

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 DISTRICT PLAN

TRANSPORTATION MATTERS

File Reference: Report WCC 4

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 transportation matters.

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 District Plan arising from the Panel recommendations discussed throughout this report are set out in the Panel Recommendation Version of the Transportation report dated 28 May 2007, which forms Appendix 1 to this report. Appendix 1 incorporates the amendments to the Waitakere District Plan resulting from of the Panel’s recommendations.

2. BACKGROUND

RPS Change 6 was 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). This is, in effect, the purpose of WCC Plan Changes.

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.

The Transportation Report amends the Policy and Rules of the Waitakere District Plan, to give effect to the LGAAA.

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 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.

5 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

Local Government (Auckland) Amendment Act 2004 – LGAAA

Regional Land Transport Strategy - RLTS

Resource Management Act 1991 – RMA

Territorial Authorities – TA / TAs

5.1 Submissions seeking amendments to consideration of the roading network

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
264/32	Centre for Urban and Transport Studies	Amend the Plan Change to avoid overly aggressive public transportisation, i.e. of exacerbating road congestion through deferring arterial and motorway roadspace, and of allocation roadspace for bus lanes, unless those bus lanes actually deliver more people per hour than a normal travel lane etc.	
264/39			
264/46			
264/53			
264/60			
264/67			

Evidence Presented:

In support of submission points 264/32, 264/39, 264/46, 264/53, 264/60, 264/67, the submitter presented evidence at the Hearing.

Discussion:

The submitter seeks that the plan changes do not lead to the roading network becoming dominated by public transport infrastructure and processes at the expense of other users, unless the bus lanes can deliver higher 'patronage' levels than a normal travel lane.

The LGAAA, through the proposed plan changes, seeks to integrate land use and transport, and facilitate a multimodal transport network. In addition the Regional Land Transport Strategy provides a framework for the development of the roading and public transport network, and has been developed through a consultation process.

The plan changes have been developed with regard to the above initiatives and it is considered that appropriate regard has been given to the roading network and the impact of public transport on it, in the context of the multimodal network.

It is considered that it would not be appropriate to reduce the public transport initiatives contained within the Plan Changes, as this will reduce the potential to integrate with the proposed new land uses.

Panel Recommendation 5.1.1

Waitakere City Council - Proposed Plan Changes 13-18 - Report WCC 4 - Panel Recommendation Report of 28 May 2007 adopted as decisions of Waitakere City Council on 20 June 2007 - printed 31 July 2007.

Submissions 264/32, 264/39 264/46, 264/53, 264/60, 264/67 be rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
264/35 264/42 264/63 264/70	Centre for Urban and Transport Studies	Amend the Plan Change to include proper consideration of arterial roading/motorway needs for the same planning horizon.	
264/49	Centre for Urban and Transport Studies	Amend the Plan Change to include proper consideration of arterial roading/motorway needs for the same planning horizon.	Opposed By: 108 Progressive Enterprises Limited
264/56	Centre for Urban and Transport Studies	Amend the Plan Change to include proper consideration of arterial roading/motorway needs for the same planning horizon.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd

Evidence presented:

In support of submission points 264/35, 264/42, 264/63, 264/70, 264/49, 264/56, the submitter presented evidence at the hearing.

Discussion:

The submitter sought that the plan changes are amended to give proper consideration of the arterial roading/motorway.

It is considered that the proposed Plan Changes are working towards the integration of land use and transport, and contribute towards a multimodal transport network. In addition the Regional Land Transport Strategy provides a framework for the development of the roading and public transport network, and has been developed through a consultation process.

It is considered that the arterial roading/motorway network is able to be appropriately addressed under the current planning provisions.

Panel Recommendation 5.1.2

Submissions 264/35, 264/42, 264/49, 264/56, 264/63, 264/70 be rejected.

5.2 Submissions seeking amendments relating to a Transport Audit

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/191 13	Auckland Regional Transport Authority	Amend to undertake comprehensive transport audit which looks at all modes of transportation, including public transport, walking and cycling and expresses the link between land use planning and transportation provision before any land use decisions are made operative in the Hobsonville Airbase area. The transport audit should be undertaken in consultation with ARTA and the final transport audit agreed by ARTA. ARTA can advise Waitakere City on the scope, content and requirements of such an audit, in	Supported By: 108 Progressive Enterprises Limited Support and Opposed By: 95 Housing New Zealand Corporation (1)

		due course.	
258/196 14	Auckland Regional Transport Authority	Amend to undertake a comprehensive transport audit which looks at all modes of transportation, including public transport, walking and cycling and expresses the link between land use planning and transportation provision before any land use decisions are made operative in the Hobsonville Airbase area. The transport audit should be undertaken in consultation with ARTA and the final transport audit agreed by ARTA. ARTA can advise Waitakere City on the scope, content and requirements of such an audit, in due course.	Supported By: 107 Westfield (New Zealand) Limited 259 Transit New Zealand 108 Progressive Enterprises Limited Opposed By: 300 IMF Westland Ltd
258/201 15	Auckland Regional Transport Authority	Amend to undertake a comprehensive transport audit which looks at all modes of transportation, including public transport, walking and cycling and expresses the link between land use planning and transportation provision before any land use decisions are made operative in the Hobsonville Airbase area. The transport audit should be undertaken in consultation with ARTA and the final transport audit agreed by ARTA. ARTA can advise Waitakere City on the scope, content and requirements of such an audit, in due course.	Supported By: 108 Progressive Enterprises Limited Opposed By: 300 IMF Westland Ltd
258/221 16	Auckland Regional Transport Authority	Amend to include a new policy in Section 5 Managing City Growth which states that a transport audit will be undertaken for any MUL shift, structure planning process for high density centres and corridors or major trip generating activities.	Supported By: 108 Progressive Enterprises Limited 259 Transit New Zealand Opposed By: 218 AMP Capital Investors (NZ) Limited
258/222 16	Auckland Regional Transport Authority	Amend to add an additional rule under Transport Environment with words to the effect of: <i>“requiring a comprehensive transport audit to be developed for any proposal to extend the MUL, any proposed structure planning process or any major trip generating proposals.”</i>	Supported By: 108 Progressive Enterprises Limited 259 Transit New Zealand 107 Westfield (New Zealand) Limited

Evidence presented:

In support of submission points 258/191, 258/196, 258/201, 258/221, 258/222, the submitter presented evidence at the Hearing.

Discussion:

This group of submissions sought that a Transport Audit is undertaken for Plan Changes 13 and 14 in Hobsonville, and Plan Change 15 in Massey, that the method of the audit is included within the policy of Section 5 of Plan Change 16 and that an audit for certain activities is requested within the rules of the Transport Environment. In addition Auckland Regional Transport Authority (ARTA) request that the audit is developed in consultation with them and that it is agreed with ARTA.

In relation to the points of submission it is noted that ARTA has withdrawn the part of it's submission that sought that the Integrated Transport Assessment be approved by ARTA.

It is acknowledged by the Panel that leading up to the commencement of the Hearing process ARTA worked on the development of Transport Audit, now known as the Integrated Transport Assessment (ITA). ARTA had produced a final draft version of the ITA (date 31 July 2006), that was to be open to feedback from interested parties. With regard to the ARTA audit document, the Panel is opposed to the requests for compliance to ARTA's ITA guidelines, as outlined in Section 4.8 of this report.

Through the revised Auckland Regional Policy Statement (ARPS) 2.6.12.8. 7, where,

TA's shall ensure that proposals for major ~~traffic~~ trip generating activities are subject to an integrated transport assessment in accordance with Appendix J

guidance as to the contents of these audits is specified. This is a generic assessment tool, and as outlined in section 4.8 of this report is a mechanism to ensure that land use and transport are integrated.

The Panel acknowledge that the Waitakere City Council Plan Changes under LGAAA, contain numerous transportation criteria to which all future development is subject. Indeed the development of Plan Change 15 used the audit method. These criteria cover the more traditional traffic generation type criteria, and also include that regard is given to the provision of public transport, and features that support public transport e.g. appropriate infrastructure, walking accessibility, good urban form and so on.

It is considered that the audit methodology will effectively capture much of the information required in the existing criteria, and ensure that it is reviewed with regard to achieving integrated land use and transport. To ensure effective implementation of the ARPS method, the Panel, at section 4.8 of this report, consider that the Audit methodology should be utilised as part of the assessment of major trip generating activities. To this end an additional criteria is to be inserted into the relevant sections of each plan change to ensure that these assessments take place.

With regard to the point of submission in relation to an amendment to the Policy of Part 5 (PC 16), in relation to Transport Audits, it is considered that this is appropriate, so that the use of the audit can be facilitated within the Plan.

With regard to submissions **258/191**, **258/196**, **258/201**, in relation to plan change 13, 14, and 15 these are accepted in part, to the extent that the audit is accepted in principle, and relevant criteria and advice notes are inserted into all the Plan Changes,

With regard to submission **258/221**, this is accepted, to the extent that the audit is accepted in principle, and that Section 5 amended as required.

With regard to submission **258/222**, this is accepted in part only. The Panel consider that the Transport Environment is not the suitable location for such rules and that such amendments should be located within the various landuse activity rules.

Panel Recommendation 5.2.1

Submissions; 258/191, 258/196, 258/201 are accepted in part

Submission 258/221 be accepted,

Submission 258/222 accepted in part.

5.3 Submissions seeking amendments to include Appendix H of the ARPS

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/228 16	Auckland Regional Transport Authority	Retain Schedule Y and amend to better reflect the densities required in Appendix H of the Regional Policy Statement (Change 6).	Supported By: 108 Progressive Enterprises Limited

Evidence Presented:

In support of submission points 264/32, 264/39, 264/46, 264/53, 264/60, 264/67, the submitter presented evidence at the Hearing.

Discussion:

The submitter sought that Schedule Y be retained and amended to better reflect the densities required in Appendix H of the Auckland Regional Policy Statement (ARPS). It is noted that Schedule Y does not contain specific densities for future development, as these matters are dealt with in policies that form part of Plan Change 16, and would be further detailed at the time of comprehensive concept planning for each new growth area. Schedule Y is intended by Waitakere City to identify the areas where growth is to be encouraged and indicate priorities for that growth and a likely time frame within which it would occur.

As the residential densities are already identified elsewhere within the District Plan, it is considered that there is no need to add that information to Schedule Y. It is also considered that residential densities that are specified in the District Plan do not need to replicate those that are contained within Appendix H of the ARPS. However the Panel are of the opinion, as outlined in section 4.6 of this report, that Appendix H is to be a guideline to the achievement of residential and employment densities, and that the District Plan shall make specific reference to Appendix H. It is noted that relevant assessment criteria relating to density have been amended to reference Appendix H.

Panel Recommendation 5.3.1

Submission 258/228 be accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/235 16	Auckland Regional Transport Authority	Amend Table 6.1 by adding a column which states the household and employment density required to support the public transport system, consistent with proposed Appendix H of the Regional Growth Strategy (Change 6).	
N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/230 16	Auckland Regional Transport Authority	Amend Table 6.1 by adding a column which states the household and employment density required to support the public transport system, consistent with proposed Appendix H of the Regional Growth Strategy (Change 6).	

Evidence Presented:

In support of submission points 264/32, 264/39, 264/46, 264/53, 264/60, 264/67, the submitter presented evidence at the Hearing.

Discussion:

It is understood that aside from these submissions containing a typo error, in the reference to table 6.1 which is not part of the Waitakere City Council District Plan–Operative or Proposed, the submission seeks similar consistency as sought by the above submission. For the same reasons as above the submissions are rejected.

Panel Recommendation 5.3.2

Submission 258/235,258/230 be rejected.

5.4 Submissions seeking amendments to Issue 5: Managing City Growth

(Where relevant submissions relating to rules will also be discussed)

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/206 16	Auckland Regional Transport Authority	Amend Issues, Objectives and Policies related to transport by promoting an increase the certainty around resource management procedures related to developing transport improvements, particularly public transport improvements	Supported By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited

Evidence presented:

The submitter did not present specific evidence on this submission point at the Transportation Hearing.

Discussion:

The submitter sought greater certainty through resource management procedures to the development of transport improvements and particularly public transport improvements.

It is noted that the amendments sought by the submitter are captured by Schedule 5 of the LGAAA. The earlier WCC Growth Report has recommended amendments to Plan Change 16 to provide a more direct reference to the outcomes sought by the LGAAA. This will provide a clearer context for the new District Plan provisions that are proposed.

Panel Recommendation 5.4.1

Submission 258/206 be accepted in Part.

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N0.	Submitter	Summary of Decision Sought	Further Submitter/s
250/181 16	Auckland Regional Council	Amend issue 5 by deleting provisions for intensive growth nodes on State Highway 16 and 18 to facilitate transport and land use integration.	Supported By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited Opposed By: 110 Warehouse Stationery Limited 300 IMF Westland Ltd 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd

Evidence presented:

The submitter did not present specific evidence on this submission point at the Transportation Hearing.

Discussion:

The submitter sought the deletion of references to the provision of growth nodes along State Highway (SH) 16 and 18.

State Highway 16 and 18 are the location of significant growth nodes, being Massy North, Hobsonville Village Centre and Hobsonville Airbase. The LGAAA process was to ensure the integration of land use and transportation occurs, as the state highways will become public transport corridors. However, as originally presented the statement could have been construed as encouraging development beyond the scope of the nodes/town centres that have already been identified. Accordingly the sentence below is amended as follows:

“The provision of growth nodes at Massey North, Hobsonville Village and Hobsonville Peninsula along state Highway 16 and 18 is critical to transport and land use integration”

Panel Recommendation 5.4.2

Submission 250/181 be accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
259/10 16	Transit New Zealand	Amend the Plan Change to add an additional clause under 5.0: Issues - Managing City Growth, or another amendment to the District Plan of like effect, by adding those words in italics and underlined: “The issues which can arise from such development are outlined in the following Objectives of this Chapter and include adverse effects of development on: <input type="checkbox"/> <u><i>strategic land transport corridors (existing and designated) due to reverse sensitivity from adjacent or nearby sensitive land uses, particularly in relation to noise and air quality.”</i></u>	Supported By: 108 Progressive Enterprises Limited 258 Auckland Regional Transport Authority 107 Westfield (New Zealand) Limited Opposed By: 81 IB, GA and IE Midgley 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd 157 Federated Farmers of New Zealand (Inc)

Evidence Presented:

In support of submission point 259/10 the submitter presented evidence at the Hearing, in relation to reverse sensitivity, and also submitted supplementary written evidence in response to questions.

Discussion:

It is considered that the issue raised by the submitters is valid, however the Panel consider, as outlined in section 4.7 of this report, that impact mitigation should be regarded as a co operative and two way process. The submitter originally sought the inclusion of a particular addition to the policy. The previous recommendation report noted that the proposed plan changes had addressed these matters both at a policy and rules level, with a number of additional changes also sought through the primary submission process by Waitakere City. With regard to policy, these are to be enhanced in relation to reverse sensitivity, for example

Proposed Policy 0.4: bullet point 9: “Potential conflicts between incompatible land uses are recognised and provided for, including through managing traffic and noise”.

In relation to air quality it is noted that this issue cannot be strictly managed by a territorial authority, as many of the contributing factors are outside their control such as the content of vehicle emissions. The submitter has accepted the outcome of the earlier recommendation report, in that while their specific change was not accepted, the proposed changes did meet the intent of their submission. It is considered that the proposed changes would meet the intent of the submitter request while at the same time would not take away or infer no obligation on the part of the Transport Authorities to mitigate the effects of infrastructure on surrounding landuses.

Panel Recommendation 5.4.3

Submission 259/10 be accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/215 16	Auckland Regional Transport Authority	Amend to add an additional policy to Issue 5 or elsewhere in the Objectives, Policies and Methods section which requires that decisions on land use and urban form must not foreclose or compromise planned opportunities for future transport improvements or investments.	Supported By: 108 Progressive Enterprises Limited 259 Transit New Zealand 107 Westfield (New Zealand) Limited

Evidence Presented:

In support of submission point 258/215, the submitter presented evidence at the Hearing through Mr B J Waddell. Mr Waddell elaborated that decisions should be made so as to not foreclose on opportunities for transport improvements, including urban areas being developed or redeveloped with appropriate street layout that supported transport solutions such as pedestrian and cycle links. The submitter saw that tools such as structure planning or the Integrated Transport Assessment would assist in this regard.

Discussion:

The key focus/purpose of the Plan Changes under LGAAA is the integration of land use and transportation, in the development of the new/revitalised urban form. These matters are implicit within the numerous policies, methods and rules within the plan changes. It is not considered that an additional policy is required to explicitly state this.

Panel Recommendation 5.4.4

Submission 258/215 be rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/226 16	Auckland Regional Transport Authority	Amend to introduce under Part 5 Objectives, Policies and Methods which introduces the concept of Travel Plans and a method requiring Travel Plans	Supported By: 108 Progressive Enterprises Limited 259 Transit New Zealand 107 Westfield (New Zealand) Limited
N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/227 16	Auckland Regional Transport Authority	Amend to develop Rules in the district plan which requires any resource consent requirement for all new schools and significant trip making activities to undertake a travel plan.	Supported By: 108 Progressive Enterprises Limited 259 Transit New Zealand 107 Westfield (New Zealand) Limited

Evidence Presented:

The submitter stated at the Transportation Hearing that this point of submission is withdrawn.

Panel Recommendation 5.4.5

No longer applicable.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/242 16	Auckland Regional Transport Authority	Amend to introduce a new policy (and associated method(s) etc) into Part 5 which requires that land use activities which rely on or make frequent use of freight facilities should locate close to freight corridors or major freight routes.	Supported By: 108 Progressive Enterprises Limited

Evidence Presented:

In support of submission points 258/242, the submitter presented evidence at the Hearing, in that they concur with the recommendation of the earlier report, being that the submission is accepted in part.

Discussion:

It is acknowledged that the Auckland regional Council (ARC) has only recently released the final version of the Auckland Regional Freight Strategy 2006. Appendix 1 of the Strategy contains the proposed implementation schedule which covers the development of the actual strategic freight network (Policy 4.1) and the development of supportive land use planning (Policy 4.2) that would support the strategic freight network. All of these latter matters are still subject to the agreement of the respective parties. Further work will have to be undertaken will have to recognise and resolve the potential conflicts between urban centre intensification, the location of business activities (Regional Strategy being prepared), the location of freight generating activities, and those parties who have an interest in the roading network. For example Transit New Zealand has a statutory interest in parties wishing to access the state highway system on which freight generating activities could be located.

The Panel consider that it would not be timely to develop policies relating to freight corridors that do not yet exist, as the policies could not be usefully implemented. It is anticipated that the implementation work in Appendix 1 of the Freight Strategy and potentially of the Business Location Strategy, would require a future plan change, the work of which would be applicable over the whole of the city. It is anticipated that the relevant local policies, land use methods and planning maps could be introduced as a package at that time.

Panel Recommendation 5.4.6

Submission 258/242 be accepted in part.

5.5 Submissions seeking amendments to Policies of the Growth Chapter

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/239 16	Auckland Regional Transport Authority	Amend policy 0.1 or add an additional policy, which requires that higher density centres and corridors (including key intensive business activities) are located where they can be effectively and efficiently served by public transport and that growth corridors should be located on high frequency bus routes.	Supported By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited

Evidence Presented:

The submitter did not specifically address this point at the Hearing.

Discussion:

The submitter sought an addition to Policy 0.1 or an additional policy, relating to the provision of high density centres and corridors (including key intensive business centres) being effectively served by public transport and those growth corridors should be located on high frequency bus routes.

Policy 0.1 relates to the provision of urban development or redevelopment and that this is to occur in particular locations, mainly being town centres. The explanation to this policy indicates that:

"emphasis is given to achieving higher densities in critical locations such as around town centres and transport nodes.

Therefore this policy already covers the submitter's request. With regard to growth corridors this matter is generically covered in Policy 0.3, and has been made more clear with the amendments in response to submission point 107/88 (Westfield), where reference to transport corridor/nodes has been changed to high density corridors. (in this policy and throughout the Plan Changes)

Panel Recommendation 5.5.1

Submission 258/239 be accepted in part.

5.6 Submissions relating to Car Parking

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/223 16	Auckland Regional Transport Authority	Amend Policy 0.1 by introducing Parking Policies or policy bullet points to enable a more appropriate (lenient) requirement for car parking in high density centre and corridors where good public transport services are provided and where they need to be supported.	Supported By: 95 Housing New Zealand Corporation (1) Opposed By: 218 AMP Capital Investors (NZ) Limited Support and Opposed By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited
N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/224 16	Auckland Regional Transport Authority	Amend Policy 0.2 by introducing Parking Policies or policy bullet points to enable a more appropriate (lenient) requirement for car parking in high density centre and corridors where good public transport services are provided and where they need	Opposed By: 218 AMP Capital Investors (NZ) Limited Support and Opposed By: 108 Progressive Enterprises Limited

		to be supported.	107 Westfield (New Zealand) Limited
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Evidence Presented:

In support of submission points 258/223, and 258/224, the submitter presented evidence at the Hearing. The original submission did not include a specific policy or policy bullet points. However the evidence of Ms M C Faid contained specific policy and methods to support the relief sought in the submission. These are:

Policy :

“The city’s parking requirements are planned and managed to suggest integrated land use and transport in high density town centres and corridors”

Method :

Provide parking standards for high density town centres and corridors that support the integration of land use and transport and are

- 6 aligned with the Regional Parking Strategy policies and
- 7 with passenger transport investment and frequency, and for
- 8 maximums (instead of, or in addition to minimums) to be provided in these locations

Discussion:

The proposed additions are requested to be included within Policies (from Plan Change 16, Growth), that seek to emphasise the importance of locating intensive development in appropriate locations within the city, and to deter development in locations that are not supported by a town centre or transport hub, the latter potentially undermining the efforts to intensify the chosen town centres.

These policies refer to the overall outcomes sought by the plan changes being;

“Policy 01”; *the development or redevelopment of an urban area with regard to density, intensity, and mix of development, and*

“Policy 02”; *the areas that are a priority for intensification.*

It is acknowledged by the Panel that the matter of parking is an important component of the integration of land use and transport. However it considers that Policy pertaining to parking is better suited in the more specific policies that relate to the development of the town centres. The matters raised by the submitter have already been given regard to in these policies an example being policy 11.21, and the car parking rules relating to New Lynn as the development of residential, and sites under 1000m² do not require car parking.

Panel Recommendation 5.6.1

Submissions 258/223 and 258/224 be rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/220 15	Waitakere City Council	Amend Policy 10.8 by adding the following additional bullets: <input type="checkbox"/> <i>“encouraging the communal use of parking areas to encourage multi modal visits to town centres and to encourage efficient use of parking areas.</i> <input type="checkbox"/> <i>to encourage visits to town centres by a</i>	Supported By: 300 IMF Westland Ltd 258 Auckland Regional Transport Authority Support and Opposed By: 250 Auckland Regional Council

		<ul style="list-style-type: none"> <input type="checkbox"/> <u>range of transport modes;</u> <input type="checkbox"/> <u>to encourage efficient use of parking areas;</u> <input type="checkbox"/> <u>providing flexibility to parking standards within town centres, particularly for residential activities to recognise the mixed use nature and increased range of activities within walking distance of town centres and to encourage use of public transport.”</u> 	
N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/366 17	Waitakere City Council	Amend Policy 10.11 by adding the following sentence: <u>“Provided that within Major Town Centres or identified Special Areas the Council will encourage the communal use of parking to encourage the efficient use of parking areas. In addition, consideration will be given to flexible parking standards within town centres to recognise the mixed use nature of town centres and to encourage use of public transport, provided that such flexibility does not compromise the roading hierarchy.”</u>	Supported By: 95 Housing New Zealand Corporation (1) 258 Auckland Regional Transport Authority 108 Progressive Enterprises Limited 250 Auckland Regional Council 107 Westfield (New Zealand) Limited Opposed By: 153 The National Trading Company of New Zealand Ltd
N0.	Submitter	Summary of Decision Sought	Further Submitter/s
257/221 15	Waitakere City Council	Amend Policy 10.11 by adding the following sentence: <u>“Provided that within Town Centres or identified Special Areas the Council will encourage the communal use of parking to encourage the efficient use of parking areas. In addition, consideration will be given to flexible parking standards within town centres to recognise the mixed use nature and increased range of activities within walking distance of town centres and to encourage use of public transport, provided that such flexibility does not compromise the roading hierarchy.”</u>	Supported By: 300 IMF Westland Ltd Support and Opposed By: 258 Auckland Regional Transport Authority 250 Auckland Regional Council

Evidence Presented:

In support of submission points 257/221, 257/266, 257/2220, the submitter addressed the above points of submission through the evidence of Mr J B Murray, who elaborated that the above policy additions would “have the effect of reducing the requirement for carparking, and clarifying the intent of rules, and this would assist with the negotiations with the developers”.

Discussion:

The amendments sought are supported, as these would both strengthen the policies, and guide the use of the transportation assessment criteria in the processing of the Concept Development Plans. The amendments look to a holistic approach to parking, rather than the traditional demand based approach and acknowledge the complexity in providing for a mixed use environment that will support public transport.

Panel Recommendation 5.6.2

Submissions 257/220, 257/366, and 257/221 be accepted.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
142/14 16	PLC New Zealand Ltd	Amend Policy 10.11 to require car parking for all residences.	Opposed By: 218 AMP Capital Investors (NZ) Limited

Evidence Presented:

In support of submission points 142/14, the submitter presented evidence at the hearing, through Mr F J Bentley who elaborated that this particular point of submission was made in the event that should PC 17 be successful, that the current stance of no carparking for some sites in New Lynn be amended to require a carparking ratio of one carpark per residential unit. The submitter contends that “under the Councils proposals, Crown Lynn Place will become a through route, thus placing greater volumes on the carriageway and enhancing the need to ensure minimal side friction arising from competing uses for the carriageway by manoeuvring vehicles and /or the use of the road reserve, particularly the kerb for carparking”.

Discussion:

The effect of the submitters request would be that the proposed intensive housing that is to be built in proximity to a town centre and transport hub would require additional land area to service the supply of this car parking requirement, if the developer chose to supply the carparking at grade. This would result in a continuation of the inefficient use of land within the town centre, that has occurred historically through the provision of a large quantities of at grade parking, undertaken at a time when there was not significant pressure on the land resource.

It is considered that such an amendment would not be consistent with the overall purpose and intention of the plan changes under LGAAA. It is considered important that the land area within the town centre can potentially be maximised, and that not requiring the provision of carparking for some types of uses, will assist towards this goal. (It is noted that the rule does not preclude the provision of carparking, it is just not requiring it) It is anticipated that the provision of the improved transport hub within the New Lynn town centre will provide enhanced transport opportunities, decreasing the need for private vehicle journeys, and potentially requiring less private provision for parking spaces.

Panel Recommendation 5.6.3

Submission 142/14 be rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/225 16	Auckland Regional Transport Authority	Amend the rules in Community Environments (Rule 14) to have the effect of reducing the requirement for car parking spaces for developments within high density centers and corridors or developing car parking caps for high density centers and corridors.	Opposed By: 218 AMP Capital Investors (NZ) Limited Support and Opposed By: 108 Progressive Enterprises Limited

Evidence Presented:

In support of submission points 258/225, the submitter presented evidence at the hearing, through Mr I D Clark. Mr Clarke spoke of the importance of managing the relationship between carparking and landuse, and the importance of a consistency throughout the Region. He did not elaborate as to the preferred content of the rules, or make a response to the recommendation of the initial report being one carpark per dwelling.

Discussion:

The submitter originally sought that Rule 14, in Community Environments was amended to have the effect of reducing the requirement for car parking spaces for developments within high density centers and corridors or developing car parking caps for high density centers and corridors. (The New Lynn Plan Change 17 has it's own car parking rule being Community 14A, and is not part of this discussion) The car parking requirements contained within Community Rule 14 have been transferred over from the Operative WCC Plan to Plan Change 13, and 15, and are primarily in the commercial areas of the plan changes. (The industrial areas-Working Environment contain different controls). The controls have a standard ratio as a permitted activity, the exception being Massey North Town Centre, where in Core Precinct Area A no parking shall be required for residential activities located above the ground floor. The methodology is demand based and through a limited discretionary consent process the supply of car parks can be reduced. The proposed rules are not geared to penalise oversupply.

The new policy direction emphasises the need for the more efficient use of land, and a more flexible approach to parking provision having regard to the nature of the new town centres. With regard to the actual consenting process the majority of development that will occur will be through Comprehensive Development Plans (CDP) for parts of the Plan Change 13 and 15 areas. It is anticipated that the new policy parameters and the consenting process involving CDP will achieve a more efficient level of car parking.

It is considered that there is merit in this request. Reduced levels of car parking could be of assistance with the uptake of public transport, however given that the areas that Plan Changes 13, and 15 cover are served primarily by buses, as opposed to New Lynn that has both train and buses, careful regard would have to be given to the actual levels of parking ratios, and /or a parking cap, such that they do not compromise development of the employment and commercial centres. The Auckland Regional Land Transport Strategy 2005, at Section 3.4 signals the use of the abovementioned method, and for the development of a parking strategy, as outlined below:

- *3.4 Ensure that the planning and management of parking resources in the region supports the region's land use and transport outcomes.* Sub policies include a request that parking ceilings be considered in regional centres; and that managing parking supply be considered.
- Policy 3.4.6 calls for the development of a Regional Parking Strategy *to provide regional policy direction on all parking issues ...*

This particular matter while originally raised as part of this Transport report, was further discussed as part of the Massey Plan Change 15 Hearing, where as part of their evidence Waitakere City Council put forward a revised set of ratios, in their discussion of submission points 257/212,258/202,329/4,and 585/1. heir material suggested a revision for the carparking maximum for dwellings based on bedroom numbers.

It is considered that the response to the above points of submission, as outlined in the Massey Decision report should be adopted as an appropriate response for the original submission point in this report.

Panel Recommendation 5.6.4

Submission 258/225 be accepted.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
250/187	Auckland	Amend the first paragraph of policy 0.3 by	Supported By:

16	Regional Council	deleting the words “ <i>regional traffic routes</i> ” and replacing them with the words “ <i>Regional Passenger Transport Routes</i> ”.	258 Auckland Regional Transport Authority
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Evidence Presented:

In support of submission points 250/187, the submitter presented evidence at the Hearing, where Mr H D Jarvis confirmed that the recommendations of the earlier report were accepted.

Discussion:

The submitter sought that the term Regional Traffic Routes in Policy 0.3 be changed to Regional Passenger Transport Route. The term Regional Passenger Transport Route remains an undefined term.

The policy refers to areas other than the plan changes areas under this LGAAA process where WCC expects growth to occur. The policies and rules of the plan allow intensive residential development to occur on regional traffic routes. The WCC District Plan shows regional and strategic arterial routes. These regional traffic routes are characterised by transport services, predominantly bus services. However it is possible that a person may undertake a journey of a regional nature and travel on a variety of areas of the network, and on different grades of the network- Rapid Transit Network, Quality Transit Network and Local Connector Network. These would obviously divert from the regional traffic route.

The Panel consider that Regional Passenger Transport Route is not a useful replacement term for Regional Traffic Route when defining the actual suitable location of growth. (NB: see discussion at section 5.32 of this report : Regional Traffic Route is recommended to be changed to High Density Corridor)

Panel Recommendation 5.6.5

Submission 250/187 be rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/231 16	Auckland Regional Transport Authority	Amend Part 5 proposed policy 0.4 by including an additional bullet point to ensure that greenfield developments (residential and/or business developments) have a street layout that is public transport supportive.	Supported By: 108 Progressive Enterprises Limited
N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/240 16	Auckland Regional Transport Authority	Retain Policy 0.4	
N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/232 16	Auckland Regional Transport Authority	Amend Policy 10.18 to require that subdivisions should be designed and laid out with a street layout that is public transport supportive.	Supported By: 108 Progressive Enterprises Limited

Evidence Presented:

In support of submission points 258/231, 258/240, 258/232, the submitter presented evidence at the Hearing, where Ms M C Faid included specific objectives and policies to support the relief sought in these submissions. These are:

Proposed Objective:

Waitakere City Council - Proposed Plan Changes 13-18 - Report WCC 4 - Panel Recommendation Report of 28 May 2007 adopted as decisions of Waitakere City Council on 20 June 2007 - printed 31 July 2007.

To ensure that all new development is designed to support passenger transport

Proposed Policy

Where new road layouts are proposed such as in Greenfield development the road design must incorporate a layout that provides for passenger transport access.

Discussion:

The submitter sought that policy 0.4 is retained (258/240) and that an additional bullet point is made for Policy 0.4 that ensures that Greenfield development have a street layout that is public transport supportive.

Policy 0.4 outlines the matters that should be given attention when designing a new urban development. The extensive list of matters recognises that complexity of detail required within the new urban form, of which a public transport supportive layout is only one of the matters. The Panel consider that the concern of the street layout being public transport supportive is covered in the following bullet points of the policy;

- *As far as it is possible, development forms part of the comprehensive area plan which incorporates access to open space, community services, transport networks, work places, and shops*
- *Emphasis is given to creating interconnected vehicle, walking and cycling routes, providing logical , attractive and safe linkages to activities within and beyond the site or areas*

It should be noted that other policy points, particularly Policy 0.6 relate to transport routes, being provided or developed to provide the best link between urban areas and workplaces and community facilities

The Policy 10.18 is part of the Waitakere City Council Operative Plan, and not one of the existing policies that WCC sought to amend as part of the LGAAA Plan change process. It is considered that there is no scope for the submitter within this statutory process to seek amendments to this particular policy.

Panel Recommendation 5.6.6

Submission 258/231 be accepted in part.

Submission 258/240 be accepted.

Submission 258/232 be rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
250/189 16	Auckland Regional Council	Amend policy 0.5 by adding a reference to planning public transport interchanges in cooperation with ARTA.	Supported By: 108 Progressive Enterprises Limited 258 Auckland Regional Transport Authority

Evidence Presented:

In support of submission points 250/189, the submitter presented evidence at the Hearing, where Mr H D Jarvis confirmed that the recommendations of the earlier report were accepted.

Discussion:

The submitter sought that an amendment is made to Policy 0.5, to require the planning of Public Transport interchanges to be made in conjunction with ARTA. This policy relates to

the locating and/or upgrading of public transport interchanges to be supportive of intensive housing and employment areas. The Panel consider that the proposed plan changes have anticipated that the planning of infrastructure will be undertaken with ARTA as outlined within the Transportation Criteria of each of the plan changes to which a comprehensive development plan will be subject. An example is

PC 15: Transportation criteria 27(R)

The extent to which the development has been designed to integrate land uses with transport systems, including provision for public transport within the precinct and between the precincts (Note , it is expected that the development of the comprehensive development plans, there will be consultation with the Auckland Regional Council, the Auckland Regional Transport Authority and Transit New Zealand.

As further plan changes are undertaken in accordance with Schedule Y it is anticipated that a similar approach will be taken. The Panel consider that an additional reference in Policy 0.5 is not required.

Panel Recommendation 5.6.7

Submission 250/189 be accepted in part but no changes to the text are recommended.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
250/190 16	Auckland Regional Council	Amend the first paragraph of policy 0.6 by adding those words underlined "...to achieve the form of development outlined in the above policies <u>and to meet the intent of the Local Government (Auckland) Amendment Act.</u> "; And; Amend to refer to the need to plan the networks in cooperation with ARTA (and where appropriate Transit NZ); and restrict new locations to those identified in Schedule Y.	Supported By: 259 Transit New Zealand

Evidence Presented:

In support of submission points 250/190, the submitter presented evidence at the Hearing, where Mr H D Jarvis confirmed that the recommendations of the earlier report were accepted.

Discussion:

The submitter sought amendments to the policy relating to improvements to the transport network such that they would support the form of development required by the proceeding policies.

The first amendment sought was that reference is made to the intent of the LGAAA within this policy. It is noted that a reference to LGAAA is to be made in this chapter in response to submissions discussed in the Growth report (submissions 109/116, 110/116, and 111/113), and that this is considered to be sufficient reference to the LGAAA.

The submitter also sought an amendment such that reference is made to the need to plan networks in cooperation with ARTA and where appropriate Transit. The Panel note that Policy 0.6 relates to the transport network in very broad terms, with all forms of transport

being referenced, and does not consider that additional reference to external bodies is required in this policy, as reference is made to these parties within the transportation assessment criteria of the individual plan changes.

A further amendment is sought seeking to restrict locations develop/redevelopment to those identified in schedule Y. The policy encourages transport improvements to achieve the form of development outlined in the above policies, that the form of development is consistent with the LGAAA and growth centres generally and will be the sites listed in Schedule Y. It is therefore not considered necessary to make an additional statement to that effect.

Panel Recommendation 5.6.8

Submission 250/190 be accepted in part but no amendments to the text are required.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
218/5 16	AMP Capital Investors (NZ) Limited	Retain Policy 0.5 and Policy 0.6	Supported By: 106 Property Council of New Zealand
NO.	Submitter	Summary of Decision Sought	Further Submitter/s
258/205 16	Auckland Regional Transport Authority	Retain Policy 0.6	
NO.	Submitter	Summary of Decision Sought	Further Submitter/s
258/214 16	Auckland Regional Transport Authority	Retain Policy 0.6 (Managing City Growth)	

Evidence Presented:

AMP Capital Investors (NZ) Limited) tabled evidence and concurred with the recommendation of the initial report with respect to submission 218/5.

Discussion:

The submissions sought to support both Policy 0.5 and 0.6 that recognise the ongoing requirements to provide for both new and improved transport interchanges, and roading, which will continue to support the integration of land use and transportation. The support of external agencies is important given the extensive planning process that is required for the provision of both types of infrastructure.

Panel Recommendation: 5.6.9

Submission 218/5, 258/205, 258/214 be accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/319 16	Waitakere City Council	Amend Policy 0.6 by adding those words in italics and underlined: "Improvements to transport networks, including public transport, <u><i>cycle and pedestrian</i></u> routes and roads will be encouraged, with a particular emphasis on improvements required to achieve the form of development outlined in the above policies."	Supported By: 258 Auckland Regional Transport Authority 250 Auckland Regional Council

Evidence Presented:

Waitakere City Council - Proposed Plan Changes 13-18 - Report WCC 4 - Panel Recommendation Report of 28 May 2007 adopted as decisions of Waitakere City Council on 20 June 2007 - printed 31 July 2007.

The submitter did not present specific evidence in relation to this submission point.

Discussion:

Policy 0.6 relates to the provision of roading infrastructure. The submitter sought the amendment to highlight the need for cycle and pedestrian routes. The amendment is considered appropriate as these components of the network assist to reduce car journeys and provide recreation opportunities. It is important that they are recognised within the policies of the Plan to assist and encourage the uptake of such opportunities when development is planned.

Panel Recommendation 5.6.10

Submission 257/319 be accepted.

5.7 Submissions relating to Policies

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/241 16	Auckland Regional Transport Authority	Retain Policy 10.14	

Evidence Presented:

The submitter did not present specific material in relation to this point of submission.

Discussion:

This policy is within the Operative WCC Plan. WCC did not propose changes to this policy as part of these plan changes, and as such any changes or discussion of this policy is not within the scope for which changes can be recommended.

Panel Recommendation 5.7.1

Submission 258/241 be rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
107/88 16	Westfield (New Zealand) Limited	Amend the Plan Change so that references to roads and development around roads are internally consistent within the proposed Plan Change text and with regard to Policy Map X i.e. only references to "road"; "corridor"; "arteria" used within the text of the Plan Change so that it is clear which policies and objectives are applying to which type of road.	Supported By: 300 IMF Westland Ltd Support and Opposed By: 208 Sylvia Park Business Centre Limited

Evidence Presented:

In support of submission points 107/88, the submitter presented evidence at the Hearing, where the legal submission indicated acceptance of the response in the recommendation report, subject to the changes that they sought to the Regional Policy Statement and the specific amendments sought is respect of the terminology in Plan Change 16.

Discussion:

The submitter sought that the Plan Change is amended to ensure consistency between the Plan Change text and the Policy Map X. It is considered that the range of terminology within the chapter is confusing, and accordingly to provide clarity for the reader the following key changes are recommended:

- References in the text to Transport Corridors/Nodes, will be changed to High Density Corridors, the location being consistent with the corridors on Policy Map X. The term High Density Corridors is consistent with the proposed definition from the Plan Change 6 of the ARPS
- Terminology relating to Roads will be altered to either Transport Network, where the roading reference is generic or Arterial roads where the reference should be in line with Policy Map X.

Panel Recommendation 5.7.2

Submission 107/88 be accepted

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
109/113 15	The Warehouse Ltd	Delete from Policy 11.45 paragraph 11 Explanation, the final sentence as many high traffic-generating activities are not multi-visit and are not suitable for access by public transport.	Opposed By: 107 Westfield (New Zealand) Limited 300 IMF Westland Ltd 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited

Evidence Presented:

The submitter presented in support of submission 109/113, through the evidence of Mr V A Smith, and Mr D S McCoy. Both addressed the transportation characteristics/issues of large Format Retail.

Discussion:

This submission seeks deletion of the last sentence of paragraph 11 of the Explanation for Policy 11.45 on the grounds that it is inaccurate. In response, it is recommended that it be deleted, (but not for the reasons outlined by the submitter), rather because it is peripheral to the subject matter of policy 11.45 and is partly inaccurate to the extent that:

- it implies no public transport will be available in the Massey North Special Employment Area, which is incorrect, and
- some trips to high traffic generating activities may be single-visit.

However, high traffic generating retail activities are often clustered together in compatible groups to facilitate multi-visit shopping. Also, in principle, there is no reason why the public should not have the option to access retail activities by public transport if they wish. Not all shopping involves bulky items that are difficult to move on buses. Consequentially, it is appropriate to provide for retail principally within Precincts B, A and E of the Massey North Town Centre Special Area which provides for a range of compatible activities with good access to the roading network and public transport.

Accordingly the submission request that the final sentence of Policy 11.45 be deleted is recommended to be approved, but not for the reasons argued by the submitter.

Panel Recommendation 5.7.3

Submission 109/113 be accepted in part.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
110/127 17	Warehouse Stationery Limited	Amend the explanation of Policy 11.47 to make changes consequent to those set out in submissions 110/123-110/126.	Opposed By: 208 Sylvia Park Business Centre Limited

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
109/127 17	The Warehouse Ltd	Amend the explanation of Policy 11.47 to make changes consequent to those set out in submissions 109/123 to 109/126.	Opposed By: 208 Sylvia Park Business Centre Limited

Evidence Presented:

The submitter did not address these matters at the Transportation Hearing.

Discussion:

The submitters seek that an identical range of amendments are made to Policy 11.47, the policy relating to the street frontage controls. These controls require that a high level of street frontage amenity is achieved within town centres, where improvements in the pedestrian environment are essential to intensification, and land use and transport integration. The policy describes at length the detail that will contribute to achieving this outcome.

The submitter has sought a number of amendments, including changing terminology such as “in all cases” to “where practicable”, the removal of design comments specific to larger format retail, and seeks to limit the application of policy by altering terminology from “the main retail streets and high pedestrian routes” to routes used by a high number of pedestrians’. In addition the submitter is concerned that there is no definition for the term main retail streets.

The changes sought are specific to the submitter’s larger format style retail operation. The changes sought would serve to dilute the policy base of the District Plan. Should the submitter or indeed any other party wish to diverge from the intent of the policy in the course of their own development, it would be appropriate that this was undertaken within the resource consent process, so that their proposal could be assessed for suitability within the context of the town centre. With regard to the lack of definition for the term main retail street this term is to be viewed in an every day sense, as that of a shopping street, rather than being tied to a street typology. It is anticipated as the development occurs over time that retail/shopping activities will extend over numerous streets.

Panel Recommendation 5.7.4

Submission 109/127, 110/127 be rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
250/203 17	Auckland Regional Council	Retain policy 11.48 as it gives effect to the location of indicative and proposed roads to increase connectivity.	

Evidence Presented:

In support of submission points 250/203, the submitter presented evidence at the Hearing, where Mr H D Jarvis confirmed that the recommendations of the earlier report were accepted.

Discussion:

The submitter supported the proposed and indicative roads that were shown on New Lynn Urban Concept Plan Appendix XX1.

The proposed roading network shows a series of roading links that are sought in New Lynn to create enhanced connectivity. The proposed road links will serve to assist to take traffic from the primary roading network that passes through New Lynn, and also provide greater pedestrian opportunities, particularly creating walking links between housing, transport and

employment, and retail. It is anticipated that the street frontage and design rules will make for a more pleasant pedestrian environment. The exact location of these roads will be refined through the resource consent process.

Panel Recommendation 5.7.5

Submission 250/203 be accepted.

5.8 Submissions seeking amendments to procedures

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/220 16	Auckland Regional Transport Authority	Amend to indicate by way of policy or method that implements or investigates feasible and appropriate means of achieving appropriate financial contributions for transport investment.	Supported By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited Opposed By: 218 AMP Capital Investors (NZ) Limited

Evidence Presented:

In support of submission point 258/220, the above submission point was directly addressed in the evidence of Ms C M Faid and Mr M J Foster. Ms Faid elaborated that ARTA was undertaking work "to develop guidelines to give developers certainty on the financial implications of providing passenger services to new developments." The imposition of the policies requested above would then allow the outcomes of the guidelines to be implemented.

Discussion:

The evidence clarified that the type of financial contribution sought from the submitter is not available within the current methodologies of revenue gathering for territorial authorities, and as such would require extensive consideration from all parties involved to develop a robust system should that be considered appropriate after investigation. It is not considered appropriate that policies or methods should anticipate the outcomes of the development work on such a project.

Panel Recommendation 5.8.1

Submission 258/220 be rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/213 16	Auckland Regional Transport Authority	Amend to extend a Community Environment zone over all rail stations on the Western Rail line and any other bus interchanges where they do not currently have a commercial or community zone.	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 107 Westfield (New Zealand) Limited

Evidence Presented:

In support of submission 258/213 evidence was presented by Ms C M Faid and Mr B J Waddell. Mr Waddell expressed concern that all the previous reports had rejected the ARTA request for such a zoning over train stations, and while appreciating the difficulty of the imposition of a blanket set of rules, suggested that if a zone could not be implemented then the objective, policy and method contained in Ms Faid's evidence would assist to achieve the same outcome. Overall ARTA were looking to increase the level of certainty that such development could occur.

Discussion:

The submitter sought the extension of the Community Environment to include all rail stations in the city, where they do not currently have a commercial zoning.

Currently the rail stations are zoned Transport Environment, as are all the roads within the Waitakere City. Within this zoning there is the ability through a resource consent process to establish an activity other than a transport activity, with smaller buildings (20m²) a limited discretionary activity, and larger a discretionary activity. The provisions and assessment criteria assess the suitability and compatibility of such a proposal, with the primary transport activity for which the Transport Environment was established. It is considered that this is the most suitable method of allowing other activities into the environment and no change should be sought. Indeed it is anticipated that a public transport terminal would include such ancillary activities as newspaper vendors.

Panel Recommendation 5.8.2

Submission 258/213 be rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
258/211 16	Auckland Regional Transport Authority	Amend to rename the zone Transport Environment to "Rail Zone" - and permit all rail based activities within this zone.	

Evidence Presented:

In support of submission 258/211 evidence was presented by Mr B J Waddell, who elaborated that ideally all District Plans across the region should have a special transport zone that would enable the development of [public transport improvements as a permitted activity.

Discussion:

The Transport Environment zone of the Waitakere City Plan includes both road and rail corridors. The rail corridors have an underlying Rail Designation, being the railway line from New Lynn to Waitakere township (Ref : NZR1) and is for designated Railway Purposes. The Requiring Authority submits an Outline Plan of Works in accordance with the s176A of the Resource Management Act to undertake works in accordance with its designation. An Outline Plan is very unlikely to be rejected (*Gardner v Auckland CC A052/80*) and form a method of documenting the development that occurs within a designation. It is considered that a rail zone as requested would not be an improvement on this methodology.

Panel Recommendation 5.8.3

Submission 258/211 be rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/212 16	Auckland Regional Transport Authority	Amend to review areas where this zone could be extended to provide for rail based infrastructure which might go outside the current zone boundary e.g. for rail pedestrian access facilities.	Opposed By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited

Evidence Presented:

In support of submission 258/212 evidence was presented by Mr B J Waddell, who elaborated on the importance of developing the surrounds to a station to enhance it's functioning, and accommodating such additional measures as that may required.

Discussion:

The current railway line within the city is included within the Transport Environment under the Waitakere City Council Plan. The railway line and immediate area is also part of the Tranz Rail Limited/NZ Railways Corporation designation. The Transport Environment zoning over the railway area is reasonably consistent with this designation. In the event that the requiring authority wishes to extend its designation it will have to undertake this through a notified process as provided for under the RMA.

Panel Recommendation 5.8.4

Submission 258/212 be rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
250/197 16	Auckland Regional Council	Amend the plan change so that the use of transport terminology is consistent with the Auckland Regional Land Transport Strategy.	

Evidence Presented:

The submitter referred to the above points of submission in the evidence of Mr H D Jarvis, such that the recommendations of the earlier report were accepted.

Discussion:

The submitter sought that the Plan Change is amended to reflect the terminology of the Regional Land Transport Strategy (ARLTS).

It is considered that while consistency in terminology between the Plan Change 16, and the ARLTS is desirable it does not necessarily achieve a benefit for the reader of either document, as the meanings are not interchangeable. As an example from submission 250/187 a "regional traffic route" within the WCC plan is a term consistent with the regional arterials shown within the maps of the WCC plan. This cannot be changed to a "regional passenger transport route", as sought by the submitter, as they are not the same thing. The primary purpose of a district planning document is to describe the land use policies and rules applicable to the district, and that a district document give effect to key regional documents. While some of the terminology uses may be consistent between documents this is not regarded as critical.

Panel Recommendation 5.8.5

Submission 250/197 be rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
107/73 16	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
N0.	Submitter	Summary of Decision Sought	Further Submitter/s
108/106 16	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 Presented:

In support of submission 107/73 and 108/106 evidence was presented by the Counsel for "Westfield" and "Progressive", who expressed concern that the initial report, while in response to another point of submission expressed the benefits of consistency, chose to reject the above submission.

Discussion:

The submitter sought that changes be made to Plan Change 16 to reflect changes sought in their submissions to ARC Plan Change 6. The changes sought in the nearly identical submissions, cover wide area of the plan, including terminology, definitions, schedules of the plan, identification of major development areas, reverse sensitivity, transport objectives, and transport policies.

Regardless of the merit or otherwise of these points of submission to another plan change within the LGAAA process, it is not within the scope of this report to anticipate decisions that may be made and agree that they should be included with Plan Change 16.

Panel Recommendation 5.8.6

Submission 107/73, and 108/106 be rejected.