

RECOMMENDATION REPORT OF THE JOINT HEARINGS PANEL TO THE PLAN CHANGES NOTIFIED IN ACCORDANCE WITH THE LOCAL GOVERNMENT (AUCKLAND) AMENDMENT ACT 2004 AND THE RESOURCE MANAGEMENT ACT 1991

WAITAKERE CITY DISTRICT PLAN

PROPOSED PLAN CHANGE 14 (HOBSONVILLE VILLAGE CENTRE)

File Reference : Report WCC: 8B

1. OUTLINE

This report is part of a series of reports that contain the recommendations of the Joint Regional Policy Statement and District Plan Changes Hearings Panel (“the Panel”) following consideration of submissions and further submissions received in relation to Plan Change 14. Other submissions and further submissions to these Plan Changes are dealt with in additional topic based recommendation reports.

The Panel was jointly appointed by the councils of the region under the Local Government (Auckland) Amendment Act 2004 (“the LGAAA”). Following consideration of all the submissions and supporting evidence presented and/or tabled by the submitters and further submitters at the hearings, and the reporting officer’s report, the Panel now makes the recommendations contained in this report to the Auckland Regional Council (“ARC”).

To reiterate, this report contains the **recommendations** to Council of the Panel on submissions that have been made during the course of the hearings. **It is not the decision of the Council.**

The suggested amendments to the Waitakere City District Plan arising from the Panel recommendations discussed throughout this report are set out in the Panel Recommendation amendments to the Plan Changes, dated 28 May 2007. This forms Appendix 1 to this report.

2. BACKGROUND

Plan Changes 13-18 were notified on 31 March 2005 as a mandatory requirement of the LGAAA.

The LGAAA mandates that all councils in the Auckland Region integrate their land transport and land use provisions and ensure these are consistent with the Auckland Regional Growth Strategy (“RGS”), give effect to its Growth Concept and contribute to the land transport and land use matters specified in Schedule 5 (s39 & s40 LGAAA).

The matters that the LGAAA requires to be included in changes to statutory documents support the purpose of the Resource Management Act 1991 (“RMA”) in promoting sustainable management of natural and physical resources.

3. THE PANEL AND THE HEARINGS PROCESS

3.1 The Joint Hearings Panel

The Panel was comprised of the following members:

Cr Paul Walbran (Chair)
Cr Wyn Hoadley (Deputy Chair)
Cr Carolynne Stone
Cr Neil Morrison
Cr Bill Smith
Lindsey Rea
David Hill
Alan Watson

The members of the Panel included regional councillors, city and district councillors, a community board chairperson and two independent commissioners.

The councils of the region jointly delegated to the Panel their powers, functions and duties to hear submissions and make recommendations (under s41(1) and (2) LGAAA, and s24A RMA) on the following 15 proposed plan changes:

AUCKLAND REGIONAL POLICY STATEMENT

Proposed Change 6 - Giving Effect to the Regional Growth Concept and Integrating Landuse and Transport.

Proposed Change 7 - Metropolitan Urban Limits

AUCKLAND CITY DISTRICT PLAN –**Operative Isthmus Section**

Proposed Plan Modification 175 - Giving Effect to the Regional Growth Concept

FRANKLIN DISTRICT PLAN

Proposed Plan Change 20 - Changes Pursuant to Local Government (Auckland) Amendment Act 2004.

MANUKAU CITY DISTRICT PLAN

Proposed Plan Change 12 - Manukau's Growth.

NORTH SHORE CITY DISTRICT PLAN

Proposed Plan Change 12 - Redraft of parts of the North Shore City District Plan - Required by the Local Government (Auckland) Amendment Act 2004.

PAPAKURA DISTRICT PLAN

Proposed Plan Change 10 - ARPS Changes to the Operative District Plan.

RODNEY DISTRICT PLAN

Proposed Variation 22 to the Proposed District Plan 2000
Proposed Plan Change 97 to the Operative Transitional District Plan 1993.

WAITAKERE CITY DISTRICT PLAN

Proposed Plan Change 13 - Hobsonville Airbase;
Proposed Plan Change 14 - Hobsonville Village Centre;
Proposed Plan Change 15 - Massey North;
Proposed Plan Change 16 - Managing City Growth;
Proposed Plan Change 17 - New Lynn;
Proposed Plan Change 18 - City Wide Urban Design Rule

3.2 The Hearings Process

The proposed plan changes were notified by local authorities by 31 March 2005, in accordance with section 39 of the LGAAA. Given the number of proposed plan changes and the predicted volume of submissions to be dealt with, the Panel agreed that submissions were to be separated into categories. The categories used are detailed in the following table:

Category	Topic	Number of Submissions	Number of submitters and further submitters
A	General Growth	1575	266
B	Infrastructure / Natural Resources / Rural / Countryside Living	1098	174
C	Business Issues & Retail Location	290	93
D	Transport	534	115
E	MUL Issues (Not Hobsonville/Massey North)	79	85
F	Housing Lobby Identical Submissions	996	520
G	Swanson / Penihana	251	229
H	MUL Hobsonville and Massey North	1041	197
I	New Lynn	332	48
J	Urban Design WCC 18	281	32
K	Howick	60	29
M	ARC Miscellaneous	8	32
W	WCC 16 & 18 (Miscellaneous)	20	12
TOTAL		6565	1832

Hearing Reports were generated by each local authority in the region under Schedule 1 of the RMA for each category – 50 reports in total. Public hearings were notified and held for each category, addressing all submissions deemed by the relevant Hearing Reports to fall within that category. In total, there were 46 hearing days, commencing on 27 April 2006. A further 12 days were utilised for site visits and deliberations. The Panel allocated time at the end of each hearing day to conduct preliminary deliberations. Additionally, more in-depth interim deliberations were held at the end of each topic. The last day of deliberations following the hearings was on 21 May 2007.

The Panel obtained legal advice in relation to the scope of the hearings process and other key issues raised prior to and during the hearings.

In forming its recommendations, the Panel focussed on the purpose of the LGAAA – to integrate land use and land transport provisions to ensure consistency with the growth strategy, give effect to its Growth Concept and contribute to the matters specified in Schedule 5 of the LGAAA. Under the legislation, local authorities were mandated to notify changes to the RPS and all District Plans to achieve this purpose – a substantial process.

The LGAAA came into effect on 1 July 2004 and notification of changes was required from all local authorities by 31 March 2005. It is relevant that, while District Plans are required to give effect to the RPS, the proposed changes to the RPS were notified at the same time as the proposed amendments to the District Plans.

Due to the relatively short timeframe and substantial changes envisaged by the LGAAA, there has been a mixed approach from local authorities, with different levels of detail reflected in the various proposed plan changes. This had the potential to frustrate the purpose of the LGAAA in terms of achieving integration across planning documents. Given the ambitious task set by the LGAAA, the Panel has taken the decision to concentrate its efforts on ensuring the RPS gives effect to the Growth Concept and meets the purpose of the LGAAA. The Panel considers that, once the RPS reflects the aims of the LGAAA, the District Plans will be required to give effect to the RPS and consequential amendments to the Plans will follow accordingly.

The Panel noted that many of the submissions focussed only on the plan changes and variations notified under the LGAAA. These changes were in many instances “filling the gaps” that existed in the current planning documents. When considering the Panel’s recommendations it is necessary to take into account the changes notified under the LGAAA, the existing District Plans, and other changes that have been notified both before and during the LGAAA process. The Panel was advised that work that each council currently has in train provides an indication of each council’s longer term plans.

The Panel also noted that many of the submissions lodged under the LGAAA were made in respect of the RPS and simply stated that the District Plans should be amended to reflect any changes to the RPS. The Panel considers that the issues raised in these submissions are best addressed after local authorities release the

decision reports and any appeals to RPS Change 6 and RPS Change 7 are concluded. It will then be clear to what the District Plans must give effect.

This approach was not universal across the region or for all issues raised by the submissions. Some proposed District Plan changes were substantial, for example, those put forward by Waitakere City. In such cases, the Panel has dealt with the proposed changes in the same level of detail as the proposed RPS changes.

The Panel considers that the approach outlined above is practical and realistic, and will give local authorities time to prepare the necessary changes and carry out consultation with local communities. Ultimately, the objectives of the LGAAA can best be achieved by allowing the process in respect of the RPS to run its course, with subsequent amendments to District Plans in the context of a clear and robust RPS. Legal advice to the Panel has confirmed this approach.

3.3 Evidence

The Panel has received extensive and detailed evidence from submitters during the hearings process. The Panel has carefully considered this evidence and the substantial number of submission points put before it. This recommendation report does not attempt to comprehensively summarise each submission point and/or piece of evidence as this would result in an unduly lengthy report without substantially adding to the recommendations.

3.4 Integration

A key element of the LGAAA is the requirement for “integration” in a number of aspects. These include “*giving effect, in an integrated manner, to the growth concept*” and “*contributing, in an integrated manner, to the matters specified in schedule 5* “. Changes that seek to achieve these requirements must, in relation to each other, be integrated (s40 LGAAA). Schedule 5 also refers to “*facilitating integrated transport management*”, and “*integrating transport and land use policies*”.

Integration is therefore required within each of the planning instruments, and across all planning instruments in the Auckland Region. The Panel recognises the importance of integration to the LGAAA process and has been very mindful of this in its deliberations.

The Panel has made a number of recommendations on matters which provide integration across the planning documents, for example the recommendations to include material on the following:

- recommendations in relation to corridors
- recognition of regionally significant infrastructure
- integrated transport assessments
- Appendix H on densities required to support public transport

These, and other matters, are discussed further in the Panel Key Issues Recommendation Report.

4.1 PANEL KEY ISSUES RECOMMENDATION REPORT

In response to the extensive detail and evidence presented, the Panel has produced a Panel Key Issues Recommendation Report (the “Key Issues Report”) setting out its direction on the issues it considers to be key to the LGAAA process. This report is overarching of issues and is not separated into different categories, as with the recommendation reports. The recommendation reports for each proposed plan change and category refer back to the Key Issues Report where it assists in providing the context for specific recommendations.

The Key Issues Report is attached to and forms part of this recommendation report, and should be taken to comprise Section 4 of this report. It should be read in conjunction with Section 5 – Discussion and Recommendations.

4.2 DISCUSSION AND RECOMMENDATIONS

The following discussion is the Panel’s recommendation, having considered all the submissions and further submissions, both within the reporting officer’s report and presented and/or tabled at the hearings.

Abbreviations Used In This Report

Auckland Regional Policy Statement – ARPS / RPS

Auckland Regional Growth Strategy – RGS

Integrated Catchment Management Plan – ICMP

Local Government (Auckland) Amendment Act 2004 – LGAAA

Metropolitan Urban Limit – MUL

Regional Land Transport Strategy - RLTS

Regional Open Space Strategy – ROSS

Resource Management Act 1991 – RMA

Territorial Authorities – TA / TAs

5.0 Discussion and Recommendations

5.1 Retain Plan Change

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
4/3	Rexford Family Trust	Retain in Plan Change 14 the provision for job opportunities embedded in these plan changes.	
23/1	Phillip Glucina	Retain plan change as supports plan change on basis that it will relieve traffic congestion on main corridor roads in and out of local area.	
61/1	Michael & Judy Hamilton	Retain zoning change to retail north of Hobsonville Road.	Supported By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited
85/7	Enterprise Waitakere	Retain the Plan Change as notified as it is consistent with the Regional Growth Strategy and the Northern and Western Sector Agreements and the LGAAA and other reasons set out in the submission.	Supported By: 300 IMF Westland Ltd
95/28	Housing New Zealand Corporation (1)	Retain Plan Change 14 as notified, in respect of the inclusion of its Hobsonville Village in the MUL, and in respect of the specific land use proposals for the Hobsonville Village.	Supported By: 300 IMF Westland Ltd
253/51	Manukau City Council	Retain the provisions notified in Plan Change 14.	Supported By: 300 IMF Westland Ltd
260/2	Bristow, Barbour & Walker	Retain plan change 14 and support it becoming fully operative	
299/9	Unitec New Zealand	Retain the Plan Change. Unitec supports the Waitakere City strategy to attract more of its citizens to work and be educated within their city.	
299/14	Unitec New Zealand	Retain the Plan Change. Unitec supports the City in their logical expansion of the already light industrial/commercial concentrations of the northwest areas, to provide for managed future urban/rural growth.	

Evidence

The Panel heard evidence from the Rexford Family Trust, Enterprise Waitakere and Housing New Zealand Corporation. The Rexford Family Trust supported the Plan Change in terms of it providing employment land. Enterprise Waitakere provided evidence about the demand for land associated with manufacturing, transport and town centre related activity. Housing New Zealand provided evidence at this hearing, but made no specific comments about Plan Change 14. The Panel did not receive evidence in support of this submission from the other submitters identified above or their representatives.

Discussion:

The Panel notes that the submissions support Plan Change 14 in general, for the reasons given in each of the submissions. The support of these submitters is acknowledged by the Panel and is taken into account in consideration of other submissions requesting changes to the Plan Change. Some changes are recommended to the Plan Change by the Panel elsewhere in this report, in response to other submissions by both these and other submitters. However, these recommended changes do not, in the Panel's opinion, adversely affect the favourable attributes within the Plan Change identified by these submitters.

Panel Recommendation 5.1.1:

Submissions 4/3, 23/1, 61/1, 85/7, 95/28, 253/51, 260/2, 299/9, and 299/14 be accepted, with no changes being made in response to these submissions.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
256/41	Rodney District Council	Retain the Plan Change 14 subject to the outcome of Rodney District Council's further business research being undertaken in Western Rodney in consultation with Waitakere City Council.	Opposed By: 108 Progressive Enterprises Limited

Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion:

The research project referred to in the submission is entitled "*Economic Development Trends in the Rodney District Western Sector*", and is dated April 2006. The Panel understands that the report is supportive of possible growth of industrial/business estates in the Massey North / Hobsonville Village Corridor. This is considered to offer the potential for closer employment opportunities for the growing population of residential commuters in the west of Rodney District, which would support objectives in Vision Rodney for local employment and reduced commuting. This is particularly the case if (as is expected) sufficient industrial/business growth in Kumeu/Huapai and Helensville keep pace with expected residential population growth in the west. For that reason, the submission is accepted by the Panel, and no amendments to the Plan Change are required to occur as a result of the submission.

Panel Recommendation 5.1.2:

Submission 256/41 be accepted.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.2 Reject Plan Change

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
198/10	PARANZ Limited	Delete in its entirety.	Supported By: 264 Centre for Urban and Transport Studies Opposed By: 208 Sylvia Park Business Centre Limited 204 The Waitakere Ranges Protection Society Incorporated

Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives. This submitter did, however, present evidence at the Growth hearing.

Discussion:

The Panel notes that the submitter seeks that the Plan Change be deleted, along with all other plan changes proposed under the LGAAA.

The LGAAA requires, amongst other things, that Auckland local authorities are to prepare and notify changes to the District Plans in order to provide for integrated land transport and land use provisions that are consistent with the Auckland Regional Growth Strategy. The Panel notes that this submission asserts that “The proposal does not prevent or correct ‘urban sprawl’ or ensure high standards of urban (or rural) design. It encourages higher urban densities without addressing the social problems that occur.”

Waitakere City has proposed the development of Hobsonville Village Centre, and while it is development of a greenfield site, the Panel considers that it is not uncontrolled sprawl. The Panel has received evidence that consideration has been given to integration with transport systems, and the urban design of the Industrial and Retail Precincts within this Special Area.

The Panel recommends that the Plan Change not be rejected. Subject to proposed amendments suggested elsewhere in this report, the Panel consider that the Plan Change achieves the purpose of the Resource Management Act and the LGAAA and should be retained.

Panel Recommendation 5.2.1:
Submission 198/10 be rejected

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
251/48	Auckland City Council	Revoke Plan Change 14.	Opposed By: 312 Ockleston Family Trust 205 Fulton Hogan Limited (1) 108 Progressive Enterprises Limited 300 IMF Westland Ltd
251/50	Auckland City Council	Amend to remove all references to proposed growth areas Hobsonville Village Centre and Massey North from Plan Change 16.	Opposed By: 95 Housing New Zealand Corporation (1) 300 IMF Westland Ltd 108 Progressive Enterprises Limited 205 Fulton Hogan Limited (1) 107 Westfield (New Zealand) Limited

Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion:

This Panel notes that the submitter seeks the revocation of Plan Change 14, for several reasons, as follows:

- the Plan Change departs from the principles of the Regional Growth Strategy, the Regional Growth Memorandum of Understanding, and the North Western Sectors Agreement;
- the Plan Change sets an unsuitable precedent;
- it is contrary to the intention of the LGAAA, particularly section 40(1)(b), which relates to contribution in an integrated manner to the matters set out in Schedule 5 of the LGAAA;
- the consultation required by Clause 3(1)(c) of the first schedule of the Resource Management Act 1991 was not met; and that
- the Section 32 Report for the Plan Change was inadequate.

The Panel also note the submitters view that the requests by Waitakere City Council to shift the Metropolitan Urban Limit questions the aim of the Regional Growth Strategy to achieve compact urban form, that early release of land ahead of that agreed in the Sector Agreement (or prior to a review of that Sector Agreement) will compromise efforts to achieve intensification of existing residential and business areas, and that the Plan Change will adversely affect Auckland City's existing roading network and the forthcoming State Highway 20.

The Panel understands that the area of land south of the new State Highway 18 motorway is clearly identified in the Growth Concept Map within the Regional Growth Strategy as "Future Urban". The implementation tool for the Regional Growth Strategy is the Northern and Western Sector Agreement. The sequencing of this growth is provided in Table 10 of the Sector Agreement, as follows:

Table 10: Sequencing of Future Growth Areas
Sequence Growth Areas

1 - 5 years	Babich, Penihana, existing airbase part of Hobsonville Peninsula
5 – 10 years	Massey North
10 – 20 years	50% of Hobsonville Corridor and 50% of Hobsonville Peninsula outside of existing airbase
20 years +	Rest of Hobsonville Corridor and Hobsonville Peninsula and Redhills

The Sector Agreement also states:

"...This sequencing pattern also recognises the lead-time required to resolve complex issues relating to infrastructure planning and the development of environmental objectives and water quality standards for the Upper Waitemata Harbour..."

and

"...The growth areas of Redhills, Massey North, Hobsonville Corridor and Hobsonville Peninsula are adjacent to each other, and are part of larger water catchment areas. It is anticipated that the extent of these growth areas will be defined during concept planning, which is programmed to be carried out during 2001/02...."

The Panel understands that planning for the Hobsonville Corridor commenced in 2001, and Plan Change 14 is part of the outcome from that concept planning. Plan Change 14 represents approximately 50% of the Hobsonville Corridor, in line with Table 10.

The Plan Change was prepared as part of the LGAAA initiative. The Panel understands that Waitakere City Council undertook consultation with its neighbouring territorial local authorities, the Regional Council and public consultation on the draft plan changes for the Hobsonville Corridor. For that reason, the Panel considers that the submitter's view that consultation on Plan Change 14 was inadequate does not have merit.

A Section 32 Report was prepared and was available when Plan Change 14 was publicly notified. The evaluation within that report was, in the Panel's view, sufficiently robust. For that reason, the submitter's view that the Section 32 Report for Plan Change 14 was inadequate does not align with the Panel's view.

Schedule 5 of the LGAAA has five sub-clauses, which generally correlate as follows:

- (a) Urban Form
- (b) Transport
- (c) Environmental effects
- (d) Intensification
- (e) Regional Policy statement alignment

Part 2.2 of the Council's Section 32 Report addresses the first four of these sub-Clauses, and the fifth sub-Clause has been discussed above. There is no evidence to suggest to the Panel that Schedule 5 has not been met by Plan Change 14 and its Section 32 Report.

Panel Recommendation 5.2.2:

Submission 251/48 be rejected

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
298/45	Landco Limited	Reject the Plan Change, OR amend to allow a much larger area of land to be included within the extensions to the MUL.	<p>Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd</p> <p>Opposed By: 258 Auckland Regional Transport Authority 259 Transit New Zealand 205 Fulton Hogan Limited (1)</p>

Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion:

This submitter seeks that either the Plan Change be declined or that a much larger area of land be included within the MUL. The reasons given by the submitter are summarised as:

- contrary to the Resource Management Act,
- the Hobsonville Village Centre extension could compromise wider development and integrated planning of opportunities particularly in association with the Whenuapai airfield,
- the Redhills area should not be excluded.

No evidence was presented to the Panel that the proposed Hobsonville Village Centre extension of the Metropolitan Urban Limit compromises development of other areas of the City. In this context the Hobsonville Village Centre Concept Plan shows the development confined in an integrated manner between the forthcoming motorway and Hobsonville Road. Therefore it will not functionally compromise adjacent areas.

The Panel understands that the Royal New Zealand Air force has indicated that it will occupy and use the Whenuapai Airbase until at least 2014. Consequently, future commercial airfield use is unlikely to be adversely affected by the Hobsonville Village Centre Special Area.

The Panel considers it inappropriate to disallow any development based on speculation as to future use of the Whenuapai airfield, as Waitakere City has a predicted shortfall of suitable employment land. The current proposed extension to the Metropolitan Urban Limit at Hobsonville Village Centre is considered by the Panel to be suitably discrete, in the context of surrounding land use and the construction of new State Highway 18.

Future development of Redhills is anticipated within the Northern and Western Sectors Agreement 2001. The Panel understands that that agreement delays urban development of the Redhills area until after 2021 in order to provide an integrated approach to urban development within the Northern Strategic Growth Area. It would be inappropriate for the Panel to recommend the zoning of the area for urban development at this point in time.

Panel Recommendation 5.2.3:

Submission 298/45 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.3 General District Plan Objectives

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
107/60	Westfield (New Zealand) Limited	Amend the plan change to reflect any amendments made to the Regional Policy Statement in response to Westfield's submission to ARC Plan Change 6 (Submission 107/1 - 107/22).	Supported By: 300 IMF Westland Ltd Support and Opposed By: 208 Sylvia Park Business Centre Limited
108/74	Progressive Enterprises Limited	Amend the plan change to reflect any amendments made to the Regional Policy Statement in response to Progressive Enterprises' submission to ARC Plan Change 6 (Submission 108/1 - 108/23).	Supported By: 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd

Evidence

The submitter provided evidence in support of these two general submissions, noting that there is a demonstrable need for consistency between the amended Regional Policy Statement and the Waitakere City District Plan.

Discussion:

The submitters' provided evidence in support of a centres-based policy for retail and business development. The Panel agrees that a centres-based policy is one important component of the Council's overall strategy for urban consolidation and its obligations to provide integrated land transport and land use provisions consistent with the ARGS and the LGAAA. The Panel notes that the District Plan promotes a hierarchy of business development sequencing with the centralisation of retail and business activities, particularly within existing and proposed town centres at the top of this hierarchy. A secondary hierarchy applies to the periphery of town centres for activities that are not well accommodated within them. The strategy also enables a third hierarchy for certain business development along specifically identified major roads. This is the case with the proposed business corridor between Hobsonville Road and the new motorway extension.

The Panel notes that Plan Change 14 is focused on business and industry activities with a compact mixed use town centre. It is considered that this approach is consistent with a centres-based policy and the regional instruments referred to in the submission. Furthermore, it is considered that the plan changes are consistent with the provisions of the LGAAA as it promotes town centres and associated urban form that are favourable to establishing efficient public and land transport systems.

The Panel recommends that this submission be accepted in part, as it supports Plan Change 14, on the basis that it is consistent with a centres-based policy and is consistent with the Regional Policy Statement.

Panel Recommendation 5.3.1:

Submissions 107/60 and 108/74 be accepted in part, subject to amendments arising from other submissions.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/75	Progressive Enterprises Limited	Retain and adopt the new paragraph inserted into Part 3.7 insofar as is consistent with submission 108/73.	Supported By: 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd

Evidence

The submitter provided evidence in support of the Planners recommendation provided in the Hearing Report.

Discussion:

The submission seeks reference to the Council's centres based approach to its town centres, the need to maintain and enhance the growth and development of existing and new town centres and reference to the Auckland Regional Growth Strategy (ARGS) and the Auckland Regional Policy Statement.

The Panel agrees that a centres-based policy is an important component of the Council's overall strategy for urban consolidation and its obligations to provide integrated land transport and land use provisions consistent with the ARGS and the LGAAA. The Plan promotes a hierarchy of business development, sequencing with the centralisation of retail and business activities, particularly within existing and proposed town centres at the top of this hierarchy. A secondary hierarchy applies to the periphery of town centres for activities that are not well accommodated within them. The strategy also enables a third hierarchy for certain business development along specifically identified major roads. This is the case with the proposed business corridor between Hobsonville Road and the new Motorway extension (Plan Change 14). This location, however, is not considered appropriate for higher intensity retail activities that are traditionally found in retail and town centres.

The Panel notes that a focus of the Council's centres-based policy is the concentration of retail activities in town centres and on existing and/or proposed passenger transport routes. This will promote the improved viability of passenger transport, reduce vehicle trip frequency and length and relieve the wider pressures on the City's water and land resources and infrastructural systems that arise from the outward expansion of the urban area.

The Panel recommends that this submission be accepted in part insofar as it supports Plan Changes 13, 14 and 15 on the basis that they are consistent with a centres-based policy and are consistent with the ARGS and RPS.

Panel Recommendation 5.3.2:

Submission 108/75 be accepted. No amendments to Part 3.7 are recommended.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/143	Auckland Regional Council	Amend the plan change to align the proposed urban structure (including land use) with the Auckland Regional Growth Strategy and the intent of the LG(A)AA.	Supported By: 107 Westfield (New Zealand) Limited 258 Auckland Regional Transport Authority Opposed By: 312 Ockleston Family Trust 108 Progressive Enterprises Limited

Evidence

Evidence from this submitter related to the development of a high density corridor along the length of Hobsonville Road to support planned Quality Transport Network bus services along the road between Massey North town centre and Hobsonville Village.

Discussion:

The Panel notes that the submission appears to have been initially concerned with the existing urban development to the south of the area that is the subject of the Plan Change. This land is mainly residential in nature and is within the Metropolitan Urban Limit, with mixed use / retail in the vicinity of the intersection of Wiseley and Clark Roads with the existing State Highway 18. In evidence presented to the Panel, other matters are raised.

The focus of Plan Change 14 has been to enable changes to the urban form along Hobsonville Road. The Panel considers that the Concept Plan contained within Plan Change 14 (and amendments made to it via the consideration of submissions) addresses the issue of intensification within an array of strategic objectives (increasing business land for example), while also dealing with constraints such as the limited access nature of the road.

In terms of the industrial frontage to the existing Hobsonville Road, (as contained in Precinct A), the Panel understands that a variety of industrial uses will locate along this road, creating a mixed use transportation corridor. The Panel consider that the matter of the interface and intensity of use along Hobsonville Road has been adequately addressed via Transit submissions 259/6 and 259/7.

The Panel notes the submission from ARTA on this matter (evidence paragraph 7.6 dated 15 March 2007). In this submission ARTA indicates in relation to its further submissions in support of ARC submission 250/151 (addressed below) that the limited access nature of Hobsonville Road means that the Council is not able to address this in the Plan Change and that further work will be required with Transit to resolve this matter.

The Panel agrees with the Council's intention for Precinct A to avoid residential encroachment into this employment land, and the consequential reverse sensitivity issues that could arise. A mixed use planning approach in Precinct A based on an industrial / residential mix is not appropriate.

Panel Recommendation 5.3.3:

Submission 250/143 be accepted in part, to the extent that revisions to the Concept Plan made as a result of other submissions will form the basis for future planning of that area.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/144	Auckland Regional Council	Amend the plan change by adding objectives for the entire Hobsonville Village Centre and for each of the Precincts, which reflect the intention of the LG(A)AA, the principles of the Growth Concept, the strategic direction of the Auckland Regional Policy Statement (including Plan Change 6) and the specific vision for the area/s.	Supported By: 95 Housing New Zealand Corporation (1) 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited Opposed By: 312 Ockleston Family Trust
258/197	Auckland Regional Transport Authority	Amend to add objectives for urban development for the Hobsonville Village area be included in the plan change. The objective(s) should include specific transport outcomes sought for the area.	Supported By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited Opposed By: 300 IMF Westland Ltd

Evidence

The submitters re-iterated their submission and discussed in relation to Objective 0. Submitter 250 also raises the density of employment activity within Precinct A, and considers that the approach in Policy 11.38 is inconsistent with the Regional Growth Strategy.

Discussion:

The Panel considers that Plan Change 16 provides an appropriate response to the Council's responsibilities under the LGAAA. Objective 0, as part of Plan Change 16, will not, in the Panel's

view, be "...easily missed..." as the evidence suggests (Waddell paragraph 5.7). The Panel notes that Objective 0 seeks to provide outcomes for Waitakere City's development and re-development.

The Objective includes an Explanation relating to the land contained within Plan Change 14, and this is expanded upon in Policy 0.9 in Plan Change 16 and Policies 11.39, 11.40, 11.41, 11.42 and 11.43 in Plan Change 14. The Panel consider that Objective 0 and the identified policies clearly articulate the Council's strategic approach for the area, and provides the necessary guidance required for the implementation of the Plan Change. Consequently the addition of a specific objective for the Hobsonville Village Centre is not required.

The Panel agrees that the text within Policy Section 3.9, which describes the Hobsonville Village Special Area, should be amended to more accurately reflect the nature of the Hobsonville Village Special Area.

The Panel notes Plan Change 14 also has two general Policies (numbered 11.38 and 11.39), followed by four specific policies, one of which applies to each Precinct. Where the Panel considers it appropriate, Policies 11.38 and 11.39 are amended to better reflect the matters sought by these submitters. In particular, Policy 11.38 includes in its explanation an employment density goal taken from the Council Draft Growth Management Strategy.

Panel Recommendation 5.3.4:

Submission 250/144 and 258/197 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
258/200	Auckland Regional Transport Authority	Amend so that the words "should" or "may" be replaced with the word "shall" in all policies included in Plan Change 14.	

Evidence

The submitter indicates in its evidence that sufficient amendments have been made to address its submissions on this Plan Change.

Discussion:

The Panel notes that the word "should" occurs 13 times and the word "may" occurs once in the new policies and existing policies that are amended via Plan Change 14. The Panel considers it important that policies provide clear and certain guidance on what the District Plan is seeking from Plan Change 14. To this end the use of the word "shall" is more directive than the word "should" or "may", and is appropriately used in certain circumstances in Policies 11.38, 11.39, 11.40 and 11.41. The Panel considers that the use of the word "should" is, however, appropriately used in Policy 11.42 which relates to Precinct C, the existing Primary School on Hobsonville Road.

These terminology amendments will be incorporated as appropriate into any other amendments to these Policies arising from other submissions.

Panel Recommendation 5.3.5:

Submission 258/200 be accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/196	Waitakere City Council	Amend to renumber the new policy as follows: 11.38 36	

Evidence

No specific evidence was given on this matter at the hearing of this report.

Discussion:

This typographical error is acknowledged, and it is appropriate that it be amended.

Panel Recommendation 5.3.6:
Submission 257/196 be accepted.

5.4 District Plan Special Area Policies

5.4.1 District Plan Policy 11.39

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
107/61	Westfield (New Zealand) Limited	Retain Policy 11.39 insofar as it is consistent with submission 107/59.	Supported By: 300 IMF Westland Ltd Support and Opposed By: 208 Sylvia Park Business Centre Limited

Evidence

The submitter accepts the planners recommendation subject to changes requested to the Auckland Regional Policy Statement.

Discussion:

The Panel notes that Policy 11.39 is an over-arching Policy that provides guidance for the whole of the Hobsonville Village Special Area.

The Panel notes that the submission seeks to ensure that the Policy protects the integrity of Precinct B as a retail and mixed use area with high employment opportunities. The Panel also notes that this support is based on Policy 11.39 being consistent with a centres based strategy and the consistency with the policies for the rest of the Hobsonville Village Centre.

The Panel agrees that a centres-based policy is an important component of the Council's overall strategy for urban consolidation and its obligations to provide integrated land transport and land use provisions consistent with the ARGS and the LGAAA.

Plan Change 14 focuses upon business and industry activities, with a compact mixed use town centre. The Panel considers that this Plan Change and Policy 11.39 is consistent with a centres-based policy and the regional instruments referred to in the submission. Furthermore, it is considered that the plan change is consistent with the provisions of the LGAAA as it promotes town centres and associated urban form that are favourable to establishing efficient public and land transport systems.

Panel Recommendation 5.4.1.1:

Submission 107/61 be accepted in part, to the extent of changes made to Policy 11.39 via other submissions.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.4.2 District Plan Policy 11.40: Special Area Precinct A

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
107/62	Westfield (New Zealand) Limited	Retain Policy 11.40 insofar as it is consistent with submission 107/59.	Supported By: 300 IMF Westland Ltd Support and Opposed By: 208 Sylvia Park Business Centre Limited
108/77	Progressive Enterprises Limited	Retain and adopt Policy 11.40 insofar as is consistent with submission 108/73.	Supported By: 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd

Evidence

The submitter provided evidence in support of the Planners recommendation provided in the Hearing Report.

Discussion:

These submissions support Policy 11.40, and seek to ensure that the policy protects the integrity of Precinct A as an industrial and manufacturing area with high employment opportunities. The Panel notes that the submitter's support is based on Policy 11.40 being consistent with a centres based strategy, and the consistency with the policies for the rest of the Hobsonville Village Centre.

The Panel understands that a centres-based policy is an important component of the Council's overall strategy for urban consolidation and its obligations to provide integrated land transport and land use provisions consistent with the ARGs and the LGAAA.

Plan Change 14 is focused on business and industry activities with a compact mixed use neighbourhood centre. The Panel considers that Plan Change 14 is consistent with a centres-based policy and the regional planning instruments referred to in the submission. Furthermore, it is considered that Plan Change 14 is consistent with the provisions of the LGAAA.

Panel Recommendation 5.4.2.1:

Submissions 107/62 and 108/77 be accepted in part, to the extent of changes made to Policy 11.40 via other submissions.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/197	Waitakere City Council	<p>Amend new policy 11.40 to add those words underlined and delete those words in strikethrough:</p> <p>"The Industry - Precinct A has been identified Waitakere City has historically had a shortfall in suitable employment land and Precinct A should primarily be used for non-residential activities such as manufacturing, offices and industry where relatively high numbers of staff are required. <u>Residential activities may not be located within precinct A.</u></p> <p><u>Retail activities except convenience shops in Precinct A will have limited opportunities for retail activities to establish shall be avoided</u> as these should be located in the Mixed Use Town Centre - Precinct B. The exception to this is the provision for retail which supports the local employee community, such as convenience food outlets. Subsidiary manufacturing retail and yard based retail are provided for as <u>this is these are</u> unsuitable in the <u>Hobsonville Village</u> town centre. Other retail activities should be located in the <u>mixed use town centre</u> Precinct B to encourage public transport routes to service the area.</p> <p>Precinct A aims to achieve a high standard of architectural, urban design and landscape</p>	<p>Supported By: 107 Westfield (New Zealand) Limited 250 Auckland Regional Council 108 Progressive Enterprises Limited</p> <p>Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd</p> <p>Support and Opposed By: 300 IMF Westland Ltd</p>

		development, as it is important to control the effects of non-residential development on the surrounding environment. Specific District Plan rules on landscaping, streetscapes <u>Street Frontage Typologies</u> and bulk and location <u>seek to</u> encourages good design outcomes.”	
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Evidence

The submitter provided evidence and rebuttal evidence in support of this submission, and suggested further amendments in response to evidence presented by other submitters (particularly the ARC).

Discussion:

This submission seeks to clarify the policy outcomes being sought in both Precinct A and B in Plan Change 14. The Panel notes that the submitter seeks change in the text to provide greater policy guidance on the nature and function of retailing in Precincts A and B.

The amendments relating to Precinct A seek to ensure that the Precinct acts as an industrial and manufacturing area with extensive employment opportunities. The Panel agree with this approach, and are concerned to ensure that residential activity or development does not erode the effectiveness of Precinct A. Consequently the Panel accepts the amendments to the Policy framework and recommends that residential activities be prohibited in precinct A in Special Area Rule 25.

The Panel understands that the amendments relating to Precinct B seek to ensure that the policy protects the integrity of Precinct B as a retail and mixed use area with extensive employment opportunities, rather than a Precinct that enables extensive residential activities – the Panel notes that that type of extensive residential activity is enabled elsewhere.

The Panel notes that the submitter also seeks to ensure that the urban design component of Precinct A is clarified, so that employees and visitors to the area experience a level of amenity value associated with street design. This links to the assessment criteria in Rule 25.2. The Panel consider that the amendments clarify and provide certainty about the role and function of Precincts A and B, and provide guidance on urban design issues.

Panel Recommendation 5.4.2.2:

Submission 257/197 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.4.3 District Plan Policy 11.41: Special Area Precinct B

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
182/7	Palmers Gardenworld Ltd	Amend Policy 11.41 along with its associated explanation to distinguish between the different types of retail activity and in particular to recognise that large format and yard based retail activities such as garden centres may be appropriate outside the Precinct B.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd Opposed By: 259 Transit New Zealand 250 Auckland Regional Council 108 Progressive Enterprises Limited

Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion:

The Panel understands that the area of land between Sinton Road and Brighams Creek Road has approximately 250 metres of frontage to Hobsonville Road. The Panel understands that it was identified as part of Precinct A when Plan Change 14 was notified. The Panel consider it appropriate to include the two land holdings south of the indicative road (as notified) within Precinct B. The Panel considers that these sites will be utilised for commercial purposes. A “Business” identification on the Concept Plan and the inclusion of that area in the requirements for a comprehensive development plan resource consent will, in the Panel’s view, ensure that the appropriate District Plan Policies and Rules apply in this area.

Panel Recommendation 5.4.3.1:

Submission 182/7 be accepted in part, in terms of amendments to the Concept Plan and consequential changes to the Policy and Rule framework in Rule 25.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/191	Waitakere City Council	<p>Amend the wording of Policy 11.41 by deleting those words struck through, and adding those in italics and underlined:</p> <p>“ New Policy 11.41</p> <p>The Mixed Use Town Centre - Precinct B</p> <p>The Mixed Use town centre - Precinct B has been identified</p> <p>The Mixed Use town centre precinct provides opportunities to combine land use activities in close proximity to Hobsonville Peninsula and public open space. <u><i>This anticipates retail, mixed use and commercial activities, but industrial activities shall be avoided.</i></u> The 400m radius from the middle of the Mixed Use town centre will encourage medium density housing to establish within that area, thereby encouraging further public transport routes in the locality.....</p> <p>Explanation</p> <p>The Mixed Use Precinct will consolidate retailIt will be important to maintain quality urban design outcomes as this centre will serve communities at Hobsonville <u><i>Village Centre</i></u>, Hobsonville Peninsula and is the first centre visible from the SH18 for people travelling from North Shore City.”</p>	<p>Supported By: 95 Housing New Zealand Corporation (1)</p> <p>Support and Opposed By: 300 IMF Westland Ltd</p>

Evidence

The submitter provided evidence and rebuttal evidence in support of this submission, and suggested further amendments in response to evidence presented by other submitters (particularly the ARC).

Discussion:

The Panel notes this submission seeks to clarify the policy outcomes being sought in Precinct B in Plan Change 14, providing greater certainty about what activities occur in the Precinct. The Panel understands that the amendments relating to Precinct B seek to ensure that the Precinct acts as a retail area.

The amendments seek to ensure that Policy 11.41 protects the integrity of Precinct B as a retail, mixed use and business area with extensive employment opportunities, rather than a Precinct that enables industrial activities – that type of activity is enabled elsewhere. The Panel consider that these amendments clarify and provide certainty about the role and function of Precinct B.

Panel Recommendation 5.4.3.2:

Submission 257/191 be accepted.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/22	IMF Westland Ltd	<p>Amend Policy 11.41 the first paragraph as follows:</p> <p>The Mixed Use town centre - Precinct B has been identified as an appropriate location for the town centre that will strengthen the link between existing commercial and retail development on the southern side of Hobsonville Road. The precinct is positioned to ideally service communities in Hobsonville Peninsula and the existing residential population along Hobsonville Road. <u><i>The retail node provides for enhancement and limited extension of the existing village centre. With the exception of a neighbourhood supermarket of less than 4000 m2, retail uses will consist of small scale retail and retail services consistent with the requirements to service a neighbourhood catchment.</i></u></p>	<p>Supported By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited</p> <p>Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd</p>

Evidence

The submitter accepted the recommendation in the planning report.

Discussion:

The Panel notes that the submitter is seeking to ensure that the land available for retail development is not wholly or partly taken up by vehicle orientated commercial activities. The Panel understands that this Policy is seeking to achieve small scale retail opportunities and retail services, associated with one larger supermarket. The text changes requested by the submitter go some way to providing greater certainty for Precinct B, and the Panel considers it appropriate to adopt those changes where they add clarity and certainty.

Panel Recommendation 5.4.3.3:

Submission 300/22 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
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250/154	Auckland Regional Council	Amend the plan change so that development in Precinct B is required to comply with the City Wide Urban Design Rule (Plan Change 18) and include a street classification in order to create a compact village centre with active street frontage.	<p>Supported By: 258 Auckland Regional Transport Authority</p> <p>Opposed By: 110 Warehouse Stationery Limited 107 Westfield (New Zealand) Limited 111 The National Trading Company of New Zealand Limited 312 Ockleston Family Trust 109 The Warehouse Ltd 108 Progressive Enterprises Limited</p>
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Evidence

The submitter gave no specific evidence on this matter at the hearing of this report.

Discussion:

The Panel notes that the submitter is seeking greater certainty about the planning controls for Precinct B. The Panel also notes that as part of the LGAAA plan changes, Waitakere City Council notified Proposed Plan Change 18, introducing urban design rules. The Panel understands that the urban design rules have been prepared to achieve several purposes, and consequently not all the Rules are appropriately applied in Precinct B. The Panel considers that where it is appropriate, these rules should be identified in the "Rule 25.4 Other Rules Applying" part of the Rules.

As a result of submission 250/146, which this report accepts in part, Precinct B is recommended by the Panel to have a comprehensive development plan. This comprehensive development plan has requirements for the application of the relevant street frontage typology from City Wide Urban Design Rule 3 in Precinct B. The Panel recommends the street typologies identified on the map attached to the planners report, dated 26 January 2007. The Panel does not recommend the revised map presented in evidence by Rochelle Edwards, as it includes a "Transitional Commercial Street Typology 2", which the Panel understands was included on the map in error.

The Panel also considers that further assessment criteria are required to support the utilisation of the comprehensive development plan approach.

The Panel also considers that street frontage requirements for Precinct A are not appropriate along the existing Hobsonville Road. This matter is addressed further in submission 312/4 in this report.

Panel Recommendation 5.4.3.4:

Submission 250/154 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.4.4 District Plan Policy 11.43: Special Area Precinct D

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
95/29	Housing New Zealand Corporation (1)	Retain the disposition and use of Precinct D as notified in the plan change.	<p>Supported By: 300 IMF Westland Ltd</p>

Evidence

The submitter provided no specific evidence in relation to this submission at the hearing of this report.

Discussion:

The Panel notes that Housing New Zealand supports the retention of Precinct D as Open Space Environment. The submitter considers that it provides amenity values for the future adjacent residential development in the Hobsonville Village Precinct I. The Panel considers it appropriate to retain this area of green space at this time. No amendments are required.

Panel Recommendation 5.4.4.1:

Submission 95/29 be accepted.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.5 Precinct Layout / Location

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
107/64	Westfield (New Zealand) Limited	Amend the plan change so that the area bordered by Sinton Road and Hobsonville Road, west of the proposed new indicative road, zoned as Precinct B - Mixed Use Town Centre be rezoned as Industry - Precinct A, and that Appendix XIX: Hobsonville Village Centre Urban Concept Plan be amended accordingly.	Supported By: 300 IMF Westland Ltd Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd Support and Opposed By: 208 Sylvia Park Business Centre Limited
108/85	Progressive Enterprises Limited	Amend the plan change so that the area bordered by Sinton Road and Hobsonville Road, west of the proposed new indicative road, zoned as Precinct B - Mixed Use Town Centre be rezoned as Industry - Precinct A, and that Appendix XIX: Hobsonville Village Centre Urban Concept Plan be amended accordingly.	Supported By: 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd

Evidence

The submitters provided evidence that they supported the revisions to Rule 25.2(8)(c) and (d) as provided to the Panel in tabled evidence by Mr P Reaburn representing Waitakere City Council. The submitters consider the Waitakere City provisions provide an appropriate limitation of activities outside Precinct B in the Hobsonville Village Centre. The submitters appear to have amended their position in relation to this submission in the light of the tabled evidence from the Waitakere City Council representative.

Discussion:

The submitters sought a reduction in the size of Precinct B, on the basis that the area of land identified on the Concept Plan exceeded that which is necessary for a retail centre. The Panel understands that in response to submissions the Council reviewed the extent of the Precinct B, and has indicated in evidence that the existing identification on the Concept Plan be retained, with the addition of a business area within Precinct B.

Panel Recommendation 5.5.1:

Submissions 107/64 and 108/85 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
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182/4	Palmers Gardenworld Ltd	Delete from Appendix XIX the "indicative road' shown along the north-eastern boundary of the Palmers site on the corner of Brigham Creek and Hobsonville Roads.	Opposed By: 300 IMF Westland Ltd
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Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion:

The Concept Plan has endeavoured to provide connectivity for the roading network throughout the area of land contained within Plan Change 14. This appears to the Panel to assist with meeting the goals of the LGAAA, in terms of connecting land use and transport. As the existing Hobsonville Road is a State Highway, access is limited by Transit New Zealand. While this limited access road is likely to be relinquished by Transit New Zealand in the future, the Panel considers that a secondary roading network remains important to enable access to the interior of the land that will be developed within the Plan Change.

The Panel considers that the removal of the indicative road, as requested by the submitter, will act to reduce access and connectivity within that part of the Plan Change. The panel does, however, consider that the "loop road" that proceeds north of the "link road" between Sinton and Ockleston road is unnecessary, and that this road should be removed from the Hobsonville Village Urban Concept Plan and the Hobsonville Village Urban Concept Transport Plan.

Panel Recommendation 5.5.2:

Submission 182/4 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
182/8	Palmers Gardenworld Ltd	Amend Plan Change 14 to either: <ul style="list-style-type: none"> a. Extend Precinct B to the intersection of Brighams Creek Road and Hobsonville Road and provide for large format and yard based retail activities such as garden centres as a permitted activity within the precinct; or b. Rezone the Palmers site on the corner of Brighams Creek and Hobsonville Roads to Precinct B and provide for large format and yard based retain activities such as garden centres as a permitted activity within the precinct; or c. Provide for large format and yard based retail activities such as garden centres as a permitted activity in Precinct A; or d. Provide for garden centres as a permitted activity on the Palmers site on the corner of Brighams Creek and Hobsonville Roads. 	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd Opposed By: 259 Transit New Zealand 108 Progressive Enterprises Limited 300 IMF Westland Ltd

Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives.

Discussion:

The area of land between Sinton Road and Brighams Creek Road has approximately 250 metres of frontage to Hobsonville Road. It was identified as part of Precinct A when Plan Change 14 was notified. The western-most land holding contains an existing building (a Palmers Gardenworld).

The Panel considers it appropriate to include the two land holdings south of the indicative road within Precinct B. It is appropriate that these sites be utilised for commercial/business purposes. A “Business” identification on the Concept Plan and inclusion in the area that requires a comprehensive development plan will, in the Panel’s view, ensure that the appropriate District Plan Policies and Rules apply in this area. Consequently Option A as requested by the submitter is accepted in part, in terms of the land being re-identified on the Concept Plan to enable a commercial use, but not to the extent that large format retail is enabled to occur.

Panel Recommendation 5.5.3:

Submission 182/8 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
334/1	G & D Laurenson	Amend Appendix XIX to alter the alignment of the indicative roads in the vicinity of 110 Hobsonville Road as shown on the plan attached to the submission.	Opposed By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited

Evidence

The submitter outlined the issues associated with the location of this indicative road, and noted its realignment accorded with the Trust’s submission.

Discussion:

The Panel understands that the submitter seeks the relocation of an indicative road that is located along the eastern boundary of 110 Hobsonville Road. The Panel notes that the Council reviewed this matter, and have suggested the relocation of this indicative road to the western side of 110 Hobsonville Road. The Panel considers that the new location improves the connectivity and efficiency of the roading network, and enables a standard cross intersection to be developed in conjunction with Suncrest Drive, rather than the “dog leg” intersection as proposed on the notified version of the Concept Plan. On that basis the submission is accepted, and the Concept Plan is revised accordingly.

Panel Recommendation 5.5.4:

Submission 334/1 be accepted.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
312/4	Ockleston Family Trust	Amend the Plan Change to realign the ‘Indicative Roads’, as shown on the map attached to this submission.	Opposed By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited

Evidence

The submitter provided extensive evidence on the matter of the amended indicative road alongside the Hobsonville Primary School, and the opportunity for the Trust to only develop one side of the indicative road.

Discussion:

The submitter seeks the realignment of the indicative roads in the western part of Precinct A. Council evidence on this matter indicated that the location of these indicative roads was appropriate. The Panel notes that the alignment, in the Council's view, improved the connectivity and efficiency of the roading network, and provided a more efficient alignment with the boundary of Precinct C. The Panel notes that the Council's preferred alignment enables a standard cross intersection to be developed in conjunction with Suncrest Drive, rather than the "dog leg" intersection as proposed on the Concept Plan.

The Panel noted the potential for traffic safety issues for parking and drop off and pick up areas for the Hobsonville Primary School children. This concern is associated with the diagram included in the Planners Report Appendix 3 entitled "Road Design Control: Diagram 25-B".

The Panel rejects this diagram, and recommends that the revised Landscape Interface Control: Diagram 25-C be applied to the Hobsonville Village Urban Concept Plan Appendix XIX in the place of the Road Design Control: Diagram 25-B.

The Panel notes the revised Landscape Interface Control: Diagram 25-C provided in evidence by Rr Reaburn on 20 April 2007, and makes this recommendation utilising that revision of the diagram, rather than the one contained in the Planner's Report Appendix 3.

The Panel is cognisant of the ability to create a parking and parking and drop off and pick up areas for the Hobsonville Primary School children on the land owned by submitter 205 (Fulton Hogan). The Panel address this submission elsewhere in this Report, and has made provision for that outcome in its recommendations on those relevant submissions.

On that basis the submission is accepted in part, in that the indicative roads have been realigned, but not as requested by the submitter. The Road Design Control: Diagram 25-B is deleted and replaced by the revised Landscape Interface Control: Diagram 25-C. The Concept Plan is recommended to be revised accordingly.

Panel Recommendation 5.5.5:

Submission 312/4 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.6 New Precinct To Be Included

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
205/2	Fulton Hogan Limited (1)	Amend the Plan Change to increase the extent of land to be rezoned for urban purposes pursuant to the Plan Change by enlarging the Hobsonville Village Special Area to include all those areas shown as falling within the Hobsonville Village Centre Urban Concept Plan on the plan attached in Annexure 1 of this submission.	Supported By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited Opposed By: 259 Transit New Zealand
205/3	Fulton Hogan Limited (1)	Amend the Plan Change by replacing the proposed Hobsonville Village Centre Concept Plan with the plan attached in Annexure 1 of this submission, or a plan to similar effect.	Supported By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited
205/4	Fulton Hogan Limited (1)	Amend the Plan Change, if it is considered necessary and appropriate by the Council, to	Opposed By: 108 Progressive Enterprises

	introduce provisions that: <ul style="list-style-type: none"> • Either provide a mechanism for the details of the Concept Plan to be developed further (e.g. through a resource consent process for a comprehensive development plan); or • Introduce additional criteria for the assessment of resource consent applications regarding the additional land sought to be zoned for urban purposes pursuant to this submission to ensure that such land is developed in an integrated and efficient manner. 	Limited
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Evidence

The Panel received legal submissions and expert evidence in support of these submissions. The legal submissions set out the jurisdiction for the addition of this land within the Metropolitan Urban limit. It also assessed the submissions against the requirements of the Auckland Regional Policy Statement. Other evidence noted that the submitter supported the inclusion of the land in Precinct A, and provided urban design and storm water evidence.

Discussion:

The Panel understands that the submitter is seeking to have 38 hectares of land that is located immediately to the west of Precinct C (the Hobsonville Primary School) included within the Metropolitan Urban Limit, included in the Hobsonville Village Centre Special Area, and re-identified for urban purposes. The Panel notes that the submitter has also made a submission requesting the inclusion of the land to the Auckland Regional Council’s Proposed Plan Change 7 (Submission 205/1). The matters associated with the Panel’s recommendation in relation to shifting the Metropolitan Urban Limit in response to these submissions are addressed in the Panel’s Recommendation Report on Plan Change 7, and need not be repeated here.

The Panel noted that the submission improves the connectivity of the roading network, provides the possibility of an additional area for the functioning of the school (Area C-1 on Annexure 1 to the submission), including the possibility of a pick-up/drop-off area for school children (that is not located on Hobsonville Road). This would also provide landscape buffering for school activities.

The Panel notes that in Proposed Plan Change 16 that the land subject to this submission is sequenced for development after 2011, and that this parcel of work has “Medium Priority”. The Panel considers that acceptance of submission 205/1 by the Auckland Regional Council and submissions 205/2 – 205/4 by Waitakere City Council would bring this area forward in the sequencing of development in the Hobsonville Corridor by three years.

The Panel understands that the Council has applied to the Auckland Regional Council for network discharge consents based upon integrated catchment management plans for the land located within Plan Changes 13, 14, 15 and 17. The Panel notes that the land that is the subject of the submitter’s submissions has not been modelled as part of those network discharge consent applications. The Panel understands that the development of this land for urban purposes could not proceed until such time that further analysis has been completed, and either a new or amended network discharge consent had been approved by the Auckland Regional Council.

The submitter indicates in its submission that the land that would become part of the Hobsonville Special Area. This land would (in submission paragraph (G)(iv)) be available for employment generating activities. This aligns with the Council’s strategic goals for the Hobsonville Corridor in terms of connecting land use and transport, and providing local jobs for residents who live in the area. Consequently the Panel is of the view that this land shall be identified as part of Precinct A.

Consequently the appropriate policy and rule framework for this land in the Waitakere City District Plan is to include it in Precinct A.

Amendments to Map B7 Human Environments are required to include this area of land. Amendments to the Hobsonville Village Centre Urban Concept Plan are also required, as is the inclusion of a riparian margin for the stream that originates at 80 Hobsonville Road, and traverses the submitters land. The area of land will, however, be most usefully identified as "Precinct A2", as certain technical requirements will need to be met before it can be assessed against the policy and rule framework that apply to Precinct A.

Additional provisions are required to be included in the policy and rule framework for Precinct A, to require appropriate network discharge consents and a integrated transport audit for the land area. Consultation with the Auckland Regional Council, the Auckland Regional Transport Authority and Waitakere City Council would be required on these matters.

Consequently the relief sought by the submitter is accepted in part. This acceptance in part relates to the policy and rule framework within Plan Change 14, as the Panel makes different recommendations to Waitakere City Council than those contained in Appendix 1 of Mr G Thompson's evidence dated 16 March 2007.

The Panel also recommends that the indicative roading layout that was attached to submission 205, as part of Annexure 1 (notated as Job No 32601, dated 27/05/05) be incorporated into the Hobsonville Village Urban Concept Plan, Appendix XIX.

The Panel notes the indicative roading alignment associated with Area C-1, and recommends that this alignment be retained on the Hobsonville Village Urban Concept Plan. Area C-1 must be addressed as part of the Integrated Transport Assessment in terms of its ability to provide parking and drop-off/pick up facilities for Hobsonville Primary School.

The Panel also recommends that a 20 metre riparian margin be identified along the length of the Branch of the Waiarohia Stream (located on District Plan Maps B9 and C9) as far as the cadastral boundary of 82 and 84 Hobsonville Road.

Panel Recommendation 5.6.1:

Submissions 205/2, 205/3, and 205/4 be accepted in part, with amendments to the Plan Change as identified in the discussion above.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.7 Retail Policies

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
109/83	The Warehouse Ltd	Delete the 2nd sentence of Policy 11.39 and replace with: <i>"This special area should accommodate the full range of retail format to enable residents of the area to enjoy the benefits of competition and consumer choice".</i>	Opposed By: 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
110/83	Warehouse Stationery Limited	Delete the 2nd sentence of Policy 11.39 and replace with: <i>"This special area should accommodate the full range of retail format to enable residents of the area to enjoy the benefits of competition and consumer choice".</i>	Opposed By: 107 Westfield (New Zealand) Limited 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd

Evidence

The submitter made no specific reference to these submissions, but generally sought their inclusion in the Plan Change.

Discussion:

The notified version of Policy 11.39 states, in its second sentence:

“The retail node should consist of a mix of large format retail sleeved by speciality retail stores to provide a variety of shopping experiences at the Centre.”

What the submitter is seeking is the removal of the policy intention to sleeve large format retail stores with speciality retail stores. The Panel considers this sleeving is an important component of pedestrian amenity value in a shopping area, as speciality stores add variety and an interactive pedestrian environment. The Panel considers the placement of speciality stores along the sleeves of large format stores achieves the competition and consumer choice that the submitter seeks.

Panel Recommendation 5.7.1:

Submissions 109/83 and 110/83 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
109/84	The Warehouse Ltd	Amend the 5 th sentence of Policy 11.39 to replace the words “such as offices, warehousing and manufacturing” with: <i>“offices, light industrial activity and car focussed retail such as supermarkets and other large format retailing”.</i>	Opposed By: 107 Westfield (New Zealand) Limited 258 Auckland Regional Transport Authority 250 Auckland Regional Council 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
110/84	Warehouse Stationery Limited	Amend the 5 th sentence of Policy 11.39 to replace the words “such as offices, warehousing and manufacturing” with: <i>“offices, light industrial activity and car focussed retail such as supermarkets and other large format retailing”.</i>	Opposed By: 107 Westfield (New Zealand) Limited 258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd
111/80	The National Trading Company of New Zealand Limited	Amend the 5 th sentence of Policy 11.39 to replace the words “such as offices, warehousing and manufacturing” with: <i>“offices, light industrial activity and car focussed retail such as supermarkets and other large format retailing”.</i>	Opposed By: 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited 258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited
111/81	The National Trading Company of New Zealand Limited	Amend the 5 th sentence of Policy 11.39 to replace the words “such as offices, warehousing and manufacturing” with: <i>“offices, light industrial activity and car</i>	Opposed By: 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited

		<i>focussed retail such as supermarkets and other large format retailing</i> ”.	258 Auckland Regional Transport Authority 259 Transit New Zealand 250 Auckland Regional Council 108 Progressive Enterprises Limited 300 IMF Westland Ltd
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Evidence

The submissions from submitter 109 and 110 seek the inclusion of car focussed retail in Precinct A.

The planning representative for submitter 111 considers that priority must be given to meeting the needs of the community, with supermarkets being one of the more important of these. Submitter 111 evidence also concludes that the S32 analysis for the Plan Change is deficient.

Discussion:

The Panel understands that Policy 11.39 is an over-arching Policy for the whole of the Hobsonville Village Centre, and references to retail are associated with Precinct B.

The Panel has received a revised Policy 11.39 from representatives from Waitakere City Council and consider that that revision adequately recognises the type of retail activities sought by the submitters (the term “*large format retail*” being relatively synonymous with the term “*car focused retail*”).

The Panel does not consider that large format retail is appropriate in Precinct A. This Precinct is a strategically important location for the development of industrial activities. Consequently retail opportunities are limited to convenience retail for the employees working within the Precinct. The inclusion of the words “... *offices, light industrial activity and car focussed retail such as supermarkets and other large format retailing*” does not align with the policy outcomes that the Panel accepts are being sought in Precinct A. The Panel does not accept the NTC view that supermarkets are a more important need than industrial land providing employment opportunities in Waitakere City.

In relation to the criticism of the Council’s s32 analysis, the Panel notes that the submitter’s original submissions on the Plan Change did not raise, or in any way refer to, the competency of the Councils s32 analysis as an issue. Section 32A (1) of the Act states that:

“A challenge to an objective, policy, rule or other method on the ground that section 32 has not been complied with may be made only in a submission under Schedule 1 or a submission under section 49.”

Submitter 111’s original submission on the Plan Change did not challenge compliance with section 32. Therefore there is no jurisdiction to address this in response to evidence from NTC.

The Panel notes that Precinct B is specifically identified as the location for retail within the Hobsonville Village Centre. The Panel considers that the inclusion of car focussed retail in Precinct A would enable large format retail activities to establish in the Precinct, limiting the availability of employment land which then reduces the likelihood of the Council achieving the employment outcomes it is seeking.

Panel Recommendation 5.7.2:

Submissions 109/84, 110/84, 111/80 and 111/81 be rejected

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
109/85	The Warehouse	Delete the 6 th sentence of Policy 11.39.	Opposed By:

	Ltd		107 Westfield (New Zealand) Limited 250 Auckland Regional Council 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
110/85	Warehouse Stationery Limited	Delete the 6 th sentence of Policy 11.39.	Opposed By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd
111/82	The National Trading Company of New Zealand Limited	Delete the 6 th sentence of Policy 11.39.	Opposed By: 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited 250 Auckland Regional Council 108 Progressive Enterprises Limited 300 IMF Westland Ltd

Evidence

The submissions from submitter 109, 110 and 111 seek the deletion of the sentence.

“Retail activities are not encouraged in Precinct A as these activities should be consolidated around the town centre. “

Discussion:

Policy 11.39 and the revised Policy 11.40 provided by Waitakere City Council representatives adequately recognises the type of retail activities sought by the submitters (the term “*large format retail*” being relatively synonymous with the term “*car focused retail*”). Precinct A is a strategically important location for the development of industrial activities. Consequently retail opportunities are limited to convenience retail for the employees working within the Precinct. The Panel considers that the deletion of the sixth sentence does not align with the policy outcomes being sought in Precinct A, and Precinct B is specifically identified as the location for retail within the Hobsonville Village Centre.

Panel Recommendation 5.7.3:

Submissions 109/85, 110/85 and 111/82 be rejected

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
109/86	The Warehouse Ltd	Delete the 7th sentence of Policy 11.39 and replace with: <i>“Retail that supports the local employee community, such as lunch bars and service stations, should also be provided for in Precinct A”.</i>	Opposed By: 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
110/86	Warehouse Stationery	Delete the 7th sentence of Policy 11.39 and	Opposed By: 107 Westfield (New Zealand)

	Limited	replace with: <i>“Retail that supports the local employee community, such as lunch bars and service stations, should also be provided for in Precinct A”.</i>	Limited 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd
111/83	The National Trading Company of New Zealand Limited	Delete the 7th sentence of Policy 11.39 and replace with: <i>“Retail that supports the local employee community, such as lunch bars and service stations, should also be provided for in Precinct A”.</i>	Opposed By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd

Evidence

No specific mention of these submissions was made by submitters 109, 110 and 111, however their representatives advocated for the amendment in a general manner.

Discussion:

The seventh sentence in Policy 11.39 states:

“The exception to this is the provision for retail which supports the local employee community, such as lunch bars and service stations.”

The wording of this sentence is prepared in a way that seeks to emphasise that Precinct A is to be utilised for employment rather than retailing. The suggested amendment in this submission seeks to remove the word “exception”, which therefore weakens the approach of limiting retail in this Precinct B. This amendment does not align with the policy approach taken for this Precinct, and while the revised Policy 11.40 provided by Waitakere City Council addresses this matter, the Panel remains of the view that the word “exception” shall remain in the Policy.

Panel Recommendation 5.7.4:

Submissions 109/86, 110/86 and 111/83 be rejected

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
109/87	The Warehouse Ltd	Amend Policy 11.40 by adding the following words to the end the 1 st sentence: <i>“and car focused retail”</i>	Opposed By: 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
110/87	Warehouse Stationery Limited	Amend Policy 11.40 by adding the following words to the end the 1 st sentence: <i>“and car focused retail”</i>	Opposed By: 107 Westfield (New Zealand) Limited 258 Auckland Regional Transport Authority 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
111/84	The National Trading Company of New Zealand Limited	Amend Policy 11.40 by adding the following words to the end the 1 st sentence: <i>“and car focused retail”</i>	Opposed By: 107 Westfield (New Zealand) Limited 208 Sylvia Park Business

			Centre Limited 258 Auckland Regional Transport Authority 259 Transit New Zealand 250 Auckland Regional Council 108 Progressive Enterprises Limited 300 IMF Westland Ltd
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Evidence

No specific mention of these submissions was made by submitters 109, 110 and 111, however their representatives advocated for the amendment in a general manner.

Discussion:

The submitters seek specific reference to “*car focussed retail*” in the explanation for the Hobsonville Village Centre in Policy 11.40. The Panel notes that in Policy 11.39 to Proposed Plan Change 14 the following is stated about the Hobsonville Village Centre:

“The Hobsonville Village Centre is a Special Area that will primarily provide for employment and retail opportunities that will service projected population growth at Hobsonville and the Hobsonville Peninsula. The retail node should consist of a mix of large format retail sleeved by specialty retail stores to provide a variety of shopping experiences at the Centre.”

The Panel notes that Policy 11.39 refers to retail in association with Precinct B. The Panel considers that the Policy framework for the Hobsonville Village Special Area adequately recognises the type of retail activities sought by the submitters (the term “*large format retail*” being relatively synonymous with the term “*car focused retail*”). On this basis, it is considered the relief sought by the submitter is adequately provided for.

The Panel notes that Policy 11.40 identifies Precinct A as a strategically important location for the development of industrial activities. Consequently retail opportunities are limited to convenience retail for the employees working within the Precinct. The inclusion of the words “...*and car focussed retail*” does not, in the Panel’s view, align with the policy outcomes being sought in Precinct A. The inclusion of car focussed retail in Precinct A enables large format retail activities to establish in the Precinct, limiting the availability of industrial land which then reduces the likelihood of the Council achieving the employment outcomes it is seeking.

Panel Recommendation 5.7.5:

Submissions 109/87, 110/87 and 111/84 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
110/88	Warehouse Stationery Limited	Delete the second paragraph of Policy 11.40 and replace with the following: <i>“That part of Precinct A close to the motorway interchange is an ideal location for car focussed retail such as supermarkets and other large format retailing. Pedestrian oriented retail is better located in the Mixed Use Town Centre - Precinct B. Provision should also be made in Precinct A for retail that supports the local employee community such as convenience food outlets. Subsidiary manufacturing retail and yard based retail are</i>	Opposed By: 107 Westfield (New Zealand) Limited 258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd

		<i>provided for as these are also well suited to this light industrial area.”</i>	
111/85	The National Trading Company of New Zealand Limited	Delete the second paragraph of Policy 11.40 and replace with the following: <i>“That part of Precinct A close to the motorway interchange is an ideal location for car focussed retail such as supermarkets and other large format retailing. Pedestrian oriented retail is better located in the Mixed Use Town Centre - Precinct B. Provision should also be made in Precinct A for retail that supports the local employee community such as convenience food outlets. Subsidiary manufacturing retail and yard based retail are provided for as these are also well suited to this light industrial area.”</i>	Opposed By: 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited 258 Auckland Regional Transport Authority 259 Transit New Zealand 250 Auckland Regional Council 108 Progressive Enterprises Limited 300 IMF Westland Ltd

Evidence

No specific mention of these submissions was made by submitters 109, 110 and 111, however their representatives advocated for the amendment in a general manner.

Discussion:

Policy 11.40 identifies Precinct A as a strategically important location for the development of industrial activities. Consequently retail opportunities are limited to convenience retail for the employees working within the Precinct. The inclusion of the first sentence suggested by the submitters is not supported by the Panel, and these submissions seek to re-phrase the second paragraph of Policy 11.40 to incorporate those words. The Panel notes the matter of pedestrian amenity in Precinct B is addressed in Policy 11.41. As the first sentence is not accepted, and the second is addressed elsewhere, and so the Panel considers that the remaining text does not add to the policy framework.

Panel Recommendation 5.7.6:

Submissions 110/88 and 111/85 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
182/5	Palmers Gardenworld Ltd	Amend Policy 11.39 along with its associated explanation to distinguish between the different types of retail activity and in particular to recognise that large format and yard based retail activities such as garden centres may be appropriate outside the town centre and may also help to provide a buffer between the residential activities already along Hobsonville Road and the industrial activities provided for on the opposite side of the road.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd Opposed By: 259 Transit New Zealand 250 Auckland Regional Council 108 Progressive Enterprises Limited 300 IMF Westland Ltd
182/9	Palmers Gardenworld Ltd	Amend Plan Change 14 to provide for cafes and retail activities as a permitted activity in Precincts A and B where they are integrated with and ancillary to a large format or yard based retail activity such as a garden centre.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd

			Opposed By: 259 Transit New Zealand 108 Progressive Enterprises Limited 300 IMF Westland Ltd
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Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion:

Policy 11.39 in Plan Change 14 states that retail activities are not encouraged in Precinct A (the industrial / employment Precinct). This is further reinforced in Policy 11.40, which states that Precinct A will have limited opportunities for retail activities to establish. The Panel understands that this is important, as the Council does not consider that the infilling of Precinct A with retail activities will achieve the strategic outcomes sought for the City. This is in terms of both achieving employment densities within the City and maintaining the viability of the City’s town centres. Consequently Policy 11.39 goes on to state that retail in Precinct A should provide limited support the local employment community, such as lunch bars and service stations.

To amend Policy 11.39 as sought by the submitter provides an implicit approval of the existence of large format or yard based retail activity in Precinct A. This is contrary to the strategic outcomes that the Council is seeking, and on that basis the submission in relation to Precinct A is not accepted.

Policy 11.41 in Plan Change 14 provides the policy basis for the mixed use town centre in Precinct B, and seeks to consolidate retail activities that could possibly aspire to locate along Hobsonville Road. The area of land between Sinton Road and Brighams Creek Road has approximately 250 metres of frontage to Hobsonville Road. It was identified as part of Precinct A when Plan Change 14 was notified. The western-most land holding contains an existing building (a Palmers Gardenworld). It is appropriate to include the two land holdings south of the indicative road within Precinct B. This is because it is likely that these sites will be utilised for commercial purposes. A “Commercial” identification on the Concept Plan and inclusion in the area that requires a comprehensive development plan resource consent will ensure that the appropriate District Plan Policies and Rules apply in this area. Consequently changes to the Policy framework for the Plan Change as requested by the submitter are accepted in part. This acceptance is in terms of the land being re-identified on the Concept Plan to enable a commercial use, and new text being inserted into Policy 11.41 to enable commercial activities to occur but not to the extent that large format retail is enabled to occur.

Panel Recommendation 5.7.7:

Submissions 182/5 and 182/9 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/190	Waitakere City Council	Amend the wording of Policy 11.39 by deleting those words struck through, and adding those in italics and underlined: “Policy 11.39 The Hobsonville Village Centre is a Special Area The light industrial/bulky goods area in Precinct A should provide for land uses such as offices, warehousing and manufacturing that seek to locate close to the SH18	Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd 108 Progressive Enterprises Limited

		<p>interchange. Retail activities <u>shall be avoided</u> are not encouraged in Precinct A as these activities</p> <p>The Precinct B retail node should consist of a mix of large format retail <u>with at least 75 percent of trade by way of food, hygiene or health products</u>, sleeved by specialty retail stores to provide a variety of shopping experiences <u>and in particular a pedestrian orientated village character</u> at the Centre. <u>Large format retail developments that are focussed inward rather than onto the street and/or are based upon single large purchases shall be avoided</u>. The retail land use in Precinct B</p> <p>Precinct C consists of the existing Hobsonville</p> <p>Precinct D consists of open space, which will act as a buffer between the SH18 and proposed development. The Special Area extends into Transit New Zealand's designation as any land that <u>ultimately becomes surplus</u> is surplus to Transit <u>New Zealand's</u> roading requirements south of SH18 would be more appropriately developed for urban land uses <u>if the designation for those portions of land is lifted</u>."</p>	
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Evidence

The submitter provided a revision of Policy 11.39 in evidence, and has deleted all text associated with the types of activities that will occur in each Precinct. This text has been included in other revised Policies, where the submitter thought appropriate.

Discussion:

The Panel understand that the amendments seek to provide greater certainty about what activities occur in each Precinct. The submitter seeks changes in the text to provide greater policy guidance on the nature and function of each Precinct.

The Panel notes that the amendments relating to Precinct A seek to ensure that the Precinct acts as an industrial and manufacturing area with extensive employment opportunities.

The Panel notes amendments relating to Precinct B that seek to ensure that the policy protects the integrity of Precinct B as a retail and mixed use area with extensive employment opportunities. It also notes that the Precinct does not enable large format retail activities, as these activities will not achieve the pedestrian orientated village character. The Panel notes that large format retail activities are enabled elsewhere in the City, such as in Plan Change 15.

The Panel consider that these amendments clarify and provide certainty about the role and function of the Precincts. Consequently this submission is accepted in part, given the amendments recommended as a result of other submissions.

Panel Recommendation 5.7.8:

Submission 257/190 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/21	IMF Westland Ltd	Amend Policy 11.39, the second paragraph (Assume submitter is referring to the second sentence) as follows: The retail node <u><i>provides for enhancement and limited extension of the existing village centre. With the exception of a neighbourhood supermarket of less than 4000 m2 retail uses will consist of small scale retail and retail services consistent with the requirements to service a neighbourhood catchment.</i></u>	Supported By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd

Evidence

The submitter accepted the recommendation in the planning report.

Discussion:

This submission relates to the submitter's submission 300/22, and seeks to ensure that the land available for retail development is not wholly or partly taken up by vehicle orientated commercial activities. The Panel notes that Policy 11.41 (as revised by Waitakere City Council in evidence) is seeking to achieve small scale retail opportunities and retail services, associated with one larger supermarket. The text changes requested by the submitter are included in part in Policy 11.41 (which specifically addresses Precinct B) as a result of submission 300/22, and need not be replicated in Policy 11.39. Consequently the submission is rejected.

Panel Recommendation 5.7.9:

Submission 300/21 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.8 Retail Rules

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
109/89	The Warehouse Ltd	Amend Rule 25.2(b)(ii) by inserting the following words to the beginning of the sentence: <i>"Car focussed retail and"</i>	Opposed By: 107 Westfield (New Zealand) Limited 250 Auckland Regional Council 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
110/89	Warehouse Stationery Limited	Amend Rule 25.2(b)(ii) by inserting the following words to the beginning of the sentence: <i>"Car focussed retail and"</i>	Opposed By: 107 Westfield (New Zealand) Limited 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd
111/86	The National Trading Company of New Zealand Limited	Amend Rule 25.2(b)(ii) by inserting the following words to the beginning of the sentence:	Opposed By: 108 Progressive Enterprises Limited 208 Sylvia Park Business

		<i>"Car focussed retail and"</i>	Centre Limited 259 Transit New Zealand 250 Auckland Regional Council 108 Progressive Enterprises Limited 300 IMF Westland Ltd
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Evidence

The representative of submitters 109, 110 and 111, make specific mention of these submissions, and continue to advocate for this text to be included in the Special Area Rules.

Discussion:

The submitters seek specific reference to *"car focussed retail"* in Rule 25.2(b)(ii). This Rule relates to Precinct A, the Precinct that establishes a strategically important location for the development of employment activities.

The Panel notes that Rule 25.2(b)(ii) provides a performance standard for Policy 11.40 which identifies Precinct A as a strategically important location for the development of industrial activities. Consequently retail opportunities are limited to convenience retail for the employees working within the precinct. The inclusion of the words *"...and car focussed retail"* in the Rule does not align with the policy outcomes being sought in Precinct A. The inclusion of car focussed retail in Precinct A enables large format retail activities to establish in the Precinct, limiting the availability of industrial land which then reduces the likelihood of the Council achieving the employment outcomes it is seeking.

Panel Recommendation 5.8.1:

Submissions 109/89, 110/89 and 111/86 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/155	Auckland Regional Council	Amend the plan change by establishing maximum floor area controls for retail premises to ensure that Hobsonville Village develops as a mixed use centre.	Supported By: 107 Westfield (New Zealand) Limited 300 IMF Westland Ltd Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 312 Ockleston Family Trust 109 The Warehouse Ltd 108 Progressive Enterprises Limited
257/193	Waitakere City Council	Amend Rule 25.2 by adding a performance standard that specifies that one 4,000 square metre gross floor area single large format retail activity is provided for in Precinct B, with no other tenancy being larger than 400 square metres, with those other tenancies having an average of 200 square metres.	Supported By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd
300/24	IMF Westland Ltd	Amend Rule 25.2(f) to insert the following proviso:	Supported By: 107 Westfield (New Zealand) Limited

	<p><i>(i) Any proposed supermarket has a gross floor area less than 4000 m2 and is located immediately adjacent to the existing Hobsonville retail village that offers the greatest support to the existing centre.</i></p> <p><i>(ii) Other individual retail uses have a gross floor area less than 500 m2</i></p> <p><i>(iii) Any retail use above a gross floor area of 500 m2 if it can be clearly demonstrated that it primarily serves the local neighbourhood catchment</i></p> <p><i>(iv) Development of the retail recognises and supports the existing Village by only extending laterally along Hobsonville Road to the south once the supermarket and associated uses have been established directly adjacent to the existing shops on Hobsonville Road.</i></p>	<p>108 Progressive Enterprises Limited</p> <p>Opposed By:</p> <p>110 Warehouse Stationery Limited</p> <p>111 The National Trading Company of New Zealand Limited</p> <p>109 The Warehouse Ltd</p>
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Evidence

Submitter 250 made no specific comments on this submission. Submitter 300/24 accepted the recommendation in the planning report. Waitakere City Council provided a revision of the performance standards for Precinct B in its evidence, and sought to address the matter of maximum floor areas for a supermarket and smaller individual retail premises.

Discussion:

The Panel notes that the submitters seek (with varying levels of specificity) to address the lack of a cap for floor space in Precinct B. Submitter 257 noted that without such a cap, one retail activity could take up all the floor space that is available, and thereby not achieve the smaller scale village character that the Plan Change was seeking. The inclusion of an average gross floor area of 200 square metres for other tenancies is also appropriate, as following on from one supermarket, the Panel considers it appropriate that other tenancies support the functioning of the retail centre rather than create a second (albeit possibly smaller) supermarket type of store. Smaller tenancies will support the functioning of the retail centre, by providing convenience shopping that does not require large amounts of floor space.

Panel Recommendation 5.8.2:

Submissions 250/155, 257/193 and 300/24 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/200	Waitakere City Council	<p>Amend Rule 25.2 (b)(ii) by deleting those words in strikethrough:</p> <p>“(b) In respect of Precinct A as shown on the <i>Hobsonville Village Concept Plan</i>, any <i>Retail Activity</i> meeting the following standards:</p> <p>(i) convenience shops not exceeding 100m² in <i>retail floor space</i> provided there are no other <i>convenience shops</i> within a 500m radius of the centre of the site subject to any proposal;</p> <p>(ii) <i>retail sales</i> subsidiary to a manufacturing activity on the same site; and provided further that the</p>	<p>Opposed By:</p> <p>108 Progressive Enterprises Limited</p>

		Maximum Building Height of any building utilised for any Retail Activity shall be 10m within a 50m setback from Hobsonville Road boundary, with a maximum of 20m thereafter.”	
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Evidence

The submitter continues to seek this in evidence, and has provided a revised Rule 25.2(b) to reflect this suggested amendment.

Discussion:

This submission seeks to remove building height limits, and relates to submission 257/195 which seeks that buildings become subject to policies, rules and assessment criteria to achieve urban design outcomes. Those design outcomes are discussed as part of submission 257/195.

The Panel consider that methods such as the comprehensive development plan and the application of street frontage typologies are more effective urban design methods. It is appropriate that this submission be accepted to enable the inclusion of appropriate design provisions in the Plan Change.

Panel Recommendation 5.8.3:

Submission 257/200 be accepted.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

108/80	Progressive Enterprises Limited	Delete Rule 25.2(e) as there is no justification for such a large front yard setback.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd
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Evidence

The submitter provided evidence in support of the further reduction of frontage setback controls.

Discussion:

The submitter seeks to have a 10 metre wide front yard setback deleted from the Plan Change. This set back applies to both Precincts A and B. The Panel understands that the intention of this Rule was to set buildings back from the road boundary to assist in mitigating any adverse effects on residential activities on the southern side of Hobsonville Road.

Since notification, Transit New Zealand has continued to maintain the limited access road status for Hobsonville Road, and have indicated to Council that the status may be reconsidered in the future. This matter has been discussed in Section 5.11 of this report (below). As a result of the continued existence of the limited access to the road, the Council has provided in evidence the use of slip lanes and/or landscape buffers to ensure that the number of vehicle crossings available on Hobsonville Road does not increase to the extent that it adversely affects the efficiency of the road.

The slip lane and landscape frontage controls have been illustrated (in the planners report and revised in evidence from Waitakere City Council) by the design concepts entitled:

- Frontage Control: Diagram 25-A-1;
- Frontage Control: Diagram 25-A-2;

Road Design Control: Diagram 25-B; and
Landscape Interface Control: Diagram 25-C.

These controls generally require setbacks, but anticipate that some of the land used for the setback is located in the road reserve. Consequently the amount of land in the front yard that would be subject to the setbacks is reduced, but not deleted as the submitter requests.

The Panel accepts the need for controls along Hobsonville Road between Brighams Creek Road and Ockleston Road, and Landscape Controls adjacent to the Hobsonville Primary School.

Consequently it recommends Frontage Control: Diagram 25-A-1 (re-named Frontage Control: Diagram 25-A), and the revised Landscape Interface Control: Diagram 25-C (re-named Landscape Interface Control: Diagram 25-B).

The Panel does not recommend Frontage Control: Diagram 25-A-2 and Road Design Control: Diagram 25-B.

Panel Recommendation 5.8.4:

Submission 108/80 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/23	IMF Westland Ltd	Amend Rule 25.2 items (i) and (ii) of Rule 25.2(b) to read as follows: (i) Convenience shops <i>with an aggregated retail floor space</i> not exceeding 100m2 provided there are no other convenience shops within a 500m radius of the centre of the site subject to any proposal; (ii) retail sales subsidiary to a manufacturing activity on the same site <i>occupying not more than 15% of the gross floor area of that part of the building which is occupied by the activity, or 100m2 retail floor space whichever is the lesser.</i>	Supported By: 107 Westfield (New Zealand) Limited Opposed By: 108 Progressive Enterprises Limited

Evidence

The submitter accepted the recommendation in the planning report.

Discussion:

The submitter seeks that the performance standards associated with development in Precinct A align with and achieve the policy direction being sought by the Plan Change. The Panel notes that the submitter has requested text changes that clarify the existing performance standards, and that those changes improve the certainty and clarity of the Plan provisions.

Panel Recommendation 5.8.5:

Submission 300/23 be accepted.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.9 Residential Intensity

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
14/2	Nicholas Hayne	Amend the rezoning of rural land in precincts A & B to residential not industrial as proposed.	Opposed By: 107 Westfield (New Zealand) Limited 312 Ockleston Family Trust 108 Progressive Enterprises Limited

Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion:

The Panel understands that the submitter mistakenly raises the issue of potential contamination of the land within the adjacent Hobsonville Airbase as a reason for residential development not being located within the boundaries of the Airbase. The opportunity for extensive residential development exists on the Hobsonville Airbase. The submitter suggests that both Precincts A and B are appropriate for residential use. The strategic direction of Plan Change 14 is to enable land uses to occur that create employment opportunities that are connected to the transport system. This approach is, in the Panel's view, clearly aligned with the LG(A)AA, and the submitter presents no cogent reason to alter this direction in terms of Precinct A which seeks to enable employment land to be developed in association with transport networks.

The land available in Precinct B is associated with the development of the town centre. It is acknowledged that increasing the residential intensity around town centres increases their viability, and consequently enabling pedestrian access to the town centre reduces local traffic on existing road systems. In association with submission 300/25, the Panel is advised that the Council reviewed the industrial identification to the north of the area of land identified as Precinct B, and have amended the identification to enable residential development including apartment buildings to establish at that location. Consequently the Concept Plan has been adjusted, and a policy and rule framework included in the Plan Change to manage that type of development.

Panel Recommendation 5.9.1:

Submission 14/2 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
300/25	IMF Westland Ltd	Amend Rule 25.2 to insert the following item (i) to read as follows: <i>Intensive residential within 400m of the intersection of Hobsonville and Clark / Wisely Roads provided that it can be shown that the residential amenity is not adversely affected by the adjoining industrial uses.</i>	Support and Opposed By: 108 Progressive Enterprises Limited

Evidence

The submitter gave evidence in opposition to the amendments made to the Hobsonville Village Urban Concept Plan and the policy and rule framework recommended by the planning officer in response to this submission. Evidence was provided to the Panel from Waitakere City Council in support of the inclusion of a mixed use area with retail on the ground floor with medium density and or apartments above ground floor within Precinct B.

Discussion:

The Panel acknowledges that increasing the residential intensity around town centres increases their viability, and consequently enabling pedestrian access to the town centre reduces local traffic

on existing road systems. In association with submission 14/2, the Panel notes that the Council reviewed the industrial identification to the north of the area of land identified as Precinct B, and have amended the identification to enable residential development including apartment buildings to establish at that location. The Panel considers it appropriate to limit the extent of the submission to ensure that the majority of the land within Precinct B is utilised to create the neighbourhood centre at Hobsonville Village. However the Panel is supportive of enabling retail on the ground floor, with residential opportunities enabled via above ground level development in the area. Consequently the revisions suggested by Waitakere City Council in its evidence are considered appropriate, in terms of accepting the submission in part.

Consequently the policy and rule framework (and consequential changes) recommended for the Plan Change by Waitakere City Council to manage that type of development is accepted. The limitation of this type of development to that labelled "Mixed Use" on the Urban Concept Plan is considered appropriate by the Panel, rather than the enablement of residential generally within 400 metres of the corner of Hobsonville, Clark and Wiseley Road, as requested by the submitter.

Panel Recommendation 5.9.2:

Submission 300/25 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
258/198	Auckland Regional Transport Authority	Amend so that structure planning is undertaken for the whole of the Hobsonville corridor before any part of the corridor is rezoned and that urban density or yield targets for both residential and employment activities are set for areas within the corridor.	Support and Opposed By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited
258/199	Auckland Regional Transport Authority	Amend so that dwelling and employment targets be included for the land use proposed.	

Evidence

The submitter acknowledged in its evidence that the concept planning work that the Council had undertaken to prepare Plan Change 14 Urban Concept Plan utilised a similar process to structure planning, and that was acceptable to ARTA. The submitter noted the density provisions for residential development, as contained in Policy 0.1 of Plan Change 16, and that those density targets align with the Auckland Regional Council Regional Policy Statement Appendix H.

Discussion:

The Panel notes that the Council has been involved in planning for the Hobsonville Corridor since 2002. Workshops were the pre-cursor to the development of Plan Changes 13, 14 and 15, where the City's growth and employment goals were aligned with the purpose of the LG(A)AA. The Panel notes that Schedule Y and Policy Map Z provide sequencing of concept (structure) planning for the remainder of the Hobsonville Corridor, commencing after 2011. Consequently the Panel does not consider that an additional or new structure plan is necessary. The policy and rule framework established by the Plan Change, when applied to the Hobsonville Village Centre Urban Concept Plan will, in the Panel's view, provide the certainty required to ensure that the Council's strategic outcomes for the area are achieved, as will the outcomes sought by the LGA(A)A.

The Panel notes that Policy 0.1 provides guidance on the residential densities required in new residential areas that are enabled by a Plan Change. This density is 40 households per hectare (gross). This target applies to Plan Change 14.

The Panel notes the Council's Draft Growth Management Strategy for Waitakere City (dated August 2006) states, in relation to the Hobsonville Corridor on page 105:

The Council envisages the land providing employment for approximately 1,500 people in the future with a number of jobs focussed on servicing the marine industry. Again the development of State Highway 18 will make this area highly accessible before the end of the decade. Public transport links will be provided along Hobsonville Road, while the number of cars using the road are likely to reduce with the building of the new motorway. The remainder of the Hobsonville Corridor will be developed between 2011 and 2021 and would provide housing for approximately 3,000 residents and employment for some 4,000

It is appropriate that an amended statement aligning with the draft Growth Management Strategy be included in the explanatory text to Policy 11.38.

Panel Recommendation 5.9.3:

Submissions 258/198 and 258/199 be accepted in part

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.10 Building Design

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/76	Progressive Enterprises Limited	Delete the following sentence from Policy 11.39: <i>“There are specific streetscape rules for Hobsonville Centre that will ensure a high level of amenity values for pedestrians by controlling urban design matters such as minimum areas of glazing, building set-backs and minimum and maximum height limits”.</i>	Supported By: 300 IMF Westland Ltd 111 The National Trading Company of New Zealand Limited 110 Warehouse Stationery Limited 109 The Warehouse Ltd 208 Sylvia Park Business Centre Limited Opposed By: 95 Housing New Zealand Corporation (1) 258 Auckland Regional Transport Authority 250 Auckland Regional Council

Evidence

The submitter noted its general support for urban design tenets within Plan Changes 14 and 18, as they relate to building design and street frontages.

Discussion:

The Panel notes that Plan Change 14, while seeking to establish a mixed use town centre and an employment area, is also cognisant of urban design and urban amenity values. Consequently the Panel notes that general provision is made in Policy 11.39 for urban design that provides for pedestrian amenity value. The Policy has been amended in response to other submissions, clarifying the nature of street frontage controls.

The Panel does not accept the need to remove the need for urban design considerations in the development of Precincts A and B. Such an action is likely, in the Panel’s view, to result in a low level of pedestrian amenity, arising from a lack of poor urban design requirements. The potential for adverse effects on pedestrian amenity values arising from this submission is not accepted. The Panel is cognisant of the revised wording for Policy 11.39 provided by Waitakere City Council, and considers that that wording is more effective in integrating the urban design and street frontage rules in Precincts A and B.

Panel Recommendation 5.10.1:

Submission 108/76 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/82	Progressive Enterprises Limited	Delete the reference to Citywide Building Design Street Frontage Rule in Rule 25.4: Other Rules Applying.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd

Evidence

The submitter noted its general support for urban design tenets within Plan Change 14 and 18, as they relate to building design and street frontages.

Discussion:

The Panel understands that the Special Area approach in the District Plan includes cross references to other relevant rules within the District Plan to avoid unnecessary repetition. This submission follows on from 108/76, and seeks the deletion of the City Wide Rule relating to Building Design Street Frontage. This rule requires urban design components both within buildings and also how they relate to streets, to provide for pedestrian amenity value. The suggested deletion of this reference removes the need for urban design considerations in the development of Precincts A and B, and is likely, in the Panel's view, to result in a low level of pedestrian amenity. The potential for adverse effects on pedestrian amenity values arising from this submission is not accepted.

Panel Recommendation 5.10.2:

Submission 108/82 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/194	Waitakere City Council	Amend Rule 25 to include appropriate methods to address urban design and amenity issues that may arise as a result of development within Precinct B.	Supported By: 95 Housing New Zealand Corporation (1) 107 Westfield (New Zealand) Limited Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd 108 Progressive Enterprises Limited
257/195	Waitakere City Council	Amend the relevant policies, rules, and assessment criteria of the Plan Change, so that all buildings become subject to relevant design criteria.	Supported By: 250 Auckland Regional Council
257/199	Waitakere City Council	Amend Rule 25.0 (a) to add those words underlined:	Supported By: 95 Housing New Zealand

		“(a) The following rules shall apply to Any Activity on land situated in the Hobsonville Village Centre Special Area; <u>and shall include the erection or alteration of buildings or development of the site.</u> “	Corporation (1)
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Evidence

These matters are briefly covered by the submitter in evidence.

Discussion:

The Panel understands that the Plan Change as notified lacked extensive guidance on urban design. The Panel considers it appropriate that a policy and rule framework be included in the Plan Change to provide certainty and clarity for Plan users about what is required.

The Panel considers that urban design provisions will ensure a level of amenity value for people who live, work or visit Precincts A and B. The Panel notes the inclusion of urban design requirements in the revisions provided in evidence by the submitter, and accepts them subject to any amendments recommended by the Panel on these matters elsewhere.

Panel Recommendation 5.10.3:

Submissions 257/194, 257/195 and 257/199 be accepted.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.11 Integration With State Highways and Public Transport

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/151	Auckland Regional Council	Amend the plan change to provide for bus services along Hobsonville Road, and create land use and a suitable transit boulevard of an appropriate width to support public transport, and provide for links to ferry and future motorway bus rapid transit. And; Amend the plan change to differentiate the transport function of State Highway 18 and Hobsonville Road.	Supported By: 258 Auckland Regional Transport Authority 108 Progressive Enterprises Limited Opposed By: 312 Ockleston Family Trust

Evidence

The submitter provided evidence on the origin of the decision to include the Hobsonville Corridor in the Regional Growth Strategy. The submitter casts doubt on the ability of State Highway 18 (Hobsonville Road) to develop in an integrated manner as envisaged by the Regional Growth Strategy, especially if it remains a State Highway. It provided traffic modelling evidence on this matter.

The submitter listed several effects that, in the planning expert’s opinion, could develop as a result of Hobsonville Road being developed in the manner proposed. The submitter concluded that agreements between the Council and Transit NZ do not amount to integration of transport and land use, and such agreements lack certainty with regard to providing a multi-modal transport system along Hobsonville Road.

Discussion:

Hobsonville Road is currently a “Limited Access Road” controlled by Transit New Zealand. Evidence from the Chief Executive of Transit New Zealand provided to the Panel indicates that Transit is preparing to relinquish this status.

The Panel understands that Waitakere City Council is constrained in what it can do within the ambit of a District Plan to provide for bus services (i.e. it cannot provide the services) and any works that occur along this road currently need to be approved by Transit NZ. The Panel note that the Council has prepared a second District Plan Special Area Map associated with the Hobsonville Village Centre Special Area. This Map details the transport network within the Plan Change area, and the Council's requirements as part of the planning processes for this area. Further to this the Panel notes that the Council has included frontage controls that include slip lanes, to address any effects on the transport function(s) of the road associated with development along it.

The Panel also heard extensive evidence from Waitakere City Council traffic engineers and transport analysts on this matter, and consider that that evidence addresses the various issues raised by the submitter's planning expert. The Panel also notes the Integrated Transport Assessment, and both Transit New Zealand and ARTA's acceptance of that document (aside from passenger transport assumptions made by Waitakere City Council) in its evidence.

The Panel considered this submission in relation to Frontage Control Diagram 25-A-2. The Panel agreed with the submitter that this frontage control would not necessarily provide the amenity values required to create a pedestrian friendly environment along Hobsonville Road. Following consideration by the panel of the evidence from Mr Reaburn on this matter, the Panel considers it appropriate to delete this frontage control, and replace it with a performance standard for buildings fronting Hobsonville Road.

The Panel also considers that including the Hobsonville Village Urban Concept Transport Plan in the District Plan Maps Section addresses the land use issues that are within the ambit of the Waitakere City Council.

Panel Recommendation 5.11.1:

Submission 250/151 be accepted in part, in that the Hobsonville Village Urban Concept Transport Plan be included in the District Plan Maps Section, and amendments be made to the policy, rules (including new performance standards to achieve a more intensive and active frontage along Hobsonville Road, and the deletion of Frontage Control Diagram 25-A-2 and maps

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/152	Auckland Regional Council	Amend the plan change by locating land uses according to transport accessibility requirements. For example freight intensive and low employment uses near the Brigham Creek interchange; and activities with more intensive employment or higher residential densities along Hobsonville Road to support a rapid transit corridor.	Supported By: 107 Westfield (New Zealand) Limited 258 Auckland Regional Transport Authority Opposed By: 312 Ockleston Family Trust Support and Opposed By: 108 Progressive Enterprises Limited

Evidence

The submitter reiterates its submission, noting the planning report's response to this matter in relation to Transit New Zealand's limited access requirements for this road.

Discussion:

The Panel understands that Hobsonville Road is currently a "Limited Access Road" controlled by Transit New Zealand. Consequently the Council is constrained in what it can do within the ambit of a District Plan. The Panel notes that the Council recommends the amendment of the Hobsonville Village Centre Urban Concept Plan (in response to other submissions as well as this one) to include a new "Commercial" area along Hobsonville Road, and a new "Residential" area to the north of the Village Centre to enable intensive uses to support the rapid transit corridor. The Panel also notes that the submitter supports the Waitakere City Council recommendation that there is a

requirement for a comprehensive development plan resource consent for Precinct B to assist in achieving both residential densities and transport infrastructure such as bus stops and pedestrian networks. The Panel consider that these mechanisms will assist in achieving the outcomes sought from the submission.

The Panel notes in the evidence that the submitter does not support the “Business” extension to Precinct B (Recommendation 8.31 of that evidence). The submitter then goes on to recommend higher density activities along Hobsonville Road, presumably as far as the Hobsonville Primary School. This, the Panel understands, will assist in the creation of a Quality Transport Network (QTN).

While the Panel generally supports the creation of a QTN (and this is addressed elsewhere in this report), the views of the submitter on this matter are not accepted by the Panel. The Panel does not consider that the submitter’s opposition to the “Business” extension to Precinct B, while on the other hand advocating ribbon development along Hobsonville Road to support the QTN, is a coherent approach to the intensification of Hobsonville Road.

Panel Recommendation 5.11.2:
Submission 250/152 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
127/22	Land Transport New Zealand	Withdraw Plan Change 14. Land Transport NZ may review its position on this primary relief once it has had the opportunity to review a complete and robust s32 analysis from the Council that includes a comprehensive transportation study that addresses the impacts on the land transport system including State highways and public transport networks compared with alternative growth scenarios, and has held further discussions with the Council to address the matters set out in this submission.	Supported By: 258 Auckland Regional Transport Authority Opposed By: 312 Ockleston Family Trust 205 Fulton Hogan Limited (1) 300 IMF Westland Ltd
250/153	Auckland Regional Council	Amend the Plan Change so that Waitakere City (in conjunction with ARTA) prepare a ‘transport concept’ (the vision for an efficient, integrated, multimodal transport network and required infrastructure) for the whole of the Hobsonville Village Centre Urban Concept Plan area.	Supported By: 107 Westfield (New Zealand) Limited 258 Auckland Regional Transport Authority 127 Land Transport New Zealand 108 Progressive Enterprises Limited Opposed By: 312 Ockleston Family Trust
259/6	Transit New Zealand	Amend the Plan Change to address the issues and information deficiencies outlined in Transit’s submission (259/6 - 259/8), OR, if that is not able to be undertaken to Transit’s satisfaction, withdraw Plan Change 14.	Opposed By: 157 Federated Farmers of New Zealand (Inc) 300 IMF Westland Ltd
259/7	Transit New Zealand	Amend the Hobsonville Village Centre Urban Concept Plan to address the issues outlined in Transit’s submission (259/6 - 259/8).	Opposed By: 157 Federated Farmers of New Zealand (Inc) 300 IMF Westland Ltd Support and Opposed By: 95 Housing New Zealand Corporation (1)

Evidence

The Panel received extensive evidence on this matter by the submitters. Land Transport New Zealand indicated that subject to certain minor amendments, it withdraws its opposition to Plan Change 14. Transit NZ provided details of its support for the analytical work undertaken by the Council. The Panel noted that ARTA has accepted the Integrated Transport Assessment (the revised name for the previously named Transport Audit), subject to the resolution of certain specific matters.

Discussion:

The Panel understands that these submissions opposed the Plan Change because of :

1. The number of connections to Hobsonville Road and the effect of those connections on its arterial function
2. Potential for changes to the proposed motorway interchange design
3. The need for a comprehensive transportation study. This study will assist in determining the general types of land use, and amendments to the Concept Plan.

Item 1

The Panel understands that State Highway 18 (Hobsonville Road) and State Highway 16 (north of Don Buck Road) are Limited Access Roads as declared by Transit New Zealand under the Transit New Zealand Act. The Panel is advised that during pre-hearing consultation, Transit NZ indicated that it is considering removing the Limited Access road status along portions of Hobsonville Road. This was subsequently confirmed by Transit NZ in evidence.

Until such time that the Council has official notification from Transit NZ of the removal of Limited Access Road provisions to portions of Hobsonville Road, the Council has introduced controls to address the Limited Access requirements along the portion of Hobsonville Road adjacent to Precinct B. Access to Hobsonville Road adjacent to Precinct B is to be addressed via the comprehensive development plan resource consent, which includes provisions to address traffic management.

The Panel notes that the revised Urban Concept Plan shows 4 new intersections along Hobsonville Road, and anticipates that within each of the new blocks created by those intersections, additional vehicle crossings could be created. The Council considers that the inclusion of frontage requirements along Hobsonville Road will mitigate any effects arising from these new intersections. The requirements are either:

- a landscaped buffer between the Road and the land use activity, thereby avoiding a vehicle crossing, or
- a landscaped buffer with a slip lane that runs parallel to Hobsonville Road.

This slip lane would service all of the land use activities along that length of Hobsonville Road, and thereby reduce the number of vehicle crossings required.

The slip lane and landscape design concepts are entitled Frontage Control: Diagram 25-A-1, and Frontage Control: Diagram 25-A-2. The Panel notes the revised Landscape Interface Control: Diagram 25-C, as provided by Mr Reburn in his evidence dated 20 April 2007. The Panel supports the revised Diagram 25-C to the other version of this Diagram contained in Appendix 3 of the Planners Report. The locations where these Diagrams apply are identified on amended Appendix XIX A Hobsonville Village Centre Urban Concept Plan.

Further to this, the Panel notes that new rules have been included to ensure that Indicative Future Roads and Strategic Access Points are sited in accordance with the Concept Plan. Indicative future roads must be sited "...in general accordance..." to reflect the possibility that the alignment of the road within the existing sites may change once detailed design has occurred. The Panel supports this approach.

Item 2

The Panel is advised (via a letter from Transit NZ dated 15 May 2007) that the funding for the combined State Highway 16 Brigham Creek Extension and State Highway 18 Hobsonville Deviation will be submitted to Land Transport NZ in June 2007, and construction is forecast to start during 2010/2011. This provides sufficient certainty for the Panel to address concerns relating to the construction of the motorways.

Item 3

The Panel notes that the submissions requested (amongst other things) that a “comprehensive transportation study” be undertaken. The Council has, in the intervening period of time since the Plan Change were notified, prepared a “Integrated Transport Assessment” for Plan Changes 13 and 14 in Hobsonville, and Plan Change 15 in Massey.

The Panel notes that this assessment is a proposed method (2.6.12(8)) of Proposed Plan Change 6 to the Auckland Regional Policy Statement (ARPS), for new major traffic generating activities.

The Panel is advised that a consultation process commenced after the close of submissions in 2005 between WCC, ARTA and the Auckland Regional Council (ARC) (and other parties) that has seen both the development of the Assessment methodology, and a parallel assessment process being undertaken for the areas covered by WCC proposed Plan Changes 13, 14, and 15.

The Panel understands that the Assessment seeks to ensure that public transport/walking/cycling measures have been incorporated into new development. This looks to expand on the previous narrow scope of the traffic generation based traffic impact assessments that have traditionally made up part of environmental impact assessments for proposed activities. The Panel considers that it is important that the Council attempt to meet the purposes of the LGA(A)A in its proposed land use regimes by ensuring that they are integrated with transport services, and that each local component fits into the regional framework.

The Panel is advised that at the time of the plan changes being notified and submissions being made, the comprehensive transport study (now called the Integrated Transport Assessment), as requested in this submission was in the process of development. This is now completed. The Panel sees no need to address this matter further.

Panel Recommendation 5.11.3:

Submissions 127/22, 250/153, 259/6 and 259/7 be accepted in part

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
312/7	Ockleston Family Trust	Amend the Plan Change to indicate a future pedestrian connection over the future motorway, as shown on the map attached to this submission.	

Evidence

The submitter indicates that it does not wish to take this submission further.

Discussion:

The submitter is seeking a pedestrian access way across the new State Highway 18. The State Highway is a Transit NZ designation. The Panel notes that Transit NZ is the agency that would approve the construction of a pedestrian access way. The Panel also notes that the Council supports the submitter’s request in principle, subject to a specific location being determined and specific design occurring. The Hobsonville Village Urban Concept Transport Plan indicates the location of either a proposed pedestrian over bridge or underpass. The Panel considers that the

Waitakere City Council is not able to give effect to the submitter's request, and so the submission is rejected,

Panel Recommendation 5.11.4:
Submission 312/7 be rejected.

5.12 Stormwater

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/156	Auckland Regional Council	<p>Reject Plan Change 14 because it has not been fully informed by the stormwater and wastewater Network Discharge Consent and Integrated Catchment Management Plan processes, and does not reflect the outcomes of these processes.</p> <p>Or;</p> <p>Amend the assessment criteria in relation to infrastructure to include a requirement that development be consistent with the Integrated Catchment Management Plan; and promotes Low Impact Design and source control for stormwater management; and fully incorporates and reflects the outcomes of the Upper Waitemata Harbour Study.</p>	<p>Opposed By: 312 Ockleston Family Trust 205 Fulton Hogan Limited (1)</p>

Evidence

The submitter provided limited evidence on this matter, noting the network discharge consent processes currently underway.

Discussion:

The submitter seeks that the link between the landuse controls in Plan Change 14 and the Council's Integrated Catchment Management Plan needs to be reinforced to ensure sustainability, especially for the Upper Waitemata Harbour.

The Panel notes that Hobsonville Village Centre is within the Waiarohia Catchment, which drains to the Brighams sub-estuary of the Upper Waitemata Harbour. The Upper Waitemata Harbour is a sensitive estuarine environment. It is a recognised estuarine settling zone and is therefore potentially susceptible to the accumulation of contaminants via stormwater from adjacent land-based activities including urban activities. The Panel considers it important that the future development proposed under Plan Change 14 does not contribute significantly to long-term degradation of the Upper Harbour.

The Panel understands that Waitakere City Council has prepared an Integrated Catchment Management Plan – Waiarohia Catchment (ICMP), which forms the documentation for the Waiarohia Catchment network consent application (ARC permit application 25692). The ICMP was submitted to the Auckland Regional Council (ARC) in association with a network discharge consent application. The decision making process for the network discharge consent application will be approximately contemporaneous with the decision making process for Plan Change 14, but will be independent.

The Panel is advised that the preparation of the ICMP and the Hobsonville Village Centre Concept Plan have been fully integrated. The contents of the ICMP show that the discharge of stormwater from the urban area can be managed to ensure that the urban development in accordance with the ICMP and the Hobsonville Village Centre Concept Plan will not significantly alter long-term contaminant accumulation rates in the Upper Waitemata Harbour. In addition, the proposed development will not cause significant contaminant accumulation in the immediate Waiarohia Inlet sub-estuary.

The Panel understands that the ICMP has been amended as a result of further detailed analysis. In particular, the area to be set aside for Drainage/Ecological Space has been refined, and the locations of stormwater treatment wetlands have been determined. A preferred option for stormwater management has been selected (refer to Option 4A discussed in Section 11.7 ICMP). The preferred option will comprise three essential elements: source control of zinc coating systems, three constructed wetlands and one existing pond to provide treatment and detention for the entire developed catchment, and rainwater detention tanks. This option is considered to enable a compact urban form, is relatively cost effective, and will be effective in the long-term.

The Panel notes that it is important that development in the Hobsonville Village Centre remain consistent with the ICMP and the ultimate network discharge consent. In addition, the Panel considers that the relevant text in the Plan Change should be amended to ensure that development is consistent with the ICMP. In particular:

- the ICMP be referred to in Policy 11.38,
- Rule 25 shall refer to the ICMP so that comprehensive development plan applications in Precinct B or subdivision and land use consents in either Precinct A or B specifically provide for the ICMP, and that Low Impact Design relevant to the ICMP is used;
- Assessment criterion 21(ba) shall be amended to ensure that development is consistent with the ICMP.

Panel Recommendation 5.12.1:

Submission 250/156 be accepted in part, to the extent that amendments are made to Policies and Rules in Plan Change 14 to correctly reference the ICMP and its related network discharge consent.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.13 Riparian Margins

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
164/1	Anthony and Janet Koenen	Amend to reflect undertaking from WCC, ARC and Transit that any variations to the natural water catchment area or the natural water level of the submitter's lake (property at 14 Clarks Lane), created by the development of the motorway of the Plan Change, would be properly addressed	

Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion:

The Panel understands that the submitter's lake is located north of the new State Highway 18, outside of the geographical area of Plan Change 14. The lake is, however, included as part of the storm water detention system for Plan Change 14, and is incorporated into the Waiarohia Catchment ICMP. The Panel considers that this submission is more appropriately addressed in the consideration of submissions on the ICMP. The Panel considers that it is not appropriate to amend the Plan Change to grant the submitter's relief.

Panel Recommendation 5.13.1:

Submission 164/1 be rejected

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
312/5	Ockleston Family Trust	Amend the Plan Change to delete or reduce the area identified as "Drainage/Ecological Open Space" as shown on the map attached	Opposed By: 574 Limeburners Bay Vineyards Ltd

		to this submission.	
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Evidence

The submitter accepts the placement of a proposed drainage and ecological open space area is warranted. The submitter endorses a reduction in the size of this area, while further consideration is suggested as being needed in terms of its location.

Discussion:

The Panel understands that the area of land identified as "Drainage/Ecological Open Space" is associated with two riparian margins. Riparian Margins are understood to be a strip of land identified along the edges of natural watercourses including streams, lakes and wetlands. The Panel understands that riparian margins are one of the Natural Areas identified in the District Plan, and are similar to a setback from a road or side boundary, but apply where a stream features on a property. The riparian margin remains the property of the owner, but there are Rules within the District Plan about what can be done within them.

The Panel understands that the creation of this area fulfils both a storm water management purpose and the potential for passive recreation on open space associated with the adjacent industrial types of development. The deletion of this area is consequently not supported by the Panel, however it is appropriate to reduce the area in size to ensure that land is not made unavailable for development while it does not fulfil a role in stormwater management. Evidence from Waitakere City Council (Rochelle Edwards) has advised the Panel that while the Drainage / Ecological Open Space area has been re-shaped to better reflect the riparian margins, it has not been reduced in size. The Panel understands that this is because the modelling of the stormwater system requires a certain amount of drainage land, which cannot be reduced without the need for modelling of the effect of such a reduction.

The Panel notes that Appendix XIX is a Concept Plan, and considers that the exact location of the drainage / ecological open space will be accurately determined during the resource consent process. This will occur via requiring accordance with the (yet to be approved) network discharge consent. The Panel therefore considers that detailed matters such as the severed triangle of land discussed in evidence from the submitter can be addressed at that time.

Panel Recommendation 5.13.2:

Submission 312/5 be accepted in part, with the area identified on the concept plan being changed in terms of its shape.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
312/6	Ockleston Family Trust	Delete the proposed 5m wide riparian margin as shown on the map attached to this submission.	Opposed By: 574 Limeburners Bay Vineyards Ltd

Evidence

The submitter states that the riparian margins need to be reconsidered, particularly in light of the location of the revised indicative roads.

Discussion:

The Panel understands that riparian margins are a strip of land identified along the edges of natural watercourses including streams, lakes and wetlands. The riparian margin remains the property of the owner, but there are Rules within the District Plan about what can be done within them.

The Panel is advised that the Council engaged the National Institute of Water & Atmospheric research in November 2004 to determine the appropriate riparian margin widths for streams in the land areas associated with Plan Changes 13, 14 and 15. In the case of Hobsonville Village Centre, five streams were identified that required riparian margins. In terms of the riparian margin that the submitter wishes to have removed, a five metre margin was applied to provide shade to the stream

and stabilise the banks. The Panel notes that the submitter has provided no ecological assessment in the submission to justify the removal of the riparian margin.

Panel Recommendation 5.13.3:

Submission 312/6 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.14 Reverse Sensitivity

5.14.1 General Issues

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
14/1	Nicholas Hayne	Reject the rezoning of the rural land in precincts A & B to industrial.	Opposed By: 107 Westfield (New Zealand) Limited 312 Ockleston Family Trust 108 Progressive Enterprises Limited

Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion:

Planning for the Hobsonville Corridor commenced in 2001, and Plan Change 14 is part of the outcome from that concept planning. The Plan Change was prepared as part of the LGA(A)A initiative. The submitter seeks residential development as he believes that the activities associated with industrial development will adversely affect the existing Primary School, and a retirement village. The Panel notes that the Council has reviewed these issues, and in its evidence has provided controls around the Primary School and along Hobsonville Road. These requirements will mitigate any adverse effects on the Primary School and residential activity on the south side of Hobsonville Road. Consequently the submission is rejected.

Panel Recommendation 5.14.1.1:

Submission 14/1 be accepted in part

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
107/63	Westfield (New Zealand) Limited	Amend Policy 11.41 to recognise the potential reverse sensitivity issues that may arise from the introduction of residential uses into mixed use areas and recognition that these issues may be addressed through appropriate design standards for residential dwellings.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 259 Transit New Zealand 109 The Warehouse Ltd 300 IMF Westland Ltd Support and Opposed By: 208 Sylvia Park Business Centre Limited
108/78	Progressive Enterprises Limited	Amend Policy 11.41 to recognise the potential reverse sensitivity issues that may arise from the introduction of residential uses into mixed use areas and recognition that these issues may be addressed through	Supported By: 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd

		appropriate design standards for residential dwellings.	
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Evidence

The submitters note in their evidence that this matter, while being accepted in part, has not led to amendments to the text.

Discussion:

The Panel agrees that the introduction of residential activity into Precinct B as a result of submissions 14/2 and 300/25 requires that any potential reverse sensitivity effects are addressed. This is particularly important given the proximity of residential, retail and industrial activities in the area between Brighams Creek Road and Ockleston Road. This issue is acknowledged by the Panel and text is included in Policy 11.41 to address this issue.

Panel Recommendation 5.14.1.2:

Submissions 107/63 and 108/78 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/150	Auckland Regional Council	Amend the plan change to provide detail on the scale of industrial activities to be provided for in Precinct A and to prohibit 'heavy' industry because the close proximity of sensitive land uses, and lack of buffering, means this area is considered inappropriate for heavy industry uses.	Supported By: 95 Housing New Zealand Corporation (1) Opposed By: 312 Ockleston Family Trust

Evidence

The submitter makes reference to submission 250/150, but makes no specific comment on the scale of industrial activities or heavy industry. Rather the focus of evidence is on employment density.

Discussion:

The Panel notes that the Council has introduced via the planners report and its evidence frontage controls and interface requirements to assist in mitigating the effects of industry on adjacent land uses. Further to this, the Panel notes that performance standards and assessment criteria have been introduced via the evidence from Waitakere City Council into Special Area Rule 25 to ensure that each activity that establishes in Precinct A avoids or mitigates its effects, thereby ensuring that adjacent land uses are not adversely affected.

The Panel considers that as a result of the provisions that are to be inserted into the Plan Change, there is no need to prohibit "heavy industry" (an undefined term), because the employment activity will need to meet the requirements of the District Plan and the relevant regional planning documents. It is the Panel's view that if "heavy industry" cannot do so, it is likely that such industry will choose to locate elsewhere in the Auckland Region (such as within the Massey North Employment Area (provided by Plan Change 15)).

Panel Recommendation 5.14.1.3:

Submission 250/150 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.14.2 Hobsonville Primary School Issues

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
6/1	Melissa Clark	Delete the 'industrial' zoning in the area adjacent to the Hobsonville School and replace with 'Residential' zoning.	Opposed By: 312 Ockleston Family Trust
159/10	Ministry of Education (Auckland Office)	Amend Hobsonville Village Centre Urban Concept Plan or elsewhere in the Plan Change to include specific provisions requiring a buffer between the School Precinct C, to protect it from potentially adverse effects of the Industry Precinct A.	Opposed By: 312 Ockleston Family Trust
159/11	Ministry of Education (Auckland Office)	Amend Policy 11.40 or elsewhere in the Plan Change to include specific provisions requiring a buffer between the School Precinct C, to protect it from potentially adverse effects of the Industry Precinct A.	Opposed By: 312 Ockleston Family Trust
159/12	Ministry of Education (Auckland Office)	Amend Policy 11.41 or elsewhere in the Plan Change to include specific provisions requiring a buffer between the School Precinct C, to protect it from potentially adverse effects of the Industry Precinct A.	Opposed By: 312 Ockleston Family Trust
159/13	Ministry of Education (Auckland Office)	Amend Rule 25 or elsewhere in the Plan Change to include specific provisions requiring a buffer between the School Precinct C, to protect it from potentially adverse effects of the Industry Precinct A.	Opposed By: 312 Ockleston Family Trust
250/149	Auckland Regional Council	Amend the zoning surrounding the school to provide for compatible mixed use and residential activities and to support public transport (i.e. along the Hobsonville corridor); and establish a street layout around Precinct C to better support multimodal movement to the school.	Supported By: 258 Auckland Regional Transport Authority Opposed By: 259 Transit New Zealand 312 Ockleston Family Trust

Evidence

The Panel did not receive evidence in support of the submission from Melissa Clark or the submissions from the Ministry of Education (Auckland Office) or their representatives at the hearing of this report.

Discussion:

Precinct C (the existing Primary School on Hobsonville Road) is immediately adjacent to Precinct A Industry. The school is a sensitive use of land, and the submitter raises the possibility of adverse effects from industrial activities on the school and its staff and pupils.

To address this potential effect, the Council has indicated on its revised Concept Plan landscaping and frontage controls to provide buffering between the school and the industrial activities. The landscaping and frontage controls along the adjacent indicative future roads also seek to provide mitigation to the amenity values associated with industrial land uses, especially where those land uses face the school and its playing fields. These requirements are then incorporated into a revised Policy 11.40 and Rule 25. The Rule includes cross references to the landscape interface requirements, which seek to (amongst other things) mitigate the effects of adjacent activities on the school by requiring revised landscaping.

Submitter 159 also seeks amendments to Policy 11.41, but this revised Policy now only relates to Precinct B, which is located approximately 800 metres to the east of the school. It is considered that Precinct B need not address the issue that the submitter raises in submission 159/12.

Panel Recommendation 5.14.2.1:

Submissions 159/10, 159/11, 159/13 and 250/149 be accepted in part.

Panel Recommendation 5.14.2.2:

Submissions 6/1 and 159/12 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/198	Waitakere City Council	Amend Policy 11.42 to add those words underlined and delete those words in strikethrough: "The Hobsonville Primary School is expected to grow and develop further to serve a larger population at Hobsonville. The design of school buildings should integrate with the new town centre. This development of land adjacent to the school will require issues <u>effects</u> such as noise, reverse sensitivity, building design and safety issues to be adequately assessed."	Supported By: 259 Transit New Zealand

Evidence

No specific evidence on this matter was received by the Panel at the hearing of this report.

Discussion:

The replacement of the word "issues" with "effects" assists with understanding the Policy in terms of the Resource Management Act terminology. The Panel consider that this amendment improves the clarity and certainty of the policy.

Panel Recommendation 5.14.2.3:

Submission 257/198 be accepted

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.14.3 Wine Making

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
83/1	Limeburners Bay Vineyards Ltd	Amend to provide for a concern regarding future potential impact of plan change on winemaking business.	
574/1	Limeburners Bay Vineyards Ltd	Seeks that Plan Change 14 does not disadvantage those whose properties already exist under the current zoning and unsure of how the new requirements will compromise the submitters property re access, setbacks and new building restrictions in relation to Lot 1 - RMA 20011397.	
574/2	Limeburners Bay Vineyards Ltd	Seeks that Plan Change 14 does not hinder the continuation of winemaking operations at the submitters property at 112 Hobsonville Road.	

Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion:

The Panel understands that the submitter has an existing vineyard and associated facilities at 112 Hobsonville Road. The Panel is advised that the submitter has subdivided the property during the last 6 years, and this subdivision was given the unique identifier RMA 20011397 in the Council's resource consent numbering system. The submitter has existing use rights to continue to operate the vineyard and associated facilities at their site.

The site is currently identified as Countryside Environment in the District Plan, and Plan Change 14 seeks to identify the site for industrial purposes. The Panel considers that the re-identification of this land does not mean that the land owners are required to cease their existing operations and re-develop their land for industrial purposes. Given that Plan Change 14 identifies industrial land uses on all property boundaries with 112 Hobsonville Road, the existing vineyard is unlikely to encounter reverse sensitivity effects arising from that new development.

The Panel considers that ultimately the use of the land at 112 Hobsonville Road may change, as a result of Plan Change 14. Should the current or future land owners wish to re-develop the property at 112 Hobsonville Road, the provisions within Plan Change 14 will then be applicable to their proposed development. Until such time the submitters are able to undertake their existing consented activities.

Panel Recommendation 5.14.3.1:

Submissions 83/1, 574/1 and 574/2 be rejected.

5.15 Heritage

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
312/8	Ockleston Family Trust	Delete archaeological feature 12363 from Planning Map B7 (Human Environments).	Opposed By: 574 Limeburners Bay Vineyards Ltd
312/9	Ockleston Family Trust	Amend the Plan Change to delete the proposed addition of archaeological item 12363 from the Heritage Appendix.	Opposed By: 574 Limeburners Bay Vineyards Ltd

Evidence

The submitter indicated its acceptance of this listing in the District Plan.

Discussion:

The Panel is advised that the Council engaged a heritage expert to assess the heritage and archaeology of the land areas within Plan Changes 13, 14 and 15. In a report dated November 2004, acknowledgement exists that an archaeological item exists at 112 Hobsonville Road.

The Panel understands that this archaeological site is already catalogued as part of the Cultural Heritage Inventory as Item 12363. The Waitakere City District Plan has a partial list of items listed in the Cultural Heritage Inventory, limited to those located in Waitakere City.

The Panel consider that de-listing this item from the District Plan would not have the effect of removing it from the Cultural Heritage Inventory, but it may cause the inadvertent damaging or removal of this site if future developers are unaware of its existence. On this basis the Panel recommend retaining this listing.

Panel Recommendation 5.15.1:

Submissions 312/8 and 312/9 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.16 Comprehensive Development Plan

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
250/147	Auckland Regional Council	Amend the plan change so that a Comprehensive Development Plan approach is required for the development of Precinct A and Precinct B.	<p>Supported By: 95 Housing New Zealand Corporation (1) 107 Westfield (New Zealand) Limited 258 Auckland Regional Transport Authority 108 Progressive Enterprises Limited</p> <p>Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 312 Ockleston Family Trust 109 The Warehouse Ltd</p>
257/201	Waitakere City Council	<p>Amend Rule 25.2 to add those words underlined and reorder points (c) to (h) as follows:</p> <p><u>(c)</u> (e) <i>New buildings</i> in Precincts A & B shall have a minimum 10m front yard setback.</p> <p><u>(d)</u> (g) <i>New buildings</i> in Precinct A and Precinct B shall have a maximum height of 10m within a 50m setback from Hobsonville Road with a maximum of 20m thereafter.</p> <p><u>(e)</u> (f) In respect of Precinct B as shown on the <i>Hobsonville Village Concept Plan</i>, <i>Any new building for Retail Activities</i>.</p> <p><u>(f)</u> (h) <i>Any Non-Residential, Mixed Use, Retail Service or Retail Activity</i> in Precinct B meeting the Performance Standards above.</p> <p><u>(g)</u> (e) In respect of Precinct D as shown on the <i>Hobsonville Village Centre Concept Plan - Any Activity</i> which is a <i>Limited Discretionary Activity</i> in the <i>Open Space Environment</i>.</p> <p><u>(h)</u> (d) The establishment of <i>infrastructure</i>."</p>	<p>Opposed By: 108 Progressive Enterprises Limited</p>

Evidence

Submitter 250 made no specific comment on this submission, and submitter 257 responds to these submissions by advocating for a comprehensive development plan consenting approach for Precinct B.

Discussion:

The Panel understands that Comprehensive Development Plans (CDPs) have been used elsewhere in the Council's Plan Changes that seek to respond to the LGAAA. The Panel also understands that CDPs are a resource consent and are used to enable the larger bulk infrastructure (such as road layout, drainage and block size) to be consented prior to individual resource consents for the specific development on each site.

Precinct A is an employment area that has multiple landholdings which the Panel considers may be problematic in terms of achieving agreement on a CDP resource consent application. Consequently the Panel considers that a CDP is not appropriate in Precinct A. Where necessary, additional planning controls have been included in Precinct A to address any issues associated with integrating the planning and development for this area.

Precinct B has been expanded and amended as a result of other submissions. It now includes a mixed use retail and residential area and a business area. The Panel acknowledges that the planning issues in this Precinct (roading, drainage, transport interface) are important to achieve in an integrated manner, and consequently a CDP for Precinct B is appropriate.

Precincts C (Primary School) and D (Open Space) are site specific areas with limited development. The Panel notes that these two Precincts have established planning frameworks that pre-date Plan Change 14 (Precinct C is subject to a designation and Precinct D is subject to the Council's Open Space Environment Rules), and so neither requires a CDP.

The Waitakere City submission and evidence provides detailed changes to the Limited Discretionary Rule that are appropriately interwoven with the revised rule that provides for a comprehensive development plan.

Panel Recommendation 5.16.1:

Submissions 250/147 and 257/201 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.17 Rules

5.17.1 General Rule Issues

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/79	Progressive Enterprises Limited	Retain and adopt Rules 25.2(a) and (b) insofar as is consistent with submission 108/73.	Supported By: 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd

Evidence

The submitter indicates acceptance of the recommendation contained in the Planners report.

Discussion:

The submission seeks that the Council's centres based approach be reflected in its rules for the industrial Precinct A in Plan Change 14.

This submission supports the approach taken in the Rule, and seeks to ensure that the rules are consistent with the Policy approach that protects the integrity of Precinct A as an industrial and manufacturing area with high employment opportunities. Rule 25.2(a) refers to appropriate Working Environment Rules, excluding Working Environment Rules related to retailing and residential activities. The Panel considers that it is appropriate that these exclusions remain, to ensure that the development that occurs within Precinct A remains focussed on employment via industrial and manufacturing activities.

Rule 25.2(a)(ii) as provided in evidence from Waitakere City Council representatives imposes performance standards for convenience shops and retail sales, to limit the extent of retail activity in the Precinct, thereby enabling Precinct A to remain focussed on employment via industrial and manufacturing activities.

On this basis it is recommended that this submission be accepted in part, insofar as it supports the revised Rule 25(2)(a)(ii) in Plan Change 14. No specific amendments to the Plan Change arising from this submission are recommended by the Panel.

Panel Recommendation 5.17.1.1:

Submission 108/79 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
177/6	John Ingram	Amend to ensure that rules are 'watertight'	

Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion:

The submitter refers to "watertight" in terms of ensuring that the rules cannot be avoided by developers, rather than being a reference to "Leaky Building Syndrome". The Panel notes that the Council has made general submissions that seek to reduce the ambiguity within the notified policies and rules, to ensure that the plan changes achieve environmental, design and strategic outcomes. This submission is accepted by the Panel to the extent that policies and rules are amended by other submissions to provide greater certainty and where gaps, contradictions or errors are identified those matters are rectified. No amendments to the Plan Change are recommended.

Panel Recommendation 5.17.1.2:

Submission 177/6 be accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
182/1	Palmer's Gardenworld Ltd	Amend to provide for a realistic range of permitted, controlled and restricted discretionary activities within each of the precincts.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd Opposed By: 108 Progressive Enterprises Limited 300 IMF Westland Ltd
182/2	Palmer's Gardenworld Ltd	Amend to provide real limits to the Council's discretion for controlled and restricted discretionary activities so that these activity classifications are meaningful.	Supported By: 109 The Warehouse Ltd 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited Opposed By: 108 Progressive Enterprises Limited 300 IMF Westland Ltd

Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion:

The submitter is seeking greater clarity about the rule framework, having expressed opposition to the nature and extent of the rules that apply in the Hobsonville Village Centre Special Area. In response to these submissions, the Panel notes that the planning report and the evidence from Waitakere City Council have amended the Policies within Plan Change 14 and Rule 25 to address the deficits and gaps within the framework. The Panel considers that the generality of these submissions means that the more specific nature of other submissions have been used as the basis of the amendments to the policies and rules, hence these submissions are accepted in part.

Panel Recommendation 5.17.1.3:

Submissions 182/1 and 182/2 be accepted in part

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
254/16	North Shore City Council	Amend Plan Change 14 to include an adequate rules package to ensure the proper control of activities (including industrial activities) as limited discretionary or discretionary activities, or provide assurances that processes such as further plan changes will be introduced to ensure the participation of North Shore City, its residents and businesses, in determining the nature of development in this area.	Opposed By: 107 Westfield (New Zealand) Limited 312 Ockleston Family Trust 108 Progressive Enterprises Limited

Evidence

No evidence was presented by the submitter or its representatives on this submission at the hearing of this report.

Discussion:

The Panel notes the submitter’s concern about the potential for adverse effects on the residents of North Shore City from industrial activities located within Plan Change 14. The Panel notes that the Plan Change as notified provided policies and rules to manage industrial activities within Precinct A. The Precinct Rule 25.2(a) refers plan users to the operative Working Environment Rules as the management framework for industrial activities. Rule 25 goes on to provide performance standards for the bulk and location of buildings within the Precincts.

The Panel notes the policy and rules framework provided by Council in its evidence and rebuttal evidence in relation to Precinct A. The Panel considers that that policy and rule framework is appropriate to address any effects arising from industrial activities.

Panel Recommendation 5.17.1.4:

Submission 254/16 be accepted in part to the extent that amendments to the Rules are recommended in response to other submissions addressed in Section 5.17 and 5.18 of this report.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.17.2 Specific Rule Issues

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/81	Progressive Enterprises Limited	Amend the plan change by inserting the following addition into Rule 25.3: Discretionary Activities: <i><u>“(b) In respect of Precinct B any Activity that is not a Permitted Activity or a Limited Discretionary Activity shall be deemed to be a Discretionary Activity”.</u></i>	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd 208 Sylvia Park Business

		Centre Limited 300 IMF Westland Ltd
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Evidence

The submitter indicates acceptance of the recommendation made in the Planners report.

Discussion:

This submission addresses a gap in the rule framework, and the Panel considers it is appropriate that it be included in the Plan Change to provide certainty for plan users.

Panel Recommendation 5.17.2.1:

Submission 108/81 be accepted.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/83	Progressive Enterprises Limited	Delete Rule 25.4: Non-Complying Activities.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd Opposed By: 259 Transit New Zealand 250 Auckland Regional Council

Evidence

The submitter indicates acceptance of the recommendation made in the Planners report.

Discussion:

Rule 25.4 has been included in the Plan Change in Error, and duplicates Rule 25.5. Consequently the Panel considers it is appropriate to delete Rule 25.4 Non-Complying Activities

Panel Recommendation 5.17.2.2:

Submission 108/83 be accepted.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
182/3	Palmer's Gardenworld Ltd	Amend to identify the activities that Council generally does not wish to see in each precinct as non-complying activities, and provide for any unspecified activities as discretionary activities.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd Opposed By: 108 Progressive Enterprises Limited 300 IMF Westland Ltd

Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion:

The Council's approach in the Plan change is not to create an activity list of non-complying activities, as it is difficult to correctly compile a list that covers all possible activities that may not be appropriate in each Precinct. Rather the Council has established directive policies that provide guidance to Plan users, and performance standards that, if not met, require resource consent applications to default to the next (more restrictive) activity status category. This approach is robust and provides the necessary certainty required to achieve the outcomes sought from the LGAAA and the Council's strategic outcomes for this area. A gap in the performance standards in Rule 25.3 has been addressed via submission 108/81, so that unspecified activities in Precinct B default to discretionary activity status. Consequently this submission is rejected.

Panel Recommendation 5.17.2.3:

Submission 182/3 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/189	Waitakere City Council	Amend the Plan Change to clarify the notification status of all activities in City Wide Rule 25, Hobsonville Village Centre Special Area.	Opposed By: 108 Progressive Enterprises Limited

Evidence

No specific evidence was presented by the submitter or its representatives on this matter at the hearing of this report.

Discussion:

The Panel notes that the District Plan provides, in its "Introduction to the Rules" Section, guidance on notification of resource consent applications. The Introduction to the Rules indicates, in its Paragraph 5 of the notification guidance, that discretionary activities in Special Areas "...will generally be notified". This guidance is sufficient for the Rules, and no amendment is necessary.

Panel Recommendation 5.17.2.4:

Submission 257/189 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/192	Waitakere City Council	Amend Rule 25.3 to insert a performance standard related to Precinct B, and re-number 25.3(b) and 25.3(c) accordingly. The additional text is shown in italics and underlined: "Activities meeting the following Performance Standard are Discretionary Activities: (a) In respect of Precinct A, any <i>Activity</i> which is a <i>Discretionary Activity</i> in the <i>Working Environment</i> , except Rule 5 <i>Retailing Activities</i> and Rule 7 <i>Residential Activities</i> . (b) <i>In respect of Precinct B any Activity</i>	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd

		<p><u>that is not a Permitted Activity or a Limited Discretionary Activity shall be deemed to be a Discretionary Activity.</u></p> <p>(c) In respect of Precinct C any Activity that is not a <i>Permitted Activity</i> or a <i>Limited Discretionary Activity</i> shall be deemed to be a <i>Discretionary Activity</i>.</p> <p>(d) In respect of Precinct D any Activity that is a <i>Discretionary Activity</i> in the <i>Open Space Environment</i>.</p> <p><i>Discretionary Activity</i> applications will be assessed having regard to Assessment Criteria 25 (a) - 20 (bg) and any other relevant matter under section 104 of the Act.”</p>	
257/202	Waitakere City Council	<p>Amend Rule 25.3(a) to add those words underlined and delete those words in strikethrough: “In respect of Precinct A, any Activity <u>or building</u> which is a <i>Discretionary Activity</i> in the <i>Working Environment</i>, except Rule 5 <i>Retailing Activities</i> and Rule 7 <i>Residential Activities</i>.”</p>	

Evidence

No specific evidence was presented by the submitter or its representatives on this matter. The submitter did, however, provide revised Rules that include these amendments

Discussion:

These detailed text amendments seek to address gaps in the rule framework, and the Panel consider it appropriate that they be included (where they assist in providing certainty) in the Plan Change to provide certainty for plan users.

Panel Recommendation 5.17.2.5:

Submissions 257/192 and 257/202 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/203	Waitakere City Council	<p>Amend Rule 25.4 <i>Non-Complying Activities</i> to add those words underlined: “Any Activity which is not a <i>Permitted Activity</i> or a <i>Limited Discretionary Activity</i> or a <i>Discretionary Activity</i> under the above rules shall be deemed to contravene a rule in the <i>Plan</i> and shall be a <i>Non-Complying Activity</i>. (Note: <u>this includes any residential activity or retail activity not provided for under Rule 25.2).</u>”</p>	<p>Supported By: 108 Progressive Enterprises Limited</p> <p>Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd</p>

Evidence

No specific evidence was presented by the submitter or its representatives on this matter. The submitter did, however, provide revised Rules that did not include this amendment.

Discussion:

This submission seeks to clarify the application of this rule generally within Rule 25.2. This submission is not supported by the Panel in terms of residential activities because of the newly recommended mixed use residential area in Precinct B. This provision is supported, however, by the Panel in terms of residential activities in Precinct A.

Panel Recommendation 5.17.2.6:

Submission 257/203 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/204	Waitakere City Council	Amend Rules 25.4 and 25.5 to renumber as follows: 25.4 <u>25.5</u> Other Rules Applying 25.5 <u>25.6</u> Non-complying Activities	

Evidence

No specific evidence was presented by the submitter or its representatives on this matter. The submitter did, however, provide revised Rules that included this amendment.

Discussion:

This typographical error is acknowledged, and the Panel considers that it is appropriate that it be amended.

Panel Recommendation 5.17.2.7:

Submission 257/204 be accepted.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
250/146	Auckland Regional Council	Amend Rule 25 to comprehensively include the rules for the area, rather than linking back to the rules contained in other <i>Environments</i> (the Working Environment and the Open Space Environment) of the district plan.	Opposed By: 312 Ockleston Family Trust 108 Progressive Enterprises Limited
257/205	Waitakere City Council	Amend Rule 25.4 Other Rules Applying by adding those words underlined in order to clarify which other Rules apply: "The following rules of the <i>Plan</i> shall apply to <i>Any Activity</i> (<u>unless otherwise specified</u>):- <ul style="list-style-type: none"> ▪ City Wide Building Design Street Frontage Rule ▪ City Wide Site Analysis Rule ▪ All other relevant <i>City-wide</i> Rules ▪ All relevant <i>Natural Area</i> Rules ▪ Open Space Environment Rules <u>shall only apply to Precinct D</u> ▪ Working Environment Rule 3 - Building and Development Location ▪ Working Environment Rule 6 - Air Discharges ▪ Working Environment Rule 8 - Noise <u>shall only apply to Precincts A and B</u> ▪ Working Environment Rule 9 - 	Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd

		Parking, Loading and Driveway Access <ul style="list-style-type: none"> ▪ Working Environment Rule 10 - Odour, Glare and Vibration ▪ Working Environment Rule 11 - Signs ▪ Subdivision Rule 5 - Working Environment and Community Environment ▪ Working Environment - Rule 12- Establishment of Infrastructure ▪ Rule 13 Living Environment shall apply to Precinct C” 	
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Evidence

No specific evidence was presented by either submitter or their representatives on this matter at the hearing of this report.

The Council’s representative did, however, provide revised Rules that included this amendment.

Discussion:

The Panel accepts the District Plan’s approach to Special Areas where the Special Area Rules provide a framework for unique parts of the City that incorporate, where appropriate, existing operative rules from other Human Environments in the Plan. The Panel notes Submitter 250 has concern that Rule 25.4 is not sufficiently clear in terms of which rules apply and in what circumstances. The Panel does not accept the needs for duplication of rules, but does consider that it is appropriate to achieve certainty about which Rules apply. Consequently the Panel accepts the need to amend the “Other Rules Applying” to make it more certain which Precincts the rules and assessment criteria apply to.

Panel Recommendation 5.17.2.8:

Submissions 250/146 and 257/205 be accepted in part.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/207	Waitakere City Council	Amend bullet point 2 of Working Rule 10.1(b)(i) by adding those words underlined in order to ensure consistency across the plan change: <ul style="list-style-type: none"> ▪ “It does not cause an added luminance in excess of 10 Lux (horizontal and vertical) at the site boundary of any adjoining site within the Living, Waitakere Ranges, Bush Living, Foothills, and countryside Environments, and the College Special Area, <u>the Hobsonville Landing Special Area, the Hobsonville Marine Industry Special Area, the Hobsonville Village Special Area</u>; and...” 	

Evidence

No specific evidence was presented by the submitter or its representatives on this matter at the hearing of this report.

Discussion:

The Panel notes that Working Environment Rule 10-Odour, Glare, Vibration is referred to as one of the “Other Rules Applying” in Rule 25.4. To make the application of this Working Environment Rule clear and certain, the Panel considers it appropriate to include references to the three Special Areas identified in the submission. This amendment to the Working Environment Rule also helps to address submission 250/146 above.

Panel Recommendation 5.17.2.9:

Submission 257/207 be accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
301/3	Nola Anne Daly	Amend Plan Change to include more variation in the sizes of sections being made available for subdivision.	

Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion 5.17.2.10:

The submitter is seeking the opportunity for low density residential development within Plan Change 14. The Panel understands that this is contrary to the Council’s strategic vision for the Hobsonville Village Centre. This vision seeks a much higher density of residential development in the vicinity of the Town Centre and the development of employment land in Precinct A. The site size being sought by the submitter does not accord with compact urban form, and intensification around transport nodes.

Panel Recommendation:

Submission 301/3 be rejected.

5.18 Assessment Criteria

5.18.1 General Assessment Criteria Issues

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/148	Auckland Regional Council	Amend all assessment criteria by deleting the words <i>“the extent to which”</i> and add words that are more specific and directive to reflect the intention of the LG(A)AA and the vision for the area. For example, Assessment Criteria 25(aa) states: <i>“The extent to which the design for streets and public lanes will ensure well-connected, attractive and safe transport routes...”</i> ; amend this to read: <i>“25(aa) The design for streets and public lanes shall ensure well connected, attractive and safe transport routes...”</i>	Supported By: 95 Housing New Zealand Corporation (1) 258 Auckland Regional Transport Authority Opposed By: 312 Ockleston Family Trust 108 Progressive Enterprises Limited

Evidence

The submitter seeks “stronger wording” or the inclusion of words such as “ensure” within assessment criteria to provide more certainty. The Panel notes that the submitter also requests that assessment criteria be prioritised, which is a matter not raised in the original submission.

Discussion:

The Panel notes that the Council uses the term "...*The extent to which...*" in almost all of its assessment criteria throughout the operative District Plan, and in Plan Changes 13-18. The Panel notes that assessment criteria are not performance standards, which need to be distinct and specific. Assessment criteria are used when a performance standard is not met and as a consequence the Council is afforded a discretion in the assessment of that matter within a wider resource consent application. The Panel consider that the use of "*The extent to which...*" enables the resource consent processing staff to utilise their professional expertise within the policy and rule framework of the District Plan when assessing a proposal, especially where the matters being assessed are not "hard and fast" within the environment. The blanket removal of the words "*The extent to which...*" may inadvertently elevate some assessment criteria into the realm of performance standards, which the Panel does not consider appropriate within the District Plan.

Panel Recommendation 5.18.1.1:

Submission 250/148 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.18.2 Specific Assessment Criteria Issues

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
108/84	Progressive Enterprises Limited	Amend Assessment Criteria 25(an) and 25(ao) by adding those words underlined: <i>"25(an) The extent to which <u>where possible</u> carparking is designed according to a perimeter block layout where carparking is provided behind buildings, except for kerbside parking, and with the main "activity frontage" for buildings oriented towards public streets rather than parking areas.</i> 25(ao) <i>The extent to which carparking is provided that:</i> ... <i>(iii) Ensures <u>where possible</u> car parks are located behind buildings (not visible from street) or in semi or full basements".</i>	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd

Evidence

The submitter continued to advocate for this change in its evidence.

Discussion:

Plan Change 14, while seeking to establish a mixed use town centre and an employment area, is also cognisant of urban design and urban amenity values. Consequently provision is made in Policy 11.39 for urban design that provides for pedestrian amenity value. The suggested inclusion of "where possible" in this assessment criterion is considered by the Panel to weaken the urban design considerations such as parking at the rear (with the main "activity frontage" for buildings orientated to public streets) and in the development of Precincts A and B, and is likely to result in a low level of pedestrian amenity. The potential for adverse effects on pedestrian amenity values arising from this submission is not accepted by the Panel.

Panel Recommendation 5.18.2.1:

Submission 108/84 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
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109/90	The Warehouse Ltd	Delete Assessment Criterion 25(an).	Opposed By: 95 Housing New Zealand Corporation (1) 250 Auckland Regional Council 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
110/90	Warehouse Stationery Limited	Delete Assessment Criterion 25(an).	Opposed By: 95 Housing New Zealand Corporation (1) 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd
111/87	The National Trading Company of New Zealand Limited	Delete Assessment Criterion 25(an).	Opposed By: 95 Housing New Zealand Corporation (1) 208 Sylvia Park Business Centre Limited 250 Auckland Regional Council 108 Progressive Enterprises Limited 300 IMF Westland Ltd

Evidence

No specific mention of these submissions are made by submitters 109, 110 and 111, however their representatives advocated for the amendment in a general manner.

Discussion:

The submitters all seek the deletion of this assessment criterion, as they consider that it is not practical for some retail activity, for example large format retail. The Panel considers that Plan Change 14, while seeking to establish a mixed use town centre and an employment area, must also cognisant of urban design and urban amenity values. Consequently provision is made in Policy 11.39 for urban design that provides for pedestrian amenity value.

The suggested deletion of this assessment criterion removes the need for urban design considerations in the development of Precincts A and B, and is likely to result in a low level of pedestrian amenity. The potential for adverse effects on pedestrian amenity values arising from this submission is not accepted by the Panel.

Panel Recommendation 5.18.2.2:

Submissions 109/90, 110/90 and 111/87 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
109/91	The Warehouse Ltd	Delete Assessment Criterion 25(ao)(iii).	Opposed By: 95 Housing New Zealand Corporation (1) 250 Auckland Regional Council 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises

			Limited 300 IMF Westland Ltd
110/91	Warehouse Stationery Limited	Delete Assessment Criterion 25(ao)(iii).	Opposed By: 95 Housing New Zealand Corporation (1) 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd
111/88	The National Trading Company of New Zealand Limited	Delete Assessment Criterion 25(ao)(iii).	Opposed By: 95 Housing New Zealand Corporation (1) 208 Sylvia Park Business Centre Limited 250 Auckland Regional Council 108 Progressive Enterprises Limited 300 IMF Westland Ltd

Evidence

No specific mention of these submissions are made by submitter 109 and 110, however the representative for submitter 111 (NTC) advocated for the amendment.

Discussion:

The Panel notes that assessment criterion 25(ao)(iii) requires assessment of the extent to which car parking is provided that:

...Ensures car parks are located behind buildings (not visible from street) or in semi or full basements...

The submitters all seek the deletion of this assessment criterion, as they consider that it is not practical for car focussed retail activity. NTC also consider the use of the word “ensures” to be a dictum, and that it should be replaced by the word “whether”.

The Panel considers that Plan Change 14, while seeking to establish a mixed use town centre and an employment area, must also cognisant of urban design and urban amenity values. Consequently the Panel supports the provision that is made in Policy 11.39 for urban design that provides for pedestrian amenity value. The Panel notes that when reading the assessment criterion, the assessment is “The extent to which...ensures...”. The Panel considers that this approach does not establish a dictum, rather it provides for the assessment of car parking.

The suggested deletion of this assessment criterion in whole or part removes the need for urban design considerations such as parking at the rear (with the main “activity frontage” for buildings orientated to public streets) and in the development of Precincts A and B. The Panel considers that this is likely to result in a low level of pedestrian amenity. The potential for adverse effects on pedestrian amenity values arising from this submission is not accepted by the Panel.

Panel Recommendation 5.18.2.3:

Submissions 109/91, 110/91 and 111/88 be rejected.

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/206	Waitakere City Council	Amend the assessment criteria by adding those words underlined and deleting those words in strikethrough in order to clarify the intent of each criterion:	

		<p>“ ...</p> <p>25(k) The extent to which <i>development</i> meets the following design criteria:</p> <p>(i) New development has appropriate detail to enhance the character of the <u>street frontage streetscape</u>.</p> <p>(ii) Any large building facades which are highly visible from the road and motorway should be adequately detailed for visual interest.</p> <p>...</p> <p>25(r) The extent to which areas of open space, planting and streetscape treatment are used to <u>avoid or mitigate</u> offset the visual <u>effects impact of buildings and development</u>.</p> <p>...</p> <p>25(aa) The extent to which the design for <u>of roads streets and public lanes</u> will ensure well-connected, attractive and safe transport routes, with appropriate provision for vehicle, cycle and pedestrian movements, carparking, infrastructure services street-tree planting, and landscape treatment.</p> <p>25(ab) The extent to which <u>roads the secondary roading network</u> provides a highly inter-connected roading system so as to reduce trip distances and to improve local accessibility to community facilities, reserves, public transport facilities and the <u>Hobsonville Village Precinct B town centre core</u>.</p> <p>...</p> <p>25(aj) The extent to which the design of <u>roads streets and public lanes</u> <u>conserves utilises</u> land <u>efficiently</u> and encourages walkability by using minimal dimensions for carriageways and integrating service lines beneath footpaths or parking bays.</p> <p>...</p> <p>25(ao) The extent to which <i>carparking</i> is provided that: Provides sufficient car parks for residents <u>in Precinct B</u> and visitors <u>in all Precincts</u>. Provides car parking areas which are secure, well lit and conveniently accessible for residents <u>in Precinct B</u>. Ensures car parks are located behind buildings (not visible from street) or in semi or full basements Provides for on site loading facilities for service vehicles, delivery vehicles, including furniture removal and delivery, rubbish collection vehicles and their compliance with rules for vehicle manoeuvring <u>maneuvering</u>.</p> <p>...”</p>	
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Evidence

No specific evidence was presented by the submitter or its representatives on this matter. The submitter did, however, provide revised Rules that did include these amendment.

Discussion:

This series of submissions all relate to assessment criteria in Plan Change 14. Each of the requested amendments seeks to clarify the application of the specific criterion, and assist plan users to understand and apply the criteria. The requested clarifications are considered to be appropriate by the Panel and are accepted.

Panel Recommendation 5.18.2.4:

Submission 257/206 be accepted.

259/8	Transit New Zealand	<p>Amend Transport Criterion 25(ah) by adding those words in italics and underlined: “The extent to which traffic generation from proposed activities creates adverse effects on:</p> <ul style="list-style-type: none"> (i) the capacity of roads giving access to the site; (ii) the safety of road users including cyclists and pedestrians; (iii) <u><i>the sustainability of the primary road network</i></u>; (iv) neighbourhood character”. 	<p>Supported by 108 Progressive Enterprises Limited</p> <p>Opposed by 109 The Warehouse Ltd 157 Federated Farmers of New Zealand (Inc) 110 Warehouse Stationery Limited 300 IMF Westland Ltd 111 The National Trading Company of New Zealand Limited</p>
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Evidence

The submitter provided details of its support for the analytical work undertaken by the Council, and clarified what it meant when it refers to the “sustainability of the primary road network”. It provided suggested text for inclusion in the District Plan to provide certainty for Plan Users.

Discussion:

The submitter seeks the inclusion of an additional sub-criterion within Assessment Criterion 25(ah). The inclusion of the sub-criterion appears appropriate to the Panel now that the submitter has clarified what it means when it refers to the “primary road network”. Further to this, the submitter seeks that any effects arising from traffic generation on the primary road network be assessed in terms of the sustainability of the network. The submitter interprets sustainability as preserving the transport function of the state highway network to maintain the optimum level of speed and capacity.

Panel Recommendation 5.18.2.5:

Submission 259/8 be accepted, with an additional note included in Rule 25 to reflect the definition provided by the submitter in its evidence to the Panel. .

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/26	IMF Westland Ltd	<p>Amend the Assessment Criteria to insert a new criteria after 25(z) to read as follows: <i>25 (z1) In respect of retail uses proposed within precinct B the basis upon which such uses primarily serve the neighbourhood catchment consistent with the policies and objectives of the centre providing a</i></p>	<p>Supported By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited</p>

		<i>neighbourhood or village function.</i>	
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Evidence

The submitter accepted the recommendation in the planning report.

Discussion:

The Panel notes that the submitter is seeking to include the ability for the Council to consider the nature of the retail in terms of how it serves the neighbourhood, to assist in ensuring that the Hobsonville Village Centre maintains its function in relation to retail elsewhere in the City. As such this submission is generally supported by the Panel.

Panel Recommendation 5.18.2.6:

Submission 300/26 be accepted in part

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

5.19 Process Issues

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
184/13	West Auckland Land Holdings Ltd	Seeks that the Plan Change process should be placed on hold until the Council gives the public full access to the reports it has commissioned as part of its research process and referenced in its section 32 reports, in particular the report referred to in the submission "Citywide Retail Strategy".	Opposed By: 108 Progressive Enterprises Limited
184/14	West Auckland Land Holdings Ltd	Seeks that following the provision of access to the report(s) referred to in the submission, the plan change should be re-notified so that submitters can submit on the plan change with a better understanding of the background to and implications of the plan change (see also submission 184/13).	

Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion:

The Panel understands that a full copy of the technical reports that accompany the Section 32 Report for Plan Change 14 were available for public inspection at the time of notification. Following receipt of this submission, the Panel is advised that the Council forwarded a copy of the Citywide Retail Strategy to the submitter. On this basis the Panel considers that it is not appropriate to place Plan Change 14 on hold, nor re-notify the Plan Change.

Panel Recommendation 5.19.1:

Submissions 184/13 and 184/14 be rejected

That further submissions in support of or in opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
301/4	Nola Anne Daly	Amend Plan Change to offer land surplus to Council's or Transits requirements to those who were displaced as a result of the taking	

		of that land.	
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Evidence

The Panel did not receive evidence in support of this submission from the submitter or its representatives at the hearing of this report.

Discussion:

This submitter is referring to Transit New Zealand's designation of land for the purpose of constructing State Highways 16 and 18. The Panel understands that if, following completion of the construction of the motorways, areas of land are not required for the operation of those motorways, Transit New Zealand may dispose of that land, following the appropriate legislative requirements. The Panel notes that this is a matter for Transit New Zealand to determine. The Panel considers that it is inappropriate to include this matter in Plan Change 14, as it is outside of the role and function of the Council.

Panel Recommendation 5.19.2:

Submission 301/4 be rejected

5.20 PLAN CHANGE 16

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/100	IMF Westland Ltd	<p>In Policy 0.9, replace the first sentence of the paragraph under the subheading 'Hobsonville Village Centre' as follows:</p> <p><i>Reinforcing the intensification of the Hobsonville Village Centre and linking it with employment growth that is focussed on a major motorway interchange is a key factor in managing urban growth at this node.</i></p> <p>And delete the sentence :</p> <p><i>It is likely that in such a situation, the market demand will see the Brigham Creek Road Employment Area proceed ahead of the Massey north Employment Area.</i></p>	

Evidence

The submitter accepted the recommendation in the planning report.

Discussion:

This submission seeks to reinforce the intensification of the Hobsonville Village, and the connection between future employment in Precinct A and the interchange. The suggested text seeks to replace the first sentence of this part of Policy 0.9, and emphasise the interconnections between land use and transport, as required under the LGAAA. In light of that, the text provided in the submission is accepted by the Panel.

The second amendment sought in this submission is the deletion of the sentence about market demand. The Panel considers that this sentence in Plan Change 16 is speculative in nature, based upon the Council's view of how events in the Hobsonville Corridor may unfold. However the Panel considers that it could mislead Plan readers in terms of suggesting a staging of development that was never intended. Consequently, the Panel considers it appropriate that this sentence be deleted.

Panel Recommendation 5.20.1:

Submission 300/100 be accepted.