

**LOCAL GOVERNMENT (AUCKLAND) AMENDMENT ACT 2004**

**RESOURCE MANAGEMENT ACT 1991**

**DECISION REPORT OF THE  
RODNEY DISTRICT COUNCIL**

**RDC 4 – BUSINESS ISSUES**

**Decision Regarding:**

- **Proposed Variation 22 to the Rodney District Proposed District Plan 2000**
- **Proposed Plan Change 97 to the Rodney District Transitional District Plan**

**On 28 June 2007 the Rodney District Council adopted the recommendations of the Joint Regional Policy Statement and District Plan Changes Hearings Panel in relation to Proposed Variation 22 and Proposed Change 97.**

**The recommendations in this report have been adopted as the decisions of the Rodney District Council.**

**31 July 2007**

**Index of submissions and further submissions addressed in Report RDC 4  
Business Issues**

Rec Report Section No.	Sub No.	Submitter Name	Supported by	Opposed by	Hearing Report Section No.
5.16	250/105	Auckland Regional Council	258 Auckland Regional Transport Authority		5.16
5.11	250/111	Auckland Regional Council	258 Auckland Regional Transport Authority	110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd	5.11
5.4	258/170	Auckland Regional Transport Authority			5.4
5.5	258/171	Auckland Regional Transport Authority			5.5
5.8	258/172	Auckland Regional Transport Authority			5.8
5.9	258/173	Auckland Regional Transport Authority			5.9
5.12	72/4	Edison Limited			5.12
5.3	13/14	John Birkbeck		250 Auckland Regional Council	5.3
5.14	108/57	Progressive Enterprises Limited	208 Sylvia Park Business Centre Limited	110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd	5.14
5.1	111/71	The National Trading Company of New Zealand Limited		208 Sylvia Park Business Centre Limited 258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited	5.1
5.2	111/72	The National Trading Company of New Zealand Limited		208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited	5.2
5.6	111/73	The National Trading Company of New Zealand Limited	<i>259 Transit New Zealand</i>	208 Sylvia Park Business Centre Limited 258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited <i>259 Transit New Zealand</i>	5.6
5.7	111/74	The National Trading Company of New Zealand Limited	<i>259 Transit New Zealand</i>	208 Sylvia Park Business Centre Limited 258 Auckland Regional Transport Authority 108 Progressive Enterprises Limited <i>259 Transit New Zealand</i>	5.7
5.13	111/75	The National Trading Company of New Zealand Limited		208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited	5.13
5.15	111/76	The National Trading Company of New Zealand Limited		208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited	5.15
5.10	111/78	The National Trading		208 Sylvia Park Business	5.10

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Business Issues**

<b>Rec Report Section No.</b>	<b>Sub No.</b>	<b>Submitter Name</b>	<b>Supported by</b>	<b>Opposed by</b>	<b>Hearing Report Section No.</b>
		Company of New Zealand Limited		Centre Limited 108 Progressive Enterprises Limited	
5.1	109/74	The Warehouse Ltd		258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited	5.1
5.2	109/75	The Warehouse Ltd		108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited	5.2
5.6	109/76	The Warehouse Ltd		258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited	5.6
5.7	109/77	The Warehouse Ltd		258 Auckland Regional Transport Authority 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited	5.7
5.13	109/78	The Warehouse Ltd		108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited	5.13
5.15	109/79	The Warehouse Ltd		108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited	5.15
5.10	109/81	The Warehouse Ltd		108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited	5.10
5.1	110/74	Warehouse Stationery Limited		258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited	5.1
5.2	110/75	Warehouse Stationery Limited		108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited	5.2
5.6	110/76	Warehouse Stationery Limited		258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited	5.6
5.7	110/77	Warehouse Stationery Limited		258 Auckland Regional Transport Authority 108 Progressive	5.7

**Index of submissions and further submissions addressed in Report RDC 4  
Business Issues**

<b>Rec Report Section No.</b>	<b>Sub No.</b>	<b>Submitter Name</b>	<b>Supported by</b>	<b>Opposed by</b>	<b>Hearing Report Section No.</b>
				Enterprises Limited 208 Sylvia Park Business Centre Limited	
5.13	110/78	Warehouse Stationery Limited		108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited	5.13
5.15	110/79	Warehouse Stationery Limited		108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited	5.15
5.10	110/81	Warehouse Stationery Limited		108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited	5.10

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

## PROPOSED VARIATION 22 TO THE RODNEY DISTRICT PROPOSED DISTRICT PLAN 2000 AND PROPOSED PLAN CHANGE 97 TO THE RODNEY DISTRICT TRANSITIONAL DISTRICT PLAN

### RDC 4 – BUSINESS ISSUES

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#### 1. OUTLINE

This report is part of a series of reports that contain the recommendations of the Joint Regional Policy Statement and District Plan Changes Hearings Panel (“the Panel”) following consideration of submissions and further submissions received in relation to business issues of the Rodney District Proposed Variation 22 to the Proposed District Plan 2000 and Proposed Plan Change 97 to the Operative District Plan 1993. Other submissions to Variation 22 and Plan Change 97 are dealt with in additional topic based recommendation reports.

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

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

The suggested amendments to Variation 22 and Plan Change 97 arising from the Panel recommendations discussed throughout this report are set out in Appendix 1 to each of the reports.

#### 2. BACKGROUND

Variation 22 and Plan Change 97 were notified on 31 March 2005 as a mandatory requirement of the LGAAA.

The LGAAA mandates that all councils in the Auckland Region integrate their land transport and land use provisions and ensure these are consistent with the Auckland Regional Growth Strategy (“RGS”), give effect to its Growth Concept and contribute to the land transport and land use matters specified in Schedule 5 (s39 & s40 LGAAA). This is, in effect, the purpose of Variation 22 and Plan Change 97.

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

Variation 22 amends Chapter 8 – Residential, Chapter 9 - Business, Chapter 21 Transportation and Access, Chapter 4 – Overview and Chapter 13 – Future Development and Structure Plans. The changes include:

- amendments to objectives and polices and new objectives and polices relating to:
  - providing a more positive tone to the residential objectives and policies on intensification;
  - referring to “mixed use”;
  - providing stronger integration of land use and transport matters.

- a schedule of growth areas;
- reference to the LGAAA and the “Growth Concept” contained within the Regional Growth Strategy.

Plan Change 97 amends the Operative Plan 1993 in relation to matters to do with growth, by including a rule that refers back to Variation 22 to the Proposed Plan, which is the variation that addresses and sets up a chapter to deal with regional growth issues. This approach was taken because to amend the Operative Plan to meet the requirements of the LGAAA would have been the equivalent of notifying the Future Development chapter of the Proposed Plan

### 3. THE PANEL AND THE HEARINGS PROCESS

#### 3.1 The Joint Hearings Panel

The Panel was comprised of the following members:

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

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

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

**AUCKLAND REGIONAL POLICY STATEMENT**

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

Proposed Change 7 – Metropolitan Urban Limits

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

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

**FRANKLIN DISTRICT PLAN**

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

**MANUKAU CITY DISTRICT PLAN**

Proposed Plan Change 12 – Manukau’s Growth.

**NORTH SHORE CITY DISTRICT PLAN**

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

**PAPAKURA DISTRICT PLAN**

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

**RODNEY DISTRICT PLAN**

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

**WAITAKERE CITY DISTRICT PLAN**

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

### 3.2 The Hearings Process

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

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

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

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

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

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

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

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

The Panel also noted that many of the submissions lodged under the LGAAA were made in respect of the RPS and simply stated that the District Plans should be amended to reflect any changes to the RPS. The Panel considers that the issues raised in these submissions are best addressed after local authorities release the decision reports and any appeals to RPS Change 6 and RPS Change 7 are concluded. It will then be clear to what the District Plans must give effect.

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

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

### **3.3 Evidence**

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

### **3.4 Integration**

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

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

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

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

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

## 4 PANEL KEY ISSUES RECOMMENDATION REPORT

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

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

## 5 DISCUSSION AND RECOMMENDATIONS

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

### Abbreviations Used In This Report

Auckland Regional Policy Statement – ARPS / RPS

Auckland Regional Transport Authority - ARTA

Local Government (Auckland) Amendment Act 2004 – LGAAA

Regional Policy Statement – RPS

Rodney District Council – RDC

### 5.1 Chapter 9 – Business 9.2.3 Provision for All Retail Formats

<b>NO.</b>	<b>Submitter</b>	<b>Summary of Decision Sought</b>	<b>Further Submitter/s</b>
111/71	The National Trading Company of New Zealand Limited	Amend Section 9.2 by inserting a new Resource Management Issue 9.2.3, and renumber 9.2.4-9.2.7: “Some forms of retail activity, particularly large format and other destination stores, are car focussed and unless specific provision is made for their establishment the social and economic well-being of the community may be adversely affected.”	<b>Opposed By:</b> 208 Sylvia Park Business Centre Limited 258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited
110/74	Warehouse Stationery Limited	Amend Section 9.2 by inserting a new Resource Management Issue 9.2.3, and renumber 9.2.4-9.2.7: “Some forms of retail activity, particularly large format and other destination stores, are car focussed and unless specific provision is made for their establishment the social and economic well-being of the community may be adversely affected.”	<b>Opposed By:</b> 258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited
109/74	The Warehouse Ltd	Amend Section 9.2 by inserting a new Resource Management Issue 9.2.3, and renumber 9.2.4-9.2.7: “Some forms of retail activity, particularly large format and other destination stores, are car focussed and unless specific provision is made for their establishment the social and economic well-being of the community may	<b>Opposed By:</b> 258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business

		be adversely affected.”	Centre Limited
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**Discussion:**

The National Trading Company, Warehouse Stationary Limited, and The Warehouse seek to add a new resource management issue (as set above in the summary of submission) acknowledging that some forms of retail activity, particularly large format and destination stores, will continue to be car oriented for the foreseeable future, and unless specific provisions are made for their establishment the well being of the community may be adversely affected.

Evidence was presented at the hearing on behalf of The Warehouse Ltd and Warehouse Stationery Limited. A significant amount of evidence was presented from business and planning experts but only a brief summary is presented here. Much of the evidence reiterated points made in the submissions. It was stated that the submissions seek to differentiate retail activity for other business activity and ensuring flexibility for all retail formats. It was submitted that changes in the retail sector have seen the rise of shopping malls and planned shopping centres and that specialist retail store formats have become larger and there is a trend toward vehicle oriented large format shops. It was submitted that because of the dynamic environment in which retail activity operates, the constant evolution of formats, the differing characteristics of stores and varied customer requirements, it is important that flexibility is built into the planning documents. It was argued that it was entirely appropriate to provide for the retail sector. If it is not differentiated, the flexibility required in rules section of district plans will not deal with retail activity in an appropriate manner.

The National Trading Company presented extensive evidence to the hearing but did not specifically address this point. Section 5.6 of this report deals with the general matter.

The submissions are opposed by the Auckland Regional Transport Authority and the Auckland Regional Council as the intent of the submissions is contrary to the purpose of the LGAAA and the Variation. Progressive Enterprises opposes the submissions to the extent that it is inconsistent with the centres based approach set out in its original submission. Sylvia Park Business Centre Limited is also opposed to the submissions to the extent that it challenges the manner in which retail activities are to be accommodated and provided for in the region.

In the Proposed Plan large format retail activity is able to be established as a permitted activity in the Retail Service Zone under the activity “shops”. It is not considered necessary to add a specific issue relating to some forms of retail being car focussed and that they have to be provided for. District Plans are required to address the adverse effects of activities rather than providing for particular activities.

High traffic generating activities are recognised in Policy 9.4.3 and the issue is discussed in more detail in section 5.6 of this report. In that section it is also concluded that adding a reference which will acknowledge that a majority of people in the foreseeable future will continue to rely on private motor vehicles, will be totally contrary to the intent of Variation 22 and LGAAA. This argument also applies in relation to the request in this submission to add a specific issue. Section 4.11 of the Key Issues Report addresses the issue of specific reference to retail activity.

**Recommendation:**

- 5.1.1 Submission 111/71, 110/74, 109/74 is rejected.
- 5.1.2 The further submissions made in support of or opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

**5.2 Chapter 9 – Business 9.3.8 Competitive and Efficient Economy**

<b>NO.</b>	<b>Submitter</b>	<b>Summary of Decision Sought</b>	<b>Further Submitter/s</b>
111/72	The National Trading Company of	Amend section 9.3 to add a new Objective 9.3.8 and renumber the current 9.3.8:	<b>Opposed By:</b> 208 Sylvia Park Business Centre Limited

	New Zealand Limited	<i>"To enable the development of a competitive and efficient economy".</i>	108 Progressive Enterprises Limited
110/75	Warehouse Stationery Limited	Amend section 9.3 to add a new Objective 9.3.8 and renumber the current 9.3.8: <i>"To enable the development of a competitive and efficient economy".</i>	<b>Opposed By:</b> 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited
109/75	The Warehouse Ltd	Amend section 9.3 to add a new Objective 9.3.8 and renumber the current 9.3.8: <i>"To enable the development of a competitive and efficient economy".</i>	<b>Opposed By:</b> 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited

### Discussion:

The National Trading Company, Warehouse Stationery Limited, and The Warehouse seek to add a new objective to Section 9.3 which enables the development of a competitive and efficient economy, and thereby achieving integration between transport and land use policies. Providing for competition and choice in retail activity will contribute to this being achieved.

In the evidence presented by The Warehouse Ltd and Warehouse Stationery Limited it was submitted that it was important for the submitter that, unless sufficient provision is made in the regions plans to enable all retail formats to establish in appropriate locations, both consumer choice and competition may be compromised, hindering the competitive and efficient economy. The submitter sought the inclusion of objectives and policies to enable consideration of the enablement of a competitive and efficient economy when preparing rules. It was argued that in managing land use and transport planning district plans can and do influence to a significant degree the economy of the region. It was submitted that zoning is a powerful mechanism.

The National Trading Company submitted that the provisions sought help to establish a balance and are an important reminder that objectives, policies and rules are not an exercise in control for controls sake but seek to be in balance with the imperative to encourage a competitive and efficient economy, and to achieve a high quality of environment and amenity. It is argued that the insertion of the words will not be contrary to the any of the provisions of the Act and will greater prominence to the matters listed in Schedule 5 of the LGAAA.

Progressive Enterprises opposes the submissions to the extent that it is inconsistent with the centres based approach set out in its original submission. Sylvia Park Business Centre Limited is also opposed to the submissions to the extent that it challenges the manner in which retail activities are to be accommodated and provided for in the region. The evidence presented by Progressive Enterprises Limited is summarised in section 5.14 of this report.

The matter of a competitive and efficient economy is referred to in Schedule 5 of the LGAAA which is in turn referred to in Section 40 of the LGAAA. Section 40 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.*

Clause (b) states that the objectives and policies have to "contribute in an integrated manner" to the matters in Schedule 5 ie contribute to *"integrating transport and land use policies to reinforce ...the development of a*

*competitive and efficient economy*". The matters in schedule 5 do not have to be and in some cases do not lend themselves to being objectives themselves.

Further, a District Plan is a land use document and is only one method of ensuring a competitive and efficient economy. While the actions of policies of a district plan should not be a barrier to an efficient and effective economy it is not considered appropriate that it be an objective itself in a District Plan. As stated above the objectives and policies should contribute to a competitive and efficient economy. This is not to say that a competitive and efficient economy is not important and it clearly is. The issue is the appropriateness of stating it as a District Plan objective and it is considered that it is not. The Proposed Rodney District Plan has taken the approach of identifying issues that relate to adverse effects on the environment and the objectives are constructed to address these. The proposed objective does not seem to be addressing an adverse effect. The submission is therefore rejected.

**Recommendation:**

- 5.2.1 Submissions 111/72, 110/75, 109/75 are rejected.
- 5.2.2 The further submissions made in support of or opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

**5.3 Chapter 9 Business Objective 9.3.2 Industrial Areas**

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
13/14	John Birkbeck	Opposes development of industrial areas in rural communities such as Matakana, Waimauku and Kaukapakapa, which should remain only housing areas and industry should be developed in larger communities such as Helensville and Kumeu.	<b>Opposed By:</b> 250 Auckland Regional Council

**Discussion:**

John Birkbeck opposes the development of industrial areas in rural communities like Matakana, Waimauku and Kaukapakapa as these communities should remain only for housing purposes and industry should be developed in larger communities like Helensville and Kumeu.

The Auckland Regional Council opposes the submission as they consider that rural communities should be as self sufficient as possible and commercial services and employment can be provided in within these communities. However, provision for any new or expanded industrial areas should be made through the planning process and subject to acceptable environmental effects.

At present Waimauku and Kaukapakapa do not have industrial land in them. In Matakana there is a Mixed Business Zone in the Proposed District Plan 2000 which allows light industrial activity. This has essentially been retained in the recently adopted Matakana Sustainable Development Plan but the extent has been slightly reduced and renamed the Matakana Service Zone. It is considered appropriate that this small settlement include some "industrial" type activity to provide for the service need of the residents. It is considered that the submission be rejected.

**Recommendation:**

- 5.3.1 Submission 13/14 is rejected.
- 5.3.2 The further submissions made in support of or opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

#### 5.4 Chapter 9 Business Policy 9.2.1 Land Use and Transportation

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/170	Auckland Regional Transport Authority	Retain amended Policy 9.2.1	

##### Discussion:

The Auckland Regional Transport Authority seeks the retention of the amended Policy 9.2.1 as it enables the multi purpose (mixed use) destinations to be developed in a manner which effectively integrates land use and transport.

The support for the policy is noted and the submission is accepted.

##### Recommendation:

5.4.1 Submission 258/170 is accepted.

#### 5.5 Chapter 9 Business Policy 9.3.2 Land Use and Transportation

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
258/171	Auckland Regional Transport Authority	Retain amended Policy 9.3.2	

##### Discussion:

The Auckland Regional Transport Authority seeks the retention of the amended Policy 9.3.2 as it enables the multi purpose (mixed use) destinations to be developed in a manner which effectively integrates land use and transport.

The support for the policy is noted and the submission is accepted.

##### Recommendation:

5.5.1 Submission 258/171 is accepted.

#### 5.6 Chapter 9 – Business Policy 9.4.3 Private Motor Vehicle Access to Retail Activity.

N0.	Submitter	Summary of Decision Sought	Further Submitter/s
109/76	The Warehouse Ltd	Amend Policy 9.4.3 to insert a new paragraph: <i>“To enable residents of the District to enjoy the benefits of choice and competition in their shopping the establishment of all retail formats must be provided for. Whereas the potential adverse effects of increasing private motor vehicle usage are acknowledged it must also be acknowledged that many retail activities are predominantly accessed by private motor vehicle and will continue to be for the foreseeable future.”</i>	<b>Opposed By:</b> 258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited

111/73	The National Trading Company of New Zealand Limited	Amend Policy 9.4.3 to insert a new paragraph: “To enable residents of the District to enjoy the benefits of choice and competition in their shopping the establishment of all retail formats must be provided for. Whereas the potential adverse effects of increasing private motor vehicle usage are acknowledged it must also be acknowledged that many retail activities are predominantly accessed by private motor vehicle and will continue to be for the foreseeable future.”	<b>Opposed By:</b> 208 Sylvia Park Business Centre Limited 258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited Support and Opposed By: 259 Transit New Zealand
110/76	Warehouse Stationery Limited	Amend Policy 9.4.3 to insert a new paragraph: “To enable residents of the District to enjoy the benefits of choice and competition in their shopping the establishment of all retail formats must be provided for. Whereas the potential adverse effects of increasing private motor vehicle usage are acknowledged it must also be acknowledged that many retail activities are predominantly accessed by private motor vehicle and will continue to be for the foreseeable future.”	<b>Opposed By:</b> 258 Auckland Regional Transport Authority 250 Auckland Regional Council 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited

#### Discussion:

The National Trading Company, Warehouse Stationery Limited, and The Warehouse seek to amend Policy 9.4.3 by adding a new paragraph (as set out above in the summary of the submission) so as to enable residents of the District to enjoy the benefits of choice and competition in their shopping, and acknowledging that in the future a majority of people will continue to use private motor vehicles for accessing retail activities.

In evidence presented on behalf of The Warehouse Ltd and Warehouse Stationery Limited reference was made to evidence presented in relation the Transport Issues report. That evidence is summarised in that report. It was submitted that it is appropriate for retail activity to establish within centres and along transport corridors and that activities that are primarily accessed by private motor vehicle should be able to locate where there is ready access by that mode. The evidence set out the key requirements for large format retail which are:

- Large footprint and large sites
- Viable land cost
- Accessibility
- “Big box” buildings
- service by large vehicles
- parking, car focussed
- operational requirements

It also set out the matters that will influence the ability of large format retail to establish within centres including:

- small sites in fragmented ownership
- inadequate parking
- expensive land or leases
- poor vehicle access
- pedestrian/motor vehicle conflict
- reverse sensitivity issues.

It was submitted that established centres are incapable of meeting future retail needs without expansion and supplementary development. Therefore the accommodation of large format retail development within corridors would then become essential. It was argued that if the planning instruments unduly restrict development to existing centres the result may not be strengthening of centres, but more likely the dis-ablement of residents to efficiently access the retail formats of their choice. The submitter seeks a balanced approach that, where appropriate, would enable the establishment of large format retail development in centres and along the major transport corridors.

In evidence presented to the hearing The National Trading Company it was submitted that under methods, district plans should include provision for all retail formats. It was argued that proposals for retail developments often face litigation because of a lack of policies and rules within district plans that provide for all forms of retail activity. It is submitted that part of the problem is that district plans don't provide for large format retail, particularly for out of centre large format retail activity.

The submissions are opposed by the Auckland Regional Transport Authority and the Auckland Regional Council as the intent of the submissions are contrary to the intent of the Variation. The submissions are also opposed by Progressive Enterprises Limited and Sylvia Park Business Centre Limited as they consider it to be inconsistent with the manner in which retail services are to be accommodated and provided for in the region.

No specific evidence was presented by ARTA to the business hearing but many of the issues are addressed by ARTA in evidence to the Transportation Report.

The evidence presented by Progressive Enterprises Limited was summarised in section 5.14 of this report.

For evidence presented by the Auckland Regional Council see section 5.1 above. The Auckland Regional Council presented evidence in support of its further submission. It was submitted that ample provision already exists for this type of activity in district plans. It was argued that such provision had been made without sufficient regard to adverse effects such as:

- Lack of integration with other transport modes
- Encouraging longer car based trips
- Cumulative congestion effects on the roading network
- Social and economic impacts on town centres identified for higher density development.

It was submitted that the submitters request was contrary to the purpose of the LGAAA and while car based retailing is a legitimate urban activity, there is no need to further recognise the need to accommodate it. On the contrary policies should be developed to encourage retailers to reinvest within high density centres and corridors.

The evidence presented by Progressive Enterprises Limited was summarised in section 5.10.

Transit opposes the National Trading Company's submission in part as they consider that though many retail activities are car oriented, these activities will need to be carefully located to ensure effective integration of land use and transport.

No evidence was presented by Transit to the business hearings but the issues were address in their evidence to the Transportation hearings.

Policy 9.4.3 in the Proposed Plan already recognises the issue of some business activity attracting large numbers of vehicles and states as follows:

*Business activities which attract large numbers of vehicles should be located so that cumulative vehicle trip generation, duration and length is minimised.*

*Explanation and Reasons*

*This policy seeks to achieve Objectives 9.3.1, 9.3.2, 9.3.3, 9.3.4, 9.3.5, 9.3.6 and 9.3.7.*

Some business activities have a significant influence on the number and pattern of vehicle trips within the District. The location of business activity will influence the extent to which people use vehicles, and the distances and time involved in vehicle use will in turn affect vehicle emissions (to air and water). Speciality shops, supermarkets and department stores are all forms of retail activity which are high generators of vehicle traffic. The co-location of high traffic generators will lower the incidence of single purpose shopping trips and reduce the necessity to travel from one retail outlet to another by motor vehicle to accomplish a relatively small number of tasks.

The dispersal of business activities within residential areas needs to be carefully considered in this context. While a mix of small scale business activities with no significant adverse effects on residential amenity may provide highly accessible facilities for residents and so reduce vehicle reliance, retail activities which generate a high number of trips in vehicles should be co-located with other high trip generators.

Similarly, the location of high trip generating business activities in areas of the district which are otherwise rural and some distance from population centres should be discouraged.

Chapter 21 – Transportation and Access also already refers to the significant number of trips made by private vehicles. The explanation could be amended by adding reference in the second paragraph to “large format retailing”. See Appendix 1 to this report for the details of the amendment.

It is therefore considered that with the amendment referred to above, and when all parts of the Proposed Plan are read together, there is sufficient recognition of the role of private vehicles. As mentioned above in relation to the further submissions, adding a new paragraph which will acknowledge that a majority of people in the foreseeable future will continue to rely on private motor vehicles will be totally contrary to the intent of Variation 22 and LGAAA. Section 4.11 of the Key Issues Report addresses the issue of specific reference to retail activity.

It is considered that the submissions be accepted in part to the extent that a minor amendment is recommended.

#### **Recommendation:**

- 5.6.1 Submissions 109/76, 111/73, 110/76 are accepted in part to the extent set out in the amendments in Appendix 1 to this report.
- 5.6.2 The further submissions made in support of or opposition to the submissions noted above, are accepted or rejected in whole or in part, accordingly.

#### **5.7 Chapter 9 – Business Policy 9.8.2.2.3 Retail Activity in Business Areas**

<b>NO.</b>	<b>Submitter</b>	<b>Summary of Decision Sought</b>	<b>Further Submitter/s</b>
109/77	The Warehouse Ltd	Amend section 9.8.2.2 to insert a new Policy 9.8.2.2.3: “The location of high traffic generating activities should be enabled in the Mixed Business zones as well as in town centres.”	<b>Opposed By:</b> 258 Auckland Regional Transport Authority 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited
110/77	Warehouse Stationery Limited	Amend section 9.8.2.2 to insert a new Policy 9.8.2.2.3: “The location of high traffic generating activities should be enabled in the Mixed Business zones as well as in town centres.”	<b>Opposed By:</b> 258 Auckland Regional Transport Authority 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited
111/74	The National Trading Company of	Amend section 9.8.2.2 to insert a new Policy 9.8.2.2.3: “The location of high traffic generating	<b>Opposed By:</b> 208 Sylvia Park Business Centre Limited

	New Zealand Limited	activities should be enabled in the Mixed Business zones as well as in town centres.”	258 Auckland Regional Transport Authority 108 Progressive Enterprises Limited Support and Opposed By: 259 Transit New Zealand
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### Discussion:

The National Trading Company, Warehouse Stationary Limited, and The Warehouse seek to include a new policy (as set out above in the summary of the submission) which enables the location of high traffic generating retail activity to be established in established business areas as well as town centres. It may be difficult for some retail formats to be established in town centres due to controls on urban design and accessibility.

The evidence presented by The Warehouse Ltd and Warehouse Stationery Limited in relation to these submissions is set out in section 5.6 above.

The National Trading Company presented evidence on this submission and it was submitted that the reasons set out in the hearing report were faulty. Particularly that high customer generating activities in a mixed use area would have adverse effects on a town centre. It is argued that this does not take into account:

- The necessity for , or to enable large format retail activities to meet the needs of the community
- If they cannot be fitted into pedestrian environments and town centres for the lack of large sites and because of disruption that would ensue, then the only other locations are to be near town centres but not in the pedestrian areas, or mixed use or other business zones which are likely to be along corridors or in a precinct of a large business centre.

The submissions are opposed by The Auckland Regional Transport Authority as the intent of the submissions is contrary to the intent of the Variation. The submissions are also opposed by Progressive Enterprises Limited and Sylvia Park Business Centre Limited as they consider it to be inconsistent with the manner in which retail services are to be accommodated and provided for in the region.

The evidence presented by Progressive Enterprises Limited was summarised in section 5.14 of this report.

Transit opposes the National Trading Company’s submission in part as they consider that though many retail activities are car oriented, these activities will need to be carefully located to ensure effective integration of land use and transport.

In the Proposed Plan one of the objectives of the Mixed Business Zone is:

*Objective 9.8.2.1.1*

*To enable a range of business activity without generating adverse effects on the function of town centres as community focal points.*

The supporting policy is:

*Policy 9.8.2.2.1*

*High customer generating retail activity should generally not be located in the Mixed Business Zone.*

The explanation for the policy is:

*High customer generating retail activity locating in the Mixed Business Zone could generate adverse effects on the function and the amenity values of town centre business areas which act as community focal points. It is therefore necessary to assess such activities to determine if adverse effects could occur.*

In the Mixed Business Zone retail activity (shops) greater than 600m<sup>2</sup> is a Restricted Discretionary Activity in the Mixed Business Zone. An application can therefore be made to the Council for retail activity in the zone and will be assessed in terms of a number of criteria which are:

- (a) *Whether the activity will have an adverse effect on the ability of existing town centres to continue to act as community focal points.*
- (b) *Whether the activity will result in a loss of amenity values in town centres.*
- (c) *Whether entry and exit points to the site and parking areas will enable the safe and efficient movement of people and vehicles.*
- (d) *Whether the traffic generated will adversely affect the safe and efficient operation of the road network.*
- (e) *Whether the activity will compromise the ability of Permitted Activities to operate by creating an expectation of higher environmental standards than required by the Zone.*

The policy direction of the Proposed Plan in relation to high traffic generating activity is to generally not allow it in the Mixed Business Zone. Resource consent can be sought and the effect of the activity on other town centres can be assessed. It is not therefore appropriate to amend the policy position as requested. The request in this submission should not be confused with submissions lodged in relation to allowing large format retail activity out of centre and in corridors. The key difference is that the Mixed Business zones are not necessarily located on corridors therefore the Mixed Business Zone and corridors are not synonymous. However, the discussion in section 4.2 of the Key Issues Report on centres and corridors should also be referred to in the context of these submissions.

The submission is therefore rejected.

**Recommendation:**

5.7.1 Submissions 109/77, 110/77, 111/74 are rejected.

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

**5.8 Chapter 9 Policy 9.8.1.1 Land Use and Transportation**

<b>N0.</b>	<b>Submitter</b>	<b>Summary of Decision Sought</b>	<b>Further Submitter/s</b>
258/172	Auckland Regional Transport Authority	Retain amended Policy 9.8.1.1	

**Discussion:**

The Auckland Regional Transport Authority seeks the retention of the amended Policy 9.8.1.1 as it enables the multi purpose (mixed use) destinations to be developed in a manner which effectively integrates land use and transport.

The support for the policy is noted and the submission is accepted.

**Recommendation:**

5.8.1 Submission 258/172 is accepted.

## 5.9 Chapter 9 Policy 9.8.1.2.5 Land Use and Transportation

<b>N0.</b>	<b>Submitter</b>	<b>Summary of Decision Sought</b>	<b>Further Submitter/s</b>
258/173	Auckland Regional Transport Authority	Retain amended Policy 9.8.1.2.5.	

### Discussion:

The Auckland Regional Transport Authority seeks the retention of the amended Policy 9.8.1.2.5 as it enables the multi purpose (mixed use) destinations to be developed in a manner which effectively integrates land use and transport.

The support for the policy is noted and the submission is accepted.

### Recommendation:

5.9.1 Submission 258/173 is accepted.

## 5.10 Chapter 13 – Future Development and Structure Plans Policy 13.4.7 Item (e) of Schedule 5 of the LGAAA

<b>N0.</b>	<b>Submitter</b>	<b>Summary of Decision Sought</b>	<b>Further Submitter/s</b>
109/81	The Warehouse Ltd	Amend Policy 13.47 to ensure future urban growth and development is designed and implemented in ways that support the development of a competitive and efficient economy.	<b>Opposed By:</b> 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited
110/81	Warehouse Stationery Limited	Amend Policy 13.47 to ensure future urban growth and development is designed and implemented in ways that support the development of a competitive and efficient economy.	<b>Opposed By:</b> 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited
111/78	The National Trading Company of New Zealand Limited	Amend Policy 13.47 to ensure future urban growth and development is designed and implemented in ways that support the development of a competitive and efficient economy.	<b>Opposed By:</b> 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited

### Discussion:

The National Trading Company, Warehouse Stationery Limited, and The Warehouse seek to amend Policy 13.4.7 so as to ensure that future urban growth and development is designed and implemented in ways that support the development of a competitive and efficient economy. The reason is that the LGAAA schedule 5 item (e) requires this.

The evidence presented by The Warehouse Ltd and Warehouse Stationery Limited on this issue is addressed in section 5.2 above.

Progressive Enterprises opposes the submissions to the extent that it is inconsistent with the centres based approach set out in its original submission. Sylvia Park Business Centre Limited is also opposed to the submissions to the extent that it challenges the manner in which retail activities are to be accommodated and provided for in the region.

The issue of and efficient and effective economy is addressed in section 5.2 above. The arguments presented there apply equally to the request for an amendment to the policies in Chapter 13 – Future Development and Structure Plans.

**Recommendation:**

5.10.1 Submissions 109/81, 110/81, 111/78 are rejected.

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

**5.11 Chapter 13 Objective 13.3.3 Future Development and Structure Plans**

<b>N0.</b>	<b>Submitter</b>	<b>Summary of Decision Sought</b>	<b>Further Submitter/s</b>
250/111	Auckland Regional Council	Amend objective 13.3.3 by adding that future development and structure planning should be undertaken in line with a centres based approach.	<b>Supported By:</b> 258 Auckland Regional Transport Authority <b>Opposed By:</b> 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd

**Discussion:**

The Auckland Regional Council seeks to amend Objective 13.3.3 by adding that future development and structure planning should be undertaken in line with a centres based approach, as this is consistent with the amended RPS and it gives effect to the LGAAA.

In evidence presented at the hearing the Auckland Regional Council reiterated the need for district plans to be consistent with Policy 2.6.5.6 relating to centres and corridors

The Auckland Regional Transport Authority supports the submission as it gives effect to the LGAAA and it achieves better integration between land use and transport.

The National Trading Company, Warehouse Stationery Limited, and The Warehouse oppose the submissions as the proposed "centres based approach" is considered to be inconsistent with the Growth Strategy's approach of accommodating growth not only in town centres but also along transport corridors.

In the Proposed Plan in Chapter 9 – Business, the outcome of the objectives and policies is a centres based strategy to maintain and reinforce the role of town centres to act as community focal points. However as noted in Section 4.2 of the Key Issues Report it is considered that TA's should investigate a classification framework for centres and corridors. It is therefore not considered necessary for Chapter 13 of the Proposed Plan relating to future development to be amended to specifically refer to centres. The submission is therefore rejected.

**Recommendation:**

5.11.1 Submission 250/111 is rejected.

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

**5.12 Chapter 21 21.3.5 Transportation and Access Consistent industrial and transport strategies**

<b>N0.</b>	<b>Submitter</b>	<b>Summary of Decision Sought</b>	<b>Further Submitter/s</b>
72/4	Edison Limited	Amend by including comprehensive industrial strategy	

## Discussion:

Edison Limited seeks to amend Section 4.3 of Variation 22 by including a comprehensive industrial strategy which will include the analysis of opportunities for industrial development in west and north Rodney.

At a broad level the matter of industrial land is dealt with in Section 4.10 of the Key Issues Report. It is noted that the RDC is currently undertaking research relating to industrial activity in the District, particularly in relation to the supply of business land in the District, with a view to developing an industrial strategy. Once this work is complete changes to the District Plan are likely to result.

## Recommendation:

5.12.1 Submission 72/4 is accepted to the extent that the RDC is undertaking further research on the matter of business land.

### 5.13 Chapter 21 – Transportation and Access Policy 27.4.7(d) Traffic Generating Nature of Large Format Retail

<b>NO.</b>	<b>Submitter</b>	<b>Summary of Decision Sought</b>	<b>Further Submitter/s</b>
109/78	The Warehouse Ltd	Amend Policy 27.4.7(d) to insert the words “supermarkets and other large format retail” after the words “shopping centres,”	<b>Opposed By:</b> 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited
110/78	Warehouse Stationery Limited	Amend Policy 27.4.7(d) to insert the words “supermarkets and other large format retail” after the words “shopping centres,”	<b>Opposed By:</b> 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited
111/75	The National Trading Company of New Zealand Limited	Amend Policy 27.4.7(d) to insert the words “supermarkets and other large format retail” after the words “shopping centres,”	<b>Opposed By:</b> 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited

## Discussion:

It is noted that the submissions have incorrectly identified the policy as 27.4.7 and it should refer to 21.4.7. Chapter 21 is the Transport and Access chapter of the Proposed Plan.

Policy 21.4.7 which states,

*The development of new urban areas or the redevelopment of existing urban areas, should occur in ways which integrate land use and transport activities and ensure the efficient and effective provision of a transport network. This includes: ...*

*(d) ensuring that high traffic generating activities, eg. shopping centres, are located adjacent to roads with the appropriate vehicle carrying capacity.*

The National Trading Company, Warehouse Stationery Limited, and The Warehouse seek to amend the above mentioned clause (d) by inserting the words “supermarkets and other large format retail” after the words “shopping centres”, as it is considered that supermarkets and most large format retail operators are traffic generators in addition to shopping centres and are often establish in stand-alone locations.

A general outline of the evidence presented by The Warehouse and Warehouse Stationery is set out in section 5.1 of this report. Specifically in relation to this submission, the evidence presented on behalf of The Warehouse Ltd and Warehouse Stationery Limited supported the amendments recommended below.

The National Trading Company noted the amendments proposed in response to this submission and agreed with them.

Progressive Enterprises opposes the submissions to the extent that it is inconsistent with the centres based approach set out in its original submission. Sylvia Park Business Centre Limited is also opposed to the submissions to the extent that it challenges the manner in which retail activities are to be accommodated and provided for in the region.

It is considered that the words “supermarkets and other large format retail” can be added to the examples cited in the policy. The policy is aimed at ensuring an efficient and effective transport network is provided. The addition does not alter the intent of the policy and the listed activities are high traffic generating activities which clause (d) of the policy relates to. The specific wording is set out in Appendix 1 to this report.

**Recommendation:**

5.13.1 Submissions 109/78, 110/78, 111/75 are accepted.

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

**5.14 Whole Plan Change Growth**

<b>NO.</b>	<b>Submitter</b>	<b>Summary of Decision Sought</b>	<b>Further Submitter/s</b>
108/57	Progressive Enterprises Limited	Retain the plan change and adopt insofar as it is consistent with a centres-based approach to planning for retail and business development; is consistent with the Auckland Regional Growth Strategy and Auckland Regional Policy Statement; and is commensurate with the needs of the community in particular the need to maintain and enhance the growth and development of existing and proposed business centres in the District; and, subject to specific amendments sought in submissions 108/58 - 108/59) , and any consequential amendments arising out of changes made to the Auckland Regional Policy Statement.	<b>Supported By:</b> 208 Sylvia Park Business Centre Limited <b>Opposed By:</b> 110 Warehouse Stationery Limited 111 The National Trading Company of New Zealand Limited 109 The Warehouse Ltd

**Discussion:**

Progressive Enterprises Limited seeks the retention and adoption of the entire plan changes insofar as it is consistent with a centres-based approach to planning for retail and business development; is consistent with the Auckland Regional Growth Strategy and Auckland Regional Policy Statement; and is commensurate with the needs of the community in particular the need to maintain and enhance the growth and development of existing and proposed business centres in the District.

Progressive Enterprises presented extensive evidence to the Panel. The key thrust of the evidence is to ensure that the centres based approach adopted in district plans and the plan changes are not undermined. It was submitted that the centres based development enhances:

- community identity through providing an opportunity for people interaction and a focus for public places and facilities.
- Transport efficiency, through enabling effective and efficient public transport thereby reducing the reliance on travel by private car
- Functional and social amenity.

It was stated that residential and general business growth and intensification along primary transport corridors is supported but the establishment of significant retail capacity along these corridors is not supported because of adverse effects including:

- Adverse impacts on sustainability through less efficient travel patterns
- Reduction on functional and social amenity
- Undermine the viability of existing retail activities in centres
- Ultimately undermine compact urban form.

It was submitted that there is a lack of clarity about the location, definition and meaning of corridors, and a lack of consideration of how the corridors and their intended roles as a focus for intensification should be supported in the various plan changes. It is submitted that the plans do not differentiate between residential, business or retail development along corridors and it is considered by the submitter that this is a crucial omission. The reason given is that the effects of retail development along the corridors are quite different. It is submitted that there is the potential for large scale retail development in corridors to undermine the efficiency and amenity benefits of other business and residential intensification in corridors. The lack of clarity could result in ad hoc out of centre retail development which could undermine the centres base approach.

Sylvia Park Business Centre Limited supports the submission to the extent it is consistent with its original submission.

The National Trading Company, Warehouse Stationary Limited, and The Warehouse oppose the submissions as the proposed “centres based approach” is considered to be inconsistent with the Growth Strategy’s approach of accommodating growth not only in town centres but also along transport corridors.

The submission is accepted in part as it supports the plan changes. The support is subject to matters being dealt with that are raised in other submissions. Submission 108/58 is dealt with in RDC Report 1 on General Matters and concerned residential activity not inhibiting retail activity at ground level in town centres. In that report it was noted that Chapter 9 – Business of the Proposed Plan did deal with this. Submission 108/59 sought unspecified changes to be consistent with the RPS. Section 4.2 of the Key Issues Report on centres and corridors is also relevant in the context of this submission.

**Recommendation:**

5.14.1 Submission 108/57 is accepted in part to the extent that it supports the plan changes.

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

**5.15 Chapter 4 – Overview 4.3 Under-Development of Retail Facilities**

<b>N0.</b>	<b>Submitter</b>	<b>Summary of Decision Sought</b>	<b>Further Submitter/s</b>
110/79	Warehouse Stationery Limited	Amend the second sentence of the third paragraph of section 4.3 by inserting the words “ <i>retail facilities</i> ” before the words “business land”.	<b>Opposed By:</b> 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited
109/79	The Warehouse Ltd	Amend the second sentence of the third paragraph of section 4.3 by inserting the words “ <i>retail facilities</i> ” before the words “business land”.	<b>Opposed By:</b> 108 Progressive Enterprises Limited 208 Sylvia Park Business Centre Limited
111/76	The National Trading Company of New Zealand Limited	Amend the second sentence of the third paragraph of section 4.3 by inserting the words “ <i>retail facilities</i> ” before the words “business land”.	<b>Opposed By:</b> 208 Sylvia Park Business Centre Limited 108 Progressive Enterprises Limited

## Discussion:

These submissions relate to the third paragraph of Section 4.3, as amended by Variation 22, and the pertinent sentences are:

*Much of the District's recent growth has been from immigration as people choose to relocate from elsewhere to Rodney District. This substantial immigration has been occurring in a District which is relatively undeveloped in terms of housing supply, business land and employment activities, and associated infrastructure and services.*

The National Trading Company, Warehouse Stationary Limited, and The Warehouse seek to amend the above by inserting the words "retail facilities" before the words "business land" as retail facilities are underdeveloped in the District.

For evidence presented by The Warehouse and Warehouse Stationary see the discussion of this issue in section 5.1 of this report.

The National Trading Company evidence submitted that it was considered appropriate to refer specifically to "retailing" in the Proposed Plan rather than just dealing with it under the general term "business". Evidence was presented on the amount of retailing that was required to meet demand in the future therefore justifying its specific reference. It was argued that unless the need to accommodate the enormous growth in retail activities that is anticipated is recognised at all levels within a district plan, the task of accommodating growth will become much more difficult.

Progressive Enterprises opposes the submissions to the extent that it is inconsistent with the centres based approach set out in its original submission. Sylvia Park Business Centre Limited is also opposed to the submissions to the extent that it challenges the manner in which retail activities are to be accommodated and provided for in the region.

In the Proposed Plan 2000, Chapter 4 is an overview chapter and section 4.3 is setting the scene of Rodney District in the Regional context. In this chapter and in the Business chapter the term "business" is used in a generic sense and includes all retail, commercial and industrial activity. It is therefore not considered necessary to single out retailing in this part of the Proposed Plan.

## Recommendation:

5.15.1 Submissions 110/79, 109/79, 111/76 are rejected.

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

## 5.16 Chapter 4.5 4.5.4 Business

<b>N0.</b>	<b>Submitter</b>	<b>Summary of Decision Sought</b>	<b>Further Submitter/s</b>
250/105	Auckland Regional Council	Amend this section by adding an additional point (e) which refers to the role of concentrated business activity supporting a multi-modal transport system.	<b>Supported By:</b> 258 Auckland Regional Transport Authority

## Discussion:

The Auckland Regional Council seeks to amend Section 4.5.4 by adding an additional point which refers to the role of concentrated business activity supporting a multi-modal transport system, as this section currently does not recognize the benefits of concentrating business activity in order to support public transport walking and cycle modes.

While the Auckland Regional Council presented evidence to the hearing it did not refer specifically to this point.

The Auckland Regional Transport Authority supports the submission as it gives effect to the LGAAA and it achieves better integration between land use and transport.

The intent of the proposed amendment is supported but it is considered that an additional bullet point is not needed and that existing bullet (c) can be amended to reflect the submission. Bullet (c) is set out below with the suggested addition:

(c) *The adverse effects of traffic generated by business activities are minimised and a multi-modal transport system is supported.*

The whole section is set out in Appendix 1 to this report.

**Recommendation:**

5.16.1 Submission 250/105 is accepted.

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

## APPENDIX 1

### PROPOSED AMENDMENTS TO THE RODNEY DISTRICT PROPOSED DISTRICT PLAN 2000

1 Amendment in response to submissions 109/76, 111/73 and 110/76

Amend Policy 9.4.3, Explanation and Reasons, first paragraph as follows (additions are underlined, deletions struck through)

*....Speciality shops, supermarkets, large format retail stores and department stores are all forms of retail activity which are high generators of vehicle traffic.....*

2 Amendment in response to submissions 109/78, 110/78 and 111/75

Amend Policy 21.4.7 Clause (d) as follows (additions are underlined);

*The development of new urban areas or the redevelopment of existing urban areas, should occur in ways which integrate land use and transport activities and ensure the efficient and effective provision of a transport network. This includes: ...*

- (d) *ensuring that high traffic generating activities, eg. shopping centres, supermarkets and other large format retail stores are located adjacent to roads with the appropriate vehicle carrying capacity.*

4 Amendment in response to submission 250/105

Amend Chapter 4 – Overview, section 4.5.4 Business as follows (additions are underlined):

*The overall approach is one of concentrating business activity in specified areas. This centres based approach, groups business activities with like effects to enable management of the effects. The consequences of this are:*

- (a) *Town centres retain and strengthen their community focal point role and their amenity values are maintained and in some cases enhanced.*
- (b) *The adverse effects of business activities on other land use activities, both within and adjoining business areas, are minimised.*
- (c) *The adverse effects of traffic generated by business activities are minimised and a multi-modal transport system is supported.*
- (d) *The adverse effects of business activity on the natural environment are minimised.*