--------------|--------|-------|
| dwellings              | 1578             | 1413         | 1044   | 4053  |
| residents              | 4461             | 4404         | 2823   | 11688 |
| Average household size | 2.83             | 3.12         | 2.70   | 2.88  |

Te Atatu Resident Population 2006  
 (Source: New Zealand Census, Population, 2006)

part II: issues + current state



issues + current state

|                        |       |
|------------------------|-------|
| issues + current state | 11    |
| the town centre        | 12-13 |
| mix + intensity        | 14-17 |
| movement + circulation | 18-21 |
| public space           | 22-23 |
| community              | 24-25 |

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the town centre

issues + current state

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# the town centre

## issues + current state

### town centre points of intervention

- managing growth + change
- commercial & retail locations
- opportunities for residential intensification
- connections
- public spaces

### issues to address

- mix + intensity of uses
- movement + circulation
- community + public space

### the town centre

- neighbourhoods within 5-minutes (400 metres) walk from central business district
- community "heart" - Te Atatu Rd mainstreet + community facilities
- green network links
- central roundabout
- 'gateway' into the town centre



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