



Waitakere City Council
Te Taiao o Waitakere

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 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 RULES)

GENERAL GROWTH PRINCIPLES AND ISSUES

File Reference : Report WCC 1

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 general growth principles and issues of the Waitakere City Council Plan Changes 13-18 (Proposed Changes 13-18). Other submissions and further submissions to Proposed Changes 13-18 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 Proposed Changes 13-18 arising from the Panel recommendations discussed throughout this report are set out in the Panel Recommendation version of Proposed Changes 13-18, dated 28 May 2007, which forms Appendix 1 to this report. Appendix 1 incorporates the amendments to Proposed Changes 13-18 resulting from all of the Panel’s recommendations.

2. BACKGROUND

Proposed 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 (“the growth strategy”), 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 Proposed Changes 13-18.

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 Waitakere City Council Proposed Changes 13-18 seek to:

- Manage and direct urban growth and rural development in an integrated manner;
- Progress the intensification of the City around the major town centres and address concerns around urban design outcomes through a series of plan changes to the Waitakere City District Plan;
- Address specific issues of intensification, urban amenity and management of the redevelopment of the New Lynn Town Centre through a specific plan change to the Waitakere City District Plan;
- Seek an expansion of the Metropolitan Urban Limits (MUL) at Hobsonville Airbase, Hobsonville Village Centre and Massey North to allow for, in particular, the development of additional employment land to meet the needs of the growing community not able to be met in the existing urban area;
- Ensure District Plan objectives, policies and rules support and better integrate intensified land use to support viable public transport and investment in transport infrastructure; and
- Introduce Plan Changes to the Waitakere City District Plan in relation to the Hobsonville Airbase, Hobsonville Village, Massey North and New Lynn, to ensure that high quality, integrated and compact development is undertaken in these growth areas in a manner that is consistent with the City’s overall Growth Management Strategy.

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

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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.

4A 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. DISCUSSION OF SUBMISSIONS

5.1 SUBMISSIONS SEEKING TO REJECT / DELETE THE PLAN CHANGES

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
284/19 (Plan Change 13)	Oratia Landowners Action Group	Delete the whole plan change as it is ultra vires to the RMA and is contrary to sections 6, 7, 31, 75, 76 and 32 and consultation has been incomplete.	Opposed By: 95 Housing New Zealand Corporation (1) 208 Sylvia Park Business Centre Limited 204 The Waitakere Ranges Protection Society Incorporated
284/20 (Plan Change 14)	Oratia Landowners Action Group	Delete the whole plan change as it is ultra vires to the RMA and is contrary to sections 6, 7, 31, 75, 76 and 32 and consultation has been incomplete.	Opposed By: 208 Sylvia Park Business Centre Limited 204 The Waitakere Ranges Protection Society Incorporated
284/22 (Plan Change 16)	Oratia Landowners Action Group	Delete the whole plan change as it is ultra vires to the RMA and is contrary to sections 6, 7, 31, 75, 76 and 32 and consultation has been incomplete.	Supported By: 1226 Titirangi Residents for Balanced Opposed By: 95 Housing New Zealand Corporation (1) 208 Sylvia Park Business Centre Limited 204 The Waitakere Ranges Protection Society Incorporated
284/24 (Plan Change 18)	Oratia Landowners Action Group	Delete the whole plan change as it is ultra vires to the RMA and is contrary to sections 6, 7, 31, 75, 76 and 32 and consultation has been incomplete.	Opposed By: 208 Sylvia Park Business Centre Limited 204 The Waitakere Ranges Protection Society Incorporated
142/4 (Plan Change 16)	PLC New Zealand Ltd	Reject the Proposed Plan Change and re notify to undergo a more detailed analysis to specifically address the zoning pattern which balances the need to provide for increased residential densities with the needs of existing industrial activity and be re-notified.	Opposed By: 218 AMP Capital Investors (NZ) Limited
142/1 (Plan Change 16)	PLC New Zealand Ltd	Delete in its entirety.	Opposed By: 95 Housing New Zealand Corporation (1) 218 AMP Capital Investors (NZ) Limited
198/12 (Plan Change 16)	PARANZ Limited	Delete in its entirety.	Supported By: 264 Centre for Urban and Transport Studies Opposed By: 95 Housing New Zealand Corporation (1) 208 Sylvia Park Business Centre Limited 204 The Waitakere Ranges Protection Society Incorporated
213/3 (Plan Change 18)	CSR Building Products NZ Ltd ('Monier Brickmakers')	Delete/Withdraw the Proposed Plan Change in its entirety; Or, Re-notify the Proposed Plan Change with a more detailed section 32 analysis, which specifically addresses the zoning pattern which balances the need to provide for increased residential densities with the needs of existing industrial activity.	Supported By: 184 West Auckland Land Holdings Ltd Opposed By: 218 AMP Capital Investors (NZ) Limited 95 Housing New Zealand Corporation (1)
214/1 (Plan	Henkel NZ Ltd (The Sellotape	Delete/Withdraw the Proposed Plan Change in its entirety;	Opposed By: 95 Housing New Zealand

Change 16)	Company)	Or, Re-notify the Proposed Plan Change with a more detailed section 32 analysis, which specifically addresses the zoning pattern which balances the need to provide for increased residential densities with the needs of existing industrial activity.	Corporation (1) 108 Progressive Enterprises Limited 218 AMP Capital Investors (NZ) Limited 107 Westfield (New Zealand) Limited
215/1 (Plan Change 16)	Huhtamaki NZ Limited	Delete/Withdraw the Proposed Plan Change in its entirety; Or, Re-notify the Proposed Plan Change with a more detailed section 32 analysis, which specifically addresses the zoning pattern which balances the need to provide for increased residential densities with the needs of existing industrial activity.	Opposed By: 95 Housing New Zealand Corporation (1) 108 Progressive Enterprises Limited 218 AMP Capital Investors (NZ) Limited 107 Westfield (New Zealand) Limited
213/1 (Plan Change 16)	CSR Building Products NZ Ltd ('Monier Brickmakers')	Delete/Withdraw the Proposed Plan Change in its entirety; Or, Re-notify the Proposed Plan Change with a more detailed section 32 analysis, which specifically addresses the zoning pattern which balances the need to provide for increased residential densities with the needs of existing industrial activity.	Supported By: 184 West Auckland Land Holdings Ltd Opposed By: 95 Housing New Zealand Corporation (1) 256 Rodney District Council 218 AMP Capital Investors (NZ) Limited 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited
217/1 (Plan Change 16)	Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)	Delete/Withdraw the Proposed Plan Change in its entirety; Or, Re-notify the Proposed Plan Change with a more detailed section 32 analysis, which specifically addresses the zoning pattern which balances the need to provide for increased residential densities with the needs of existing industrial activity.	Opposed By: 95 Housing New Zealand Corporation (1) 108 Progressive Enterprises Limited 218 AMP Capital Investors (NZ) Limited 107 Westfield (New Zealand) Limited
216/1 (Plan Change 16)	Waitakere Working Environment Group	Delete/Withdraw the Proposed Plan Change in its entirety; Or, Re-notify the Proposed Plan Change with a more detailed section 32 analysis, which specifically addresses the zoning pattern which balances the need to provide for increased residential densities with the needs of existing industrial activity.	Supported By: 1226 Titirangi Residents for Balanced Opposed By: 95 Housing New Zealand Corporation (1) 108 Progressive Enterprises Limited 218 AMP Capital Investors (NZ) Limited 107 Westfield (New Zealand) Limited
217/3 (Plan Change 18)	Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)	Delete/Withdraw the Proposed Plan Change in its entirety; Or, Re-notify the Proposed Plan Change with a more detailed section 32 analysis, which specifically addresses the zoning pattern which balances the need to provide for increased residential densities with the needs of existing industrial activity.	Supported By: 284 Oratia Landowners Action Group Opposed By: 95 Housing New Zealand Corporation (1) 218 AMP Capital Investors (NZ) Limited
216/3 (Plan Change 18)	Waitakere Working Environment Group	Delete/Withdraw the Proposed Plan Change in its entirety; Or, Re-notify the Proposed Plan Change with a more detailed section 32 analysis, which specifically addresses the zoning pattern which balances the need to provide for increased residential densities with the needs of existing industrial activity.	Opposed By: 95 Housing New Zealand Corporation (1) 218 AMP Capital Investors (NZ) Limited

215/3 (Plan Change 18)	Huhtamaki NZ Limited	Delete/Withdraw the Proposed Plan Change in its entirety; Or, Re-notify the Proposed Plan Change with a more detailed section 32 analysis, which specifically addresses the zoning pattern which balances the need to provide for increased residential densities with the needs of existing industrial activity.	Opposed By: 95 Housing New Zealand Corporation (1) 218 AMP Capital Investors (NZ) Limited
214/3 (Plan Change 18)	Henkel NZ Ltd (The Sellotape Company)	Delete/Withdraw the Proposed Plan Change in its entirety; Or, Re-notify the Proposed Plan Change with a more detailed section 32 analysis, which specifically addresses the zoning pattern which balances the need to provide for increased residential densities with the needs of existing industrial activity.	Opposed By: 95 Housing New Zealand Corporation (1) 218 AMP Capital Investors (NZ) Limited

Evidence Presented:

Evidence was presented on behalf of the Oratia Landowners Action Group by Paul Mitchell. Evidence was presented on behalf of the Waitakere Working Environment Group by Jim Bentley. Evidence was presented on behalf of PARANZ by Rodney Davies.

Discussion:

The submitters listed above sought that the Plan Changes be deleted. In summary, the submitters suggested that the proposed Plan Changes are *ultra vires* the RMA, and that consultation associated with the plan change process has been inadequate. A number of the submitters requested that the Plan Changes be re-notified in a format that better balances the need to provide for increased residential densities with the needs of existing industrial activity.

The provisions of the LGAAA require Auckland local authorities to prepare and notify changes to their District Plans in order to provide for integrated land transport and land use provisions that are consistent with the Auckland Regional Growth Strategy. In this context, the Panel considers that it is unable to simply recommend that Plan Changes 13-18 be rejected without having alternative Plan Changes that meet the requirements of the LGAAA.

In any event, the Panel considers that the objectives of the Plan Changes fall squarely within the ambit of the matters that the LGAAA is explicitly seeking to address. Subject to recommended amendments contained within Appendix 1 of this report, or in other recommendation reports, the Panel considers that the Plan Changes achieve the purpose of the LGAAA and should be retained.

Panel Recommendation 5.1.1:

The Panel recommends that submissions 284/19, 284/20, 284/22, 284/24, 142/4, 142/1, 198/12, 213/3, 214/1, 215/1, 213/1, 217/1, 216/1, 217/3, 216/3, 215/3, and 214/3 are rejected.

5.2 SUBMISSIONS SEEKING TO RETAIN THE PLAN CHANGES

5.2.1 Submissions Seeking to Retain the Plan Changes in Their Current Form

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
299/16 (13)	Unitec New Zealand	Retain the Plan Change. Unitec supports Waitakere City in achieving their objectives in maximising sustainable opportunities.	
299/17 (14)	Unitec New Zealand	Retain the Plan Change. Unitec supports Waitakere City in achieving their objectives in maximising sustainable opportunities.	
299/18 (15)	Unitec New Zealand	Retain the Plan Change. Unitec supports	

		Waitakere City in achieving their objectives in maximising sustainable opportunities.	
299/19 (16)	Unitec New Zealand	Retain the Plan Change. Unitec supports Waitakere City in achieving their objectives in maximising sustainable opportunities.	
299/20 (17)	Unitec New Zealand	Retain the Plan Change. Unitec supports Waitakere City in achieving their objectives in maximising sustainable opportunities.	
299/4 (14)	Unitec New Zealand	Retain the Plan Change. Unitec supports Waitakere City in the establishment of logical growth-attracting centres that will drive the development of a viable integrated public/private transport system, reduce loading-growth on the present motorway corridors, and provide increased access to and available opportunities, for education in the city.	
299/6 (16)	Unitec New Zealand	Retain the Plan Change. Unitec supports Waitakere City in the establishment of logical growth-attracting centres that will drive the development of a viable integrated public/private transport system, reduce loading-growth on the present motorway corridors, and provide increased access to and available opportunities, for education in the city.	
299/7 (17)	Unitec New Zealand	Retain the Plan Change. Unitec supports Waitakere City in the establishment of logical growth-attracting centres that will drive the development of a viable integrated public/private transport system, reduce loading-growth on the present motorway corridors, and provide increased access to and available opportunities, for education in the city.	
299/15 (15)	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.	
250/172 (15)	Auckland Regional Council	Retain the Comprehensive Development Plan approach as a way of managing the development of the area on a precinct basis.	Supported By: 300 IMF Westland Ltd
253/53 (16)	Manukau City Council	Retain proposed Policy 0.10 in Plan Change 16.	Supported By: 142 PLC New Zealand Ltd 213 CSR Building Products NZ Ltd ('Monier Brickmakers') 214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)
258/208 (16)	Auckland Regional Transport Authority	Retain Policy Map X	
218/4 (16)	AMP Capital Investors (NZ) Limited	Retain Policy 0.4, bullet points 1 and 3.	Supported By: 106 Property Council of New Zealand
259/14 (16)	Transit New Zealand	Retain Policy 0.11.	Opposed By: 81 IB, GA and IE Midgley 157 Federated Farmers of New Zealand (Inc)

258/236 (16)	Auckland Regional Transport Authority	Retain Schedule Y	
258/207 (16)	Auckland Regional Transport Authority	Retain Schedule Y	

Evidence Presented:

Evidence was presented on behalf of the Auckland Regional Council by Hugh Jarvis. Evidence for the Auckland Regional Transport Authority was presented by Maree Faid, Ross Rutherford, Brian Waddell and Mike Foster. Evidence for Transit New Zealand was presented by Rachel Harward and Chris Horne.

Discussion:

These submitters requested that the Plan Changes (or particular parts of the Plan Changes) be retained. As noted previously in this recommendation report, each Council in the Auckland region is required to prepare and publicly notify plan changes in order to achieve the purpose of the LGAAA. As such, the Panel considers that the Plan Changes should be retained, subject to those amendments that are contained within Appendix 1 to this report.

Panel Recommendation 5.2.1.1:

The Panel recommends that submissions 299/16, 299/17, 299/18, 299/19, 299/20, 299/4, 299/6, 299/7, 299/15, 250/172, 253/53, 258/208, 218/4, 259/14, 258/236, and 258/207 are accepted.

5.2.2 Submissions Seeking to Retain the Plan Changes with Possible Amendments

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/73 (14)	Progressive Enterprises Limited	Retain the plan change and adopt, insofar as it is consistent with a centres-based approach to planning for retail and business development; is consistent with the Auckland Regional Growth Strategy and Auckland Regional Policy Statement; and is commensurate with the needs of the community in particular the need to maintain and enhance the growth and development of existing and proposed business centres in the District; and subject to specific amendments sought in submissions 108/74 to 108/85.	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
108/125 (17)	Progressive Enterprises Limited	Retain the plan change and adopt, insofar as it is consistent with a centres-based approach to planning for retail and business development; is consistent with the Auckland Regional Growth Strategy and Auckland Regional Policy Statement; and is commensurate with the needs of the community in particular the need to maintain and enhance the growth and development of existing and proposed business centres in Waitakere City; and subject to specific amendments sought in submissions 108/126 - 108/132.	Supported By: 208 Sylvia Park Business Centre Limited Opposed By: 153 The National Trading Company of New Zealand Ltd 109 The Warehouse Ltd 110 Warehouse Stationery Limited
108/86 (15)	Progressive Enterprises Limited	Retain and adopt the Plan Change (subject to specific amendments sought in submission 108/87-108/104), insofar as it is consistent with a centres-based strategy, is consistent with the Auckland Regional Growth Strategy and Auckland Regional Policy Statement, and	Supported By: 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd Opposed By: 110 Warehouse Stationery

		will enable a level of growth and mix of activities in a way or at a rate commensurate with appropriate urban form outcomes, the needs and expectations of the community and the need for growth in the City.	Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd
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Evidence Presented:

Evidence for Progressive Enterprises Limited / Westfield (New Zealand) Limited was presented by Doug Fairgray, Nick Taylor, Basil Sharp and Mike Foster.

Discussion:

The submitter sought that the Plan Changes be retained and adopted, provided that they are consistent with a number of matters set out in the submissions.

The Panel considers that the Plan Changes do align with the matters identified in the submissions. The District Plan's approach to managing the effects of retail activities is described in the Plan as a retail centralisation strategy. This strategy seeks to reinforce the centralisation of retail activities around existing and proposed town centres, with some limited exceptions. It forms part of a wider strategic approach that promotes urban consolidation and the integration of land use and transportation.

The provisions contained within the Plan Changes do not deviate from this strategy. The Panel considers that the Plan Changes would not undermine economic growth and, through strengthening the existing centres-based policies of the Plan, would be likely to have a positive effect over time with regard to business growth and economic development.

Panel Recommendation 5.2.2.1:

The Panel recommends that submissions 108/73, 108/125 and 108/86 are accepted, although no amendments to the Plan Changes are required.

5.3 SUBMISSIONS SEEKING TO AMEND THE PLAN CHANGES

5.3.1 Submissions Relating to Section 32

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
264/33 (13)	Centre for Urban and Transport Studies	Amend the Plan change to reflect a reviewed Section 32 analysis for all policies and plans which has been conducted by an independent agency and peer reviewed.	
264/40 (14)	Centre for Urban and Transport Studies	Amend the Plan change to reflect a reviewed Section 32 analysis for all policies and plans which has been conducted by an independent agency and peer reviewed.	
264/47 (15)	Centre for Urban and Transport Studies	Amend the Plan change to reflect a reviewed Section 32 analysis for all policies and plans which has been conducted by an independent agency and peer reviewed.	
264/54 (16)	Centre for Urban and Transport Studies	Amend the Plan change to reflect a reviewed Section 32 analysis for all policies and plans which has been conducted by an independent agency and peer reviewed.	
264/68 (18)	Centre for Urban and Transport Studies	Amend the Plan change to reflect a reviewed Section 32 analysis for all policies and plans which has been conducted by an independent agency and peer reviewed.	
264/34 (13)	Centre for Urban and Transport Studies	Amend the section 32 report to provide sufficient information on the costs and effects of the proposed policies and plans.	
264/41 (14)	Centre for Urban and Transport	Amend the section 32 report to provide sufficient information on the costs and effects	

	Studies	of the proposed policies and plans.	
264/48 (15)	Centre for Urban and Transport Studies	Amend the section 32 report to provide sufficient information on the costs and effects of the proposed policies and plans.	
264/55 (16)	Centre for Urban and Transport Studies	Amend the section 32 report to provide sufficient information on the costs and effects of the proposed policies and plans.	
264/69 (18)	Centre for Urban and Transport Studies	Amend the section 32 report to provide sufficient information on the costs and effects of the proposed policies and plans.	

Evidence Presented:

Evidence for the Centre for Urban and Transport Studies was presented by David Wilmott.

Discussion:

The submitter requested that the section 32 report be amended to provide sufficient information on the costs and effects of the proposed policies and plans, and that the section 32 analysis be conducted by an independent agency and be peer reviewed.

In summary, section 32 of the RMA requires a local authority to consider the alternatives, benefits and costs of any change that it proposes to its district plan. It is clear to the Panel that the Council has undertaken such an evaluation in relation to each of the Plan Changes, and the Panel has not seen any evidence to demonstrate that those section 32 evaluations are anything other than thorough, comprehensive, and in accordance with the relevant statutory requirements as set out in the RMA.

The Council has not commissioned any independent peer review of the section 32 evaluations. However, the Panel notes that the section 32 reports were available for public inspection and, as a result, submitters had the opportunity to scrutinise the reports and identify any particular deficiencies to the Hearings Panel through the statutory process. No specific deficiencies were brought to the attention of the Panel.

Panel Recommendation 5.3.1.1:

The Panel recommends that submissions 264/33, 264/40, 264/47, 264/54, 264/68, 264/34, 264/41, 264/48, 264/55, and 264/69 are rejected.

5.3.2 Submissions Seeking General Amendments

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
107/51 (13)	Westfield (New Zealand) Limited	Amend the plan change to be consistent with the Auckland Regional Growth Strategy and encourage a centres based approach to planning for business activity including <ul style="list-style-type: none"> i. Maintaining and enhancing transportation efficiency through the development and intensification of appropriately located business centres; ii. Enabling a compact and coherent urban form; iii. Maintaining and enhancing the City's existing resources including existing and proposed town centres; and iv. Ensuring the continued function and social role of the City's existing business centres. 	<p>Supported By: 300 IMF Westland Ltd</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: 208 Sylvia Park Business Centre Limited</p>
107/59 (14)	Westfield (New Zealand) Limited	Amend the plan change to be consistent with the Auckland Regional Growth Strategy and encourage a centres based approach to planning for business activity including:	<p>Supported By: 300 IMF Westland Ltd</p> <p>Opposed By: 110 Warehouse Stationery</p>

		<ul style="list-style-type: none"> i. Maintaining and enhancing transportation efficiency through the development and intensification of appropriately located business centres; ii. Enabling a compact and coherent urban form; iii. Maintaining and enhancing the City's existing resources including existing and proposed town and village centres; and iv. Ensuring the continued function and social role of Waitakere's existing business centres. 	<p>Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd Support and Opposed By: 208 Sylvia Park Business Centre Limited</p>
107/65 (15)	Westfield (New Zealand) Limited	<p>Amend the plan change to:</p> <ul style="list-style-type: none"> (a) enable activities including retail activities in a way which is commensurate with growth and demand for such activities; (b) be consistent with the Auckland Regional Growth Strategy encourage a centres based approach to planning for business activity including <ul style="list-style-type: none"> i. Maintaining and enhancing transportation efficiency through the development and intensification of appropriately located business centres; ii. Enabling a compact and coherent urban form; iii. Maintaining and enhancing the City's existing resources including existing and proposed town centres; and iv. Ensuring the continued function and social role of the Region's existing business centres. 	<p>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</p>

Evidence Presented:

Evidence for Progressive Enterprises Limited / Westfield (New Zealand) Limited was presented by Doug Fairgray, Nick Taylor, Basil Sharp and Mike Foster.

Discussion:

The Panel considers that the Plan Changes are seeking to achieve outcomes that are largely consistent with the relief sought by the submitter.

The current policies of the District Plan seek to manage the effects of retail activities through directing the majority of these activities to locations within existing and proposed town centres. However, some limited opportunities exist under the Plan for retail activities to establish in other locations. For example, provision exists for small convenience shops to be established in locations where they would serve residential neighbourhoods or employment areas. Yard based retailing, which may detract from the amenity of town centre locations, may be established in certain circumstances within industrial areas. In addition, the Plan provides for large format 'destination' shops to establish in locations adjacent to town centres or on major roads, where their size and function makes this appropriate. The Plan contains criteria for such proposals to be assessed against, in order to ensure that retailing of this nature is consistent with the overall strategy of consolidation.

The Panel is of the view that the Plan Changes reinforce the current strategic approach to the establishment of retail activities. In particular, Plan Change 17 seeks to intensify the existing sub-regional town centre at New Lynn, and Plan Change 15 provides for the extension and further development of the town centre at

Westgate / Massey North. The purpose of those Plan Changes is to enhance the role of the particular town centres as a vibrant hub for services, retailing and employment opportunities, and to ensure that they are intensified in a way that maintains and enhances amenity values and supports public transport investment.

The Panel considers that there is nothing in the Plan Changes that would undermine the valuable function of the City's town centres as a focal point for community interaction and economic activity.

Panel Recommendation 5.3.2.1:

The Panel recommends that submissions 107/51, 107/59 and 107/65 are accepted, although no amendments to the Plan Changes are required.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
264/31 (13)	Centre for Urban and Transport Studies	Amend the Plan Change in order to respect rights in property as a major pre-requisite for a free society; - avoid restrictive practices such as imposition of urban edges, and densification.	
264/38 (14)	Centre for Urban and Transport Studies	Amend the Plan Change in order to respect rights in property as a major pre-requisite for a free society; - avoid restrictive practices such as imposition of urban edges, and densification.	
264/45 (15)	Centre for Urban and Transport Studies	Amend the Plan Change in order to respect rights in property as a major pre-requisite for a free society; - avoid restrictive practices such as imposition of urban edges, and densification.	
264/52 (16)	Centre for Urban and Transport Studies	Amend the Plan Change in order to respect rights in property as a major pre-requisite for a free society; - avoid restrictive practices such as imposition of urban edges, and densification.	
264/59 (17)	Centre for Urban and Transport Studies	Amend the Plan Change in order to respect rights in property as a major pre-requisite for a free society; - avoid restrictive practices such as imposition of urban edges, and densification.	
264/66 (18)	Centre for Urban and Transport Studies	Amend the Plan Change in order to respect rights in property as a major pre-requisite for a free society; - avoid restrictive practices such as imposition of urban edges, and densification.	

Evidence Presented:

Evidence for the Centre for Urban and Transport Studies was presented by David Wilmott.

Discussion:

District Plans, by their very nature, impose some restrictions on the rights of individuals in order to protect the environment in its wider sense. In this case, the provisions of the Plan Changes respect the concept of an urban edge, and encourage intensification around town centres.

The LGAAA requires the Council to give effect to the growth concept contained within the ARGS. That growth concept includes regulatory limitations on urban sprawl, primarily through the use of the Metropolitan Urban Limit. In these circumstances, the Panel considers that it would be inappropriate for the Council to promote alternative plan changes that were inconsistent with the urban containment strategy that is comprised within the ARGS. Such an approach would also be contrary to the existing policies of the District Plan.

Panel Recommendation 5.3.2.2:

The Panel recommends that submissions 264/31, 264/38, 264/45, 264/52, 264/59 and 264/66 are rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/110 (16)	Progressive Enterprises Limited	Amend the terminology used in the proposed Plan Change to be consistent with that of the Regional Policy Statement, and that following any amendments made to the terminology in the Regional Policy Statement (in response to Progressive's submissions made to RPS Change 6) that the proposed Plan Change be amended in the same manner.	Supported By: 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd
107/77 (16)	Westfield (New Zealand) Limited	Amend the terminology used in the Plan Change to ensure consistency with that of the Regional Policy Statement, and that following any amendments made to the terminology in the Regional Policy Statement (in response to submissions to RPS Change 6) that the Plan Change be amended in the same manner.	Supported By: 300 IMF Westland Ltd Support and Opposed By: 208 Sylvia Park Business Centre Limited

Evidence Presented:

Evidence for Progressive Enterprises Limited / Westfield (New Zealand) Limited was presented by Doug Fairgray, Nick Taylor, Basil Sharp and Mike Foster.

Discussion:

The submitters seek sufficient flexibility through the hearing process to ensure that any amendments made to the ARPS in response to submissions can subsequently be carried through into the Plan Changes. The Panel considers that it is appropriate for terminology used in the Plan Changes to be consistent with that of the ARPS, to avoid any uncertainty in relation to interpretation of those provisions.

The Panel has accepted the submissions in principle, in order to preserve the flexibility that may be required to ensure that the ARPS and the Plan Changes are as consistent as possible in the language that is used.

Panel Recommendation 5.3.2.3:

The Panel recommends that submissions 108/110 and 107/77 are accepted, to the extent that minor changes to the terminology of the Plan Changes should be made where required to ensure consistency with the ARPS.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
215/6 (16)	Huhtamaki NZ Limited	Amend the Plan Change to restore the zoning pattern as requested in Submissions 215/4 - 215/5.	Opposed By: 108 Progressive Enterprises Limited 111 The National Trading Company of New Zealand Limited 218 AMP Capital Investors (NZ) Limited 109 The Warehouse Ltd 110 Warehouse Stationery Limited
216/8 (16)	Waitakere Working Environment Group	Amend the Plan Change to restore the zoning pattern as requested in Submissions 216/4 - 216/5.	Opposed By: 108 Progressive Enterprises Limited 218 AMP Capital Investors (NZ) Limited
216/6 (16)	Waitakere Working Environment Group	Amend the Plan Change to restore the zoning pattern as requested in Submissions 216/4 - 216/5.	Opposed By: 108 Progressive Enterprises Limited 111 The National Trading Company of New Zealand Limited 218 AMP Capital Investors (NZ) Limited
216/7	Waitakere	Amend the Plan Change to restore the zoning pattern	Opposed By:

(16)	Working Environment Group	as requested in Submissions 216/4 - 216/5.	108 Progressive Enterprises Limited 111 The National Trading Company of New Zealand Limited 218 AMP Capital Investors (NZ) Limited
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Evidence Presented:

Evidence was presented on behalf of the Waitakere Working Environment Group by Jim Bentley.

Discussion:

The submitters sought that the Plan Changes be amended to retain the current zoning of an area of land located in New Lynn. Specifically, the submitters opposed the rezoning of land bordered by Rankin Avenue, Clark Street, Astley Avenue and Margan Avenue from Working Environment to Living (L6) Environment and Monier (CSR) Special Area.

The submitters were concerned about reverse sensitivity issues that may arise with the introduction of residential activities into this location. In the circumstances that apply in this instance, the concept of 'reverse sensitivity' is used to describe a situation where residents of new dwellings that may be established in close proximity to established industrial activities may exert pressure on those industries to more adequately manage their external effects. For example, manufacturing processes may emit significant noise, odour or dust, possibly over extended hours of operation, and residents in close proximity to the sources of such nuisance may be motivated to complain. Ultimately, the level of concern may get to the point where the activities of the particular business are constrained or curtailed in some way.

The Panel considers that the submitters' concerns have legitimacy. Without appropriate mitigation being applied to new residential development that could establish under the Plan Changes, potential would exist for an unsatisfactory situation to arise. However, the Panel is also of the view that the Plan Changes have addressed these concerns appropriately.

The Panel is aware that any new residential development in the Living (L6) Environment would require a resource consent, and would need to be located so that a 20 metre buffer would be maintained between habitable rooms and the boundary of either the Working Environment or the Monier (CSR) Special Area. In addition, residential buildings would need to incorporate a forced air mechanical ventilation system to ensure that apartments were well ventilated without the need to open windows. Where a proposal would fail to meet these requirements, resource consent would be required as a discretionary activity. Before consent was granted to such an application, the Council would need to be satisfied that the apartment development could satisfactorily mitigate noise, dust and other nuisances from adjoining industrial activities.

Despite these measures, the Panel accepts that there may still be some disadvantages to established industries that may arise as a result of rezoning (largely vacant) adjoining industrial land so that it can be used to accommodate residential activities. However, with the proposed mitigation measures in place, the Panel considers that any disadvantages would not be so great as to effectively force those industries to relocate.

The potential for some inconvenience to established industry in this location also needs to be balanced against the significant advantages that would arise as a result of the intensification that is proposed within the New Lynn town centre. The Plan Changes have been promulgated in order to give effect to the LGAAA's purpose of integrating transportation and land use. Intensification of residential activities around existing town centres (such as New Lynn) will support the development and viability of an effective public transport system, and will provide opportunities for workers to reside in close proximity to their place of employment.

Although the Panel has not recommended that the current Working Environment zoning be retained, some of the relief requested by the submitters is supported. The submitters sought that the noise limit on the Living 6 Environment boundary of their sites should remain at 65dBA. Evidence supporting this request was considered by the Panel during hearings addressing the 'Urban Design' and 'New Lynn' categories. On the strength of that evidence, the Panel has recommended that the current Working Environment noise levels should be retained in respect of the common boundary with the Living 6 Environment.

Panel Recommendation 5.3.2.4:

The Panel recommends that submissions 215/6, 216/8, 216/6, and 216/7 are rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
22/2 (16)	JW Hull and Clover Farms Limited	Delete all provisions and references in Plan Change 16 that restrict opportunities for countryside living and/or structure planning apart from Birdwood, Swanson, Oratia and Dilworth structure plans; or, alternatively, amend these provisions to include opportunity for a structure plan to be developed in respect of the submitters' property (13 Spedding Rd, Massey) and other adjoining rural land.	Supported By: 264 Centre for Urban and Transport Studies Opposed By: 204 The Waitakere Ranges Protection Society Incorporated 250 Auckland Regional Council
115/15 (16)	JH Lockington and DA Lyon	Delete all provisions and references in Plan Change 16 that restrict opportunities for countryside living and/or structure planning apart from the Birdwood, Swanson, Oratia and Dilworth structure plans; OR Amend those provisions to include opportunity for a structure plan to be developed in respect of the submitters' property or including the submitters' property and other adjoining rural land.	Supported By: 264 Centre for Urban and Transport Studies Opposed By: 250 Auckland Regional Council 204 The Waitakere Ranges Protection Society Incorporated

Evidence Presented:

No evidence was presented in support of the submissions(s).

Discussion:

The submitters have suggested two alternative ways of maintaining the potential for further subdivision of their properties through a structure planning process. The submitters' properties are situated outside the current or proposed location of the Metropolitan Urban Limit.

The Plan Changes do not alter the potential for structure planning to occur in the Countryside Environment or the Foothills Environment, which are the zonings that apply to the submitters' respective land holdings. Rather, Plan Change 16 notes that the additional development that may arise as a result of structure planning is not required to meet growth targets. There may, of course, be other reasons that support the development of structure plans within rural areas, notably in circumstances where structure planning would deliver environmental benefits.

In the case of land in the Countryside Environment, the Council has decided that it will not progress any structure plans until the future of the Whenuapai Airbase has been determined. This approach has been adopted to ensure that future development options are not precluded before opportunities that may arise if the Airbase is vacated are properly considered. That is not to say that the Council will not reactivate structure planning in this area in the future. In addition, land owners retain the option of pursuing a structure plan by way of a private Plan Change if they so choose.

For these reasons, the relief that is sought by the submitters already exists, and is not affected in any significant way by the Plan Changes. As such, the Panel considers that there is no need to amend the Plan Changes.

Panel Recommendation 5.3.2.5:

The Panel recommends that submissions 22/2 and 115/15 are accepted, although no amendments to the Plan Changes are required.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/325 (16)	Waitakere City Council	Amend Plan Change 16 to ensure consistency between policies, objectives and schedules.	Supported By: 204 The Waitakere Ranges Protection Society Incorporated

257/324 (16)	Waitakere City Council	Amend Plan Change 16, following decisions on Plan Change 6, to ensure general consistency between the Waitakere District Plan and the ARPS.	Supported By: 204 The Waitakere Ranges Protection Society Incorporated Opposed By: 218 AMP Capital Investors (NZ) Limited
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Evidence Presented:

Evidence for Waitakere City Council was presented by Graeme Campbell, John Mackay, Matt Heale and Jenny Fuller.

Discussion:

Some minor amendments to Plan Change 16 are likely to be required to ensure that there is consistency between policies, objectives and schedules, and to address issues of consistency between the District Plan and the ARPS. The Panel recommends acceptance of the submissions in principle, in order to preserve the flexibility for minor amendments that are required to ensure that the ARPS and the Plan Changes are as consistent as possible in their final form.

Panel Recommendation 5.3.2.6:

The Panel recommends that submissions 257/325 and 257/324 are accepted, to the extent that minor amendments to the Plan Changes should be made where required to ensure consistency with the ARPS.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/121 (16)	Progressive Enterprises 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 ie only references to "road"; "corridor"; "arterial" 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: 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd

Evidence Presented:

Evidence for Progressive Enterprises Limited / Westfield (New Zealand) Limited was presented by Doug Fairgray, Nick Taylor, Basil Sharp and Mike Foster.

Discussion:

The submitter has suggested that Plan Change 16 is not internally consistent, particularly between the terminology used in policies and that which is used within Policy Map X.

Policy Map X does not have the force of a rule in the District Plan, and is provided solely as a means of graphically presenting the Council's strategic approach to the management of growth. It is the rules of the Plan that create opportunities for development within the City, and those rules are expressed in precise terms to avoid vagaries of interpretation.

While it is not critical for the terminology of the policies to precisely align with the terminology used in Policy Map X, the Panel does consider it to be desirable.

The Panel recommends that the submission be accepted in principle. It is recommended that such amendments to the terminology used in Plan Change 16 could be made using a Clause 16 RMA process.

Panel Recommendation 5.3.2.7:

The Panel recommends that submission 108/121 is accepted in principle, and Waitakere City Council considers making the amendments sought to terminology as Clause 16 RMA minor amendments.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
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279/12 (16)	Shed 1 /27 Ltd	Amend the Plan Change to develop high density/high quality urban centres, Henderson.	
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Evidence Presented:

No evidence was presented in support of the submissions(s).

Discussion:

A key focus of the Plan Changes is the desire to ensure that higher density living does not occur at the detriment of amenity values. For this reason, a significant number of new provisions (particularly in relation to Plan Change 18) have been proposed to address urban design and amenity matters. The Panel considers that these measures would provide considerable assistance in managing development that may occur in town centres, in a way that enhances rather than detracts from the amenity values of those locations.

As such, the Panel is of the opinion that the relief sought by the submitter already exists within the Plan Changes.

Panel Recommendation 5.3.2.8:

The Panel recommends that submission 279/12 is accepted, although no amendments to the Plan Changes are required.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/199 (16)	Auckland Regional Council	Amend the plan change to: <ul style="list-style-type: none"> <input type="checkbox"/> Require the containment of urban activities to within the Metropolitan Urban Limits; and <input type="checkbox"/> Provide that non-residential activities on sites located outside of the Metropolitan Urban Limits and which fail to meet certain standards (irrespective of whether they involve retail), shall be non-complying or prohibited activities; and <input type="checkbox"/> Include additional, strong, succinct policies prohibiting urban activities from locating within rural areas and only providing for rural residential development and the expansion of rural settlements in a manner consistent with the Auckland Regional Policy Statement, including proposed Plan Change 6. 	Opposed By: 324 Neil Construction 157 Federated Farmers of New Zealand (Inc)

Evidence Presented:

Evidence was presented on behalf of the Auckland Regional Council by Hugh Jarvis.

Discussion:

The provisions of the RMA encourage local authorities to develop district plans that manage the effects of activities rather than the activities themselves. The Panel understands that significant emphasis was placed on this principle when the Waitakere District Plan was developed.

As a result, the rules of the District Plan do not completely preclude the establishment of activities that might be described as 'urban' in areas that lie beyond the Metropolitan Urban Limits, provided that the rural character of those areas would not be compromised. This regulatory regime has been in place for a number of years, and the Panel is satisfied that it has been effective in preventing inappropriate urban activities from establishing in rural locations.

The Panel acknowledges that some urban style activities may seek to locate in rural locations merely to exploit cheaper land prices. However, there may also be circumstances where it is acceptable for certain activities of an urban nature to establish in rural locations, where the particular activity is of a scale and nature that will not compromise rural character and amenity.

The Panel considers that the relief sought by the submitter is overly restrictive in its pursuit of non-complying or prohibited activity status for activities in rural areas that are not purely rural in nature. Such a prohibition would remove the opportunity for appropriate activities to be established on sites that fall outside of the urban area. In the absence of any demonstrable adverse effects in this regard under the current provisions of the District Plan, the Panel considers that there is no compelling basis for imposing such a restriction.

Panel Recommendation 5.3.2.9:

The Panel recommends that submission 250/199 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
138/4 (16)	Common Ground Urban Design & Arch. Ltd	Amend the plan change to include rural villages, hamlets and new towns as a way to create sustainable rural activities and land use.	Opposed By: 250 Auckland Regional Council

Evidence Presented:

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

Discussion:

The ARGS does not include any provision for new rural villages within Waitakere City, and the Plan Changes are required by the LGAAA to be consistent with the ARGS. As a result, the Plan Changes do not include any new provisions that would enable the development of rural villages, hamlets and new towns within rural areas.

However, the Panel notes that the District Plan does recognise the existence of settlements beyond the urban area. For example, communities at Piha, Huia and Te Henga are identified in the District Plan as falling within the 'Coastal Villages Environment', whilst land comprised in rural communities such as Waitakere Township and Whenuapai is zoned as 'Rural Villages Environment'. The Panel notes that the District Plan does not signal any intention to provide for the expansion of such settlements, given that they tend to be located within relatively sensitive environments and such expansion is not contemplated in the ARGS.

Panel Recommendation 5.3.2.10:

The Panel recommends that submission 138/4 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
294/44 (16)	Jon Mapes Land Solution Ltd (representing 16 parties)	Amend the Plan Change to address the matters set out in the submission to RPS Change 6 (refer submissions 294/1 - 294/36)	

Evidence Presented:

Evidence for Jon Mapes Land Solution Limited and Neil Construction Limited was presented by Jonathan Maplesden, Grant Brebner, Phil McDermott, Barry Mein, John Small and Ken Tremain.

Discussion:

The submission raises issues in relation to proposed Plan Change 6 to the ARPS, and does not directly address the content of Waitakere City's Plan Changes.

Panel Recommendation 5.3.2.11:

The Panel recommends that submission 294/44 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
258/243 (16)	Auckland Regional Transport Authority	Amend the proposed Waitakere District Plan changes to ensure consistency with the rest of the Waitakere District Plan and the Auckland Regional Policy Statement.	

Evidence Presented:

Evidence for the Auckland Regional Transport Authority was presented by Maree Faid, Ross Rutherford, Brian Waddell and Mike Foster.

Discussion:

The submitter sought that the Plan Changes are amended to ensure consistency with the rest of the Waitakere District Plan and the ARPS. The Panel accepts that consistency between these statutory planning documents is important, including internal consistency. The Panel has recommended that a number of amendments are made to the Plan Changes through this hearing process, and the Panel considers that several of those amendments would assist in providing the consistency that the submitter has sought.

Panel Recommendation 5.3.2.12:

The Panel recommends that submission 258/243 is accepted in part, insofar as the relief sought is satisfied by amendments to the Plan Changes that are recommended in response to other submissions.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/311 (16)	Waitakere City Council	Amend the relevant policies, objectives or methods of the Plan Change to address potential cumulative effects and reverse sensitivity issues that may arise through greater intensification; and to address the need to focus the majority of the City's growth within the urban area in a form that protects significant environmental values.	<p>Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 250 Auckland Regional Council 109 The Warehouse Ltd 204 The Waitakere Ranges Protection Society Incorporated</p> <p>Opposed By: 142 PLC New Zealand Ltd 213 CSR Building Products NZ Ltd ('Monier Brickmakers') 214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)</p>

Evidence Presented:

Evidence for Waitakere City Council was presented by Graeme Campbell, John Mackay, Matt Heale and Jenny Fuller.

Discussion:

The relief sought by the submitter is general in nature. Presumably the submitter sought to ensure that there is sufficient flexibility in the hearing process to make necessary amendments to the Plan Change provisions in order to address issues raised in other submissions.

The Panel considers that the relief sought by the submitter is provided through the various amendments that are recommended, as indicated in Appendix 1 to this report. In particular, some amendments to Objective 0 are recommended in response to submission 257/312 and those amendments address the issues of cumulative effects and reverse sensitivity that are referred to in submission 257/311.

Panel Recommendation 5.3.2.13:

The Panel recommends that submission 257/311 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
324/59 (16)	Neil Construction	Amend by deleting the requirement for subdivision consent for urban zoned sites over 3ha where the land has been subject to a structure planning process.	Supported By: 264 Centre for Urban and Transport Studies

Evidence Presented:

Evidence for Jon Mapes Land Solution Limited and Neil Construction Limited was presented by Jonathan Maplesden, Grant Brebner, Phil McDermott, Barry Mein, John Small and Ken Tremain.

Discussion:

The rules of the District Plan require that subdivision consent must be obtained for any subdivision, irrespective of the area of land involved. The Plan Changes do not propose to alter this situation, nor do they propose to amend rules 4.1 and 4.2 of the subdivision section of the District Plan (which are referred to in the submission).

The Plan Changes would require that any new urban growth areas are subject to a comprehensive structure planning or concept planning process prior to development. This approach is consistent with the ARPS. However, structure planning in these circumstances would focus on higher level issues, and would not deal with development at the same level of detail as would be required in order to obtain a subdivision consent. For this reason, the Panel considers that the District Plan subdivision rules should remain without change.

Panel Recommendation 5.3.2.14:

The Panel recommends that submission 324/59 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
1115/7 (16)	Edwin Simperingham	Seeks that developments such as West City Westfield Shopping Town in Henderson be required to front onto these streams with active frontages such as cafes and pedestrian walkways.	Opposed By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited

Evidence Presented:

No evidence was presented in support of the submissions(s).

Discussion:

The relief sought by the submitter relates to the West City shopping centre in Henderson and, specifically, to its relationship with the Oratia Stream. In general terms, the Plan Changes propose provisions that encourage better urban design, particularly through the rules that would be put in place under Plan Change 18. Policy 0.4, proposed under Plan Change 16, would provide some higher level guidance to assist with the assessment of development proposals.

The Panel notes that these provisions would not apply retrospectively to the West City shopping centre situation.

Panel Recommendation 5.3.2.15:

The Panel recommends that submission 1115/7 is accepted in part, to the extent that the Plan Changes would introduce provisions that are intended to improve urban design outcomes arising from new

development. However, no amendments to the Plan Changes are recommended in response to the submission.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
162/8 (16)	Redwood Group Limited	Delete from the Plan Change reference to management of land zoned for commercial and business purposes to the exclusion of other appropriate activities, land zoned for working purposes should be able to continue to be used for residential purposes subject to necessary resource consent etc.	Opposed By: 250 Auckland Regional Council 142 PLC New Zealand Ltd 213 CSR Building Products NZ Ltd ('Monier Brickmakers') 214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn) Support and Opposed By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited

Evidence Presented:

No evidence was presented in support of the submissions(s).

Discussion:

In recent years, a significant number of residential units have been established within the Working Environment. The rate at which this development has occurred, and the number of units that have been constructed, has created a concern that the City's supply of industrial land may be quickly eroded if this trend is left unchecked. In the current market conditions, residential development will often out-compete industrial development as the highest and best use on poorer quality Working Environment land.

The Plan Changes signal a more conservative policy approach to address this issue. For example, Plan Change 17 seeks to introduce a new policy (11.49) that highlights the need to maintain the Working Environment (New Lynn) for employment related activities and restricts the establishment of residential activities. In addition, Policy 0.1 outlines an intention to discourage residential development at street level on land that is located within the City's town centres.

The Panel considers that these proposals (and others contained within the Plan Changes) provide an appropriate response to address the adverse effects that may arise as Working Environment land is developed for residential purposes.

Panel Recommendation 5.3.2.16:

The Panel recommends that submission 162/8 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
258/216 (16)	Auckland Regional Transport Authority	Amend the rules in the Transport Environment Chapter which requires that the design and siting of development should be compatible with the use of that corridor.	Opposed By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited

Evidence Presented:

Evidence for the Auckland Regional Transport Authority was presented by Maree Faid, Ross Rutherford, Brian Waddell and Mike Foster.

Discussion:

The Panel agrees that development within the Transport Environment should be compatible with the purpose of that Environment, and should not frustrate any legitimate transport related activities that would seek to establish in such locations. However, the current rules of the Transport Environment offer little encouragement to activities that are not directly related to the function of the zone as a transport corridor. Furthermore, the Panel notes that Policy 0.4 identifies the importance of recognising and managing potential conflicts between incompatible land uses.

As a result, the Panel considers that amendments to the rules of the District Plan (or the Plan Changes) are not required in order to satisfy the relief sought by the submitter. In any event, the Plan Changes do not propose any alterations to the Transport Environment or the rules that apply within it, so there is a question as to whether jurisdiction exists to amend those existing rules through the current statutory process.

Panel Recommendation 5.3.2.17:

The Panel recommends that submission 258/216 is accepted to the extent that the relief sought by the submitter is already provided through the current rules of the District Plan. However, no amendments to the Plan Changes are recommended in response to the submission.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
258/217 (16)	Auckland Regional Transport Authority	Amend any urban design guidelines which apply to land adjacent to major transport corridors to ensure that they have effective regard to the relief sought in (1) above.	

Evidence Presented:

Evidence for the Auckland Regional Transport Authority was presented by Maree Faid, Ross Rutherford, Brian Waddell and Mike Foster.

Discussion:

The submitter seeks amendments to urban design guidelines that fall outside the District Plan. As such, the Panel considers that there is no jurisdiction to grant the relief sought by the submitter.

Panel Recommendation 5.3.2.18:

The Panel recommends that submission 258/217 is rejected.

5.3.3 Submissions Seeking General Amendments to Policies

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
264/30 (13)	Centre for Urban and Transport Studies	Amend the Plan Change with a revision of all policies which, in light of the evidence now available, are socially and/or economically and/or environmentally disadvantageous.	
264/37 (14)	Centre for Urban and Transport Studies	Amend the Plan Change with a revision of all policies which, in light of the evidence now available, are socially and/or economically and/or environmentally disadvantageous.	
264/44 (15)	Centre for Urban and Transport Studies	Amend the Plan Change with a revision of all policies which, in light of the evidence now available, are socially and/or economically and/or environmentally disadvantageous.	
264/51 (16)	Centre for Urban and Transport Studies	Amend the Plan Change with a revision of all policies which, in light of the evidence now available, are socially and/or economically and/or environmentally disadvantageous.	
264/58 (17)	Centre for Urban and Transport Studies	Amend the Plan Change with a revision of all policies which, in light of the evidence now available, are socially and/or economically and/or environmentally disadvantageous.	

264/65 (18)	Centre for Urban and Transport Studies	Amend the Plan Change with a revision of all policies which, in light of the evidence now available, are socially and/or economically and/or environmentally disadvantageous.	
264/36 (13)	Centre for Urban and Transport Studies	Amend the Plan Change to replace constraint policies with "enablement of people and communities" policies (including for business firms as communities), to meet the RMA's express purpose.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd Opposed By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited
264/43 (14)	Centre for Urban and Transport Studies	Amend the Plan Change to replace constraint policies with "enablement of people and communities" policies (including for business firms as communities), to meet the RMA's express purpose.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd Opposed By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited
264/57 (16)	Centre for Urban and Transport Studies	Amend the Plan Change to replace constraint policies with "enablement of people and communities" policies (including for business firms as communities), to meet the RMA's express purpose.	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
264/71 (18)	Centre for Urban and Transport Studies	Amend the Plan Change to replace constraint policies with "enablement of people and communities" policies (including for business firms as communities), to meet the RMA's express purpose.	Supported By: 109 The Warehouse Ltd 110 Warehouse Stationery Limited

Evidence Presented:

Evidence for the Centre for Urban and Transport Studies was presented by David Wilmott.

Discussion:

The submitter is seeking amendments to the Plan Changes that are relatively general.

The Panel considers that the relief sought by the submitter is already provided for through the Plan Changes, as there are no policies proposed that would be socially, economically or environmentally disadvantageous to communities. The RMA is enabling legislation, and the Panel considers that the Plan Changes enable the community as a whole to meet its social, environmental and economic objectives.

Panel Recommendation 5.3.3.1:

The Panel recommends that submissions 264/30, 264/37, 264/44, 264/51, 264/58, 264/65, 264/36, 264/43, 264/57 and 264/71 are rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/116 (13)	Auckland Regional Council	Amend all proposed new policies to ensure that they reflect the intent of the LG(A)AA (including the principles of the Growth Concept and the matters in Schedule 5),	Supported By: 107 Westfield (New Zealand) Limited Opposed By:

		clearly relate to an objective and are succinct and directive to guide development of the area and assist in future decision making. Words such as 'should' which are open to interpretation should be avoided and replaced with 'shall'.	108 Progressive Enterprises Limited Support and Opposed By: 95 Housing New Zealand Corporation (1)
250/171 (15)	Auckland Regional Council	Amend the plan change to ensure proposed new policies reflect the intent of the LG(A)AA (including the principles of the Growth Concept and the matters in Schedule 5), clearly relate to an objective and are succinct and directive to guide development of the area, and assist in future decision making. Words such as 'should' which are open to interpretation should be avoided and replaced with 'shall'.	Opposed By: 300 IMF Westland Ltd
250/145 (14)	Auckland Regional Council	Amend the plan change to ensure proposed new policies reflect the intent of the LG(A)AA (including the principles of the Growth Concept and the matters in Schedule 5), clearly relate to an objective and are succinct and directive to guide development of the area, and assist in future decision making. Words such as 'should' which are open to interpretation should be avoided and replaced with 'shall'. [Policy 11.36 is considered to be in a preferable format and could be used as a model.]	Supported By: 95 Housing New Zealand Corporation (1) 107 Westfield (New Zealand) Limited 258 Auckland Regional Transport Authority 108 Progressive Enterprises Limited Opposed By: 312 Ockleston Family Trust
250/184 (16)	Auckland Regional Council	Amend all proposed new policies to ensure that they are succinct and directive to manage growth, guide development throughout the City, and to assist in future decision making. For example, words such as 'should', which are open to interpretation, should be avoided and replaced with 'shall'.	Opposed By: 218 AMP Capital Investors (NZ) Limited

Evidence Presented:

Evidence was presented on behalf of the Auckland Regional Council by Hugh Jarvis.

Discussion:

A number of amendments to the Plan Changes are recommended in response to submissions that have been lodged as part of the statutory process. The Panel considers that some of these amendments may, in part, satisfy the concerns of the submitter by clarifying the intent of objectives and policies.

However, the request to replace the word "should" with the word "shall" in the various proposed policies is not supported. The purpose of policies is to provide guidance and a contextual framework for decision making, thereby ensuring that decisions are not made on an *ad hoc* basis. Policies should not be drafted in such a way that they purport to have the strength of a rule. The Panel considers that policies using the word "should" will provide clear direction when decisions are required under the District Plan. The use of stronger wording, as requested by the submitter, is considered to be unnecessary.

Panel Recommendation 5.3.3.2:

The Panel recommends that submissions 250/116, 250/171, 250/145 and 250/184 are accepted in part, to the extent that recommended amendments proposed in response to other submissions will clarify the intent of objectives and policies. Amendments to specific wording, as requested by the submitter, are not recommended.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
327/2	Ken & Francie	Amend the whole plan change as required by	

(16)	Stokes	submission point 326/1 and include in that amendment the following submission points of 326.	
326/2 (16)	Gary Harfield	Amend the whole plan change as required by submission point 326/1 and include in that amendment the following submissions points of 326.	

Evidence Presented:

No evidence was presented in support of the submissions(s).

Discussion:

The submitters' requested relief is relatively general in that they seek to have the Plan Changes amended to provide for the integrated growth management of the natural and physical resources of the district, in a manner consistent with the RGS, the LGAAA and the RMA.

The Panel considers that, subject to amendments recommended in this report, the Plan Changes provide the relief sought by the submitters.

Panel Recommendation 5.3.3.3:

The Panel recommends that submissions 327/2 and 326/2 are accepted, although no amendments to the Plan Changes are required.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/323 (16)	Waitakere City Council	Amend the Plan Change to add the following new policies (or words to like effect): <i><u>"Prior to operative urban zonings Peripheral urban growth areas should not be compromised by the location, nature, scale and extent of activities and by the subdivision of land."</u></i> <i><u>"Significant new areas proposed for urban development, existing urban areas proposed for significant redevelopment or new rural areas proposed for further intensive settlement are to be provided through a structure/concept planning process."</u></i>	Supported By: 204 The Waitakere Ranges Protection Society Incorporated Opposed By: 324 Neil Construction
250/196 (16)	Auckland Regional Council	Amend the plan change by adding a new policy to require structure planning consistent with Method 2.6.6.14 of proposed Plan Change 6 to the Auckland Regional Policy Statement.	Supported By: 108 Progressive Enterprises Limited 258 Auckland Regional Transport Authority 107 Westfield (New Zealand) Limited

Evidence Presented:

Evidence for Waitakere City Council was presented by Graeme Campbell, John Mackay, Matt Heale and Jenny Fuller. Evidence was presented on behalf of the Auckland Regional Council by Hugh Jarvis.

Discussion:

The development of new urban growth areas should not be unnecessarily constrained by activities that have been established or by subdivision that has occurred. Furthermore, such areas should be developed in a comprehensive manner, following a full assessment of environmental factors that will enable the land to be developed efficiently and with due regard to existing and future land use.

For these reasons, the Panel considers that significant areas of land should only be released for development where structure or concept plans have been put in place in advance of subdivision or building

work commencing. The Panel also accepts that there is benefit in establishing a policy that will assist with maintaining future urban growth areas in a way that does not inadvertently put in place obstacles for future development.

Panel Recommendation 5.3.3.4:

The Panel recommends that submissions 257/323 and 250/196 are accepted. Recommended amendments to the Plan Changes are contained in Appendix 1 to this report.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/183 (16)	Auckland Regional Council	Amend policy 0 by deleting reference to the employment/residents self sufficiency ratio and adding a paragraph which acknowledges that Waitakere City is part of the wider metropolitan area and is also served by a number of employment opportunities in adjoining territorial authorities, including some that have direct rail access in order to express that it is the sub-regional/regional relationship between where people live and work and how they travel, which is important, not simply the ratio between the number of residents and the number of jobs in each individual territorial local authority of the Region.	Supported By: 258 Auckland Regional Transport Authority Opposed By: 142 PLC New Zealand Ltd 213 CSR Building Products NZ Ltd ('Monier Brickmakers') 214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)

Evidence Presented:

Evidence was presented on behalf of the Auckland Regional Council by Hugh Jarvis.

Discussion:

The Panel acknowledges that the relationship between where people live and work is not merely a sub-regional issue. Clearly many residents of Waitakere City would continue to work in other parts of the Auckland region, even after the anticipated effects of the Plan Changes have become apparent. However, a key aspect of the Plan Changes is the provision for greater employment opportunities within reasonable proximity to where Waitakere residents live. The intention of this is to address in part the severe peak hour traffic congestion that arises as workers travel significant distances across the region to arrive at their place of employment.

Having said that, the Panel accepts that the issues should be stated in a balanced and accurate manner. For this reason, the Panel recommends that some amendments to the policies should be made to reflect the matters that have been raised in the submission.

Panel Recommendation 5.3.3.5:

The Panel recommends that submission 250/183 is accepted in part, to the extent provided by recommended amendments to Plan Change 16 that are included within Appendix 1 to this report.

5.3.4 Submissions Seeking to Amend Section 5.0 Issue – Managing City Growth

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
109/116 (16)	The Warehouse Ltd	Amend the ninth paragraph of Section 5.0 Issue by inserting a new second sentence: <i>“The LGAAA also requires the integration of land use and transport to contribute to an integrated manner to the following matters:</i> <i>A. providing increased certainty in the assessment of resource consents,</i>	Opposed By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited

		<p><i>designations, and plan changes related to transport and urban form, and ensuring that transport and land use patterns are aligned to achieve sustainability, efficiency, and liveability in the Auckland Region; and</i></p> <p><i>B. managing transport and transport infrastructure, facilitating a multimodal transport network, and facilitating integrated transport management; and</i></p> <p><i>C. reducing adverse effects of transport on the environment (including improving air and water quality, reducing noise and stormwater, improving heritage protection and reducing community disruption and transport land use), and reducing the adverse effects and increasing the positive interactions of transport and land use; and</i></p> <p><i>D. supporting compact sustainable urban form and sustainable urban land use intensification (including location, timing and sequencing issues, and associated quality, character, and values of urban form and design); and</i></p> <p><i>E. integrating transport and land use policies to reinforce metropolitan urban and rural objectives of the Auckland Regional Policy Statement, the development of a competitive and efficient economy and a high quality of life, underpinned by a quality environment and amenity.”</i></p>	
110/116 (16)	Warehouse Stationery Limited	<p>Amend the ninth paragraph of Section 5.0 Issue by inserting a new second sentence:</p> <p><i>“The LGAAA also requires the integration of land use and transport to contribute to an integrated manner to the following matters:</i></p> <p><i>A. providing increased certainty in the assessment of resource consents, designations, and plan changes related to transport and urban form, and ensuring that transport and land use patterns are aligned to achieve sustainability, efficiency, and liveability in the Auckland Region; and</i></p> <p><i>B. managing transport and transport infrastructure, facilitating a multimodal transport network, and facilitating integrated transport management; and</i></p> <p><i>C. reducing adverse effects of transport on the environment (including improving air and water quality, reducing noise and stormwater, improving heritage protection and reducing community disruption and transport land use), and reducing the adverse effects and increasing the positive interactions of transport and land</i></p>	<p>Opposed By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited</p>

		<p><i>use; and</i></p> <p><i>D. supporting compact sustainable urban form and sustainable urban land use intensification (including location, timing and sequencing issues, and associated quality, character, and values of urban form and design); and</i></p> <p><i>E. integrating transport and land use policies to reinforce metropolitan urban and rural objectives of the Auckland Regional Policy Statement, the development of a competitive and efficient economy and a high quality of life, underpinned by a quality environment and amenity.”</i></p>	
111/113 (16)	The National Trading Company of New Zealand Limited	<p>Amend the ninth paragraph of Section 5.0 Issue by inserting a new second sentence:</p> <p><i>“The LGAAA also requires the integration of land use and transport to contribute to an integrated manner to the following matters:</i></p> <p><i>A. providing increased certainty in the assessment of resource consents, designations, and plan changes related to transport and urban form, and ensuring that transport and land use patterns are aligned to achieve sustainability, efficiency, and liveability in the Auckland Region; and</i></p> <p><i>B. managing transport and transport infrastructure, facilitating a multimodal transport network, and facilitating integrated transport management; and</i></p> <p><i>C. reducing adverse effects of transport on the environment (including improving air and water quality, reducing noise and stormwater, improving heritage protection and reducing community disruption and transport land use), and reducing the adverse effects and increasing the positive interactions of transport and land use; and</i></p> <p><i>D. supporting compact sustainable urban form and sustainable urban land use intensification (including location, timing and sequencing issues, and associated quality, character, and values of urban form and design); and</i></p> <p><i>E. integrating transport and land use policies to reinforce metropolitan urban and rural objectives of the Auckland Regional Policy Statement, the development of a competitive and efficient economy and a high quality of life, underpinned by a quality environment and amenity.”</i></p>	<p>Opposed By: 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited</p>

Evidence Presented:

Evidence for the Warehouse Limited and Warehouse Stationery Limited was presented by Vaughan Smith, Derek McCoy, Philip Osborne and Mark Tansley. Evidence for the National Trading Company of New Zealand Limited was presented by Philip Hollings, Philip Donnelly, John Burgess, Philip Dunbar, Barry Rae and Vern Warren.

Discussion:

The amendments sought by the submitters are taken directly from Schedule 5 of the LGAAA. The Plan Changes are required by the legislation to contribute, in an integrated manner, to the matters set out in Schedule 5.

The Panel considers that there is merit in amending 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. As such, the Panel recommends that the amendments sought by the submitters are included within Plan Change 16.

Panel Recommendation 5.3.4.1:

The Panel recommends that submissions 109/116, 110/116 and 111/113 are accepted. Recommended amendments to the Plan Changes are contained within Appendix 1 to this report.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/114 (16)	Progressive Enterprises Limited	Amend 5.0 Issue Specific, tenth bullet point by deleting those words struck through: <i>“Identifying land for urban growth in the NorSGA Corridor of the city,, community services, business and retail growth”.</i>	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 250 Auckland Regional Council 109 The Warehouse Ltd
107/81 (16)	Westfield (New Zealand) Limited	Amend 5.0 Issue Specific, tenth bullet point by deleting those words struck through: <i>“Identifying land for urban growth in the NorSGA Corridor of the city....., community services, business and retail growth”.</i>	Supported By: 300 IMF Westland Ltd Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 250 Auckland Regional Council 109 The Warehouse Ltd Support and Opposed By: 208 Sylvia Park Business Centre Limited

Evidence Presented:

Evidence for Progressive Enterprises Limited / Westfield (New Zealand) Limited was presented by Doug Fairgray, Nick Taylor, Basil Sharp and Mike Foster.

Discussion:

The amendments sought by the submitters would have the effect of limiting the potential for business and retail development within the Northern Strategic Growth Corridor.

The ARGS growth concept highlights the need for most urban growth to be focused around town centres and major transport routes, in order to create higher density communities characterised by a mix of activities. However, the Panel considers that the growth concept does not imply that other areas should be exclusively residential in character.

While there are no current proposals to provide for significant retail development within the NorSGA corridor (other than at Hobsonville Village Centre), the Panel considers it desirable to retain flexibility for the development of small retail outlets serving local neighbourhoods. Furthermore, the requested amendments would constrain general business development within this area, including the establishment of offices. Limited development of this nature may be entirely appropriate within this area in the future, subject to consideration of environmental effects that may be identified through the comprehensive planning exercise that would be a prerequisite in all new growth areas.

The Panel also notes that the Plan Changes are consistent with the current centres-based approach to retail development that is established in the District Plan. That approach provides opportunities for retail development to establish outside of town centres, where development is intended to serve residents at a neighbourhood level or where it can be demonstrated that appropriate town centre sites are not available.

Panel Recommendation 5.3.4.2:

The Panel recommends that submissions 108/114 and 107/81 are rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
107/78 (16)	Westfield (New Zealand) Limited	Amend the fifteenth paragraph of 5.0 Issue by adding the underlined words: <i>“Additional compact urban development will also be necessary in neighbourhood centres identified on Policy Map X and Schedule Y. Residential development will be necessary along the NorSGA corridor and along key transport corridors identified on Policy Map X and Schedule Y”.</i>	Supported By: 300 IMF Westland Ltd Opposed By: 250 Auckland Regional Council Support and Opposed By: 208 Sylvia Park Business Centre Limited
108/111 (16)	Progressive Enterprises Limited	Amend the fifteenth paragraph of 5.0 Issue by adding those words underlined (or words to like effect): <i>“Additional compact urban development will also be necessary in neighbourhood centres identified on Policy Map X and Schedule Y. Residential development will be necessary along the NorSGA corridor and along key transport corridors identified on Policy Map X and Schedule Y”.</i>	Supported By: 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd Opposed By: 250 Auckland Regional Council
107/79 (16)	Westfield (New Zealand) Limited	Amend the twenty eighth paragraph of 5.0 Issue by adding the underlined word: <i>“In addition it is important that asneed to not only locate new residential development around key transport nodes and corridors but also to improve existing and new transport connections”.</i>	Supported By: 300 IMF Westland Ltd Opposed By: 250 Auckland Regional Council Support and Opposed By: 208 Sylvia Park Business Centre Limited
108/112 (16)	Progressive Enterprises Limited	Amend the twenty eighth paragraph of 5.0 Issue by adding the word underlined (or words to like effect): <i>“In addition it is important that asneed to not only locate new residential development around key transport nodes and corridors but also to improve existing and new transport connections”.</i>	Supported By: 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd Opposed By: 258 Auckland Regional Transport Authority 250 Auckland Regional Council
108/113 (16)	Progressive Enterprises Limited	Amend 5.0 Issue Specific, third bullet point by adding those words underlined: <i>“Opportunities for intensive Schedule Y, and for intensive residential use around public transport nodes and main arterial routes as identified in Policy Map X and Schedule Y”.</i>	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
107/80 (16)	Westfield (New Zealand) Limited	Amend 5.0 Issue Specific, third bullet point by adding the underlined words: <i>“Opportunities for intensive residential Schedule Y, and for intensive residential use around public transport nodes and main arterial routes as identified in Policy Map X and Schedule Y”.</i>	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

Evidence Presented:

Evidence for Progressive Enterprises Limited / Westfield (New Zealand) Limited was presented by Doug Fairgray, Nick Taylor, Basil Sharp and Mike Foster.

Discussion:

The issues raised by the submitters are similar to those discussed in response to submissions 108/114 and 107/81 (discussed above). The amendments sought by the submitters would have the effect of limiting new urban development in the NorSGA corridor, along key transport corridors, and around public transport nodes to residential uses only.

The Panel considers that the Plan Changes should not preclude appropriate mixed use development or appropriate commercial development from establishing in locations outside of the town centres. Development of this nature will provide opportunities for services and employment in locations that are accessible for residents.

The Panel also notes that the Plan Changes are consistent with the current District Plan approach to the location of retail activities, where shops are able to locate in areas other than town centres in certain circumstances.

Panel Recommendation 5.3.4.3:

The Panel recommends that submissions 107/78, 108/111, 107/79, 108/112, 108/113 and 107/80 are rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
107/74 (16)	Westfield (New Zealand) Limited	Amend Issue 5.0 "Specific", Policy 0.2 and Policy 1.2 Other Methods to recognise the potential reverse sensitivity issues 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: 111 The National Trading Company of New Zealand Limited 110 Warehouse Stationery Limited 109 The Warehouse Ltd 300 IMF Westland Ltd Support and Opposed By: 208 Sylvia Park Business Centre Limited
108/107 (16)	Progressive Enterprises Limited	Amend Issue 5.0 "Specific", Policy 0.2 and Policy 1.2 Other Methods to recognise the potential reverse sensitivity issues 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 109 The Warehouse Ltd 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd Support and Opposed By: 142 PLC New Zealand Ltd 213 CSR Building Products NZ Ltd ('Monier Brickmakers') 214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)

Evidence Presented:

Evidence for Progressive Enterprises Limited / Westfield (New Zealand) Limited was presented by Doug Fairgray, Nick Taylor, Basil Sharp and Mike Foster.

Discussion:

The Panel considers that the issues raised by the submitters are valid. However, the Panel are also of a view that the Plan Changes have addressed these matters both at a policy level and in terms of rules that would be introduced. In particular, a number of new rules and policies are proposed under Plan Change 18 in order to manage reverse sensitivity issues and ensure that a focus on quality urban design is applied to new development. In addition, amendments to Objective 0 are recommended to assist with the management of reverse sensitivity effects.

Panel Recommendation 5.3.4.4:

The Panel recommends that submissions 107/74 and 108/107 are accepted in part, to the extent that the relief sought is already provided through the Plan Changes or through recommended amendments to Objective 0. The recommended amendments are contained in Appendix 1.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
204/11 (16)	The Waitakere Ranges Protection Society Incorporated	Amend the Plan Change so that all references that distinguish between the Waitakere Ranges and their foothills be amended to clarify that the foothills are integral parts of the Waitakere Ranges. By way of example, the fourth to last bullet point under the "Specific" category at the end of the introductory passage to Part 5.0 Issue: Managing City Growth should be amended to read: "Ensuring that the Waitakere Ranges including the foothills remain permanently rural".	Supported By: 250 Auckland Regional Council Opposed By: 1226 Titirangi Residents for Balanced 284 Oratia Landowners Action Group 157 Federated Farmers of New Zealand (Inc) Support and Opposed By: 264 Centre for Urban and Transport Studies

Evidence Presented:

No evidence was presented in support of the submissions(s).

Discussion:

The Panel is aware that the Council, in partnership with the Auckland Regional Council and Rodney District Council, has undertaken an extensive amount of work in the past couple of years in order to establish a stronger policy regime for the management and protection of the Waitakere Ranges. Part of this work has involved the identification of a boundary for the Waitakere Ranges Heritage Area, which is indicated on Policy Map X. The Heritage Area includes a significant portion of land that is identified in the District Plan as Foothills Environment.

In this context, the Panel considers appropriate that some amendments to the provisions of Plan Change 16 are undertaken to clarify the role and function of the Foothills Environment in relation to the broader Waitakere Ranges. The amended provision would need to be carefully worded to ensure that it did not inadvertently apply to land that falls within the Metropolitan Urban Limits (at Titirangi) or land that is zoned as Foothills Environment but is located outside of the Waitakere Ranges Heritage Area.

Panel Recommendation 5.3.4.5:

The Panel recommends that submission 204/11 is accepted. Recommended amendments to Plan Change 16 are set out in Appendix 1.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/182 (16)	Auckland Regional Council	Amend the bullet points under the heading "Specific" by: <input type="checkbox"/> Amending bullet point 1 so that its	

		<p>words are consistent with the Auckland Regional Growth Strategy;</p> <ul style="list-style-type: none"> <input type="checkbox"/> Deleting bullet point 2; <input type="checkbox"/> Amending bullet point 6 to refer to the Auckland Regional Growth Strategy rather than the district plan. 	
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Evidence Presented:

Evidence was presented on behalf of the Auckland Regional Council by Hugh Jarvis.

Discussion:

The first bullet point referred to by the submitter records that the Council has a policy of “*accommodating the majority of the City’s population growth within metropolitan urban limit boundaries as existed in 2004*”. The submitter has requested that this bullet point be amended to ensure that it is consistent with the ARGS. In referring to a “majority” of growth, the bullet point could be interpreted as only requiring more than 50% of growth to be accommodated in existing urban areas. The Panel considers that it is desirable for this to be clarified. In fact, the explanation to Policy 0.9 in Plan Change 16 sets an urban intensification target of 78%, compared to a figure of 70% that is established in the ARGS. The submitter’s concern would presumably be satisfied if the bullet point is amended to refer to a target of “at least 70%” and, accordingly, an amendment of this nature is recommended.

The Panel considers that bullet point 2 summarises the intentions of the Council with regard to the provision of local employment opportunities and, as such, is worthy of retention. However, it is accepted that the proposed target of 60% may not be appropriate in the broader regional context and may over-simplify the issue. For this reason, it is recommended that the bullet point be retained provided that the percentage target is deleted.

The Panel also acknowledges that there is benefit in referring to the ARGS in bullet point 6, although there does not seem to be any compelling reason to delete reference to the District Plan. Both of these statutory documents have an important role to play in the management of growth and it would be helpful if the bullet point were drafted to refer to both the ARGS and the District Plan.

Panel Recommendation 5.3.4.6:

The Panel recommends that submission 250/182 is accepted in part, to the extent recommended through amendments that are set out in Appendix 1.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/178 (16)	Auckland Regional Council	Amend issue 5 to acknowledge the introduction of the LG(A)AA and the required change in focus, particularly the imperative for landuse and transport integration; and to expand the discussion regarding the failure to achieve adequate intensification in town centres including the reasons why the failure has occurred, and the strategy for addressing the issue - a matter integral to the intent of the LG(A)AA.	Supported By: 108 Progressive Enterprises Limited 258 Auckland Regional Transport Authority 107 Westfield (New Zealand) Limited

Evidence Presented:

Evidence was presented on behalf of the Auckland Regional Council by Hugh Jarvis.

Discussion:

The Panel considers that there is merit in incorporating amendments along the lines of those sought by the submitter. It has previously been recommended in this report (in response to submissions 109/116, 110/116 and 111/113) that Schedule 5 from the LGAAA be incorporated into Plan Change 16 in order to clarify the

outcomes sought by the legislation and to reveal the catalyst for the Plan Changes. The Panel anticipates that the submitter would endorse that recommendation.

The Panel also accepts that there would be some benefit in providing a fuller discussion in Plan Change 16 to summarise the results that have occurred to date as a consequence of the Council's intensification policies. In general, the urban intensification policies of the District Plan have been successful, although the advent of the LGAAA has signalled a need to escalate the strategy to a new level. Amendments to the policies would provide an opportunity to place the current initiatives in some context.

Panel Recommendation 5.3.4.7:

The Panel recommends that submission 250/178 is accepted. Recommended amendments are set out in Appendix 1.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/310 (16)	Waitakere City Council	Amend the 'Issue' section of Plan Change 16 to refer directly to schedule 5 of the LG(A)AA 2004.	

Evidence Presented:

Evidence for Waitakere City Council was presented by Graeme Campbell, John Mackay, Matt Heale and Jenny Fuller.

Discussion:

The relief sought by this submitter is similar to that sought by other submitters, and is proposed to be addressed through amendments to Plan Change 16 that would incorporate the matters contained in Schedule 5 of the LGAAA.

Panel Recommendation 5.3.4.8:

The Panel recommends that submission 257/310 is accepted. Recommended amendments are set out in Appendix 1.

5.3.5 Submissions Seeking to Amend Objective 0

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
259/11 (16)	Transit New Zealand	Amend Objective 0 by deleting those words struck through, and adding those in italics and underlined: "To manage growth in such a way that will ensure the city develops and redevelops to achieve a sustainable compact urban form - focussed in and around town centres and transport corridors, well integrated <i><u>which has strong integration between land use and transportation</u></i> , with high amenity values and providing appropriately for additional population, employment, community and business services, by managing the location, density, scale, form, character, timing and sequencing of urban and rural growth <i><u>while protecting strategic land transport corridors (existing and designated) from the adverse effects of reverse sensitivity from adjacent sensitive land uses</u></i> ".	Supported By: 108 Progressive Enterprises Limited 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:

Evidence for Transit New Zealand was presented by Rachel Harward and Chris Horne.

Discussion:

The amendments to Objective 0 that are sought by the submitter seek to emphasise the need for strong integration between land use and transportation, and also attempt to ensure that strategic land transport corridors are protected from reverse sensitivity impacts.

In relation to the first matter, the Panel considers that there is merit in strengthening the reference to the integration of transportation and land use. This is a guiding principle of the LGAAA, and it is appropriate to reflect that importance in a more direct manner through the new objective.

The submitter also suggests some specific wording to address reverse sensitivity issues that may arise in relation to strategic land transport corridors. That particular wording is not supported by the Panel. While reverse sensitivity is a valid consideration in relation to the Plan Changes, and in relation to both the LGAAA and the RMA, the Panel considers that this issue is already adequately recognised and provided for through the Plan Changes. For example, Policy 0.4 identifies the need to manage potential conflicts between incompatible land uses. In addition, the District Plan already contains rules that deal with this issue – such as the rules requiring that new buildings are designed to mitigate noise that is emitted from ‘high noise routes’.

However, a general reference to reverse sensitivity within Objective 0 is recommended. The Panel considers that the amendments that are recommended would fit more comfortably with a high level objective than those (relatively specific) amendments that were requested by the submitter.

Panel Recommendation 5.3.5.1:

The Panel recommends that submission 259/11 is accepted in part, to the extent recommended through amendments that are set out in Appendix 1.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
218/1 (16)	AMP Capital Investors (NZ) Limited	<p>Amend Objective 0 by adding those words in italics and underlined:</p> <p>"To manage growth in such a way that will ensure the city develops and redevelops to achieve a sustainable compact urban form - focused in and around town centres and transport corridors, well integrated, with high amenity values and providing appropriately for additional population, employment, community and business services, by managing the location, density, scale, form, character, timing and sequencing of urban and rural growth, <i>while recognising the form of the existing physical built resources and development patterns.</i>"</p>	<p>Supported By: 106 Property Council of New Zealand 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited 142 PLC New Zealand Ltd 213 CSR Building Products NZ Ltd ('Monier Brickmakers') 214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)</p> <p>Opposed By: 250 Auckland Regional Council</p>

Evidence Presented:

Evidence for AMP Capital Investors (NZ) Limited was presented by Jennifer Carvill.

Discussion:

The submitter seeks an amendment to the objective to indicate that growth will be managed in a way that recognises the form of the existing physical built resources and development patterns.

The Panel considers that the Plan Changes recognise the matters that have been identified by the submitter. In particular, Policy 0.4 includes a number of bullet points that highlight the need to acknowledge existing development and features on a site, and ensure that existing and proposed development is integrated where

appropriate. In these circumstances, amendments to Objective 0 are unnecessary. In the Panel's opinion, Objective 0 attempts to provide guidance for the management of growth at a higher level and this approach would be compromised if amendments of a relatively detailed nature were incorporated. It is more appropriate for such matters to be addressed in the policies of the District Plan.

Panel Recommendation 5.3.5.2:

The Panel recommends that submission 218/1 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/312 (16)	Waitakere City Council	Amend Objective 0 to add those words in italics and underlined (or words to like effect): "To manage growth in such a way that will ensure the city develops and redevelops to achieve a sustainable compact urban form <u><i>in a manner that appropriately manages adverse cumulative effects and reverse sensitivity issues. Growth should be</i></u> focused in and around town centres and transport corridors, well integrated, with high amenity values and providing appropriately for additional population, employment, community and business services, by managing the location, density, scale, form, character, timing and sequencing of urban and rural growth. <u><i>In order to achieve sustainable urban consolidation, urban growth and development should be directed to areas inside the Metropolitan Urban Limit and managed in a manner that protects significant environmental values.</i></u> "	Supported By: 108 Progressive Enterprises Limited 250 Auckland Regional Council 107 Westfield (New Zealand) Limited 142 PLC New Zealand Ltd 204 The Waitakere Ranges Protection Society Incorporated 213 CSR Building Products NZ Ltd ('Monier Brickmakers') 214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)

Evidence Presented:

Evidence for Waitakere City Council was presented by Graeme Campbell, John Mackay, Matt Heale and Jenny Fuller.

Discussion:

The submitter raises issues relating to management of cumulative effects and reverse sensitivity issues. The Panel considers that these are legitimate matters to be addressed in the management of growth and could usefully be identified and incorporated within Objective 0.

In addition, amended wording is requested in order to reinforce the need for growth to be accommodated largely within the existing urban area. This is an important element of both the ARGS and Council's District Plan and, as such, the Panel considers that there is merit in making the amendments that are sought.

Panel Recommendation 5.3.5.3:

The Panel recommends that submission 257/312 is accepted. Recommended amendments are set out in Appendix 1.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/313 (16)	Waitakere City Council	Amend Objective 0 to use the correct reference (schedule 1) where reference is made to the ARPS growth schedule.	

Evidence Presented:

Evidence for Waitakere City Council was presented by Graeme Campbell, John Mackay, Matt Heale and Jenny Fuller.

Discussion:

This submission seeks to ensure that the correct reference is used when referring to the ARPS growth schedule. At present, the explanation associated with Objective 0 refers to the growth schedule as “schedule X”. Its correct identification should be “schedule 1”.

This is a simple correction that should be incorporated into the Plan Changes to avoid confusion.

Panel Recommendation 5.3.5.4:

The Panel recommends that submission 257/313 is accepted. Recommended amendments are set out in Appendix 1.

5.3.6 Submissions Seeking to Amend Policy 0.1

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
258/234 (16)	Auckland Regional Transport Authority	Retain the density requirements in Policy 0.1 and amend to better reflect the densities required in Appendix H of the Regional Policy Statement (Change 6).	
258/229 (16)	Auckland Regional Transport Authority	Retain the density requirements in Policy 0.1 and amend to better reflect the densities required in Appendix H of the Regional Policy Statement (Change 6).	
250/185 (16)	Auckland Regional Council	Amend bullet point 3 by increasing the density (households per hectare) required where development is planned within the catchment of rapid transit corridors so that it is consistent with Appendix H of the Auckland Regional Policy Statement which requires 40-60 dwellings per hectare.	

Evidence Presented:

Evidence for the Auckland Regional Transport Authority was presented by Maree Faid, Ross Rutherford, Brian Waddell and Mike Foster. Evidence was presented on behalf of the Auckland Regional Council by Hugh Jarvis.

Discussion:

The submitters seek to retain residential density requirements within Policy 0.1 but request that they are amended to align more closely with the densities that have been indicated within Appendix H to the ARPS (Plan Change 6).

While it is accepted that there are benefits in a close alignment of standards that are specified within the ARPS and the Waitakere District Plan, the Panel considers that minimum densities need to be realistic in order to effectively encourage intensification in key areas. The densities that are indicated within Policy 0.1 are considered by the Panel to be achievable, despite being substantially in excess of residential densities that are generally found throughout Waitakere City at the present time. Development that may be established in accordance with these standards would represent a significant step towards a more intensified urban form.

The Panel considers that there is little value in establishing minimum densities that would not be delivered by the market. It is possible that developers may be reluctant to initiate projects in areas where they felt market conditions were such that there would be resistance from potential buyers. In those circumstances, the District Plan may inadvertently discourage development in the very areas that it is seeking to intensify.

For these reasons, the Panel considers that there is room for the densities that are specified in the ARPS and the District Plan to differ. The densities specified in Policy 0.1 are intended to be met by development that occurs in the specified locations. If the ARPS densities are seen as targets rather than absolutes, then there is no need for complete consistency between the densities set out in each document.

On this basis, the Panel recommends that the development densities specified within Policy 0.1 should remain unchanged at this point in time. The Panel notes that this would not preclude an ongoing process to monitor the density of development that is occurring, to ensure that the development densities established in Policy 0.1 remain an appropriate tool for managing growth in a manner that achieves significant gains in urban intensification. As the market becomes more receptive to high density development in sub-regional locations, the minimum densities could be reviewed and altered to ensure that land continues to be developed as efficiently as possible.

Panel Recommendation 5.3.6.1:

The Panel recommends that submissions 258/234, 258/229 and 250/185 are rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
258/238 (16)	Auckland Regional Transport Authority	Retain Policy .0.1 and amend by replacing the word “should” with the word “shall”	
258/218 (16)	Auckland Regional Transport Authority	Retain Proposed Policy 0.1 (Managing City growth) and strengthen by replacing the word “should” with the word “shall”.	Opposed By: 218 AMP Capital Investors (NZ) Limited

Evidence Presented:

Evidence for the Auckland Regional Transport Authority was presented by Maree Faid, Ross Rutherford, Brian Waddell and Mike Foster.

Discussion:

The policies of the District Plan are intended to provide a higher level framework to guide decision making that is required in response to development that occurs within a district. Policies should paint a coherent picture of the strategic direction that the Council wishes to pursue, and set out the methods through which the desired outcomes will be achieved.

The Panel considers that there should be a clear distinction between the policies of the District Plan and the rules that are intended to give effect to those policies. A District Plan cannot anticipate the circumstances surrounding every development proposal, and hence it is important for policies to guide rather than constrain effective resource management.

There is a risk that the submitter’s request to replace the word “should” with the word “shall” may effectively transform the policy into a *de facto* rule. The level of certainty that is sought is considered by the Panel to be unnecessary, and may limit the range of positive outcomes that may arise through application of the policy in its current form.

Panel Recommendation 5.3.6.2:

The Panel recommends that submissions 258/238 and 258/218 are rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
95/31 (16)	Housing New Zealand Corporation (1)	Amend Policy 0.1, by transposing the fourth and fifth bullet points.	

Evidence Presented:

Evidence for Housing New Zealand Corporation was presented by Christine Chong, Chris Hanson, Giles Bramwell and Sean Bignell.

Discussion:

The submitter has requested that the fourth and fifth bullet points in Policy 0.1 be transposed. The effect of this amendment would be to provide for the establishment of single unit detached housing within new areas of residential land that are released for development by way of a Plan Change.

Such a situation would not be consistent with the overall purpose and intention of the Plan Changes. The Panel considers it to be important that significant new areas of 'greenfields' land are developed in a comprehensive and efficient manner. Anticipated residential densities would exceed those currently found within Waitakere City suburban areas, in order to provide for better integration of transportation and land use as required under the LGAAA.

Panel Recommendation 5.3.6.3:

The Panel recommends that submission 95/31 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/316 (16)	Waitakere City Council	Amend Policy 0.1 to add the following bullet point: <input type="checkbox"/> <i>“Achieve compact urban form.”</i>	Supported By: 250 Auckland Regional Council Opposed By: 142 PLC New Zealand Ltd 213 CSR Building Products NZ Ltd ('Monier Brickmakers') 214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)

Evidence Presented:

Evidence for Waitakere City Council was presented by Graeme Campbell, John Mackay, Matt Heale and Jenny Fuller.

Discussion:

The Plan Changes seek to ensure that growth is managed in a way that recognises the interrelationship between transportation and land use. Transportation systems derive efficiencies from intensive residential development, which is brought about through policies that lead to the creation of a compact urban form.

The Panel considers it appropriate to reflect the importance of achieving a compact urban form by adding a bullet point to Policy 0.1, in accordance with the submitter's request.

Panel Recommendation 5.3.6.4:

The Panel recommends that submission 257/316 is accepted. Recommended amendments to the wording of Policy 0.1 are contained in Appendix 1.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
162/1 (16)	Redwood Group Limited	Amend Policy 0.1 to make provision for residential activity at ground level within business zones; to provide flexibility for land zoned for working purposes and seeks that residential activity at ground level is provided for as a restricted controlled activity.	Supported By: 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn) Opposed By: 108 Progressive Enterprises Limited 250 Auckland Regional Council 1200 Wayne Scott Panelbeaters & Spraypainters Limited 107 Westfield (New Zealand) Limited 142 PLC New Zealand Ltd 213 CSR Building Products NZ Ltd ('Monier Brickmakers')

			214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group
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Evidence Presented:

No evidence was presented in support of the submissions(s).

Discussion:

In order to achieve a vibrant and interesting town centre, it is important that active retail street frontages are created. Where ground floor space is devoted to residential activities within town centres, there is an inherent conflict between the need to maintain privacy for those residents and the desirability of providing passive surveillance over the street and an interesting retail environment that attracts people.

The Panel considers that Policy 0.1, in seeking to discourage residential activities at street level in town centres, provides an effective policy framework for addressing this particular issue and should be retained in its current form.

Panel Recommendation 5.3.6.5:

The Panel recommends that submission 162/1 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/317 (16)	Waitakere City Council	Amend the following bullet point by deleting the word struck through: <input type="checkbox"/> “single unit detached housing should generally be located in areas other than those described above.”	Opposed By: 350 Rosalie Yozin 142 PLC New Zealand Ltd 213 CSR Building Products NZ Ltd ('Monier Brickmakers') 214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)

Evidence Presented:

Evidence for Waitakere City Council was presented by Graeme Campbell, John Mackay, Matt Heale and Jenny Fuller.

Discussion:

The submitter seeks to have the word “generally” deleted from the bullet point in Policy 0.1 that refers to single-unit detached housing. The intention of the requested amendment is presumably to strengthen the bullet point so that it is clear that single-unit detached housing should not be established within new growth areas.

There will always be circumstances that suggest there is benefit in retaining some flexibility in a policy of this nature. However, there is also a countervailing concern that the word “generally” would weaken Policy 0.1 to the extent that it could not reliably withstand the establishment of single-unit detached housing in locations where the District Plan is seeking more intensive forms of residential development.

On that basis, the Panel considers that the requested amendment is appropriate. Such an amendment would not prevent individual situations from being assessed on their merits in relation to the policy framework of the District Plan and the particular circumstances of the land in question.

Panel Recommendation 5.3.6.6:

The Panel recommends that submission 257/317 is accepted. Recommended amendments are contained within Appendix 1.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/315 (16)	Waitakere City Council	Amend the 'Explanation' to Policy 0.1 (or any other relevant policies) to include reference that any density targets identified in this policy will need to be determined at the time of the detailed concept planning required prior to urban areas being significantly developed or redeveloped.	Supported By: 258 Auckland Regional Transport Authority Opposed By: 142 PLC New Zealand Ltd 213 CSR Building Products NZ Ltd ('Monier Brickmakers') 214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn) Support and Opposed By: 250 Auckland Regional Council

Evidence Presented:

Evidence for Waitakere City Council was presented by Graeme Campbell, John Mackay, Matt Heale and Jenny Fuller.

Discussion:

Policy 0.1 establishes minimum residential densities within growth areas, ranging from 30-40 household units per hectare (gross). The submitter seeks that the explanation to the Policy be amended to recognise that comprehensive structure or concept planning in growth areas may determine a need for lower (or higher) densities.

The Panel considers that a comprehensive evaluation of suitable residential densities in a particular growth area should take precedence over the densities that are set out in Policy 0.1. If there is a compelling case for altering density expectations in an area of proposed growth after a proper evaluation has been completed, then a Plan Change could be initiated to amend Policy 0.1 in relation that specific location. It would be appropriate for the explanation of Policy 0.1 to be amended to signal that possibility.

Panel Recommendation 5.3.6.7:

The Panel recommends that submission 257/315 is accepted. Recommended amendments are contained in Appendix 1.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/314 (16)	Waitakere City Council	Amend Policy 0.1 so that the household densities identified are reviewed and employment densities are added to relevant issues, policies and explanation.	Opposed By: 142 PLC New Zealand Ltd 213 CSR Building Products NZ Ltd ('Monier Brickmakers') 214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)

Evidence Presented:

Evidence for Waitakere City Council was presented by Graeme Campbell, John Mackay, Matt Heale and Jenny Fuller.

Discussion:

While Policy 0.1 establishes residential densities for growth areas, it neglects to consider appropriate employment densities for these locations. The submitter seeks that this apparent omission be remedied.

The Panel considers that there is merit in the relief sought by the submitter. In particular, there is a need to ensure that employment densities in town centre locations are sufficient to support existing and proposed public transport services. A focus on intensification, as a means of supporting transportation initiatives, is a key objective of the LGAAA.

However, evidence on this matter was not provided to the level of detail that the Panel would require if it were to recommend that employment densities be incorporated in the Plan Change.

Panel Recommendation 5.3.6.8:

The Panel recommends that submission 257/314 is rejected.

5.3.7 Submissions Seeking to Amend Policy 0.2

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
218/2 (16)	AMP Capital Investors (NZ) Limited	Amend Policy 0.2 by deleting those words struck through, and adding those in italics and underlined: The priority areas for urban intensification should be within and around the Henderson and New Lynn Community Environments and the Massey North/Westgate Special Areas. Urban intensification is required to ensure efficient use of that land resource, <i>having regard to the form and pattern of the existing built resources where appropriate</i> , including provision for business (including retail), high density residential and mixed use development, and other employment activity which is appropriate to town centre character and the ability to be serviced by reading and other infrastructure."	Supported By: 106 Property Council of New Zealand 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited 142 PLC New Zealand Ltd 213 CSR Building Products NZ Ltd ('Monier Brickmakers') 214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)

Evidence Presented:

Evidence for AMP Capital Investors (NZ) Limited was presented by Jennifer Carvill.

Discussion:

The submitter seeks to amend Policy 0.2 through the addition of wording that requires consideration of the form and pattern of existing resources where appropriate. The Panel notes that the submitter sought similar relief in relation to Objective 0 (refer submission 218/1).

The Panel considers that the relief sought by the submitter is already provided for in the Plan Changes. In particular, Policy 0.4 includes a number of bullet points that highlight the need to acknowledge existing development and features on a site, and ensure that existing and proposed development is integrated where appropriate. In these circumstances, the Panel considers amendments to Policy 0.2 to be unnecessary.

Panel Recommendation 5.3.7.1:

The Panel recommends that submission 218/2 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
218/3 (16)	AMP Capital Investors (NZ) Limited	Amend Policy 0.2 - Explanation by adding those words in italics and underlined: "These are also the main centres in which retail activity will occur. Adequate and flexible provision will	Supported By: 106 Property Council of New Zealand 108 Progressive Enterprises Limited

		be made for such activity, with an emphasis on comprehensive planning to produce integrated shopping precincts with distinctive, high amenity and sustainable design. <u>Sustainable design includes considerations of environmental, social, economic and cultural sustainability."</u>	107 Westfield (New Zealand) Limited 142 PLC New Zealand Ltd 213 CSR Building Products NZ Ltd ('Monier Brickmakers') 214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)
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Evidence Presented:

Evidence for AMP Capital Investors (NZ) Limited was presented by Jennifer Carvill.

Discussion:

The Panel is of the view that the relief requested by the submitter seems to be appropriate. The additional sentence would acknowledge that the concept of sustainability is not confined solely to environmental concerns.

Panel Recommendation 5.3.7.2:

The Panel recommends that submission 218/3 is accepted. Recommended amendments are set out in Appendix 1.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
258/209 (16)	Auckland Regional Transport Authority	Amend Policy 0.2 to require that the sequencing of development in high density centres be closely integrated with improvements to the public transport system serving the area.	Supported By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited

Evidence Presented:

Evidence for the Auckland Regional Transport Authority was presented by Maree Faid, Ross Rutherford, Brian Waddell and Mike Foster.

Discussion:

Policy 0.2 does not deal directly with sequencing of development, instead being focused on identifying priority areas for urban intensification. As such, the Panel considers that amendments to Policy 0.2 are not an appropriate means of addressing the issue that has been raised by the submitter.

While it is important that land use and transportation are well integrated, intensification of residential and business activities around town centres has merit for other reasons - even if transportation improvements are initially unable to keep pace. In fact, intensification around existing transport nodes is likely to drive upgrading of transportation facilities and act as a catalyst for improvements to levels of service.

Panel Recommendation 5.3.7.3:

The Panel recommends that submission 258/209 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
258/219 (16)	Auckland Regional Transport Authority	1. Retain Proposed Policy 0.2 (Managing City growth) and strengthen by replacing the word "should" with the word "shall"	Opposed By: 218 AMP Capital Investors (NZ) Limited

Evidence Presented:

Evidence for the Auckland Regional Transport Authority was presented by Maree Faid, Ross Rutherford, Brian Waddell and Mike Foster.

Discussion:

The submitter proposes to strengthen Policy 0.2 by replacing the word “should” with the word “shall”. As the Panel has noted previously in this report, policies should provide guidance to decision-making that is required in relation to development proposals. Policies should not be drafted in such a way as to effectively operate as a rule, and the Panel considers that the amendments sought by the submitter would represent an inappropriate shift in that direction.

Panel Recommendation 5.3.7.4:

The Panel recommends that submission 258/219 is rejected.

5.3.8 Submissions Seeking to Amend Policy 0.3

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
107/84 (16)	Westfield (New Zealand) Limited	Amend Policy 0.3 by deleting the word struck through: <i>“Opportunities for intensive residential and mixed use development in town centres other than New Lynn, Henderson and Massey North/Westgate, and also around town centres and on regional traffic routes, should be provided for and encouraged”.</i>	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
108/117 (16)	Progressive Enterprises Limited	Amend Policy 0.3 by deleting the struck through word: <i>“Opportunities for intensive residential and mixed use development in town centres other than New Lynn, Henderson and Massey North/Westgate, and also around town centres and on regional traffic routes, should be provided for and encouraged”.</i>	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 Presented:

Evidence for Progressive Enterprises Limited / Westfield (New Zealand) Limited was presented by Doug Fairgray, Nick Taylor, Basil Sharp and Mike Foster.

Discussion:

The intention of Policy 0.3 is that opportunities for intensive residential activities and mixed use development would be provided for and encouraged in three situations – within town centres, around town centres, and on regional traffic routes. However, the effect of the amendment sought by the submitters would be that opportunities for intensive residential and mixed used development would only be provided for and encouraged within town centres or around town centres on regional traffic routes. As such, the amendment would remove opportunities for such development around town centres that are not on regional traffic routes, and from land that is on a regional traffic route (but is not adjacent to a town centre).

The Panel considers that the implications of the requested amendment would be contrary to the current provisions of the District Plan and its strategic approach to intensification and retail location. In addition, the Panel considers that an outcome of this nature would also frustrate the purpose of the LGAAA and be contrary to the provisions of the ARGS.

For these reasons, the submitters’ requested amendment is not supported.

Panel Recommendation 5.3.8.1:

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The Panel recommends that submissions 107/84 and 108/117 are rejected.

5.3.9 Submissions Seeking to Amend Policy 0.4

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
109/118 (16)	The Warehouse Ltd	Amend the 11 th bullet of Policy 0.4 to insert “ <i>where practicable</i> ” at the beginning of the sentence and delete “always”.	Opposed By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited
110/118 (16)	Warehouse Stationery Limited	Amend the 11 th bullet of Policy 0.4 to insert “ <i>where practicable</i> ” at the beginning of the sentence and delete “always”.	Opposed By: 208 Sylvia Park Business Centre Limited
111/115 (16)	The National Trading Company of New Zealand Limited	Amend the 11 th bullet of Policy 0.4 to insert “ <i>where practicable</i> ” at the beginning of the sentence and delete “always”.	Opposed By: 208 Sylvia Park Business Centre Limited
300/93 (16)	IMF Westland Ltd	Amend Policy 0.4, the 11 th bullet as follows: Private development is always designed to address public places, <u>where required and to an appropriate standard</u> ;	Supported By: 110 Warehouse Stationery Limited 108 Progressive Enterprises Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Evidence for the Warehouse Limited and Warehouse Stationery Limited was presented by Vaughan Smith, Derek McCoy, Philip Osborne and Mark Tansley. Evidence for the National Trading Company of New Zealand Limited was presented by Philip Hollings, Philip Donnelly, John Burgess, Philip Dunbar, Barry Rae and Vern Warren. Evidence for IMF New Zealand Limited was presented by Craig Cairncross.

Discussion:

These submitters seek to amend the 11th bullet point in Policy 0.4.

Each of the submitters seeks the deletion of the word “always”. The Panel considers that this request is worthy of support, given that the use of such a word is questionable within a policy which is intended to provide guidance for managing the effects of development proposals. By removing the word “always”, the strength of Policy 0.4 is retained but some flexibility is provided at the same time.

Three of the submitters have also sought to add the words “where practicable” at the beginning of the bullet point. The Panel considers that such an amendment would inappropriately dilute the effectiveness of the policy and, as a result, the use of these words is not supported.

Likewise, the requested amendment contained within submission 300/93 also has the potential to weaken the intent of Policy 0.4, and accordingly the Panel recommends that it remains unchanged in this regard.

Panel Recommendation 5.3.9.1:

The Panel recommends that submissions 109/118, 110/118, 111/115 and 300/93 are accepted in part, to the extent identified in recommended amendments contained within Appendix 1.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/188 (16)	Auckland Regional Council	Amend bullet point 7 of policy 0.4 by deleting the words “ <i>if necessary</i> ”.	

Evidence Presented:

Evidence was presented on behalf of the Auckland Regional Council by Hugh Jarvis.

Discussion:

The amendment sought by the submitter is not supported by the Panel. Whilst it is important to recognise existing features of a development site, and consider them at the time of any proposed development of the land, there may be features that are not worthy of protection and enhancement. For example, an area of vegetation may be comprised substantially of weeds and clearly there would be no merit in protecting such a feature. The words "if necessary" simply recognise that not all features of the site will need to be protected.

Panel Recommendation 5.3.9.2:

The Panel recommends that submission 250/188 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/92 (16)	IMF Westland Ltd	Amend Policy 0.4, the 9 th bullet by inserting the following italicised word: Potential conflicts between incompatible land uses are recognised and provided for, including through managing <i>design</i> , traffic and noise;	Supported By: 108 Progressive Enterprises Limited Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Evidence for IMF New Zealand Limited was presented by Craig Cairncross.

Discussion:

Whilst the reference in the bullet point to traffic and noise is not exclusive, the Panel considers that there is value in adding the word "design" into the bullet point.

Panel Recommendation 5.3.9.3:

The Panel recommends that submission 300/92 is accepted. Recommended amendments are contained within Appendix 1.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/94 (16)	IMF Westland Ltd	Amend Policy 0.4, the explanation by inserting the following words as shown in italics: The importance of good design is critical to the success of urban consolidation strategies. Communities must be created which residents <i>and other users</i> are attracted to, and proud of. This is not an easy task. The potential for adverse effects on amenity, land use conflicts, and possible social concerns, increases with the increase in density <i>if not appropriately managed</i> . It therefore becomes more important to ensure good design management.	Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Evidence for IMF New Zealand Limited was presented by Craig Cairncross.

Discussion:

The amendment sought by the submitter appears to be reasonable in the Panel's opinion, and emphasises the need to appropriately manage amenity impacts as density increases. For these reasons, the Panel recommends that the requested amendments be incorporated within the explanation to Policy 0.4.

Panel Recommendation 5.3.9.4:

The Panel recommends that submission 300/94 is accepted. Recommended amendments are contained within Appendix 1.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/318 (16)	Waitakere City Council	Amend Policy 0.4 to strengthen the design criteria to ensure that maximum guidance is given to enable urban containment to be achieved in a sustainable manner that appropriately addresses amenity issues.	Supported By: 250 Auckland Regional Council Opposed By: 108 Progressive Enterprises Limited 218 AMP Capital Investors (NZ) Limited

Evidence Presented:

Evidence for Waitakere City Council was presented by Graeme Campbell, John Mackay, Matt Heale and Jenny Fuller.

Discussion:

Policy 0.4 recognises the importance of good design in the success of urban consolidation strategies. In this context, it is entirely appropriate for the Council's District Plan to include design criteria as a method of achieving the best possible design outcomes in relation to new development.

However, the submission does not provide any details to indicate the specific nature of amendments that are sought. In these circumstances, it is difficult to create a set of criteria with any confidence that the submitter's request would be satisfied. The submitter may elect to remedy this deficiency through information that is provided in evidence during the hearing.

In any event, the Panel considers that detailed urban design criteria may be inappropriate within a District Plan policy. Design criteria are likely to be relatively prescriptive, and would generally be more appropriate as formal assessment criteria that would be incorporated within the rules of the District Plan and applied to development proposals.

Panel Recommendation 5.3.9.5:

The Panel recommends that submission 257/318 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/90 (16)	IMF Westland Ltd	Amend Policy 0.4, the second bullet as follows: Provision is made for mixed use activity and community services as desirable components of land use and urban form.	Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Evidence for IMF New Zealand Limited was presented by Craig Cairncross.

Discussion:

The submitter seeks to soften the bullet point by replacing the word "integral" with the word "desirable".

Conventional planning has often resulted in the segregation of activities into exclusive and homogenous zones. While this planning technique has a number of advantages in respect of managing adverse effects, there are also significant advantages in creating mixed-use town centres that include a range of activities

and services that are required to meet the needs of residents and workers. In this context, the Panel considers it essential for community facilities and mixed-use development to comprise an integral part of intensifying urban land uses, particularly around town centre locations.

For these reasons, the Panel considers that the word “integral” serves the intentions behind the Plan Change more effectively than the alternative terminology put forward by the submitter.

Panel Recommendation 5.3.9.6:

The Panel recommends that submission 300/90 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
203/23 (16)	AMP NZ Property Development Ltd & AMP Capital Investors (NZ) Ltd	<p>Delete proposed Policy 0.4 and insert the following provisions in italics in its place:</p> <p><i>“That consideration will be given to the following matters when new urban development is being undertaken:</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> <i>Whether it would be appropriate and desirable in the circumstances to provide a variety of development forms so as to promote visual amenity, to avoid visual monotony, to integrate the new development with existing development or to facilitate the provision of affordability and choice to members of the public.</i> <input type="checkbox"/> <i>Whether it would be appropriate and desirable in the circumstances to provide for mixed-use activity and community services as integral components of land use and urban form.</i> <input type="checkbox"/> <i>Ways in which appropriate visual and activity connections can be made to streets, with reference to the location and form of existing and expected future development (including the provision of streetscape design which encourages integration of the streets with adjoining development).</i> <input type="checkbox"/> <i>Ways in which new development might form part of an integrated approach to the area incorporating access to open space, community services, transport networks, work places and shops.</i> <input type="checkbox"/> <i>Existing community identities and the extent to which and way in which they might need to be managed or redefined.</i> <input type="checkbox"/> <i>The creation of interconnected vehicle, walking and cycling networks providing logical, attractive and safe linkages to activities within and beyond the site or area.</i> <input type="checkbox"/> <i>Whether it would be appropriate and desirable in the circumstances to recognise or protect existing features such as streams, vegetation, heritage buildings/sites, landscapes and views.</i> <input type="checkbox"/> <i>Whether it would be appropriate and desirable in the circumstances to provide public access alongside and to stream and coastal margins.</i> <input type="checkbox"/> <i>Ways in which any potential conflicts between incompatible land uses can be recognised and provided for (including managing traffic and noise).</i> <input type="checkbox"/> <i>Ways in which a high urban amenity might be achieved (including through building design and articulation; street, access and parking design; lighting themes; and landscape treatment).</i> <input type="checkbox"/> <i>Ways in which development can be designed to maximise the extent to which it addresses public spaces.</i> <input type="checkbox"/> <i>Ways of ensuring that the development is maintained over time.”</i> 	<p>Supported By: 81 IB, GA and IE Midgley 108 Progressive Enterprises Limited</p> <p>Opposed By: 250 Auckland Regional Council 300 IMF Westland Ltd</p>

Evidence Presented:

Evidence for AMP Capital Investors (NZ) Limited was presented by Jennifer Carvill.

Discussion:

The submitters seek to delete Policy 0.4 and replace it in its entirety with an alternative policy. For the most part, the requested alternative is similar to the existing Policy 0.4 although the format is such that the bullet points may operate more like a set of assessment criteria than a policy.

In any event, there is nothing immediately apparent to the Panel that would suggest some advantage in replacing the existing bullet points with an alternative set that are substantially the same. The relief sought by the submitter is therefore not supported.

Panel Recommendation 5.3.9.7:

The Panel recommends that submission 203/23 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/89 (16)	IMF Westland Ltd	Delete Policy 0.4, Bullet 1 and replace with the following three bullets: <ul style="list-style-type: none"> <input type="checkbox"/> The need for a variety of development forms, in such a way as will cater for different market needs <input type="checkbox"/> To encourage new development to integrate with existing development, <input type="checkbox"/> To avoid visual monotony without losing urban design coherence; 	Supported By: 108 Progressive Enterprises Limited Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Evidence for IMF New Zealand Limited was presented by Craig Cairncross.

Discussion:

The issues raised by this submitter are similar in some respects to those discussed above in response to submission 203/23. Both submitters seek to replace provisions of Plan Change 16 with new provisions that would be substantially similar to the original version in terms of wording and format.

Again, the Panel considers that there are no compelling reasons to alter the Plan Change in the manner sought. For this reason, the Panel recommends that Policy 0.4 remain unchanged.

Panel Recommendation 5.3.9.8:

The Panel recommends that submission 300/89 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/91 (16)	IMF Westland Ltd	Amend Policy 0.4, the 7 th bullet as follows: Existing features such as streams, vegetation, heritage buildings / sites, landscapes and views, <i>deemed of significant value</i> , are recognised and <i>where appropriate</i> are protected and enhanced or <i>some form of mitigation is provided that improves the sustainable values of the natural and built environment.</i>	Support and Opposed By: 81 IB, GA and IE Midgley

Evidence Presented:

Evidence for IMF New Zealand Limited was presented by Craig Cairncross.

Discussion:

The submitter's requested amendments to bullet point 7 of Policy 0.4 appear to have some merit. The proposed amendment recognises that not every feature of a development site will have significant value, and therefore not every feature needs to be protected.

Where site features do significantly add to the amenity of the environment, the bullet point retains the requirement to protect and enhance those features. The requested amendments also provide an opportunity to provide some alternative form of mitigation that improves the value of the environment. This approach is considered by the Panel to be appropriate, provided that the circumstances of the site are such that it would not be possible to protect and enhance a particular site feature.

Panel Recommendation 5.3.9.9:

The Panel recommends that submission 300/91 is accepted, to the extent indicated in recommended amendments to Policy 0.4 that are contained in Appendix 1.

5.3.10 Submissions Seeking to Amend Policy 0.9

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
137/1 (16)	Ian Hutchinson	Delete reference to the Sector Agreements in the first paragraph of 'Explanation' starting " <i>The Auckland Regional Policy Statement...</i> " and ending "...existing District Plan standards and existing structure plans."	Opposed By: 250 Auckland Regional Council

Evidence Presented:

No evidence was presented in support of the submissions(s).

Discussion:

The Northern and Western Sectors Agreement is a relevant document for consideration in addressing any matters pertaining to urban growth within Waitakere City. The explanation to Policy 0.9 does not explicitly require consideration of the Sectors Agreement - it simply notes that it is a document that has influenced the staging and sequencing of sub-regional growth.

The Panel considers that there is no reason to remove the reference and, accordingly, it should remain.

Panel Recommendation 5.3.10.1:

The Panel recommends that submission 137/1 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
181/1 (16)	William Calvert and John Calvert	Amend Policy 0.9 to include Crows Road Urban Concept Area as an area for future urban growth and amend the sequencing table as follows: "10.20. 1-10 Babich, Crows Road, Hobsonville....."	Opposed By: 108 Progressive Enterprises Limited 250 Auckland Regional Council 107 Westfield (New Zealand) Limited

Evidence Presented:

Evidence was presented on behalf of the submitter by Phil Ainsworth and J. Calvert.

Discussion:

The Panel understands that the Council has previously identified the Crows Road Urban Concept Plan area as land that may be suitable for urban development at some future stage. While that view has not necessarily changed, it is not proposed that the land would be released for urban development within the foreseeable planning period that is established by the District Plan.

The submitter would have opportunities to raise this issue during the upcoming ARPS review or, alternatively, when the Council's District Plan is subject to a comprehensive review. The Panel considers that the supply of urban land should be carefully managed in order to ensure that urban intensification continues without being unduly diluted. Release of the Crows Road land for residential development at this time would have the potential to undermine the Council's intensification objectives.

The Panel notes that a more detailed discussion of this issue is included in the MUL General Recommendation Report.

Panel Recommendation 5.3.10.2:

The Panel recommends that submission 181/1 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/193 (16)	Auckland Regional Council	Amend policy 0.9 to emphasise that development should not occur outside of the scheduled timeframe; and delete reference to Babich supporting multimodal transport as this is not the case.	Supported By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited Support and Opposed By: 324 Neil Construction

Evidence Presented:

Evidence was presented on behalf of the Auckland Regional Council by Hugh Jarvis.

Discussion:

A simple amendment to the explanation associated with Policy 0.9 could emphasise the fact that development should not occur outside the scheduled time frame. Such an amendment is supported by the Panel, as it assists in clarifying the Council's intentions in this regard.

The Panel also accepts that the Babich Concept Plan area is unlikely to significantly promote multi-modal transport and therefore it is recommended that the explanation be amended to reflect that fact.

Panel Recommendation 5.3.10.3:

The Panel recommends that submission 250/193 is accepted. Recommended amendments are set out in Appendix 1.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
259/13 (16)	Transit New Zealand	Delete Policy 0.9, OR, make such changes as are necessary to reflect the outcome of, and do not pre-empt, proposed extensions to the MUL associated with Proposed Plan Changes 13, 14 and 15 to the Waitakere City District Plan.	Supported By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited Opposed By: 81 IB, GA and IE Midgley 300 IMF Westland Ltd 157 Federated Farmers of New Zealand (Inc)

Evidence Presented:

Evidence for Transit New Zealand was presented by Rachel Harward and Chris Horne.

Discussion:

It is unclear from the submission exactly what is sought in the way of amendments to Policy 0.9.

The Policy is written on the assumption that it will become operative at some point in time, and will be required to guide development that would occur in the urban growth areas that are identified within the Policy. Clearly however, the Panel recognises that it will rely on equivalent provision being made within the ARPS – specifically, an extension of the Metropolitan Urban Limits to provide for urban development within the proposed growth areas.

Panel Recommendation 5.3.10.4:

The Panel recommends that submission 259/13 is rejected.

5.3.11 Submissions Seeking to Amend Policy 0.11

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/195 (16)	Auckland Regional Council	Delete policy 0.11 and add a new policy that clearly states intensive settlement will not occur in the Waitakere Ranges and foothills.	

Evidence Presented:

Evidence was presented on behalf of the Auckland Regional Council by Hugh Jarvis.

Discussion:

The Council’s intention is that further intensive settlement within the Waitakere Ranges (including the foothills) will not occur, subject to the various structure plans that are envisaged within the existing explanation and also subject to further development that is possible under existing District Plan provisions. The Panel considers that this situation is adequately explained within the current wording of the explanation.

Panel Recommendation 5.3.11.1:

The Panel recommends that submission 250/195 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
204/12 (16)	The Waitakere Ranges Protection Society Incorporated	Amend Policy 0.11 and its associated ‘Explanation’ to read as follows: “Policy 0.11 - <i>Further intensive settlement should not occur within any rural areas prior to 2021 and should be precluded permanently from Waitakere Ranges including their foothills.</i> Explanation - Retain the first two sentences of the Explanation, commencing “As noted in policy 0.9...” and ending “...within the rural area”. Delete the remainder of the Explanation and replace with: <i>“Of the rural areas of the District, the Waitakere Ranges have particular values that area recognised in the Auckland Regional Policy Statement and elsewhere in this District Plan. In light of those values, the intensity of development provided for in the Waitakere Ranges will not be increased in the future beyond that provided for in the existing (2004) District Plan provisions. That is essential in order to protect adequately the outstanding landscape and flora and fauna in that area, and its importance as a regionally and nationally significant landscape, natural area and passive recreational resource. In</i>	Opposed By: 1226 Titirangi Residents for Balanced 324 Neil Construction 284 Oratia Landowners Action Group 157 Federated Farmers of New Zealand (Inc) Support and Opposed By: 264 Centre for Urban and Transport Studies

		<p><i>addition to the subdivision possibilities under the District Plan provisions, there are many existing sites in the Waitakere Ranges that area currently undeveloped.</i></p> <p><i>Most development in the Waitakere Ranges will occur within the Foothills areas, parts of which are subject to structure plans that anticipate significant additional development.</i></p> <p><i>In the other rural areas of the City, a mix of vacant sites and development provided through the District Plan subdivision provisions will satisfy lifestyle choices and anticipated population growth at least until 2021. Progress will need to be monitored and factors such as the expected rate of population and household growth may change and have an impact on when further intensification is required. However, any departure from this policy will require justification and a critical examination of the success of urban consolidation policies”.</i></p>	
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Evidence Presented:

No evidence was presented in support of the submissions(s).

Discussion:

The general thrust of relief sought by the submitter aligns with the intentions of the Council in respect of the Waitakere Ranges (including the foothills).

However, the amendments that are sought do not appear to significantly alter the effect of Policy 0.11. As such, the basis for requesting amendments is unconvincing, and the Panel considers that the wording in the Policy should remain without change.

The Panel notes that some minor alterations to Policy 0.11 are recommended in response to submission 257/322, and these amendments may partially satisfy the submitter as they are intended to reinforce the Council’s objective of permanently protecting the Waitakere Ranges and foothills from inappropriate subdivision and development.

Panel Recommendation 5.3.11.2:

The Panel recommends that submission 204/12 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/322 (16)	Waitakere City Council	<p>Amend the wording of Policy 0.11 by adding those words in italics and underlined: <i><u>“Apart from peripheral urban growth provided in Policy 0.9, further intensive settlement within rural areas should not occur in order to accommodate population growth prior to 2021. Growth thresholds established by existing rural subdivision standards should be maintained in order to permanently protect the Waitakere Ranges and their foothills and the remaining rural area.”</u></i></p>	<p>Supported By: 204 The Waitakere Ranges Protection Society Incorporated 284 Oratia Landowners Action Group</p>

Evidence Presented:

Evidence for Waitakere City Council was presented by Graeme Campbell, John Mackay, Matt Heale and Jenny Fuller.

Discussion:

The proposed amendments to Policy 0.11, as outlined in the submission, address the issues raised by the previous two submitters (who have submitted on Policy 0.11) in a reasonable manner. The amendments serve to reinforce the Council's intentions with regard to the preservation of the Waitakere Ranges, including the foothills. The Panel considers that the requested amendments should be incorporated within Policy 0.11.

Panel Recommendation 5.3.11.3:

The Panel recommends that submission 257/322 is accepted. Recommended amendments are contained within Appendix 1.

5.3.12 Submissions Seeking to Amend Policy 3.1

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
162/2 (16)	Redwood Group Limited	Amend Policy 3.1 to provide for intensive housing development within the Working Environment (as per the Operative Plan) or extend the Living Environment.	Opposed By: 1200 Wayne Scott Panelbeaters & Spraypainters Limited 142 PLC New Zealand Ltd 213 CSR Building Products NZ Ltd ('Monier Brickmakers') 214 Henkel NZ Ltd (The Sellotape Company) 215 Huhtamaki NZ Limited 216 Waitakere Working Environment Group 217 Sullivan & Armstrong Building Supplies Ltd (Placemakers New Lynn)

Evidence Presented:

No evidence was presented in support of the submissions(s).

Discussion:

The Panel considers that the District Plan should carefully manage the potential for intensive residential development within the Working Environment. In recent years, significant pressure has been placed on the poorer quality Working Environment land by residential development proposals. Whilst that might seem a logical form of development within the current market conditions, it would foreclose opportunities to use land for industrial purposes as the City intensifies. For this reason, the Panel recommends that the Policy remain unchanged.

Panel Recommendation 5.3.12.1:

The Panel recommends that submission 162/2 is rejected.

5.3.13 Submissions Seeking to Amend Policy 4.2

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/417 (18)	Waitakere City Council	Amend Policy 4.2 to clarify differences in the locations for apartments and medium density housing and include provision for apartments in the Hobsonville Base Village Special Area, Massey North Town Centre Special Area - Precinct B and Hobsonville Village Centre Special Area and for mid to high rise apartments to be avoided outside of these	Supported By: 95 Housing New Zealand Corporation (1) 250 Auckland Regional Council

		<p>areas. Include text from the explanation to strengthen the policy generally as follows:</p> <ul style="list-style-type: none"> <input type="checkbox"/> <u>“Apartments, particularly in mixed use development should be located in the main town centres of the City and in various precincts in the Hobsonville Base Village Special Area (to support the future ferry service planned to service the Hobsonville area), Massey North Town Centre Special Area - Precinct B and Hobsonville Village Centre Special Area in mixed use and Living 6 Environment adjacent to New Lynn town centre.</u> <input type="checkbox"/> <u>Medium density housing is more appropriately located in residential areas that are close to transport hubs including along key transport routes, and adjacent to community environments.</u> <input type="checkbox"/> <u>Mid to high rise apartments are not appropriate outside these areas.”</u> 	
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Evidence Presented:

Evidence for Waitakere City Council was presented by Graeme Campbell, John Mackay, Matt Heale and Jenny Fuller.

Discussion:

It is noted that Plan Change 17 (rather than Plan Change 16) includes proposals to amend Policy 4.2, which is an existing policy in the District Plan.

The Panel considers that there are benefits in clarifying Policy 4.2 to provide for the development of apartments in Hobsonville and in new growth areas. Such an outcome would be consistent with the purpose of the LGAAA in that it would promote intensification in a manner that integrated transportation and land use.

Panel Recommendation 5.3.13.1:

The Panel recommends that submission 257/417 is accepted. Recommended amendments are set out in Appendix 1.

5.3.14 Submissions Seeking to Amend Policy Map X

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
258/237 (16)	Auckland Regional Transport Authority	Retain Policy Map X and amend to better show the location of each high density center together with the main public transport interchanges and routes.	Supported By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited

Evidence Presented:

Evidence for the Auckland Regional Transport Authority was presented by Maree Faid, Ross Rutherford, Brian Waddell and Mike Foster.

Discussion:

The submitter seeks the retention of Policy Map X but requests amendments to clarify the location of high density centres and public transport interchanges and routes. The Panel considers that the Policy Map currently provides sufficient detail in relation to the matters raised in the submission.

Town centres and nodes for intensification are identified, along with the railway and transportation corridors. It is difficult to see what further information could be added to Policy Map X without unnecessarily complicating it.

Panel Recommendation 5.3.14.1:

The Panel recommends that submission 258/237 is rejected.

5.3.15 Submissions Seeking to Amend Schedule Y

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
111/117 (16)	The National Trading Company of New Zealand Limited	Amend Policy Map X and Schedule Y to include growth corridors such as Great North Road, Lincoln Road and Te Atatu Road.	Opposed By: 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 259 Transit New Zealand 107 Westfield (New Zealand) Limited
109/120 (16)	The Warehouse Ltd	Amend Policy Map X and Schedule Y to include growth corridors such as Great North Road, Lincoln Road and Te Atatu Road.	Opposed By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited
110/120 (16)	Warehouse Stationery Limited	Amend Policy Map X and Schedule Y to include growth corridors such as Great North Road, Lincoln Road and Te Atatu Road.	Opposed By: 108 Progressive Enterprises Limited 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited

Evidence Presented:

Evidence for the National Trading Company of New Zealand Limited was presented by Philip Hollings, Philip Donnelly, John Burgess, Philip Dunbar, Barry Rae and Vern Warren. Evidence for the Warehouse Limited and Warehouse Stationery Limited was presented by Vaughan Smith, Derek McCoy, Philip Osborne and Mark Tansley.

Discussion:

Policy Map X currently identifies growth corridors along Great North Road and Lincoln Road. Te Atatu Road is not specifically identified as a corridor on the map. The Policy Map is intended to provide a summary of the broad framework within which growth in the city is to be managed. It does not in itself provide any constraints or opportunities for development that are not otherwise identified through the policies of the Plan, and as such the Panel considers that amendments to the Map are unnecessary.

Schedule Y does not directly refer to the growth corridors, although it is noted that the rules of the District Plan provide for development to occur within these locations in a manner that is relatively intensive. Such development may include opportunities for mixed-use. For these reasons, it is also considered that amendments to Schedule Y are not necessary.

Panel Recommendation 5.3.15.1:

The Panel recommends that submissions 111/117, 109/120 and 110/120 are rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
181/2 (16)	William Calvert and John Calvert	Amend Schedule Y to include the following as a high priority growth area: <i>"Crows Road Urban Concept Area to be Developed - High - 2005 - ongoing"</i>	Opposed By: 250 Auckland Regional Council

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Evidence Presented:

Evidence was presented on behalf of the submitter by Phil Ainsworth and J. Calvert.

Discussion:

As noted previously in response to submission 181/1, urban development within the Crows Road Urban Concept Area is not proposed within the planning period contemplated under the District Plan. As such, it is not considered appropriate to amend Schedule Y to provide for the development of the Crows Road Urban Concept Area as a high priority growth area. A fuller summary of the Panel's thoughts on this issue is contained in the MUL General Recommendation Report.

Panel Recommendation 5.3.15.2:

The Panel recommends that submission 181/2 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/198 (16)	Auckland Regional Council	Amend the maps and schedule Y so that identification of growth areas, land use and transport corridors are consistent with the Auckland Regional Policy Statement, the Auckland Regional Growth Strategy and the Northern and Western Sectors Agreement.	Supported By: 110 Warehouse Stationery Limited 108 Progressive Enterprises Limited 111 The National Trading Company of New Zealand Limited 107 Westfield (New Zealand) Limited 109 The Warehouse Ltd Opposed By: 256 Rodney District Council 76 Ivan & Milka Selak 74 Roy Wigg 75 Steve Nuich

Evidence Presented:

Evidence was presented on behalf of the Auckland Regional Council by Hugh Jarvis.

Discussion:

The Panel considers that all of the areas identified on Policy Map X and Schedule Y for urban growth are suitable for urban development, and furthermore the Panel considers desirable that these areas of land are urbanised within the period envisaged by the District Plan. The growth areas in question are generally consistent with those identified in the ARGS, and as such it is recommended that the Policy Map X and Schedule Y remain without change. Where growth areas are proposed that are not currently consistent with the ARGS, such as at Massey North / Westgate, the future of these areas will be determined through the current statutory process.

Panel Recommendation 5.3.15.3:

The Panel recommends that submission 250/198 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
258/233 (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:

Evidence for the Auckland Regional Transport Authority was presented by Maree Faid, Ross Rutherford, Brian Waddell and Mike Foster.

Discussion:

The submitter seeks that Schedule Y be retained and amended to better reflect the densities required in Appendix H of the 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 determined at the time of comprehensive concept planning for each new growth area. Schedule Y is intended 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, the Panel considers 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, for reasons that were previously outlined in response to submissions 258/234, 258/239, and 250/185.

Panel Recommendation 5.3.15.4:

The Panel recommends that submission 258/233 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
258/210 (16)	Auckland Regional Transport Authority	Amend Schedule Y by bringing forward the scheduled Action on neighbourhood centres on the rail line to bring them more in line with scheduled rail improvements.	Supported By: 108 Progressive Enterprises Limited

Evidence Presented:

Evidence for the Auckland Regional Transport Authority was presented by Maree Faid, Ross Rutherford, Brian Waddell and Mike Foster.

Discussion:

While Schedule Y indicates the likely timing of intensification around transport nodes, the current rules of the District Plan already provide a regime that encourages medium density housing around these locations. As such, sufficient flexibility currently exists within the rules of the District Plan to respond to improvements in the rail services that may occur.

Panel Recommendation 5.3.15.5:

The Panel recommends that submission 258/210 is rejected.

5.3.16 Submissions Seeking to Amend Part 6

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/108 (16)	Progressive Enterprises Limited	Amend part of 6.1.2 Theme Two: City Form (i) by retaining the text proposed to be deleted with some amendments as follows (deletions in strikethrough and additions underlined) (or words to like effect): <i>"In the last decade, a number of changes have emerged which reinforce the unsustainable nature of this City form. These developments are:</i> ... <i>(i) the relocation of retail activities away from traditional town centres, into areas where there is cheap accessible land capable of accommodating large stores (larger than those normally found in the core areas of the town centres), and providing for extensive car parks. Deregulation in the mid to late 1980s and rapid changes in technology have had a</i>	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

		<p>dramatic effect. Import quotas were reduced or abolished, retail trading hours were changed, and there were major changes in the liquor laws. The effects of these changes can probably be best seen in the larger supermarkets located outside high density areas, which now operate over greatly increased hours.</p> <p><i>It is a change intended to pass transport costs on to residents. They would now bear the costs of travelling to the new centres, rather than the retailers who had previously absorbed the cost of transporting the goods to town centres and local shopping areas. This has occurred around Lincoln Road where there has been considerable pressure to expand as a retail centre. This relocation encourages vehicle trips as people travel across town to a number of areas, rather than carrying out their shopping within a relatively central area largely accessible by foot”.</i></p>	
107/75 (16)	Westfield (New Zealand) Limited	<p>Amend part of 6.1.2 Theme Two: City Form (i) by retaining the text proposed to be deleted with some amendments as follows (deletions in strikethrough and additions underlined):</p> <p><i>“In the last decade, a number of changes have emerged which reinforce the unsustainable nature of this City form. These developments are:</i></p> <p>.....</p> <p><i>(i) the relocation of retail activities away from traditional town centres, into areas where there is cheap accessible land capable of accommodating large stores (larger than those normally found in the core areas of the town centres), and providing for extensive car parks. Deregulation in the mid to late 1980s and rapid changes in technology have had a dramatic effect. Import quotas were reduced or abolished, retail trading hours were changed, and there were major changes in the liquor laws. The effects of these changes can probably be best seen in the larger supermarkets located outside high density areas, which now operate over greatly increased hours.</i></p> <p><i>It is a change intended to pass transport costs on to residents. They would now bear the costs of travelling to the new centres, rather than the retailers who had previously absorbed the cost of transporting the goods to town centres and local shopping areas. This has occurred around Lincoln Road where there has been considerable pressure to expand as a retail centre. This relocation encourages vehicle trips as people travel across town to a number of areas, rather than carrying out their shopping within a relatively central area largely accessible by foot”.</i></p>	<p>Supported By: 300 IMF Westland Ltd</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: 208 Sylvia Park Business Centre Limited</p>

Evidence Presented:

Evidence for Progressive Enterprises Limited / Westfield (New Zealand) Limited was presented by Doug Fairgray, Nick Taylor, Basil Sharp and Mike Foster.

Discussion:

The submitters' requested amendments relate to a section of the District Plan that is intended to provide a contextual explanation of the particular issues that the Plan seeks to address. The Panel considers that the matters that the submitters seek to delete from Part 6 are useful in providing context to issues of city form

and growth. As such, it is recommended that the wording be retained and that the relief sought by the submitters should not be granted.

Panel Recommendation 5.3.16.1:

The Panel recommends that submissions 108/108 and 107/75 are rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
185/45 (16)	Transpower New Zealand Limited	Amend to insert a new subsection to Section 6.1.1 Theme One: Urban Consolidation and Managing Growth Pressures, to recognise the management requirements of regionally significant infrastructure as follows in italics: <i>“The operation, maintenance, upgrading and extension of energy related infrastructure and transmission systems can be seriously constrained as a result of urban growth. The future development of land must be managed to ensure it does not adversely affect existing infrastructure and does not preclude the ability to upgrade infrastructure to meet demand. Future development of infrastructure corridors must be managed to ensure it does not adversely affect the infrastructure resource. This includes management of issues such as encroachment (resulting in reverse sensitivity issues), adverse effects, and retaining the ability for the necessary maintenance, future upgrade or extension of infrastructure within the corridor.”</i>	Supported By: 250 Auckland Regional Council Opposed By: 157 Federated Farmers of New Zealand (Inc) 81 IB, GA and IE Midgley

Evidence Presented:

Evidence was presented on behalf of the submitter by Karen Blair.

Discussion:

The Panel considers important to recognise the existence and need for regionally significant infrastructure when development of new growth areas occurs. However, the Plan Changes introduce a number of new provisions to address issues of reverse sensitivity and urban design. As such, the Panel considers that the issues of concern to the submitter would be addressed without the need to amend the Plan Changes in the manner that is sought.

Panel Recommendation 5.3.16.2:

The Panel recommends that submission 185/45 is rejected.

5.3.17 Submissions Seeking to Amend Definitions

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/120 (16)	Progressive Enterprises Limited	Amend the plan change to include the following definition of the term “Growth Area” (or words to like effect): <i>“Growth area will consist of intensive residential activities and appropriate mixed-use activities to serve the needs of the neighbourhood”.</i>	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

			250 Auckland Regional Council 109 The Warehouse Ltd
107/87 (16)	Westfield (New Zealand) Limited	Amend the plan change to include the following definition of the term "Growth Area": <i><u>"Growth area will consist of intensive residential activities and appropriate mixed-use activities to serve the needs of the neighbourhood"</u></i>	Supported By: 300 IMF Westland Ltd Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 250 Auckland Regional Council 109 The Warehouse Ltd Support and Opposed By: 208 Sylvia Park Business Centre Limited

Evidence Presented:

Evidence for Progressive Enterprises Limited / Westfield (New Zealand) Limited was presented by Doug Fairgray, Nick Taylor, Basil Sharp and Mike Foster.

Discussion:

The definitions section of the District Plan contains only those definitions which are required to assist with interpretation of rules in the Plan. This approach has avoided a proliferation of definitions which add little value.

The submitters' request to include a definition of "growth area" would not assist with interpretation of any rule within the District Plan and the Panel considers that the relief sought should not be granted.

Panel Recommendation 5.3.17.1:

The Panel recommends that submissions 108/120 and 107/87 are rejected.

**RECOMMENDED AMENDMENTS TO PLAN CHANGE 17 – NEW LYNN ARE
CONTAINED IN ATTACHED APPENDIX 1 AND WITHIN THE COMPLETE PLAN
CHANGE 17 ATTACHED TO WCC 10**

**RECOMMENDED AMENDMENTS TO PLAN CHANGE 16 – MANAGING CITY
GROWTH ARE CONTAINED IN ATTACHED APPENDIX CONTAINING COMPLETE
PLAN CHANGE 16**

Additions shown underlined, and deletions in ~~strikethrough~~.

APPENDIX 1

PLAN CHANGE 17

Policy 4.2.

Intensive housing (such as Medium Density Housing or Apartments) and Mixed Use Developments should be encouraged in areas where it will help to reduce emissions from motor vehicles by reducing vehicle trip length and vehicle numbers and support public transport, in particular around main town centres, train stations and major roads. Apartments should be accommodated in the main town centres of the City.

Apartments and other intensive housing should be located in the following areas of the City:

- Apartments, particularly in mixed use development, should be located in the main town centres of the City, in various precincts in the Hobsonville Base Village Special Area (to support the future ferry service planned to service the Hobsonville area), in the Massey North Town Centre Special Area - Precinct B, in the Hobsonville Village Centre Special Area in mixed use, and in the Living 6 Environment adjacent to New Lynn town centre.
- Medium density housing is more appropriately located in residential areas that are close to transport hubs including along key transport routes, and adjacent to community environments.
- Mid to high rise apartments are not appropriate outside these areas.

Explanation

Research carried out in Australia and New Zealand has revealed strong links between low density urban settlement and high levels of private vehicle use. The studies show that higher densities correlate with higher passenger transport use, and that if these higher densities are located around main transport routes and junctions, this would contribute to more viable passenger transport systems (be it bus or train transport). Current densities, even with increased infill housing, are considered to be insufficient to enhance a viable passenger transport system.

This policy encourages the concentration of apartments within the *Community Environment* of the New Lynn and Henderson town centres, in particular, as a way of contributing to the viability of public transport systems. Medium-rise apartment developments are also provided for in the Crown Lynn Place area of New Lynn. Mid to high-rise apartments are not appropriate outside of the City's town centres.

While medium density housing has been occurring around town centres there is a need to encourage higher density development in the main town centres. Apartment living is actively encouraged, preferably as part of multi-storey, mixed use developments that contribute to the vitality and liveliness of the town centres, helping to develop a resident community, and to counter pressures for the continued outward spread of the urban area.

Medium density housing is provided for and encouraged in a wider range of residential areas including along key transport routes. Medium density housing in Living Environments that are distant from transport and community hubs is discouraged.

Methods

District Plan Rules:

- provision for Apartments;
- Apartment Design Criteria;
- provision for Medium Density Housing;
- Medium Density Housing Assessment Criteria.