

REPORT TO THE JOINT HEARINGS PANEL

WAITAKERE CITY DISTRICT PLAN

PROPOSED PLAN CHANGE 14 (HOBSONVILLE VILLAGE CENTRE)

File Reference : Report WCC 8B
Date : 31 January 2006

1 OUTLINE

This report considers submissions and further submissions which were received in response to proposed Plan Change 14 to the Waitakere City District Plan (referred to in this report as “the Plan Change”). Additional submissions to the Plan Change are considered in submission hearing reports under other topic headings.

This report has been prepared in accordance with section 42(a) of the Resource Management Act to assist the Joint ARPS and District Plan Changes Hearings Panel (“the Hearings Panel”) with its consideration of submissions received in respect of the Plan Changes.

The report discusses each submission or groups of similar submissions and includes a recommendation that has been made by staff preparing the report, **but it is not the decision of the Waitakere City Council (“the Council”)**. Recommendations are made following the summary of original submissions. However, in keeping with standard practice, recommendations are not directly made with respect to further submissions in support of or in opposition to the original submissions.

Submitters and further submitters are invited to attend the hearing and present evidence in support of their submissions for the Hearings Panel to consider. Alternatively if submitters and further submitters are unable to attend the hearing they may provide written evidence which will be tabled for the Hearings Panel to consider.

Following consideration of all the submissions and supporting evidence, if any, presented by the submitters and further submitters at the hearing to the Hearings Panel, the Hearings Panel will make recommendations to the Waitakere City Council. The Council will consider those recommendations and then make a decision concerning each submission.

The suggested amendments to the Waitakere City District Plan arising from the staff recommendations discussed throughout this report are listed in full in Appendix 1. The suggested amendments are set out in the same style as the Waitakere City District Plan. However, it should be noted that a number of submissions, that will be considered separately from this report, have sought broad amendments to the content and direction of other proposed changes and the inclusion of additional matters. This may result in some changes to the wording, structure and format of these provisions, which is not reflected in Appendix 1.

2 BACKGROUND

Proposed Plan Changes 14 ("the Plan Change") was notified on 31 March 2005 as a requirement of the Local Government (Auckland) Amendment Act 2004 ("the LGAAA"). Amongst other things, the Act required Auckland local authorities to prepare and notify changes to their district plans to provide for integrated land transport and land use provisions that are consistent with the Auckland Regional Growth Strategy.

The LGAAA and the relationship between the LGAAA and the Resource Management Act 1991 ("the RMA") is discussed further in section 3 of this report.

In response to the requirements of the LGAAA, Waitakere City Council publicly notified six Plan Changes (being Plan Changes 13 to 18 inclusive). The Plan Changes provide for:

- The establishment of three new peripheral urban growth areas, which are primarily intended to provide for the development of commercial and industrial activities (Plan Changes 13, 14 and 15); and
- The introduction of a new chapter in the Policy Section of the District Plan to provide additional objectives and policies concerned with the management of growth (Plan Change 16); and
- Specific rules and supporting policies intended to facilitate and encourage the intensification of development in and around the New Lynn town centre (Plan Change 17); and
- The establishment of new rules to more effectively manage the impacts of growth and intensification (Plan Change 18).

This report addresses those submissions that are specific to Plan Change 14. However, some submissions made on Plan Change 14 which concern general issues are addressed in other reports.

3 STATUTORY FRAMEWORK

3.1 LOCAL GOVERNMENT (AUCKLAND) AMENDMENT ACT 2004

The LGAAA requires 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 (ARGS), give effect to its growth concept and contribute to the matters specified in Schedule 5.

Part 2 of the LGAAA focuses on "Auckland Region land transport and stormwater" and includes sections 6 to 44. The purpose of Part 2 is set out in section 6:

The purpose of this Part is to-

- (a) *assign to the Auckland Regional Council principal responsibility for-*
 - i.) *setting the strategy for the Auckland regional land transport system; and*
 - ii) *integrating the planning, funding and development of the Auckland regional land transport system; and*

- iii) *stormwater funding in the long-term interests of the Auckland Region (to the extent that this function was, before the commencement of this Act, the responsibility of Infrastructure Auckland; and*
- (b) *establish the Auckland Regional Transport Authority and Auckland Regional Holdings to assist the Auckland Regional Council to discharge that responsibility; and*
- (c) *dissolve Infrastructure Auckland, and transfer its assets and liabilities to Auckland Regional Holdings and other organisations; and*
- (d) *require Auckland local authorities to prepare and notify changes to the policy statement and plans under the Resource Management Act 1991 to provide for integrated land transport and land use provisions that are consistent with the Auckland Regional Growth Strategy.*

The subsection of key interest here is section 6 (d). It is important to note that the test in section 6 (d) is one of consistency.

Section 40 on the extent of land transport and land use changes states:

- (1) *A land transport and land use change is a change or variation to an Auckland planning document by including issues, objectives, policies, and descriptions of methods for the purpose of-*
 - (a) *Giving effect, in an integrated manner, to the growth concept in the Auckland Regional Growth Strategy prepared under section 37SE of the Local Government Act 1974; and*
 - (b) *contributing, in an integrated manner, to the matters specified in Schedule 5.*
- (2) *A change for the purposes of subsection (1)(a) and a change for the purposes of subsection (1)(b) must, in relation to each other, be integrated.*

Section 40 (1) further underscores the importance of the ARGS by requiring changes or variations to give effect to the ARGS growth concept. The importance of integration is stressed through Section 40 (1) (b) and (2).

Schedule 5: Land transport and land use changes, indicates that for section 40 (1) (b) the matters are as follows:

- (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*
- (b) *managing transport and transport infrastructure, facilitating a multimodal transport network, and facilitating integrated transport management; and*
- (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*
- (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*
- (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.*

The matters that the LGAAA requires to be included in changes to statutory documents support the RMA's purpose of promoting sustainable management of natural and physical resources.

3.2 RESOURCE MANAGEMENT ACT 1991 PROVISIONS

The purpose of the RMA, as outlined in Part II of the Act, is the sustainable management of natural and physical resources. Part II also outlines the matters, including those matters of national importance, to which Council must have regard to and provide for in achieving that purpose.

The purpose of a district plan as outlined in section 72 is to assist Council to carry out its functions. Councils' functions are outlined in Section 31 as the control of actual and potential effects of the use, development or protection of land and associated natural and physical resources in order to achieve the purpose of the RMA. Councils are obliged to establish, implement and review the objectives, policies and methods to achieve this and can also include rules, which prohibit, regulate or allow certain activities.

Section 32(2) of the RMA 1991 requires a further "s.32" evaluation by the local authority before making any decision on submissions under clause 10 or clause 29(4) of Schedule 1 of the RMA 1991. As the preparation of recommendations is part of the process leading to decision by the Council, it is appropriate that the further evaluation be undertaken when preparing recommendations.

The evaluation must examine:

- (a) *the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
- (b) *whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*

Where the report recommends changes in response to submissions, the author has evaluated the recommended changes in accordance with (a) and (b) above and is satisfied that s.32 has been complied with. Where no changes are recommended, the original s.32 evaluation carried out in preparation of the notified Plan Change continues in effect.

3.3 THE RELATIONSHIP BETWEEN THE RMA AND THE LGAAA

The matters that the LGAAA requires be included in changes to statutory documents, that is, changes consistent with the Auckland Regional Growth Strategy (ARGS) and to give effect to its growth concept, can be taken as promoting the RMA's purpose of promoting sustainable management of natural and physical resources.

The impetus for the Auckland Regional Growth Strategy (ARGS) grew out of the statutory processes surrounding the region's first ARPS, and the region's desire to work together more strategically to enhance the region's future. Environmental protection and sustainable management of the region's natural and physical resources is central to the ARGS.

The Local Government Act (LGA 1974) gave statutory recognition to the Auckland Regional Growth Forum and legitimised work on a growth strategy through a 1998 amendment. Section SE37 stated that:

- (1) *The Auckland Regional Council must prepare and adopt a regional growth strategy for its region.*
- (2) *The objective of the strategy for the Auckland Region will be to ensure growth is accommodated in a way that meets the best interests of the inhabitants of the Auckland Region.*
- (3) *The regional growth strategy prepared under this section may include (but need not be limited to)*
 - (a) *Identification of the anticipated and preferred locations of growth within the Auckland Region:*
 - (b) *A statement of key values for considering growth issues:*
 - (c) *Information about future growth to assist regional providers of infrastructure to plan to meet future requirements:*

(d) *Such other matters as are considered appropriate.*

Subsection 4 required that an (Auckland) regional growth strategy not be inconsistent with any operative or proposed regional policy statement, while 5 provided for reviews.

It is acknowledged that the RMA and the LGAAA legislative language varies somewhat, and may give rise to a range of views about what is appropriate, and under what statute. For the avoidance of doubt, this hearing report assumes that the changes proposed are to meet the LGAAA requirements, and that these requirements fall within the RMA's requirements. Again, for the avoidance of doubt, if there are any doubts, or the appearance of potential conflicts between the two statutes and their requirements, the LGAAA, as the more specific legislation applies.

4 OTHER RELEVANT DOCUMENTS AND STRATEGIES

4.1 THE AUCKLAND REGIONAL GROWTH STRATEGY: 2050

4.1.1 An Overview

The ARGS represents the future vision for the Auckland region by its councils working jointly together in the Auckland Regional Growth Forum. It seeks to promote the sustainable management of the region's resources within a sustainable development framework. It was launched by Auckland councils in late 1999, with the then reviewed Regional Land Transport Strategy (ARLTS).

The strategy provides a vision for what Auckland could look like in 2050 when it may have a population of 2 million. It built on the policy approach in the Auckland Regional Policy Statement (ARPS). However it contrasts with the ARPS and District Plans that under the RMA are operative for 10 years, and tend to focus on a far shorter time horizon. The Auckland Regional Growth Strategy (ARGS) seeks to take an integrated strategic approach to regional growth management into the longer term. Its vision is to sustain:

- strong, supportive communities,
- a high quality living environment,
- a region that is easy to get around, and
- protection of the coast and surrounding natural environment.

The ARGS states that:

Three key themes relating to the major issues and growth pressures facing the Auckland region emerge from these prioritised desired outcomes. They are:

- desirable communities and diversity and choice optimised,
- accessibility optimised,
- natural and physical environment optimised.

When the ARGS was launched Auckland councils signed a Memorandum of Understanding committing themselves to its effective implementation through appropriate resourcing of growth work, committing to develop sector agreements within two years of the ARGS having been signed and implementing these.

One crucial aspect of implementation includes ongoing changes to RMA policy statements and plans to incorporate relevant aspects of the ARGS and its sector agreements.

4.1.2 The Growth Concept

The “Growth Concept” is a snapshot of how the region could look at 2050 if growth is managed according to the vision, outcomes and principles.

Key features of the “Growth Concept” are:

- that growth will be managed by promoting quality, compact urban environments (intensification) to assist with managing the effects of growth;
- most growth within the existing metropolitan area with development outside current urban limits only where environmental, accessibility and community principles can be met;
- most urban growth focused around town centres and major transport routes to create higher density communities, with a variety of housing, jobs, services, recreational and other activities (mixed use);
- much less emphasis on general infill throughout suburban areas;
- development of the most highly valued and sensitive natural areas is avoided.

Looking out to 2050, some expansion in new green field areas was seen as necessary to provide sufficient land and locational choice for dwellings and businesses. If all proposed green field development proceeds the Auckland region’s metropolitan area may increase by about 10% or 5000 hectares, over the 50-year timeframe.

By 2050, more than a quarter of the population (more than 500,000 people) could be living in higher density, multi-unit accommodation compared with less than an eighth or 125,000 people in 1996. However, even after 50 years, 70% of people could still live at lower densities in the suburbs and rural areas.

It is acknowledged that the LGAAA requirement to give effect to the growth concept, is somewhat problematic for the Section 32 evaluation. The Auckland Regional Growth Strategy (ARGS) is a broad brush strategic document, reliant on technical and consultative work done to underpin it but which is not part of it. The ARGS notes that:

The Growth Concept is essentially a snapshot that illustrates how the Growth Forum believes the region could look in the year 2050 if growth is managed according to the vision, outcomes and principles contained in the strategy. The Growth Concept provides one possible future scenario for the Auckland region. The use of sector and local area agreements provides flexibility for a number of alternative scenarios to eventuate at a sector level. Therefore sector and local area agreements may result in changes to this Growth Concept as other options are assessed against the vision, priority outcomes and principles and agreed by the Growth Forum and its members at a sector level. (p27)

In other words, further work may raise issues with the focus of growth in a specific area, and which could compromise the vision, outcomes and principles. Maintaining the commitment to the ARGS may require reconsideration of detailed aspects of sector and other agreements and thus changes to them, and to the growth concept.

In addition, further technical work may well be needed to implement sector agreements and to include relevant aspects in district plans. At times, such work may require details of sector agreements to be reconsidered and may result in changes to them.

The way that the ARGS is set up is important. It outlines a vision, key principles and outcomes with a growth concept; these are to be implemented through Memoranda of Understanding between the councils (and also with others), through the development of sector agreements, and sector agreement implementation of these through various mechanisms including changes to statutory documents. The ARGS broad brush picture is expected to remain the largely the same or similar, but the specifics may alter.

Each step in the process enables further consideration of whether what was envisaged in the higher, more general document actually continues to be a good fit with the ARGS vision, principles and outcomes, or whether further refinement is necessary. The ARGS acknowledges it is a living

strategy. Consequently, reviews are important and implementation needs to reflect emerging issues.

4.1.3 The Northern and Western Sectors Agreement

The Memorandum of Understanding signed by the Regional Growth Forum members committed the members to sector-based agreements as a method of implementing the ARPS. Four geographic sectors were identified in the ARGS. Issues for the northern and western sectors are combined in the Northern and Western Sectors Agreement, October 2001. This was prepared by North Shore City Council, Rodney District Council, Waitakere City Council and Auckland Regional Council who are signatories to the agreement.

The sector agreements are an important tool for implementation of the ARGS. However, they are not a statutory document, nor are they incorporated by reference into the LGAAA, and were not expressly prepared under other legislation. Therefore there is no requirement to “have regard to” or “give effect to” sector agreements. Nevertheless where a submission refers to the Northern and Western Sectors Agreement, then regard may be had to the sector agreement within the context of that submission. Also the implementation of the sector agreement may be given as a reason for a particular recommendation on a submission.

4.3 THE NEW ZEALAND COASTAL POLICY STATEMENT

The New Zealand Coastal Policy Statement (NZCPS) is a national policy statement containing policies on the coastal environment. The Waitakere City District Plan must give effect to the NZCPS.

The land area subject to the Plan Change is some distance from the coastline and is not part of the coastal environment. Therefore many of the policies in the NZCPS are not directly applicable to the Plan Change. However, changes to landuse in the catchment subject to the Plan Change have a theoretical potential to affect the adjacent Waitemata Harbour through stormwater runoff or other discharges. Therefore those NZCPS policies concerned with coastal water quality and the effects of land use on coastal water and ecology are relevant. No submissions expressly refer to the NZCPS, but Section 5.12 of this report addresses relevant submissions concerned with storm water and its potential effects on the coastal environment.

4.4 THE AUCKLAND REGIONAL POLICY STATEMENT

The Auckland Regional Policy Statement (ARPS) sets regional policy. The ARPS contains a variety of policy relating to management of urban growth. This includes relatively detailed new policy introduced by Proposed Change 6 to the ARPS under the LGAAA.

The Waitakere City District Plan must give effect to the ARPS and the new policy introduced by Proposed Change 6 is relevant to Proposed Plan Change 15. However, Proposed Change 6 is not operative yet and the Regional Council has not made decisions on submissions to Proposed Change 6. At the time of writing of this report, it was not clear what sequence is to be followed in the release of decisions on Proposed Change 6, relative to release of decisions on the proposed changes to the district plans.

Some submissions have raised consistency with the ARPS as an issue.

4.5 THE AUCKLAND REGIONAL PLAN: COASTAL

The Auckland Regional Plan: Coastal (ARPC) contains policy and rules relating to the coastal marine area. While the area of land subject to the Plan Change is not in the coastal marine area, the ARPC does contain policy relating to effects on the coastal marine area of the discharges from land-based activities. No submissions have expressly raised consistency with the ARPSC as an issue.

4.6 THE AUCKLAND REGIONAL PLAN: AIR, LAND AND WATER

The Auckland Regional Plan: Air, Land and Water(ARPALW) contains policy and rules relating to air quality, water quality, water quantity, alteration of water bodies and other related matters. Some of this policy is relevant to the Plan Change. No submissions have expressly raised consistency with the ARPALW as an issue.

4.7 THE AUCKLAND REGIONAL PLAN: SEDIMENT CONTROL

The Auckland Regional Plan: Air, Land and Water (ARPSC) contains policy and rules relating to land disturbance. Some of this policy is relevant to the Plan Change. No submissions have expressly raised consistency with the ARPSC as an issue.

4.8 THE WAIAROHIA INTEGRATED MANAGEMENT PLAN

The Waiarohia Integrated Catchment Management Plan is a storm water network discharge consent application which has been lodged with the Auckland Regional Council. This consent application is referenced as application 25692. The application is for storm water discharge for the entire Hobsonville Peninsula Catchment, which includes the entire land area subject to the Plan Change. The application was notified for public submissions in 2006, but the Auckland Regional Council has made an administrative decision to delay further processing of the application until after the relevant LGAAA decisions are released.

Submissions concerned with consistency between the Waiarohia Integrated Catchment Management Plan and Proposed Plan Change 14, or with storm water generally are addressed in section 5.12 of this report.

5.0 DISCUSSION OF SUBMISSIONS

5.0.1 Section Outline and Summary of Issues

The original submissions and further submissions have been summarized by the Auckland Regional Council. In this report the summaries of submissions are grouped into general topics presented in order ranging from general issues at the front, to more specific or detailed matters towards the end.

Amendments to the Plan Change text arising from submissions are attached as Appendix 1

Amendments to the Plan Change Maps arising from submissions are attached as Appendix 2. A table of changes has been prepared to assist the Panel with their consideration of the changes to the various Maps.

The grouping of the submissions (and the relevant Report Section Number) is as follows.

5.1	Retain Plan Change
5.2	Reject Plan Change
5.3	General District Plan Objectives
5.4.1	Policy 11.39
5.4.2	Policy 11.40
5.4.3	Policy 11.41
5.4.4	Policy 11.43
5.5	Precinct Layout / Location
5.6	New Precinct To Be Included
5.7	Retail Policies
5.8	Retail Rules
5.9	Residential Intensity
5.10	Building Design
5.11	Transport Matters
5.12	Storm Water

5.13	Riparian Margins
5.14.1	Reverse Sensitivity
5.14.2	Hobsonville Primary School Issues
5.14.3	Wine Making
5.15	Heritage
5.16	Comprehensive Development Plan
5.17.1	General Rule issues
5.17.2	Specific Rule Issues
5.18.1	General Assessment Criteria
5.18.2	Specific Assessment Criteria
5.19	Process Issues
5.20	Plan Change 16

5.1 Retain Plan Change

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

Discussion:

These submissions support Plan Change 14 in general, for the reasons given in each of the submissions. The support of these submitters is acknowledged and is taken into account in

consideration of other submissions requesting changes to the Plan Change. Some changes are recommended to the Plan Change elsewhere in this report, in response to other submissions by both these and other submitters. However, these recommended changes should not adversely affect the favourable attributes within the Plan Change identified by these submitters.

Recommendation:

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

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
256/41	Rodney District Council	Retain the Plan Change 14 subject to the outcome of Rodney District Council's further business research being undertaken in Western Rodney in consultation with Waitakere City Council.	Opposed By: 108 Progressive Enterprises Limited

Discussion:

The research project referred to in the submission is entitled "*Economic Development Trends in the Rodney District Western Sector*", and is dated April 2006. The report is supportive of possible growth of industrial/business estates in the Massey North / Hobsonville Village Corridor. This is considered to offer the potential for closer employment opportunities for the growing population of residential commuters in the west of Rodney, which would support objectives in Vision Rodney for local employment and reduced commuting. This is particularly the case if (as is expected) sufficient industrial/business growth in Kumeu/Huapai and Helensville keep pace with expected residential population growth in the west.

For that reason, the submission is accepted, and no amendments to the Plan Change are required to occur as a result of the submission.

Recommendation:

Submission 256/41 is accepted.

5.2 Reject Plan Change

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
198/10	PARANZ Limited	Delete in its entirety.	Supported By: 264 Centre for Urban and Transport Studies Opposed By: 208 Sylvia Park Business Centre Limited 204 The Waitakere Ranges Protection Society Incorporated

Discussion:

The submitter seeks that the Plan Change be deleted, along with all other plan changes proposed under the LGAAA. The LGAAA requires, amongst other things, that Auckland local authorities are to prepare and notify changes to the District Plans in order to provide for integrated land transport and land use provisions that are consistent with the Auckland Regional Growth Strategy. This submission asserts that "The proposal does not prevent or correct 'urban sprawl' or ensure high standards of urban (or rural) design. It encourages higher urban densities without addressing the social problems that occur."

Waitakere City has proposed the development of Hobsonville Village Centre, and while it is development of a greenfield site, it is not uncontrolled sprawl. Careful consideration has been

given to integration with transport systems, and the urban design of the Industrial and Retail Precincts within this Special Area. The provisions of Plan Change 14 will ensure a high quality of urban design.

It is recommended that the Plan Change is not rejected. Subject to proposed amendments suggested elsewhere in this report, it is considered that the Plan Change achieves the purpose of the Resource Management Act and the LGAAA and should be retained.

Recommendation:

Submission 198/10 is rejected

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

Discussion:

This submitter seeks the revocation of Plan Change 14, for several reasons. The submitter considers that:

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

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

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

Table 10 : Sequencing of Future Growth Areas
Sequence Growth Areas

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

The Sector Agreement also states:

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

and

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

Planning for the Hobsonville Corridor commenced in 2001, and Plan Change 14 is part of the outcome from that concept planning. Plan Change 14 represents approximately 50% of the Hobsonville Corridor, in line with Table 10. The fact that Plan Change 14 was notified as part of the LGAAA process recognises the lead-in times associated with enabling land to be utilised for urban purposes. It is possible that the Resource Management Act statutory processes for Plan Change 14 may not be resolved until 2010 / 2011, which then falls within the sequencing identified in Table 10 (i.e the Sectors Agreement was agreed in 2001, 10 years from that time is 2011. For that reason, the submitter's view that Plan Change 14 departs from the principles of the Regional Growth Strategy and the Sectors Agreement does not have merit.

The Plan Change was prepared as part of the LGAAA initiative, and the Council undertook consultation with its neighbouring territorial local authorities and the regional Council, including presentation of draft concept plans to the councils. The Council also undertook public consultation on the draft plan changes for the Hobsonville Corridor via community drop-in days. For that reason, the submitter's view that consultation on Plan Change 14 was inadequate does not have merit.

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

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

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

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

Recommendation:

Submission 251/48 is rejected

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

			Transport Authority 259 Transit New Zealand 205 Fulton Hogan Limited (1)
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Discussion:

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

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

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

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

In the interim it is inappropriate to disallow any development based on speculation as to future use of the Whenuapai airfield, as Waitakere City has a predicted shortfall of suitable employment land. This is being addressed proactively via the Hobsonville Village Centre Precinct A. It is unlikely that the whole of the remaining Whenuapai/Hobsonville area could or would be developed as one single MUL shift because of the difficulties of integrating transport and infrastructure over such a large area in one process. Therefore any future shifts of the MUL will of necessity be discrete. The current proposed extension to the Metropolitan Urban Limit at Hobsonville Village Centre is a suitably discrete shift, in the context of surrounding land use and the construction of new State Highway 18.

Future development of Redhills is anticipated within the Northern and Western Sectors Agreement 2001. That agreement delays urban development of the Redhills area until after 2021 in order to provide an integrated approach to urban development within the Northern Strategic Growth Area. It would be inappropriate to zone the area for urban development at this point in time. No change is recommended.

Recommendation:

Submission 298/45 is rejected.

5.3 General District Plan Objectives

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

Discussion:

The submitters' support Plan Change 14 provided it is in accordance with a centres-based policy for retail and business development. The submitter also seeks consistency with the Regional Policy Statement and the other relief sought in the numbered submissions referred to.

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

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

Equally as important, the policy also recognises a need to respond to the important economic and social needs of the community, represented by the physical environment within town centres. That physical environment has a heavy reliance on the retail sector and amenity values and could suffer through the unmanaged establishment of retail development elsewhere. It is important to ensure the positive effects on amenity values that are derived from the concentration of retail and community facilities are recognised, provided for and maintained. It is also noted that the above strategies have been fully tested by the planning process (including appeals to the Environment Court) and is now operative.

Plan changes 13-18 have been prepared in accordance with this policy and provide for a new town centre at the Hobsonville Village Centre and at Massey North while also consolidating and revitalising its town centre at New Lynn. At the same time, Plan Change 14 is focused on business and industry activities with a compact mixed use town centre. It is considered that these proposed plan changes are consistent with a centres-based policy and the regional instruments referred to in the submission. Furthermore, it is considered that the plan changes are consistent with the provisions of the LGAAA as it promotes town centres and associated urban form that are favourable to establishing efficient public and land transport systems.

On this basis it is recommended that this submission be accepted in part insofar as it supports Plan Change 14, on the basis that it is consistent with a centres-based policy and is consistent with the Regional Policy Statement. This is expanded upon in the specific policies (and amendments recommended arising from other submissions) within the Plan Change. These specific policies are 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 City.

Recommendation:

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

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

Discussion:

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

Part 3 of the District Plan's Policy Section seeks to briefly discuss the various elements of the natural and physical resources that combine to form the City. This submission supports the Council's approach in Part 3.7 of that Section of the District Plan. Part 3.7 discusses the role that local environments and neighbourhoods play in providing residents with a sense of place. Part 3.7 discusses each discrete area of the City in turn, and Plan Change 14 seeks to insert an aggregated statement about Hobsonville Airbase (Plan Change 13), Hobsonville Village Centre (Plan Change 14) and Massey North (Plan Change 15).

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

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

Equally as important, the policy also recognises a need to respond to the important economic and social needs of the community, represented by the physical environment within town centres. That physical environment has a heavy reliance on the retail sector and amenity values and could suffer through the unmanaged establishment of retail development elsewhere. It is important to ensure that the positive effects on amenity values that are derived from the concentration of retail and community facilities are recognised, provided for and maintained. It is also noted that the above strategies have been fully tested by the planning process (including appeals to the Environment Court) and are operative.

Plan Changes 13-18 have been prepared in accordance with this policy and provide for a new town centre at the Hobsonville Village Centre (amongst other things). Plan Change 14 is focused on business and industry activities with a compact mixed use town centre. It is considered that this Plan Change 14 is consistent with a centres-based policy and the regional instruments referred to in the submission. Furthermore, it is considered that the Plan Change is consistent with the provisions of the LGAAA as it promotes town centres and associated urban form that are favourable to establishing efficient public and land transport systems.

On this basis it is recommended that this submission be accepted in part insofar as it supports Plan Changes 13, 14 and 15 on the basis that they are consistent with a centres-based policy and are consistent with the ARGS and RPS. This is expanded upon in the specific policies associated with each Plan Change. These specific policies are 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 City.

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

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

		108 Progressive Enterprises Limited
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Discussion:

The submitter's concern is mainly focussed at the existing urban development to the south of the area that is the subject of the Plan Change. This land is mainly residential in nature and is within the Metropolitan Urban Limit, with mixed use / retail in the vicinity of the intersection of Wiseley and Clark Roads with the existing State Highway 18. The focus of Plan Change 14 has been the land subject to inclusion in the Metropolitan Urban Limit. The Council is aware that the area existing development south of the Plan Change requires further consideration. This could be the subject of future planning, especially adjacent to Plan Change 14's Precinct B. That planning would precipitate changes to the urban form of that area. The Concept Plan contained within Plan Change 14 (and amendments made to it via the consideration of submissions) does not preclude the redevelopment of the land to the south, and the revised Concept Plan can provide the basis for that planning.

In terms of the industrial frontage to the existing Hobsonville Road, (as contained in Precinct A), it is expected that a variety of industrial uses will locate along this road, creating a mixed use transit corridor. The Council's intention for Precinct A is to avoid residential encroachment into this employment land and the consequential reverse sensitivity issues that could arise. A mixed use planning approach in Precinct A based on an industrial / residential mix is not appropriate.

Recommendation:

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

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

Discussion:

Plan Change 16 is an important component of the Council's LGAAA response, and Objective 0 seeks to provide the outcomes for Waitakere City's development and re-development. The Objective includes an Explanation relating to the land contained within Plan Change 14, and this is expanded upon in Policy 0.9 in Plan Change 16 and Policies 11.39, 11.40, 11.41, 11.42 and 11.43 in Plan Change 14. This Objective and these policies articulate the Council's vision for the area, and seek to achieve the objectives of the LGAAA, the Growth Concept, and the Regional Policy Statement. Consequently the addition of a specific objective for the Hobsonville Village Centre is not required.

It is, however, appropriate that the text within Policy Section 3.9, which describes the Special Area, be amended to more accurately reflect the nature of the Hobsonville Village Special Area.

The Plan Change also has two general Policies (numbered 11.38 and 11.39), followed by four policies, one of which applies to each Precinct. It is appropriate to amend Policies 11.38 and 11.39 to better reflect the matters sought by the submitter. Along with other amendments to these two Policies that have been sought by the Auckland Regional Council and other submitters (see Transit

NZ submissions 259/6 and 259/7, Waitakere City Council submission 257/190 and Westfield submission 107/61) the recommended changes amount to acceptance in part of this submission.

Recommendation:

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

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

Discussion:

The word “should” occurs 13 times and the word “may” occurs once in the new policies and existing policies that are amended via Plan Change 14. It is important that policies provide clear and certain guidance on what the District Plan is seeking from Plan Change 14. To this end the use of the word “shall” is more directive than the word “should” or “may”, and is appropriately used in Policies 11.38, 11.39, 11.40 and 11.41. The use of the word “should” is, however, appropriately used in Policy 11.42 which relates to Precinct C, the existing Primary School on Hobsonville Road. This terminology amendment will be incorporated into any other amendments to these Policies arising from other submissions.

Recommendation:

Submission 258/200 is accepted in part.

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

Discussion:

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

Recommendation:

Submission 257/196 is accepted.

5.4 District Plan Special Area Policies

5.4.1 District Plan Policy 11.39

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

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

This submission supports Policy 11.39, and seeks to ensure that the policy protect the integrity of Precinct B as a retail and mixed use area with high employment opportunities. This support is based on Policy 11.39 being consistent with a centres based strategy and the consistency with the policies for the rest of the Hobsonville Village Centre.

A centres-based policy is an important component of the Council’s overall strategy for urban consolidation and its obligations to provide integrated land transport and land use provisions consistent with the ARGS and the LGAAA. The Plan promotes a hierarchy of business development sequencing with the centralisation of retail and business activities, particularly within existing and proposed town centres at the top of this hierarchy. A secondary hierarchy applies to the periphery of town centres for activities that are not well accommodated within them. The

strategy also enables a third hierarchy for certain business/industrial development along specifically identified major roads. This is the case with the proposed business/industrial corridor between Hobsonville Road and the new motorway extension (Plan Change 14).

A focus of the Council's centres-based policy is the concentration of retail and mixed use activities in town centres and on existing and/or proposed passenger transport routes. This is the basis for making land available adjacent to the Brighams Creek State Highway 18 Motorway interchange.

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

It is recommended that this submission be accepted in part, insofar as it supports Plan Change 14 on the basis that it is consistent with a centres-based policy.

Recommendation:

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

5.4.2 District Plan Policy 11.40: Special Area Precinct A

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

Discussion:

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

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

A focus of the Council's centres-based policy is the concentration of retail activities in town centres and on existing and/or proposed passenger transport routes. Equally as important, the strategy also recognises a need to respond to the important economic and social needs of the community and the wider region, represented by the industrial land being made available adjacent to the town centre and the Brighams Creek motorway interchange.

Plan Change 14 is focused on business and industry activities with a compact mixed use town centre. It is considered that this proposed plan change is consistent with a centres-based policy and the regional instruments referred to in the submission. Furthermore, it is considered that the

plan change is consistent with the provisions of the LGAAA as it promotes town centres and associated urban form that are favourable to establishing efficient public and land transport systems.

On this basis it is recommended that this submission be accepted in part, insofar as it supports Plan Changes 14 on the basis that it is consistent with a centres-based policy.

Recommendation:

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

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

Discussion:

This submission seeks to clarify the policy outcomes being sought in both Precinct A and B in Plan Change 14. The amendments seek to provide greater certainty about what activities occur in both Precincts. The submitter seeks change in the text to provide greater policy guidance on the nature and function of retailing in Precincts A and B. The amendments relating to Precinct A seek to ensure that the Precinct acts as an industrial and manufacturing area with extensive employment opportunities.

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

The submitter also seeks to ensure that the urban design component of Precinct A is clarified, so that employees and visitors to the area experience a level of amenity value associated with street design. This links to the assessment criteria in Rule 25.2 and the Street Frontage Controls.

It is considered that these amendments clarify and provide certainty about the role and function of Precincts A and B, and provide guidance on urban design issues. Consequently this submission is accepted.

Recommendation:

Submission 257/197 is accepted in part.

5.4.3 District Plan Policy 11.41: Special Area Precinct B

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
182/7	Palmers Gardenworld Ltd	Amend Policy 11.41 along with its associated explanation to distinguish between the different types of retail activity and in particular to recognise that large format and yard based retail activities such as garden centres may be appropriate outside the Precinct B.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd Opposed By: 259 Transit New Zealand 250 Auckland Regional Council 108 Progressive Enterprises Limited 300 IMF Westland Ltd

Discussion:

The area of land between Sinton Road and Brighams Creek Road has approximately 250 metres of frontage to Hobsonville Road. It was identified as part of Precinct A when Plan Change 14 was notified. The western-most land holding contains an existing retail activity (a Palmers Gardenworld). It is appropriate to include the two land holdings south of the indicative road within Precinct B. This is because it is likely that these sites will be utilised for commercial purposes. A "Commercial" identification on the Concept Plan and inclusion in the area that requires a comprehensive development plan resource consent will ensure that the appropriate District Plan Policies and Rules apply in this area.

Recommendation:

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

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/191	Waitakere City Council	Amend the wording of Policy 11.41 by deleting those words struck through, and adding those in italics and underlined: " <u>New</u> Policy 11.41	Supported By: 95 Housing New Zealand Corporation (1) Support and Opposed By: 300 IMF Westland Ltd

		<p>The Mixed Use Town Centre - Precinct B</p> <p>The Mixed Use town centre - Precinct B has been identified</p> <p>The Mixed Use town centre precinct provides opportunities to combine land use activities in close proximity to Hobsonville Peninsula and public open space. <u><i>This anticipates retail, mixed use and commercial activities, but industrial activities shall be avoided.</i></u> The 400m radius from the middle of the Mixed Use town centre will encourage medium density housing to establish within that area, thereby encouraging further public transport routes in the locality.....</p> <p>Explanation</p> <p>The Mixed Use Precinct will consolidate retailIt will be important to maintain quality urban design outcomes as this centre will serve communities at Hobsonville <u><i>Village Centre</i></u>, Hobsonville Peninsula and is the first centre visible from the SH18 for people travelling from North Shore City.”</p>	
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Discussion:

This submission seeks to clarify the policy outcomes being sought in Precinct B in Plan Change 14. The amendments seek to provide greater certainty about what activities occur in the Precinct. The submitter seeks changes in the text to provide greater policy guidance on the nature and function of retailing in Precinct B. The amendments relating to Precinct B seek to ensure that the Precinct acts as a retail area.

The amendments relating to Precinct B seek to ensure that Policy 11.41 protects the integrity of Precinct B as a retail and mixed use area with extensive employment opportunities, rather than a Precinct that enables industrial activities – that type of activity is enabled elsewhere.

It is considered that these amendments clarify and provide certainty about the role and function of Precinct B. Consequently this submission is accepted.

Recommendation:

Submission 257/191 is accepted.

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

		<u>will consist of small scale retail and retail services consistent with the requirements to service a neighbourhood catchment.</u>	
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Discussion:

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

Recommendation:

Submission 300/22 is accepted in part.

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

Discussion:

The submitter is seeking greater certainty about the planning controls for Precinct B. As part of the LGA(A)A plan changes, Waitakere City Council notified Proposed Plan Change 18, introducing urban design rules. The urban design rules have been prepared to achieve several purposes, and consequently not all the Rules are appropriately applied in Precinct B. Where it is appropriate, these rules should be identified in the "Rule 25.4 Other Rules Applying" part of the Rules.

The Plan Change as proposed had few controls on street frontage, and most of those were focused upon the existing Hobsonville Road. As a result of submission 250/146, which the report accepts in part, Precinct B is recommended to have a comprehensive development plan. This comprehensive development plan will include the requirement for the application of the relevant street frontage typology from City Wide Urban Design Rule 3 in Precinct B. To assist with providing certainty for Plan users, a new Map is introduced via this submission that clearly identifies the Street Frontage Typologies that apply in Precinct B.

Street frontage requirements for Precinct A are appropriate along the existing Hobsonville Road, as the amenity values for industrial areas such as Precinct A are accepted to be less than retail areas. Consequently street frontage requirements are only included on the Concept Plan along Hobsonville Road, with consequent policy and rule changes.

Recommendation:

Submission 250/154 is accepted in part.

5.4.4 District Plan Policy 11.43: Special Area Precinct D

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

Discussion:

Housing New Zealand support the retention of Precinct D as Open Space Environment, as it provides amenity values for the future adjacent residential development in the Hobsonville Village Precinct I. The Council considers it appropriate to retain this area of green space at this time.

Recommendation:

Submission 95/29 is accepted.

5.5 Precinct Layout / Location

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
107/64	Westfield (New Zealand) Limited	Amend the plan change so that the area bordered by Sinton Road and Hobsonville Road, west of the proposed new indicative road, zoned as Precinct B - Mixed Use Town Centre be rezoned as Industry - Precinct A, and that Appendix XIX: Hobsonville Village Centre Urban Concept Plan be amended accordingly.	Supported By: 300 IMF Westland Ltd Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd Support and Opposed By: 208 Sylvia Park Business Centre Limited
108/85	Progressive Enterprises Limited	Amend the plan change so that the area bordered by Sinton Road and Hobsonville Road, west of the proposed new indicative road, zoned as Precinct B - Mixed Use Town Centre be rezoned as Industry - Precinct A, and that Appendix XIX: Hobsonville Village Centre Urban Concept Plan be amended accordingly.	Supported By: 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd

Discussion:

The submitters are seeking a reduction in the size of Precinct B, on the basis that the area of land identified on the Concept Plan exceeds that which is necessary for a retail centre. The description of the land that the submitter is discussing is confusing, as it appears that the land that is described is located in Precinct A. Nevertheless, the Council has reviewed the extent of the Precinct B, and considers it appropriate to retain the existing identification on the Concept Plan, as this provides sufficient land to ensure that a viable retail centre is established.

Recommendation:

Submissions 107/85 and 108/85 are rejected

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
182/4	Palmer's Gardenworld Ltd	Delete from Appendix XIX the 'indicative road' shown along the north-eastern boundary of the Palmer's site on the corner of Brigham Creek and Hobsonville Roads.	Opposed By: 300 IMF Westland Ltd

Discussion:

The Concept Plan has endeavoured to provide connectivity of the roading network throughout the area of land contained within Plan Change 14. This has occurred to assist with meeting the goals

of the LGA(A)A, in terms of connecting land use and transport. As the existing Hobsonville Road is a State Highway, access is limited by Transit New Zealand. Consequently a secondary roading network is important to enable access to the interior of the land that will be developed within the Plan Change. The removal of the indicative road, as requested by the submitter, will act to reduce access and connectivity within that part of the Plan Change, as so that request is rejected.

Recommendation:

Submission 182/4 is rejected

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
182/8	Palmers Gardenworld Ltd	Amend Plan Change 14 to either: a. Extend Precinct B to the intersection of Brighams Creek Road and Hobsonville Road and provide for large format and yard based retail activities such as garden centres as a permitted activity within the precinct; or b. Rezone the Palmers site on the corner of Brighams Creek and Hobsonville Roads to Precinct B and provide for large format and yard based retain activities such as garden centres as a permitted activity within the precinct; or c. Provide for large format and yard based retail activities such as garden centres as a permitted activity in Precinct A; or d. Provide for garden centres as a permitted activity on the Palmers site on the corner of Brighams Creek and Hobsonville Roads.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd Opposed By: 259 Transit New Zealand 108 Progressive Enterprises Limited 300 IMF Westland Ltd

Discussion:

The area of land between Sinton Road and Brighams Creek Road has approximately 250 metres of frontage to Hobsonville Road. It was identified as part of Precinct A when Plan Change 14 was notified. The western-most land holding contains an existing building (a Palmers Gardenworld). It is appropriate to include the two land holdings south of the indicative road within Precinct B. This is because it is likely that these sites will be utilised for commercial purposes. A "Commercial" identification on the Concept Plan and inclusion in the area that requires a comprehensive development plan will ensure that the appropriate District Plan Policies and Rules apply in this area. Consequently option A as requested by the submitter is accepted in part, in terms of the land being re-identified on the Concept Plan to enable a commercial use, but not to the extent that large format retail is enabled to occur.

Recommendation:

Submission 182/8 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
334/1	G & D Laurenson	Amend Appendix XIX to alter the alignment of the indicative roads in the vicinity of 110	Opposed By: 107 Westfield (New Zealand)

		Hobsonville Road as shown on the plan attached to the submission.	Limited 108 Progressive Enterprises Limited
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Discussion:

The submitter seeks the relocation of an indicative road that is located along the eastern boundary of 110 Hobsonville Road. Following the Council review of this matter, it became clear that the relocation of this indicative road to the western side of 110 Hobsonville Road was appropriate. The new location improves the connectivity and efficiency of the roading network, and enables a standard cross intersection to be developed in conjunction with Suncrest Drive, rather than the "dog leg" intersection as proposed on the Concept Plan. On that basis the submission is accepted, and the Concept Plan is revised accordingly.

Recommendation:

Submission 334/1 is accepted.

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

Discussion:

The submitter seeks the realignment of the indicative roads in the western part of Precinct A. Following the Council review of this matter, it became clear that the location of these indicative roads was appropriate. The new alignment improves the connectivity and efficiency of the roading network, and provides a more efficient alignment with the boundary of Precinct C and enables a standard cross intersection to be developed in conjunction with Suncrest Drive, rather than the "dog leg" intersection as proposed on the Concept Plan. On that basis the submission is accepted in part in that the indicative roads have been realigned, but not as requested by the submitter. The Concept Plan is revised accordingly.

Recommendation:

Submission 312/4 is accepted in part.

5.6 New Precinct To Be Included

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
205/2	Fulton Hogan Limited (1)	Amend the Plan Change to increase the extent of land to be rezoned for urban purposes pursuant to the Plan Change by enlarging the Hobsonville Village Special Area to include all those areas shown as falling within the Hobsonville Village Centre Urban Concept Plan on the plan attached in Annexure 1 of this submission.	Supported By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited Opposed By: 259 Transit New Zealand
205/3	Fulton Hogan Limited (1)	Amend the Plan Change by replacing the proposed Hobsonville Village Centre Concept Plan with the plan attached in Annexure 1 of this submission, or a plan to similar effect.	Supported By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited
205/4	Fulton Hogan Limited (1)	Amend the Plan Change, if it is considered necessary and appropriate by the Council, to introduce provisions that: <ul style="list-style-type: none"> • Either provide a mechanism for the details of the Concept Plan to be developed further (e.g. through a resource consent process for a comprehensive development plan); or 	Opposed By: 108 Progressive Enterprises Limited

		<ul style="list-style-type: none"> • Introduce additional criteria for the assessment of resource consent applications regarding the additional land sought to be zoned for urban purposes pursuant to this submission to ensure that such land is developed in an integrated and efficient manner. 	
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Discussion:

The submitter is seeking to have land that is located immediately to the west of Precinct C (the Hobsonville Primary School) included within the Metropolitan Urban Limit, included in the Hobsonville Village Centre Special Area, and re-identified for urban purposes. The submitter has also made a submission requesting the inclusion of the land to the Auckland Regional Council's Proposed Plan Change 6 (Submission 205/1).

The submission has a great deal of merit, in terms of improving the connectivity of the roading network, providing an additional area for the functioning of the school, the possibility of a pick-up/drop-off area for school children (that is not located on Hobsonville Road) and/or landscape buffering for school activities. The Council has discussed the relief sought with the submitter prior to this hearing. The Council has indicated in its Proposed Plan Change 16 that the land subject to this submission is sequenced for development after 2011, and that this parcel of work has "Medium Priority". Acceptance of submission 205/1 by the Auckland Regional Council and submissions 205/2 – 205/4 would amount to bringing this piece of land forward in the sequencing of development in the Hobsonville Corridor.

To facilitate the development of land in Plan Changes 13, 14, 15 and 17, the Council has applied to the Auckland Regional Council for network discharge consents based upon integrated catchment management plans for the land located within each Plan Change. The land that is the subject of the submitter's submissions has not been modelled as part of that network discharge consent application. This means that the development of this land for urban purposes could not proceed until such time that further modelling has been completed, and either a new or amended network discharge consent had been approved by the Auckland Regional Council.

The submitter indicates in the submission that the land that would become part of the Hobsonville Special Area would (in submission paragraph (G)(iv)) be available for employment generating activities. This aligns with the Council's strategic goals for the Hobsonville Corridor in terms of connecting land use and transport, and providing local jobs for residents who live in the area.

If the Auckland Regional Council accept the relief sought in 205/1 and amend the alignment of the Metropolitan Urban Limit, the appropriate policy and rule framework for the land in the Waitakere City District Plan is to include it in Precinct A. Amendments to the Hobsonville Village Centre Urban Concept Plan would also be required. Additional provisions would need to be included in the policy and rule framework for Precinct A to require an integrated catchment management plan and consequent network discharge consents and a transport audit for the land area. Consultaion with the Auckland Regional Council, the Auckland Regional Transport Authority and Waitakere City Council would be required on these matters.

If the Auckland Regional Council do not accept the relief sought in 205/1, the land will remain as Countryside Environment and be subject to the sequencing provided for in Schedule Y of Plan Change 16.

Consequently the relief sought by the submitter is accepted in part. Any such relief decided by Waitakere City Council is subject to a preceding decision by the Auckland Regional Council in relation to submission 205/1. Until such time as the decision of the Auckland Regional Council is known, no amendments have been recommended to either the Plan Change 14 policy and rule framework, nor to the Hobsonville Village Centre Urban Concept Plan.

Recommendation:

Submissions 205/2, 205/3, and 205/4 are accepted in part, with no amendments to the Plan change.

5.7 Retail Policies

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
109/83	The Warehouse Ltd	Delete the 2nd sentence of Policy 11.39 and replace with: <i>"This special area should accomodate the full range of retail format to enable residents of the area to enjoy the benefits of competition and consumer choice".</i>	Opposed By: 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
110/83	Warehouse Stationery Limited	Delete the 2nd sentence of Policy 11.39 and replace with: <i>"This special area should accomodate the full range of retail format to enable residents of the area to enjoy the benefits of competition and consumer choice".</i>	Opposed By: 107 Westfield (New Zealand) Limited 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd

Discussion:

The second sentence of Policy 11,39 states:

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

What the submitter is seeking is the removal of the policy intention to sleeve large format retail stores with speciality retail stores. This is an important component of pedestrian amenity value in a shopping area, as speciality stores add variety and an interactive pedestrian environment. Often large format stores are characterised by lengthy blank walls that have low pedestrian amenity value. The placement of speciality stores along the sleeves of large format stores achieves the competition and consumer choice that the submitter seeks. The suggested amendment does not add to the policy approach, and has the potential for adverse effects on pedestrian amenity values, and is not accepted.

Recommendation:

Submissions 109/83 and 110/83 are rejected.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
109/84	The Warehouse Ltd	Amend the 5 th sentence of Policy 11.39 to replace the words "such as offices, warehousing and manufacturing" with: <i>"offices, light industrial activity and car focussed retail such as supermarkets and other large format retailing".</i>	Opposed By: 107 Westfield (New Zealand) Limited 258 Auckland Regional Transport Authority 250 Auckland Regional Council 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
110/84	Warehouse Stationery Limited	Amend the 5 th sentence of Policy 11.39 to replace the words "such as offices, warehousing and manufacturing" with: <i>"offices, light industrial activity and car focussed retail such as supermarkets and other large format retailing".</i>	Opposed By: 107 Westfield (New Zealand) Limited 258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business

			Centre Limited 300 IMF Westland Ltd
111/80	The National Trading Company of New Zealand Limited	Amend the 5 th sentence of Policy 11.39 to replace the words “such as offices, warehousing and manufacturing” with: <i>“offices, light industrial activity and car focussed retail such as supermarkets and other large format retailing”.</i>	Opposed By: 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited 258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited
111/81	The National Trading Company of New Zealand Limited	Amend the 5 th sentence of Policy 11.39 to replace the words “such as offices, warehousing and manufacturing” with: <i>“offices, light industrial activity and car focussed retail such as supermarkets and other large format retailing”.</i>	Opposed By: 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited 258 Auckland Regional Transport Authority 259 Transit New Zealand 250 Auckland Regional Council 108 Progressive Enterprises Limited 300 IMF Westland Ltd

Discussion:

These submitters seek specific reference to “*offices, light industrial activity and car focussed retail such as supermarkets and other large format retailing*” in Policy 11.39. Policy 11.39 is an overarching Policy for the whole of the Hobsonville Village Centre, and references to retail are associated with Precinct B. It is noted that in Policy 11.39 to Proposed Plan Change 14 the following is stated about the Hobsonville Village Centre:

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

It is considered that this specific statement in Policy 11.39 adequately recognises the type of retail activities sought by the submitters (the term “*large format retail*” being relatively synonymous with the term “*car focused retail*”). The fifth sentence in Policy 11.39 relates to Precinct A. This Precinct is a strategically important location for the development of employment activities. Consequently retail opportunities are limited to convenience retail for the employees working within the Precinct. The inclusion of the words “... *offices, light industrial activity and car focussed retail such as supermarkets and other large format retailing*” does not align with the policy outcomes being sought in Precinct A, and Precinct B is specifically identified as the location for retail within the Hobsonville Village Centre. The inclusion of car focussed retail in Precinct A enables large format retail activities to establish in the Precinct, limiting the availability of employment land which then reduces the likelihood of the Council achieving the employment outcomes it is seeking. The submissions are rejected on that basis.

Recommendation:

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

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
109/85	The Warehouse Ltd	Delete the 6 th sentence of Policy 11.39.	Opposed By: 107 Westfield (New Zealand) Limited 250 Auckland Regional Council 208 Sylvia Park Business

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

Discussion:

The sixth sentence of Policy 11.39 states:

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

In Policy 11.39 the following is stated about the Hobsonville Village Centre:

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

It is considered that this specific statement in Policy 11.39 adequately recognises the type of retail activities sought by the submitters (the term “*large format retail*” being relatively synonymous with the term “*car focused retail*”). The sixth sentence in Policy 11.39 relates to Precinct A. This Precinct is a strategically important location for the development of employment activities. Consequently retail opportunities are limited to convenience retail for the employees working within the Precinct. The deletion of the sixth sentence does not align with the policy outcomes being sought in Precinct A, and Precinct B is specifically identified as the location for retail within the Hobsonville Village Centre. The submissions are rejected on that basis.

Recommendation:

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

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
109/86	The Warehouse Ltd	Delete the 7th sentence of Policy 11.39 and replace with: <i>“Retail that supports the local employee community, such as lunch bars and service stations, should also be provided for in Precinct A”.</i>	Opposed By: 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
110/86	Warehouse Stationery Limited	Delete the 7th sentence of Policy 11.39 and replace with: <i>“Retail that supports the local employee community, such as lunch bars and service</i>	Opposed By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises

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

Discussion:

The seventh sentence in Policy 11.39 states:

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

The wording of this sentence is prepared in a way that seeks to emphasise that Precinct A is to be utilised for employment rather than retailing. The suggested amendment in this submission removes the word “exception”, and therefore weakens the approach of limiting retail in this Precinct B. This amendment does not align with the policy approach taken for this Precinct, and on that basis is not accepted.

Recommendation:

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

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
109/87	The Warehouse Ltd	Amend Policy 11.40 by adding the following words to the end the 1 st sentence: <i>“and car focused retail”</i>	Opposed By: 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
110/87	Warehouse Stationery Limited	Amend Policy 11.40 by adding the following words to the end the 1 st sentence: <i>“and car focused retail”</i>	Opposed By: 107 Westfield (New Zealand) Limited 258 Auckland Regional Transport Authority 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
111/84	The National Trading Company of New Zealand Limited	Amend Policy 11.40 by adding the following words to the end the 1 st sentence: <i>“and car focused retail”</i>	Opposed By: 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited 258 Auckland Regional Transport Authority 259 Transit New Zealand 250 Auckland Regional Council 108 Progressive Enterprises Limited 300 IMF Westland Ltd

Discussion:

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

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

Policy 11.39 is an over-arching Policy for the whole of the Hobsonville Village Centre, and the references to retail are associated with Precinct B. It is considered that this specific statement in Policy 11.39 adequately recognises the type of retail activities sought by the submitters (the term “*large format retail*” being relatively synonymous with the term “*car focused retail*”). On this basis, it is considered the relief sought by the submitter is adequately provided in Policy 11.39.

Policy 11.40, however, identifies Precinct A as a strategically important location for the development of employment activities. Consequently retail opportunities are limited to convenience retail for the employees working within the Precinct. The inclusion of the words “...and *car focussed retail*” does not align with the policy outcomes being sought in Precinct A, and Precinct B is specifically identified as the location for retail within the Hobsonville Village Centre. The inclusion of car focussed retail in Precinct A enables large format retail activities to establish in the Precinct, limiting the availability of employment land which then reduces the likelihood of the Council achieving the employment outcomes it is seeking. The submissions are rejected on that basis.

Recommendation:

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

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
110/88	Warehouse Stationery Limited	Delete the second paragraph of Policy 11.40 and replace with the following: <i>“That part of Precinct A close to the motorway interchange is an ideal location for car focussed retail such as supermarkets and other large format retailing. Pedestrian oriented retail is better located in the Mixed Use Town Centre - Precinct B. Provision should also be made in Precinct A for retail that supports the local employee community such as convenience food outlets. Subsidiary manufacturing retail and yard based retail are provided for as these are also well suited to this light industrial area.”</i>	Opposed By: 107 Westfield (New Zealand) Limited 258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd
111/85	The National Trading Company of New Zealand Limited	Delete the second paragraph of Policy 11.40 and replace with the following: <i>“That part of Precinct A close to the motorway interchange is an ideal location for car focussed retail such as supermarkets and other large format retailing. Pedestrian oriented retail is better located in the Mixed Use Town Centre - Precinct B. Provision should also be made in Precinct A for retail that supports the local employee community such as convenience food outlets. Subsidiary manufacturing retail and yard based retail are provided for as these are also well suited to this light industrial area.”</i>	Opposed By: 107 Westfield (New Zealand) Limited 208 Sylvia Park Business Centre Limited 258 Auckland Regional Transport Authority 259 Transit New Zealand 250 Auckland Regional Council 108 Progressive Enterprises Limited 300 IMF Westland Ltd

Discussion:

The second paragraph of Policy 11.40 states:

Precinct A will have limited opportunities for retail activities to establish as these should be located in the Mixed Use Town Centre- Precinct B. The exception to this is the provision for retail which supports the local employee community, such as convenience food outlets. Subsidiary manufacturing retail and yard based retail are provided for as these are unsuitable in the town centre. Other retail activities should be located in the mixed use town centre precinct to encourage public transport routes to service the area.

Policy 11.40 identifies Precinct A as a strategically important location for the development of employment activities. Consequently retail opportunities are limited to convenience retail for the employees working within the precinct. The inclusion of the first sentence suggested by the submitters includes the words "...car focussed retail...". This is not supported, and these submissions seek to re-phrase the second paragraph of Policy 11.40 to incorporate those words. The issue of pedestrian amenity in Precinct B is addressed in Policy 11.41. As the first sentence is not accepted, and the second is addressed elsewhere, the remaining text does not add understanding to the plan user. Consequently the submissions are not accepted.

Recommendation:

Submissions 110/88 and 111/85 are rejected.

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

		Limited 300 IMF Westland Ltd
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Discussion:

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

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

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

Recommendation:

Submissions 182/5 and 182/9 are accepted in part

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/190	Waitakere City Council	<p>Amend the wording of Policy 11.39 by deleting those words struck through, and adding those in italics and underlined:</p> <p>"Policy 11.39</p> <p>The Hobsonville Village Centre is a Special Area</p> <p>The light industrial/bulky goods area in Precinct A should provide for land uses such as offices, warehousing and manufacturing that seek to locate close to the SH18 interchange. Retail activities <i>shall be avoided</i> are not encouraged in Precinct A as these activities</p> <p>The Precinct B retail node should consist of a mix of large format retail <i>with at least 75 percent of trade by way of food, hygiene or health products</i>, sleeved by specialty retail stores to provide a variety of shopping experiences <i>and in particular a pedestrian orientated village character</i> at the Centre.</p>	<p>Opposed By:</p> <p>110 Warehouse Stationery Limited</p> <p>111 The National Trading Company of New Zealand Limited</p> <p>109 The Warehouse Ltd</p> <p>108 Progressive Enterprises Limited</p>

		<p><u>Large format retail developments that are focussed inward rather than onto the street and/or are based upon single large purchases shall be avoided.</u> The retail land use in Precinct B</p> <p>Precinct C consists of the existing Hobsonville</p> <p>Precinct D consists of open space, which will act as a buffer between the SH18 and proposed development. The Special Area extends into Transit New Zealand's designation as any land that <u>ultimately becomes surplus</u> is surplus to Transit <u>New Zealand's</u> roading requirements south of SH18 would be more appropriately developed for urban land uses <u>if the designation for those portions of land is lifted.</u>"</p>	
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Discussion:

This submission seeks to clarify the policy outcomes being sought in the four Precincts created by Plan Change 14. The amendments seek to provide greater certainty about what activities occur in each Precinct. The submitter seeks change in the text to provide greater policy guidance on the nature and function of each Precinct. The amendments relating to Precinct A seek to ensure that the Precinct acts as an industrial and manufacturing area with extensive employment opportunities.

The amendments relating to Precinct B seek to ensure that the policy protects the integrity of Precinct B as a retail and mixed use area with extensive employment opportunities, rather than a Precinct that enables large format retail activities that will not achieve the pedestrian orientated village character – large format retail activities are enabled elsewhere in the City, such as in Plan Change 15. It appears that the submitter made an error in that the reference to “Precinct B” was not underlined in the original submission.

The submitter also seeks to clarify the status of any land made surplus by Transit New Zealand.

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

Recommendation:

Submission 257/190 is accepted in part.

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

Discussion:

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

Recommendation:

Submission 300/21 is rejected.

5.8 Retail Rules

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
109/89	The Warehouse Ltd	Amend Rule 25.2(b)(ii) by inserting the following words to the beginning of the sentence: <i>"Car focussed retail and"</i>	Opposed By: 107 Westfield (New Zealand) Limited 250 Auckland Regional Council 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
110/89	Warehouse Stationery Limited	Amend Rule 25.2(b)(ii) by inserting the following words to the beginning of the sentence: <i>"Car focussed retail and"</i>	Opposed By: 107 Westfield (New Zealand) Limited 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd
111/86	The National Trading Company of New Zealand Limited	Amend Rule 25.2(b)(ii) by inserting the following words to the beginning of the sentence: <i>"Car focussed retail and"</i>	Opposed By: 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited 259 Transit New Zealand 250 Auckland Regional Council 108 Progressive Enterprises Limited 300 IMF Westland Ltd

Discussion:

The submitters seek specific reference to "*car focussed retail*" in Rule 25.2(b)(ii). This Rule relates to Precinct A, the Precinct that establishes a strategically important location for the development of employment activities. It is noted that in Policy 11.39 to Proposed Plan Change 14 the following is stated about the Hobsonville Village Centre:

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

which then reduces the likelihood of the Council achieving the employment outcomes it is seeking. The submissions are rejected on that basis.

Recommendation:

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

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/155	Auckland Regional Council	Amend the plan change by establishing maximum floor area controls for retail premises to ensure that Hobsonville Village develops as a mixed use centre.	<p>Supported By: 107 Westfield (New Zealand) Limited 300 IMF Westland Ltd</p> <p>Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 312 Ockleston Family Trust 109 The Warehouse Ltd 108 Progressive Enterprises Limited</p>
257/193	Waitakere City Council	Amend Rule 25.2 by adding a performance standard that specifies that one 4,000 square metre gross floor area single large format retail activity is provided for in Precinct B, with no other tenancy being larger than 400 square metres, with those other tenancies having an average of 200 square metres.	<p>Supported By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited</p> <p>Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd</p>
300/24	IMF Westland Ltd	<p>Amend Rule 25.2(f) to insert the following proviso:</p> <p><i>(i) Any proposed supermarket has a gross floor area less than 4000 m2 and is located immediately adjacent to the existing Hobsonville retail village that offers the greatest support to the existing centre.</i></p> <p><i>(ii) Other individual retail uses have a gross floor area less than 500 m2</i></p> <p><i>(iii) Any retail use above a gross floor area of 500 m2 if it can be clearly demonstrated that it primarily serves the local neighbourhood catchment</i></p> <p><i>(iv) Development of the retail recognises and supports the existing Village by only extending laterally along Hobsonville Road to the south once the supermarket and associated uses have been established directly adjacent to the existing shops on Hobsonville Road.</i></p>	<p>Supported By: 107 Westfield (New Zealand) Limited 108 Progressive Enterprises Limited</p> <p>Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd</p>

Discussion:

This submitters seek (with varying levels of specificity) to address the lack of a cap for floor space in Precinct B. Submitter 257 noted that without such a cap, one retail activity could take up all the floor space that is available, and thereby not achieve the smaller scale village character that the Plan Change was seeking. The inclusion of an average of 200 square metres for other tenancies is also appropriate, as following on from one supermarket, it is appropriate that tenancies support the functioning of the retail centre rather than create a second (albeit smaller) supermarket style

store. Smaller tenancies will support the functioning of the retail centre, by providing convenience shopping that does not require large amounts of floor space.

Recommendation:

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

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/200	Waitakere City Council	<p>Amend Rule 25.2 (b)(ii) by deleting those words in strikethrough:</p> <p>“ (b) In respect of Precinct A as shown on the <i>Hobsonville Village Concept Plan</i>, any <i>Retail Activity</i> meeting the following standards:</p> <p>(i) convenience shops not exceeding 100m² in <i>retail floorspace</i> provided there are no other <i>convenience shops</i> within a 500m radius of the centre of the site subject to any proposal;</p> <p>(ii) <i>retail sales</i> subsidiary to a manufacturing activity on the same site; and provided further that the Maximum Building Height of any building utilised for any Retail Activity shall be 10m within a 50m setback from Hobsonville Road boundary, with a maximum of 20m thereafter.”</p>	<p>Opposed By: 108 Progressive Enterprises Limited</p>

Discussion:

This submission seeks to remove building height limits, and relates to submission 257/195 which seeks that buildings become subject to policies, rules and assessment criteria to achieve urban design outcomes. Those design outcomes will be discussed as part of submission 257/195. Provisions such as Rule 25.2(e) are seen as a poor method of achieving design outcomes, and methods such as the comprehensive development plan and the application of street frontage typologies are seen as more effective methods. Nevertheless, it is appropriate that this submission be accepted as part of the necessary actions required to include design provisions in the Plan Change.

Recommendation:

Submission 257/200 is accepted.

108/80	Progressive Enterprises Limited	Delete Rule 25.2(e) as there is no justification for such a large front yard setback.	<p>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</p>
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The submitter seeks to have a 10 metre wide front yard setback deleted from the Plan Change. This set back applies to both Precincts A and B. The intention of this Rule was to set buildings back from the road boundary to assist in mitigating any adverse effects on residential activities on the southern side of Hobsonville Road.

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

The slip lane and landscape frontage controls have been illustrated by the design concepts entitled Frontage Control: Diagram 25-A-1; Frontage Control: Diagram 25-A-2; Road Design Control: Diagram 25-B; and Landscape Interface Control: Diagram 25-C.

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

Recommendation:

Submission 108/80 is accepted in part.

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

Discussion:

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

Recommendation:

Submission 300/23 is accepted.

5.9 Residential Intensity

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
14/2	Nicholas Hayne	Amend the rezoning of rural land in precincts A & B to residential not industrial as proposed.	Opposed By: 107 Westfield (New Zealand) Limited 312 Ockleston Family Trust 108 Progressive Enterprises Limited

Discussion:

The submitter mistakenly raises the issue of potential contamination of the land within the adjacent Hobsonville Airbase as a reason for residential development not being located within the boundaries of the Airbase. The opportunity for extensive residential development exists on the Hobsonville Airbase. The submitter suggests that both Precincts A and B are appropriate for

residential use. The strategic direction of Plan Change 14 is to enable land uses to occur that create employment opportunities that are connected to the transport system. This approach is clearly aligned with the LG(A)AA, and the submitter presents no cogent reason to alter this direction in terms of Precinct A which seeks to enable employment land to be developed in association with transport networks.

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

Council has received correspondence dated 26 January 2006 from Mate Buljan, the resident at 122 Hobsonville Road. Mr Buljan is not a submitter to Plan Change 14, but in his letter he indicates that he was satisfied with the Industry Precinct A identification assigned to the rear of his property (which is adjacent to the Motorway) when it was notified, and so he did not make a submission. He has indicated to Council that he is not satisfied with the recommended amendment of that land to "Residential Including Apartments".

Recommendation:

Submission 14/2 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/25	IMF Westland Ltd	Amend Rule 25.2 to insert the following item (i) to read as follows: <i>Intensive residential within 400m of the intersection of Hobsonville and Clark / Wisely Roads provided that it can be shown that the residential amenity is not adversely affected by the adjoining industrial uses.</i>	Support and Opposed By: 108 Progressive Enterprises Limited

Discussion:

The land available in Precinct B is associated with the development of the town centre. It is acknowledged that increasing the residential intensity around town centres increases their viability, and consequently enabling pedestrian access to the town centre reduces local traffic on existing road systems. In association with submission 14/2, the Council reviewed the industrial identification to the north of the area of land identified as Precinct B, and have amended the identification to enable residential development including apartment buildings to establish at that location.

Consequently the Concept Plan has been adjusted, and a policy and rule framework (and consequential changes) included in the Plan Change to manage that type of development. As the changes resulting from this policy and rule framework differ to that sought by the submitter, the submission is accepted in part. The submitter also seeks that any adverse effects on residential amenity be included in the Rule, and this matter is addressed via Assessment Criteria within Rule 25 (for example criteria 25(c), (e), (f), h), (i), k), (l), (m) and (p)).

Council has received correspondence dated 26 January 2006 from Mate Buljan, the resident at 122 Hobsonville Road. Mr Buljan is not a submitter to Plan Change 14, but in his letter he indicates that he was satisfied with the Industry Precinct A identification assigned to the rear of his property (which is adjacent to the Motorway) when it was notified, and so he did not make a submission. He has indicated to Council that he is not satisfied with the recommended amendment of that land to "Residential Including Apartments".

Recommendation:

Submission 300/25 is accepted in part.

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

Discussion:

The Council has been involved in planning for the Hobsonville Corridor since 2002. At that time a series of workshops commenced that considered the whole area within the Corridor and how that could be planned in alignment with the City growth. These multi-disciplinary workshops led to the development of the sequencing diagrams and schedules contained within Council's Plan Change 16. The workshops were also the pre-cursor to the development of Plan Changes 13, 14 and 15, where the City's growth and employment goals were aligned with the purpose of the LG(A)AA. The submitter will note that Schedule Y and Policy Map Z provide sequencing of concept (structure) planning for the remainder of the Hobsonville Corridor, commencing after 2011. Consequently the Council does not see that an additional or new structure plan is necessary, as the policy and rule framework established by the Plan Change, when applied to the Hobsonville Village Centre Urban Concept Plan will provide the certainty required to ensure that the Council's strategic outcomes for the area are achieved, as will the outcomes sought by the LGA(A)A.

In terms of Plan Changes 13 and 14, the area of land included within the Plan Changes is constrained, to assist with ensuring that the density of development (employment and residential) supports transport initiatives, achieves compact urban form and is efficient and effective use of the land.

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

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

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

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

Recommendation:

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

5.10 Building Design

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/76	Progressive Enterprises	Delete the following sentence from Policy	Supported By: 300 IMF Westland Ltd

	Limited	11.39: <i>“There are specific streetscape rules for Hobsonville Centre that will ensure a high level of amenity values for pedestrians by controlling urban design matters such as minimum areas of glazing, building set-backs and minimum and maximum height limits”.</i>	111 The National Trading Company of New Zealand Limited 110 Warehouse Stationery Limited 109 The Warehouse Ltd 208 Sylvia Park Business Centre Limited Opposed By: 95 Housing New Zealand Corporation (1) 258 Auckland Regional Transport Authority 250 Auckland Regional Council
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Discussion:

Plan Change 14, while seeking to establish a mixed use town centre and an employment area, is also cognisant of urban design and urban amenity values. Consequently provision is made in Policy 11.39 for urban design that provides for pedestrian amenity value. The nature of the submitter’s large format stores is often characterised by lengthy blank walls that have low pedestrian amenity value. The suggested deletion of this sentence removes the need for urban design considerations in the development of Precincts A and B, and is likely to result in a low level of pedestrian amenity, arising from a lack of poor urban design requirements. The potential for adverse effects on pedestrian amenity values arising from this submission is not accepted.

Recommendation:

Submission 108/76 is rejected.

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

Discussion:

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

Recommendation:

Submission 108/82 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/194	Waitakere City Council	Amend Rule 25 to include appropriate methods to address urban design and amenity issues that may arise as a result of	Supported By: 95 Housing New Zealand Corporation (1) 107 Westfield (New Zealand)

		development within Precinct B.	Limited Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd 108 Progressive Enterprises Limited
257/195	Waitakere City Council	Amend the relevant policies, rules, and assessment criteria of the Plan Change, so that all buildings become subject to relevant design criteria.	Supported By: 250 Auckland Regional Council
257/199	Waitakere City Council	Amend Rule 25.0 (a) to add those words underlined: “(a) The following rules shall apply to Any Activity on land situated in the Hobsonville Village Centre Special Area; <u>and shall include the erection or alteration of buildings or development of the site.</u> ”	Supported By: 95 Housing New Zealand Corporation (1)

Discussion:

These two submissions relate to development in Precincts A and B, as these two Precincts are where the development will occur. The Plan Change as notified lacked extensive guidance on urban design. It is appropriate that a policy and rule framework be included in the Plan Change to provide certainty and clarity for Plan users about what is required. Urban design provisions seek to ensure a level of amenity value for people who live, or work or visit Precincts A and B. The Council is keen to ensure that such amenity value is provided, to assist with the vitality of the two Precincts and create environments that are attractive to industry and commerce. The amendments that are included as a result of these submissions are as follows:

Inclusion of text in Rule 25.0 to refer to buildings addresses a gap in the regulatory framework that was notified, and is appropriate.

Recommendation:

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

5.11 Integration With State Highways and Public Transport

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

Discussion:

Hobsonville Road is a “Limited Access Road” controlled by Transit New Zealand. Consequently the Council is constrained in what it can do within the ambit of a District Plan to provide for bus services (i.e. it cannot provide the services) and any works that occur along this road need to be

approved by Transit NZ. The Council has prepared a second District Plan Special Area Map associated with the Hobsonville Village Centre Special Area. This Map details the transport network within the Plan Change area, and the Council's requirements as part of the planning processes for this area. Further to this the Council has included frontage controls that include slip lanes, to address any effects on the transport function(s) of the road associated with development along it.

Recommendation:

Submission 250/151 is accepted in part.

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

Discussion:

Hobsonville Road is a "Limited Access Road" controlled by Transit New Zealand. Consequently the Council is constrained in what it can do within the ambit of a District Plan. The Council has amended the Hobsonville Village Centre Urban Concept Plan (in response to other submissions as well as this one) to include a new "Commercial" area along Hobsonville Road, and a new "Residential" area to the north of the Village Centre to enable intensive uses to support the rapid transit corridor. The Council has also required a comprehensive development plan resource consent for Precinct B to assist in achieving both residential densities and transport infrastructure such as bus stops and pedestrian networks. These mechanisms will assist in achieving the outcomes sought from the submission.

Recommendation:

Submission 250/152 is accepted in part.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
127/22	Land Transport New Zealand	Withdraw Plan Change 14. Land Transport NZ may review its position on this primary relief once it has had the opportunity to review a complete and robust s32 analysis from the Council that includes a comprehensive transportation study that addresses the impacts on the land transport system including State highways and public transport networks compared with alternative growth scenarios, and has held further discussions with the Council to address the matters set out in this submission.	Supported By: 258 Auckland Regional Transport Authority Opposed By: 312 Ockleston Family Trust 205 Fulton Hogan Limited (1) 300 IMF Westland Ltd
250/153	Auckland Regional Council	Amend the Plan Change so that Waitakere City (in conjunction with ARTA) prepare a 'transport concept' (the vision for an efficient, integrated, multimodal transport network and required infrastructure) for the whole of the Hobsonville Village Centre Urban Concept Plan area.	Supported By: 107 Westfield (New Zealand) Limited 258 Auckland Regional Transport Authority 127 Land Transport New Zealand 108 Progressive Enterprises Limited Opposed By: 312 Ockleston Family Trust
259/6	Transit New Zealand	Amend the Plan Change to address the issues and information deficiencies outlined	Opposed By: 157 Federated Farmers of

		in Transit's submission (259/6 - 259/8), OR, if that is not able to be undertaken to Transit's satisfaction, withdraw Plan Change 14.	New Zealand (Inc) 300 IMF Westland Ltd
259/7	Transit New Zealand	Amend the Hobsonville Village Centre Urban Concept Plan to address the issues outlined in Transit's submission (259/6 - 259/8).	Opposed By: 157 Federated Farmers of New Zealand (Inc) 300 IMF Westland Ltd Support and Opposed By: 95 Housing New Zealand Corporation (1)

Discussion:

These submissions have opposed the Plan Change because of :

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

Item 1

State Highway 18 (Hobsonville Road) and State Highway 16 (north of Don Buck Road) are Limited Access Roads as declared by Transit New Zealand under the Transit New Zealand Act. In pre-hearing consultation, Transit NZ has indicated that it is considering removing the Limited Access road status along portions of Hobsonville Road. Until such time that the Council has official notification from Transit NZ of the removal of Limited Access Road provisions to portions of Hobsonville Road, the Council has introduced frontage controls to address the Limited Access requirements along the portion of Hobsonville Road adjacent to Precinct A. Access to Hobsonville Road adjacent to Precinct B is to be addressed via the comprehensive development plan resource consent, which includes provisions to address traffic management.

The Concept Plan shows 4 new intersections along Hobsonville Road, and anticipates that within each of the new blocks created by those intersections, additional vehicle crossings could be created. Transit NZ has expressed concern about this matter, in terms of the effects of intersections and vehicle crossings on the functioning of the arterial road (i.e. slowing traffic), and the potential for consequential additional use of the new Motorway by traffic that reduces its efficiency. The Council considers that the inclusion of frontage requirements along Hobsonville Road will mitigate these effects. The requirements are either:

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

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

The slip lane and landscape design concepts are entitled Frontage Control: Diagram 25-A-1, Frontage Control: Diagram 25-A-2, Road Design Control: Diagram 25-B, and Landscape Interface Control: Diagram 25-C, and are attached as Appendix C to this report, and the locations where these Diagrams apply are identified on amended Appendix XIX A Hobsonville Village Centre Urban Concept Plan.

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

Item 2

The Council understands that the construction of the Motorway is progressing on a "Design and Build" staging system. The Council has processed alterations to the existing designation to incorporate new areas of land where the actual design of the Motorway has required additional land areas. The Plan Change 14 Concept Plan is indicative, in terms of the land use and roading connections, and the detailed design of the roads will occur subsequent to the Plan Change becoming operative. Any design issues in the area of Plan Change 14 arising from the design of the Motorway will be addressed at that stage. Nevertheless, the Council has anticipated what it can from the Transport Audit and traffic analysis, and adjusted the Concept Plan accordingly. One method available to the Council is to declare any road or part thereof to be a Limited Access Road.

Section 346 of the Local Government Act 1974 (not repealed) allows Council to declare any road or part thereof to be a Limited Access Road. In brief, this entails producing a plan showing the extent of the declaration, boundaries and title references for all parcels of land affected, and authorised crossing places. The information is forwarded to the District Land Registrar for recording against the titles of the land parcels affected, and certificates are served on owners and occupiers. Each parcel must have at least one crossing place to the Limited Access Road unless there is a practical legal alternative access.

There are no examples of Limited Access Roads in Waitakere City declared under Section 346 of the Local Government Act 1974. State Highway 18 (Hobsonville Road) and State Highway 16 (north of Don Buck Road) are Limited Access Roads of the same nature, but declared by Transit New Zealand under the Transit New Zealand Act.

Item 3

These submissions have requested (amongst other things) that a "comprehensive transportation study" be undertaken. The Council has, in the intervening period of time since the Plan Change were notified, prepared a "Transport Audit" for Plan Changes 13 and 14 in Hobsonville, and Plan Change 15 in Massey. It is noted that a transport audit is a proposed method (2.6.12(8)) of Proposed Plan Change 6 to the Auckland Regional Policy Statement (ARPS), for new major traffic generating activities. In addition, Auckland Regional Transport Authority (ARTA) request that the Audit be developed in consultation with them and that it is agreed with ARTA.

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

The Transport Audit seeks to ensure that the public transport/walking /cycling measures have been incorporated into new development. This looks to expand on the previous narrow scope of the traffic generation based traffic impact assessments that have traditionally made up part of environmental impact assessments for proposed activities. It is understandable that ARTA, whose purpose is to deliver transport services, is interested that new development is supportive of, and provides public transport. It is also in the interests of the Council in attempting to meet the purposes of the LGA(A)A that their proposed land use regimes are integrated with transport services, and that each local component fits into the regional framework.

It is to this end that WCC notified Plan Changes 13, 14 and 15, containing numerous transportation criteria to which all future development is subject. These criteria cover the more traditional traffic generation type criteria, and also include the requirement that regard is given to the provision of public transport, and features that support public transport e.g. appropriate infrastructure, walking accessibility, good urban form and so on. To clarify the nature and extent of these requirements, a new Map is included via these submissions, entitled the Hobsonville Village Transport Concept Plan.

At the time of the plan changes being notified and submissions being made, the comprehensive transport study (now called the Transport Audit), as requested in this submission was in the process of development. As the proposed method stems from the ARPS, in terms of the administration of the Audit, the pathway and subsequent approval of the use of method resides with the Auckland Regional Council.

Recommendation:

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

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

Discussion:

The submitter is seeking a pedestrian access way across the new State Highway 18. The State Highway is a Transit NZ designation. Transit NZ is the agency that would approve the construction of a pedestrian accessway. The Council supports the submitter's request in principle, subject to a specific location being determined and specific design occurring. The Hobsonville Village Urban Concept Transport Plan indicates the location of either a proposed pedestrian over bridge or underpass. The Council is not able to give effect to the submitter's request, and so while the submission is accepted, no amendments are made to the Plan Change.

Recommendation:

Submission 312/7 is accepted, with no change recommended to the Plan Change.

5.12 Stormwater

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

Discussion:

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

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

Accordingly Waitakere City Council has prepared the Integrated Catchment Management Plan – Waiarohia Catchment (ICMP), which forms the documentation for the Waiarohia Catchment

network consent application (ARC permit application 25692). The ICMP was first submitted to the Auckland Regional Council (ARC) on 31 August 2005 in association with a network discharge consent application. The ARC issued a section 92 notice (request for further information) on the 10 November 2005. Responses to the information request are incorporated into the current ICMP document dated 27 April 2006, which has been publicly notified by the ARC for submissions. At the completion of any hearings of submissions, the ARC may make a decision on the network consent application. The decision making process for the network discharge consent application will be approximately contemporaneous with the decision making process for Plan Change 14, but will be independent.

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

The ICMP has been amended as a result of the section 92 requests and further detailed analysis has resulted in some changes to the ICMP and the Hobsonville Village Centre Concept Plan since original notification of the Plan Change. In particular, the area to be set aside for Drainage/Ecological Space has been refined, and the locations of stormwater treatment wetlands have been determined. The ICMP has a detailed and integrated approach to stormwater management. A preferred option for stormwater management has been selected (refer to Option 4A discussed in Section 11.7 ICMP). The preferred option will comprise three essential elements: source control of zinc coating systems, three constructed wetlands and one existing pond to provide treatment and detention for the entire developed catchment, and rainwater detention tanks. This option will allow a compact urban form, is relatively cost effective, and will be effective in the long-term.

It is important that development in the Hobsonville Village Centre remain consistent with the ICMP and the ultimate network discharge consent. Therefore it is recommended that the Hobsonville Village Centre Concept Plan be updated to be consistent with Figure 11.2A, dated 26 September 2006, of the ICMP. At time of writing, the ICMP was undergoing revision, and any such amendments subsequent to this report should be provided to the Panel in the Council's evidence.

In addition, relevant text in the Plan Change should be amended to ensure that development is consistent with the ICMP. In particular:

- the ICMP is not referred to in Policy 11.38, and this should be amended to require consistency with the ICMP;
- Rule 25 should refer to the ICMP so that comprehensive development plan applications in Precinct B or subdivision and land use consents in either Precinct A or B specifically provide for the ICMP, and that Low Impact Design relevant to the ICMP is used;
- Assessment criterion 21(ba) which applies to Limited Discretionary and Discretionary Activities, should be amended to ensure that development is consistent with the ICMP;

The ICMP process is underway, and while it is not yet completed, it is not appropriate to reject the Plan Change on this basis. Nevertheless, improved referencing of the ICMP is appropriate.

Recommendation:

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

5.13 Riparian Margins

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

		of the motorway of the Plan Change, would be properly addressed	
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Discussion:

The submitter's lake is located north of the new State Highway 18, outside of the geographical area of Plan Change 14. The lake is, however, included as part of the storm water detention system for Plan Change 14, and is incorporated into the Waiarohia Catchment ICMP. This submission is more appropriately addressed in the forthcoming hearing of submissions on the ICMP. The submitter is also a submitter to the ICMP. As the ICMP process is the appropriate avenue for the submitter's concerns to be addressed, it is not appropriate to amend the Plan Change to grant the submitter's relief.

Recommendation:

Submission 164/1 is rejected

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

Discussion:

The area of land identified as "Drainage/Ecological Open Space" is associated with two riparian margins. Riparian Margins are a strip of land identified along the edges of natural watercourses including streams, lakes and wetlands. The protection and planting of Riparian Margins plays an important role in minimising stream bank erosion, protecting ecosystems and enhancing water quality. Riparian margins are one of the Natural Areas identified in the District Plan, and are similar to a setback from a road or side boundary, but apply where a stream features on a property. The riparian margin remains the property of the owner, but there are Rules within the District Plan about what can be done within them.

The area of land has been excluded from the Council's modelling of impermeable surfaces as part of its integrated catchment management plan (ICMP) application for a network discharge consent from the Auckland Regional Council. The creation of this area fulfils both the storm water management purpose and the potential for passive recreation on open space associated with the adjacent industrial types of development. The open space will provide amenity value for the employees working within Precinct A. The deletion of this area is consequently not supported, however it is appropriate to reduce the area in size to ensure that land is not made unavailable for development while it does not fulfil a role in stormwater management.

Recommendation:

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

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

Discussion:

Riparian Margins are a strip of land identified along the edges of natural watercourses including streams, lakes and wetlands. The protection and planting of Riparian Margins plays an important role in minimising stream bank erosion, protecting ecosystems and enhancing water quality. Riparian margins are one of the Natural Areas identified in the District Plan, and are similar to a setback from a road or side boundary, but apply where a stream features on a property. The riparian margin remains the property of the owner, but there are Rules within the District Plan about what can be done within them.

The Council engaged the National Institute of Water & Atmospheric research in November 2004 to determine the appropriate riparian margin widths for streams in the land areas associated with Plan Changes 13, 14 and 15. In the case of Hobsonville Village Centre, five streams were identified that

required riparian margins. In terms of the riparian margin that the submitter wishes to have removed, a five (5) metre margin was applied to provide shade to the stream and stabilise the banks.

The submitter has provided no ecological assessment in the submission to justify the removal of the riparian margin, and so the submission is rejected.

Recommendation:

Submission 312/6 is rejected.

5.14 Reverse Sensitivity

5.14.1 General Issues

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
14/1	Nicholas Hayne	Reject the rezoning of the rural land in precincts A & B to industrial.	Opposed By: 107 Westfield (New Zealand) Limited 312 Ockleston Family Trust 108 Progressive Enterprises Limited

Discussion:

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

Recommendation:

Submission 14/1 is accepted in part

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
107/63	Westfield (New Zealand) Limited	Amend Policy 11.41 to recognise the potential reverse sensitivity issues that may arise from the introduction of residential uses into mixed use areas and recognition that these issues may be addressed through appropriate design standards for residential dwellings.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 259 Transit New Zealand 109 The Warehouse Ltd 300 IMF Westland Ltd Support and Opposed By: 208 Sylvia Park Business Centre Limited
108/78	Progressive Enterprises Limited	Amend Policy 11.41 to recognise the potential reverse sensitivity issues that may arise from the introduction of residential uses into mixed use areas and recognition that these issues may be addressed through appropriate design standards for residential dwellings.	Supported By: 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd

Discussion:

The introduction of residential activity into Precinct B as a result of submissions 14/2 and 300/25 requires that any potential reverse sensitivity effects are addressed via the District Plan provisions. This is particularly important given the proximity of residential and retail and industrial activities in the area between Brighams Creek Road and Ockleston Road. This issue is acknowledged and a Policy and Rule framework is inserted into the Plan Change to address this issue. This includes the use of landscape interface requirements and frontage controls.

Recommendation:

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

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

Discussion:

The Plan Change has been reviewed to consider the reverse sensitivity issues arising from the proximity of uses. As a result of this review, the Council has introduced frontage controls and interface requirements to assist in mitigating the effects of industry on adjacent land uses. Further to this, performance standards and assessment criteria have been introduced into Special Area Rule 25 to ensure that each activity that establishes in Precinct A avoids or mitigates its effects, thereby ensuring that adjacent land uses are not adversely affected.

As a result of the provisions that are to be inserted into the Plan Change, there is no need to prohibit "heavy" industry, because it will need to meet the requirements of the District Plan and the relevant regional planning documents. If such industry cannot do so, it is likely that such industry will choose to locate elsewhere in the Auckland Region (such as within the Massey North Employment Area (provided by Plan Change 15)). Consequently the submission is accepted in part, to the extent that provisions are to be inserted into the District Plan.

Recommendation:

Submission 250/150 is accepted in part.

5.14.2 Hobsonville Primary School Issues

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
6/1	Melissa Clark	Delete the 'industrial' zoning in the area adjacent to the Hobsonville School and replace with 'Residential' zoning.	Opposed By: 312 Ockleston Family Trust
159/10	Ministry of Education (Auckland Office)	Amend Hobsonville Village Centre Urban Concept Plan or elsewhere in the Plan Change to include specific provisions requiring a buffer between the School Precinct C, to protect it from potentially adverse effects of the Industry Precinct A.	Opposed By: 312 Ockleston Family Trust
159/11	Ministry of Education (Auckland Office)	Amend Policy 11.40 or elsewhere in the Plan Change to include specific provisions requiring a buffer between the School Precinct C, to protect it from potentially adverse effects of the Industry Precinct A.	Opposed By: 312 Ockleston Family Trust
159/12	Ministry of Education (Auckland Office)	Amend Policy 11.41 or elsewhere in the Plan Change to include specific provisions requiring a buffer between the School Precinct C, to protect it from potentially	Opposed By: 312 Ockleston Family Trust

		adverse effects of the Industry Precinct A.	
159/13	Ministry of Education (Auckland Office)	Amend Rule 25 or elsewhere in the Plan Change to include specific provisions requiring a buffer between the School Precinct C, to protect it from potentially adverse effects of the Industry Precinct A.	Opposed By: 312 Ockleston Family Trust
250/149	Auckland Regional Council	Amend the zoning surrounding the school to provide for compatible mixed use and residential activities and to support public transport (ie. along the Hobsonville corridor); and establish a street layout around Precinct C to better support multimodal movement to the school.	Supported By: 258 Auckland Regional Transport Authority Opposed By: 259 Transit New Zealand 312 Ockleston Family Trust

Discussion:

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

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

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

Recommendation:

Submissions 6/1, 159/10, 159/11, 159/13 and 250/149 are accepted in part.

Recommendation:

Submission 159/12 is rejected.

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

Discussion:

The replacement of the word “issues” with “effects” assists with understanding the Policy in terms of the Resource Management Act terminology. This amendment improves the clarity and certainty of the policy.

Recommendation:

Submission 257/198 is accepted

5.14.3 Wine Making

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

Discussion:

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

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

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

Recommendation:

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

5.15 Heritage

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

Discussion:

The Council engaged Rod Clough, a heritage expert to assess the heritage and archaeology of the land areas within Plan Changes 13, 14 and 15. In his report dated November 2004, he

acknowledged that the archaeological item existed at 112 Hobsonville Road. This archaeological site is already catalogued as part of the Cultural Heritage Inventory as item 12363. The Waitakere City District Plan has a partial list of items listed in the Cultural heritage Inventory, limited to those located in Waitakere City. During the preparation of Plan Change 14, it was noted that this item from the Cultural Heritage Inventory was not listed in the District Plan, and it is appropriate that it be listed to enable Plan users to be aware of this site if they wish to develop the site. De-listing it from the District Plan would not have the effect of removing it from the Cultural Heritage Inventory, but it may cause the inadvertent damaging or removal of this site if future developers are unaware of its existence. On this basis it is considered important to retain this listing.

Recommendation:

Submissions 312/8 and 312/9 are rejected.

5.16 Comprehensive Development Plan

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/147	Auckland Regional Council	Amend the plan change so that a Comprehensive Development Plan approach is required for the development of Precinct A and Precinct B.	<p>Supported By: 95 Housing New Zealand Corporation (1) 107 Westfield (New Zealand) Limited 258 Auckland Regional Transport Authority 108 Progressive Enterprises Limited</p> <p>Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 312 Ockleston Family Trust 109 The Warehouse Ltd</p>
257/201	Waitakere City Council	<p>Amend Rule 25.2 to add those words underlined and reorder points (c) to (h) as follows:</p> <p><u>(c)</u> (e) <i>New buildings</i> in Precincts A & B shall have a minimum 10m front yard setback.</p> <p><u>(d)</u> (g) <i>New buildings</i> in Precinct A and Precinct B shall have a maximum height of 10m within a 50m setback from Hobsonville Road with a maximum of 20m thereafter.</p> <p><u>(e)</u> (f) In respect of Precinct B as shown on the <i>Hobsonville Village Concept Plan</i>, <u>Any new building for Retail Activities</u>.</p> <p><u>(f)</u> (h) <i>Any Non-Residential, Mixed Use, Retail Service or Retail Activity</i> in Precinct B meeting the Performance Standards above.</p> <p><u>(g)</u> (e) In respect of Precinct D as shown on the <i>Hobsonville Village Centre Concept Plan - Any Activity</i> which is a <i>Limited Discretionary Activity</i> in the <i>Open Space Environment</i>.</p>	<p>Opposed By: 108 Progressive Enterprises Limited</p>

		(h) (d) The establishment of <i>infrastructure</i> .”	
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Discussion:

Comprehensive Development Plans (CDPs) have been used elsewhere in the Council’s Plan Changes that seek to respond to the LGA(A)A. CDPs are a resource consent and are used to enable the larger bulk infrastructure (such as road layout, drainage and block size) to be consented prior to individual resource consents for the specific development on each site. This allows a pattern of development that is integrated and achieves the strategic goals associated with each geographic area contained within the Plan Change. Plan Change 14 as notified did not require CDPs for each of the Precincts within the geographic area.

Precinct A is an employment area that has multiple landholdings which may be problematic in terms of achieving agreement on a CDP resource consent application. Consequently a CDP is not appropriate in Precinct A, and this is consistent with the Massey North Employment Area policy and rule framework. Where necessary, additional planning controls (such as the road frontage requirements) have been included in Precinct A to address any issues associated with integrating the planning and development for this area.

Precinct B has been expanded and amended as a result of other submissions. It now includes a residential area and a commercial area. It is acknowledged that the major planning issues in this Precinct (roading, drainage, transport interface) are important to be achieved in an integrated manner, and consequently a CDP for this Precinct is appropriate.

Precincts C (Primary School) and D (Open Space) are site specific areas with limited development. These two Precincts have established planning frameworks for them (Precinct C is subject to a designation and Precinct D is subject to the Council’s Open Space Environment Rules), and so neither requires a CDP.

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

Recommendation:

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

5.17 Rules

5.17.1 General Rule Issues

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

Discussion:

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

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

Rule 25.2(b) imposes performance standards for convenience shops and retail sales, to limit the extent of retail activity in the Precinct, thereby enabling development that occurs within Precinct A to remain focussed on employment via industrial and manufacturing activities.

On this basis it is recommended that this submission be accepted in part, insofar as it supports Rules 25(2) (a) and (b) in Plan Change 14, to the extent that these Rules are amended by other submissions to provide greater certainty. No specific amendments to the Plan Change arising from this submission are recommended.

Recommendation:

Submission 108/79 is accepted in part.

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

Discussion:

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

Recommendation:

Submission 177/6 is accepted in part.

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

Discussion:

The submitter is seeking greater clarity about the rule framework, having expressed dissatisfaction about the nature and extent of the rules that apply to the four Precincts in the Hobsonville Village Centre Special Area. In response to these submissions and others, the Policies and Rule 25 have been substantially re-written to address the deficits and gaps within the framework as it was notified. The generality of these submissions means that the more specific nature of other submissions have been used as the basis of the amendments to the policies and rules, hence these submissions are accepted in part.

Recommendation:

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

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

Discussion:

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

The Council considers that the Working Environment rules are appropriate to address any effects arising from industrial activities. The Council and others have made submissions on the rules managing the bulk and location of the buildings within Precinct A, and these are addressed in Section 5.19.2 of this report. It is considered that amendments recommended in 5.19.2 will address the concerns of the submitter.

The submitter also makes reference to the utilisation of comprehensive development plans in Plan Change 14. This matter is addressed in response to the Auckland Regional Council submission 250/147 in Section 5.18 of this report

Recommendation:

Submission 254/16 is accepted in part to the extent that amendments to the Rules are recommended in Section 5.18 and 5.19.2 of this report.

5.17.2 Specific Rule Issues

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/81	Progressive Enterprises Limited	Amend the plan change by inserting the following addition into Rule 25.3: Discretionary Activities: <i><u>“(b) In respect of Precinct B any Activity that is not a Permitted Activity or a Limited Discretionary Activity shall be deemed to be a Discretionary Activity”.</u></i>	Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd

Discussion:

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

Recommendation:

Submission 108/81 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/83	Progressive Enterprises Limited	Delete Rule 25.4: Non-Complying Activities.	Supported By: 110 Warehouse Stationery Limited 111 The National Trading

			Company of New Zealand Limited 109 The Warehouse Ltd 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd Opposed By: 259 Transit New Zealand 250 Auckland Regional Council
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Discussion:

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

Recommendation:

Submission 108/83 is accepted.

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

Discussion:

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

Recommendation:

Submission 182/3 is rejected.

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

Discussion:

The District Plan provides, in its "Introduction to the Rules" Section, guidance on notification of resource consent applications. Plan Change 14 did not include such guidance, however the Introduction to the Rules indicates, in its Paragraph 5 of the notification guidance, that discretionary activities in Special Areas "...will generally be notified". This guidance is sufficient for the Rules, and no amendment is necessary.

Recommendation:

Submission 257/189 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/192	Waitakere City Council	<p>Amend Rule 25.3 to insert a performance standard related to Precinct B, and re-number 25.3(b) and 25.3(c) accordingly. The additional text is shown in italics and underlined:</p> <p>“Activities meeting the following Performance Standard are Discretionary Activities:</p> <p>(a) In respect of Precinct A, any <i>Activity</i> which is a <i>Discretionary Activity</i> in the <i>Working Environment</i>, except Rule 5 <i>Retailing Activities</i> and Rule 7 <i>Residential Activities</i>.</p> <p>(b) <u><i>In respect of Precinct B any Activity that is not a Permitted Activity or a Limited Discretionary Activity shall be deemed to be a Discretionary Activity.</i></u></p> <p>(c) In respect of Precinct C any <i>Activity</i> that is not a <i>Permitted Activity</i> or a <i>Limited Discretionary Activity</i> shall be deemed to be a <i>Discretionary Activity</i>.</p> <p>(d) In respect of Precinct D any <i>Activity</i> that is a <i>Discretionary Activity</i> in the <i>Open Space Environment</i>.</p> <p><i>Discretionary Activity</i> applications will be assessed having regard to Assessment Criteria 25 (a) - 20 (bg) and any other relevant matter under section 104 of the <i>Act</i>.”</p>	<p>Supported By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd</p>
257/202	Waitakere City Council	<p>Amend Rule 25.3(a) to add those words underlined and delete those words in strikethrough:</p> <p>“In respect of Precinct A, any <i>Activity</i> <u><i>or building</i></u> which is a <i>Discretionary Activity</i> in the <i>Working Environment</i>, except Rule 5 <i>Retailing Activities</i> and Rule 7 <i>Residential Activities</i>.”</p>	

Discussion:

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

Recommendation:

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

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/203	Waitakere City Council	<p>Amend Rule 25.4 <i>Non-Complying Activities</i> to add those words underlined:</p> <p>“<u><i>Any Activity</i></u> which is not a <i>Permitted Activity</i> or a <i>Limited Discretionary Activity</i> or a <i>Discretionary Activity</i> under the above rules shall be deemed to contravene a rule in the <i>Plan</i> and shall be a <i>Non-</i></p>	<p>Supported By: 108 Progressive Enterprises Limited</p> <p>Opposed By: 110 Warehouse Stationery Limited</p>

		<i>Complying Activity. (Note: this includes any residential activity or retail activity not provided for under Rule 25.2)."</i>	111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd
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Discussion:

This submission seeks to clarify the application of this rule, particularly in terms of the introduction of residential activities into Precinct B. This submission is supported for this reason.

Recommendation:

Submission 257/203 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/204	Waitakere City Council	Amend Rules 25.4 and 25.5 to renumber as follows: 25.4 <u>25.5</u> Other Rules Applying 25.5 <u>25.6</u> Non-complying Activities	

Discussion:

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

Recommendation:

Submission 257/204 is accepted.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
250/146	Auckland Regional Council	Amend Rule 25 to comprehensively include the rules for the area, rather than linking back to the rules contained in other <i>Environments</i> (the Working Environment and the Open Space Environment) of the district plan.	Opposed By: 312 Ockleston Family Trust 108 Progressive Enterprises Limited
257/205	Waitakere City Council	Amend Rule 25.4 Other Rules Applying by adding those words underlined in order to clarify which other Rules apply: "The following rules of the <i>Plan</i> shall apply to <i>Any Activity (unless otherwise specified)</i> :- <ul style="list-style-type: none"> ▪ City Wide Building Design Street Frontage Rule ▪ City Wide Site Analysis Rule ▪ All other relevant <i>City-wide</i> Rules ▪ All relevant <i>Natural Area</i> Rules ▪ Open Space Environment Rules <u>shall only apply to Precinct D</u> ▪ Working Environment Rule 3 - Building and Development Location ▪ Working Environment Rule 6 - Air Discharges ▪ Working Environment Rule 8 - Noise <u>shall only apply to Precincts A and B</u> ▪ Working Environment Rule 9 - Parking, Loading and Driveway Access ▪ Working Environment Rule 10 - Odour, Glare and Vibration ▪ Working Environment Rule 11 - Signs ▪ Subdivision Rule 5 - Working Environment and Community Environment ▪ Working Environment - Rule 12- 	Opposed By: 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd

		<ul style="list-style-type: none"> ▪ Establishment of Infrastructure ▪ Rule 13 Living Environment shall apply to Precinct C” 	
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Discussion:

The District Plan’s approach to Special Areas is to provide a policy and rule framework for unique parts of the City that incorporate, where appropriate, existing operative rules from other Human Environments in the Plan. Submitter 250 is concerned that Rule 25.4 is not sufficiently clear in terms of which rules apply and in what circumstances, and has therefore sought those rules inclusion in the Special Area. This duplication of rules is not necessary, but it is appropriate to ensure that which Rules apply is certain for Plan users. This was reflected in the Council’s own submission to Rule 25.4. Consequently the “Other Rules Applying” will be amended to make it more certain which Precincts the rules and assessment criteria included in 25.4 (re-numbered as Rule 25.5) apply to.

The submission that seeks the amendment: “Open Space Environment Rules shall only apply to Precinct D” appears to be an error, and all of the text rather than the last six words should be included. This correction of this error in the submission has no effect on the application of the District Plan, but improves the certainty of the Plan.

Recommendation:

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

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

Discussion:

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

Recommendation:

Submission 257/207 is accepted.

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

Discussion:

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

Recommendation:

Submission 301/3 is rejected.

5.18 Assessment Criteria

5.18.1 General Assessment Criteria Issues

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

Discussion:

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

Recommendation:

Submission 250/148 is rejected.

5.18.1 Specific Assessment Criteria Issues

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
108/84	Progressive Enterprises Limited	<p>Amend Assessment Criteria 25(an) and 25(ao) by adding those words underlined:</p> <p><i>"25(an) The extent to which <u>where possible</u> carparking is designed according to a perimeter block layout where carparking is provided behind buildings, except for kerbside parking, and with the main "activity frontage" for buildings oriented towards public streets rather than parking areas.</i></p> <p><i>25(ao) The extent to which carparking is</i></p>	<p>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</p>

		<p><i>provided that:</i></p> <p>...</p> <p><i>(iii) Ensures where possible car parks are located behind buildings (not visible from street) or in semi or full basements”.</i></p>	
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Discussion:

The submitter seeks the inclusion of the words “...where possible...” in assessment criteria 25(an) and 25(ao), as they consider that it is not always possible for parking to be located to the rear of a site, especially when the site fronts onto two roads. Plan Change 14, while seeking to establish a mixed use town centre and an employment area, is also cognisant of urban design and urban amenity values. Consequently provision is made in Policy 11.39 for urban design that provides for pedestrian amenity value. The nature of the submitter’s large format stores is often characterised by lengthy blank walls fronted by large areas of car parking that have low pedestrian amenity value. The suggested inclusion of “where possible” in this assessment criterion weakens the urban design considerations such as parking at the rear (with the main “activity frontage” for buildings orientated to public streets) and in the development of Precincts A and B, and is likely to result in a low level of pedestrian amenity. The potential for adverse effects on pedestrian amenity values arising from this submission is not accepted.

Recommendation:

Submission 108/84 is rejected.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
109/90	The Warehouse Ltd	Delete Assessment Criterion 25(an).	Opposed By: 95 Housing New Zealand Corporation (1) 250 Auckland Regional Council 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
110/90	Warehouse Stationery Limited	Delete Assessment Criterion 25(an).	Opposed By: 95 Housing New Zealand Corporation (1) 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd
111/87	The National Trading Company of New Zealand Limited	Delete Assessment Criterion 25(an).	Opposed By: 95 Housing New Zealand Corporation (1) 208 Sylvia Park Business Centre Limited 250 Auckland Regional Council 108 Progressive Enterprises Limited 300 IMF Westland Ltd

Discussion:

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

The nature of the submitter's large format stores is often characterised by lengthy blank walls fronted by large areas of car parking that have low pedestrian amenity value. The suggested deletion of this assessment criterion removes the need for urban design considerations in the development of Precincts A and B, and is likely to result in a low level of pedestrian amenity. The potential for adverse effects on pedestrian amenity values arising from this submission is not accepted.

Recommendation:

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

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
109/91	The Warehouse Ltd	Delete Assessment Criterion 25(ao)(iii).	Opposed By: 95 Housing New Zealand Corporation (1) 250 Auckland Regional Council 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited 300 IMF Westland Ltd
110/91	Warehouse Stationery Limited	Delete Assessment Criterion 25(ao)(iii).	Opposed By: 95 Housing New Zealand Corporation (1) 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited 300 IMF Westland Ltd
111/88	The National Trading Company of New Zealand Limited	Delete Assessment Criterion 25(ao)(iii).	Opposed By: 95 Housing New Zealand Corporation (1) 208 Sylvia Park Business Centre Limited 250 Auckland Regional Council 108 Progressive Enterprises Limited 300 IMF Westland Ltd

Discussion:

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

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

The submitters all seek the deletion of this assessment criterion, as they consider that it is not practical for car focussed retail activity. Plan Change 14, while seeking to establish a mixed use town centre and an employment area, is also cognisant of urban design and urban amenity values. Consequently provision is made in Policy 11.39 for urban design that provides for pedestrian amenity value. The nature of the submitter's large format stores is often characterised by lengthy blank walls fronted by large areas of car parking that have low pedestrian amenity value. The suggested deletion of this assessment criterion removes the need for urban design considerations such as parking at the rear (with the main "activity frontage" for buildings orientated to public streets) and in the development of Precincts A and B, and is likely to result in a low level of pedestrian amenity. The potential for adverse effects on pedestrian amenity values arising from this submission is not accepted.

Recommendation:

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

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
257/206	Waitakere City Council	<p>Amend the assessment criteria by adding those words underlined and deleting those words in strikethrough in order to clarify the intent of each criterion:</p> <p>“ ...</p> <p>25(k) The extent to which <i>development</i> meets the following design criteria:</p> <p>(i) New development has appropriate detail to enhance the character of the <u>street frontage streetscape</u>.</p> <p>(ii) Any large building facades which are highly visible from the road and motorway should be adequately detailed for visual interest.</p> <p>...</p> <p>25(r) The extent to which areas of open space, planting and streetscape treatment are used to <u>avoid or mitigate</u> offset the visual <u>effects</u> impact of buildings and development.</p> <p>...</p> <p>25(aa) The extent to which the design for <u>of roads streets and public lanes</u> will ensure well-connected, attractive and safe transport routes, with appropriate provision for vehicle, cycle and pedestrian movements, carparking, infrastructure services street-tree planting, and landscape treatment.</p> <p>25(ab) The extent to which <u>roads</u> the secondary roading network provides a highly inter-connected roading system so as to reduce trip distances and to improve local accessibility to community facilities, reserves, public transport facilities and the <u>Hobsonville Village Precinct B</u> town centre core.</p> <p>...</p> <p>25(aj) The extent to which the design of <u>roads streets and public lanes</u> conserves <u>utilises</u> land <u>efficiently</u> and encourages walkability by using minimal dimensions for carriageways and integrating service lines beneath footpaths or parking bays.</p> <p>...</p> <p>25(ao) The extent to which <i>carparking</i> is provided that: Provides sufficient car parks for residents <u>in Precinct B</u> and visitors <u>in all Precincts</u>. Provides car parking areas which are secure, well lit and conveniently accessible for residents <u>in Precinct B</u>. Ensures car parks are located behind buildings (not visible from street) or in semi or full basements Provides for on site loading facilities for</p>	

		service vehicles, delivery vehicles, including furniture removal and delivery, rubbish collection vehicles and their compliance with rules for vehicle manoeuvring <u>maneuvering</u>”	
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Discussion:

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

Recommendation:

Submission 257/206 is accepted in part.

259/8	Transit New Zealand	Amend Transport Criterion 25(ah) by adding those words in italics and underlined: “The extent to which traffic generation from proposed activities creates adverse effects on: (i) the capacity of roads giving access to the site; (ii) the safety of road users including cyclists and pedestrians; (iii) <u>the sustainability of the primary road network</u> ; (iv) neighbourhood character”.	108 Progressive Enterprises Limited 109 The Warehouse Ltd 157 Federated Farmers of New Zealand (Inc) 110 Warehouse Stationery Limited 300 IMF Westland Ltd 111 The National Trading Company of New Zealand Limited
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Discussion:

The submitter seeks the inclusion of an additional sub-criterion within Assessment Criterion 25(ah). While on the face of it the inclusion of the sub-criterion appears appropriate, it is not clear what the submitter means when it refers to the “primary road network”. While it is likely that this reference is to the existing State Highway 18 (Hobsonville Road), it may also refer to the forthcoming new Motorway. Further to this, the submitter seeks that any effects arising from traffic generation on the primary road network be assessed in terms of the sustainability of the network. It is not clear how the submitter interprets sustainability, whether it be environmental, ecological, or perhaps the sustainability of the road network in terms of traffic flow and efficiency. Clarification from the submitter on what it means when it seeks an assessment of the sustainability of the primary road network would assist in the consideration of this matter.

Recommendation:

Submission 259/8 is accepted in principle, subject to further explanation by the submitter about what is being sought.

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

Discussion:

The submitter is seeking to include the ability for the Council to consider the nature of the retail in terms of how it serves the neighbourhood, to assist in ensuring that the Hobsonville Village Centre maintains its function in relation to retail elsewhere in the City. As such this submission is supported, subject to wording changes to improve its clarity and certainty.

Recommendation:

Submission 300/26 is accepted in part

5.19 Process Issues

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

Discussion:

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

Recommendation:

Submissions 184/13 and 184/14 are rejected

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

Discussion:

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

Recommendation:

Submission 301/4 is rejected

5.20 PLAN CHANGE 16

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
300/100	IMF Westland Ltd	In Policy 0.9, replace the first sentence of the paragraph under the subheading 'Hobsonville	

		<p>Village Centre' as follows: <i>Reinforcing the intensification of the Hobsonville Village Centre and linking it with employment growth that is focussed on a major motorway interchange is a key factor in managing urban growth at this node.</i></p> <p>And delete the sentence :</p> <p><i>It is likely that in such a situation, the market demand will see the Brigham Creek Road Employment Area proceed ahead of the Massey north Employment Area.</i></p>	
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Discussion:

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

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

Recommendation:

Submission 300/100 is accepted.