

NOTICE OF MEETING

STRATEGY AND COMMUNITY COMMITTEE

TO: Penny Webster - Mayor
Crs Zane Taylor (Chairperson)
Ross Craig
Pat Delich
Michael Goudie
Gaye Harding
John Kirikiri
Dave Parker QSM
Grahame Powell
June Turner
Greville Walker
Wayne Walker
Suzanne Weld

The Strategy and Community Committee will meet in the Council Chamber, Centreway Road, Orewa on Tuesday, 24 August 2010, commencing at 9.00 a.m. for the purpose of hearing submissions to the Draft Kaukapakapa Structure Plan.

for: CHIEF EXECUTIVE
Rodger Kerr-Newell

OREWA
17 August 2010

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ITEM NO: 1

APOLOGIES

ITEM NO: 2

REPORT



TO Strategy and Community Committee
ON 24 August 2010
FROM Peter Vari – Manager: District Planning
James Copley - Project Manager
Lee Joffe - Consultant
APPROVED BY Warren Maclennan – Assistant Chief Executive
SIGNATURE

A handwritten signature in black ink that reads "Warren Maclennan".

SUBJECT **KAUKAPAKAPA STRUCTURE PLAN**
HEARING OF SUBMISSIONS ON DRAFT STRUCTURE PLAN
FILE REF TP/9/69

PURPOSE OF REPORT:

To provide an analysis of submissions received to the draft Kaukapakapa Structure Plan.

<input type="checkbox"/> Information only	<input checked="" type="checkbox"/> Strategic decision	<input checked="" type="checkbox"/> Policy decision	<input type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? No
(ii)	Implications in terms of Vision Rodney? The draft Kaukapakapa Structure Plan and the amendments proposed in this report are considered to be consistent with Vision Rodney and Planning Rodney.
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? Projects identified in the Structure Plan will need to be included within the Long Term Council Community Plan (LTCCP) in the future.

(iv)	Implications in terms of other Council Strategic documents or Council Policy?
	No
(v)	Is a budget amendment required?
	No. Implementation of the Kaukapakapa Structure Plan will occur following its adoption. Project costs will be included within the LTCCP. However, some of the projects identified are long term and are more suitable to be included in the next review of the LTCCP.
(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required?
	The Kaukapakapa Structure Plan has been the subject of continuous consultation with the Kaukapakapa Area Residents' and Ratepayers' Association since October 2006. There have been periodic public open days. The draft Structure Plan has been prepared with input from the Kaukapakapa Area Residents' and Ratepayers' Association and a high degree of consultation with numerous affected parties (i.e. the Auckland Regional Council, the New Zealand Transport Agency, Ngati Whatua Nga Rima o Kaipara, and many landowners. This report is an analysis of public submissions received on the draft Structure Plan notified on 10 June 2010.
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?)
	No

FINANCIAL IMPLICATIONS:

Capital cost implications	Not applicable
Is it currently budgeted for?	Not applicable
Funding source of capital costs	Not applicable
Ongoing operational cost implications	Not applicable
Is it currently budgeted for?	Not applicable
Funding and rating impact (whether resulting from capital expenditure or arising directly)	Not applicable

SUMMARY:

This report analyses the submissions received on the draft Kaukapakapa Structure Plan (the Structure Plan). Following on from this and based on the submissions received, the report recommends some amendments to the Structure Plan.

The various points from all submissions have been grouped together under similar topics for convenience. Readers should refer to the Table of Submitters below to reference those sections of the report under which individual points of submission are considered.

Submitters wishing to speak to their submission will be heard on 24 August 2010 by the Strategy and Community Committee. Following this, the Committee will deliberate and make decisions on submissions. It is intended that the Structure Plan will be then be formally adopted and released publicly in September 2010.

TABLE OF SUBMITTERS:

#	Name	Report Sections
1	Leena and Peter Wu	3.2
2	Philip Kirk	3.2 3.4
3	Yvonne Harland	3.7 3.11
4	Keith Robinson	3.1
5	Kaukapakapa Residents' and Ratepayers' Association	3.1 3.2 3.6 3.8 3.11 3.12
6	Pat and Tanya McMahon	3.1

7	Alistair and Craig McNish	3.4	3.9		
8	N A Henderson	3.2	3.10		
9	E H Barwell	3.1			
10	Mrs P Berrington	3.1	3.2		
11	Sloan Group Trust Partnership	3.6			
12	M and A Trent and Kiri Pendlebury	3.1	3.10		
13	R H and M S MacLennan	3.1	3.6	3.8	3.11
14	Mt Hobson Properties Ltd	3.1	3.3	3.4	
15	Gary Muir	3.2	3.10		
16	Michael Paul McDonald	3.4			
17	Ralph Martin	3.1	3.11		
18	David Adams	3.11			
19	SH16 Ltd	3.4	3.9	3.10	3.12
20	Kaukapakapa School Board Trustees	3.1	3.2	3.10	3.11
21	Glenn and Leanne Suckling	3.11			
22	Roger Prout	3.4	3.11		
23	Jeff and Sarah Down	3.1	3.4		
24	Steve Perris	3.4			
25	Capital Group (KK) Ltd	3.3	3.4	3.10	3.11
26	The Ashby Family Trust	3.1	3.10		
27	Heather May Sharples	3.4			
28	Tonia Hunt	3.2			
29	Gillian Roberts	3.4			
30	Elsbeth and Dennis McAulay	3.1	3.2	3.4	
31	Carol Lepupa	3.1	3.4	3.11	
32	Alan Fish	3.1	3.11		
33	Helen Beech	3.1	3.11		
34	Bruce and Caroline Cowan	3.1			
35	South Kaipara Cooperating Parish	3.1			
36	Kerry Antilla	3.1	3.2		
37	Graham and Carrol Oliver	3.1			
38	H J Healy	3.1	3.2	3.4	3.11
39	Joanne Healy	3.1	3.2	3.11	
40	Maren Osbaldiston	3.1	3.2	3.10	3.11
41	Edwin Osbaldiston	3.2			
42	The Auckland Regional Council	3.5			
43	The New Zealand Transport Agency	3.1	3.10		

RECOMMENDATION:

- (a) That subject to any further evidence being presented at the hearing of submissions on 24 August, the recommended decisions on submissions and amendments to the draft Kaukapakapa Structure Plan set out in this report be adopted.
- (b) That the Kaukapakapa Structure Plan, incorporating the amendments identified in (a) above be adopted.
- (c) That the submitters be advised accordingly.

1.0 Background

For convenience the following acronyms and terms have been in the report:

ARC	the Auckland Regional Council
Council	the Rodney District Council
ITA	Integrated Transport Assessment
KARRA	the Kaukapakapa Area Residents' and Ratepayers' Association
NZTA	the New Zealand Transport Agency
ROW	Right of Way
KKK	Kaukapakapa
ARPS	Auckland Regional Policy Statement

The Structure Plan process was initiated in 2006 and included the following generally sequential stages of work:

- Background research
- Consultation
- Constraints and opportunities
- Consultation
- Preliminary proposals
- Consultation
- Preparation of draft Structure Plan
- Consultation

Having notified the Structure Plan on 10 June 2010, the Council is now at the final consultation stage of the Structure Plan process. Following the hearing, the Council will make decisions on any changes to the Structure Plan, after which the final Kaukapakapa Structure Plan will be formally adopted.

It is important to note that the Structure Plan is indicative and is not a statutory document and therefore any proposed land uses, roads or other notations do not have any legal effect even when the Plan is adopted. A statutory District Plan change (a publicly notified process) is required to implement the outcomes of the Structure Plan.

2.0 Report structure

The various points from all submissions have been grouped together into 12 subject topics. Most submissions include multiple points of submission, and those submissions are accordingly considered under more than one subject topic. Topics and the report section under which they are discussed are as follows:

- | | |
|------------------------------------|--------------|
| • General support or opposition | Section 3.1 |
| • Town centre | Section 3.2 |
| • Large site-specific developments | Section 3.3 |
| • Site-specific zoning | Section 3.4 |
| • Countryside Living | Section 3.5 |
| • Site sizes | Section 3.6 |
| • Urban design and character | Section 3.7 |
| • Defendable boundaries | Section 3.8 |
| • Flooding | Section 3.9 |
| • Roading and traffic | Section 3.10 |
| • Reserves and walkways | Section 3.11 |
| • Colour keys on plans | Section 3.12 |

Each of the sections in the analysis below concludes with:

- (i) officer recommendation as to whether to accept or reject the points raised in the submissions
- (ii) amendments to the Structure Plan.

3.0 Submissions

3.1 Topic: General support or opposition

3.1.1 Submissions

The following 24 submitters commented on this topic:

#	Name	Issues raised
4	Keith Robinson	Liked everything about the proposal. Noted concern whether the School could cope with the potential role increase.
5	KARRA	Supported the Structure Plan and encouraged the Council to complete the process by incorporating the Structure Plan into the District Plan.
6	Pat and Tanya McMahon	Approved of the concept of the Structure Plan. Had been appalled at adhoc development in recent years with no public consultation or community input. Hoped the adoption of the Structure Plan would mean developments such as Peak Road and those within the Township boundary would not be sprung on the community as a fait accompli, without input from those affected and KARRA.
9	Mr E H Barwell	Fully supported the Structure Plan and encouraged the Council to complete the process by incorporating the Structure Plan into the District Plan.
10	Mrs P Berrington	Supported the Structure Plan and encouraged the Council to complete the process by incorporating the Structure Plan into the District Plan.
12	Michael and Anna Trent and Kiri Pendlebury	Supported the nature of the Structure Plan, but opposed the proposed road through their property (discussed in other sections of this report).
13	RH and MS MacLennan	Supported the Structure Plan and urged the Council to complete the process through incorporation into the District Plan.
14	Mt Hobson Properties Ltd	Supported the Structure Plan in general in that it provides for additional growth in the area.
17	Ralph Martin	Fully supported the Structure Plan.
20	KKK School Board Trustees	Supported the aims of the Structure Plan which aims to establish a sustainable management plan for KKK.
23	Jeff and Sarah Down	Supported the Structure Plan overall and urged the Council to adopt the Structure Plan by varying the District Plan.
26	The Ashby Family Trust	Generally supported the proposed zoning changes.
30	Elsbeth and Dennis McAulay	Supported the parts of the plan pertaining to the southern node.
31	Carol Lepupa	Supported the Structure Plan (subject to a number of matters relating to; transport, walkways, specific zoning of their property, etc, discussed in other sections of this report).
32	Alan Fish	Supported the Structure Plan.
33	Helen Beech	Supported the Structure Plan.
34	Bruce and Caroline Cowan	Supported the Structure Plan, sought funding to ensure that it could become a variation of the District Plan within the next year.
35	South Kaipara Cooperating Parish	Supported the Structure Plan and urged that sufficient funding be allocated to complete the process by varying the District Plan.
36	Kerry Antilla	Thought the Draft Structure Plan was very good.
37	Graham and Carrol Oliver	Structure Plan appeared to be a sensible approach to the current and future needs of the local community.
38	H J Healy	Supported the Structure Plan.
39	Joanne Healy	Was happy with the proposed Structure Plan.
40	Maren Osbaldiston	Opposed the Structure Plan on the basis of town centre and service station location, and traffic/pedestrian safety concerns (discussed in other sections of this report).
43	NZTA	Supported the Structure Plan in part, subject to concerns raised – refer Section 3.10 (Traffic and Roading) for more detail.

3.1.2 Discussion

Of the 24 submitters on this topic:

- 20 generally supported the Structure Plan;
- three supported the Structure Plan conditional on certain issues being resolved;
- one opposed the Structure Plan on the basis of the location of the Town Centre, service station and traffic/pedestrian safety concerns.

These submissions are discussed below.

The general support of 23 submissions is acknowledged, including submission 6, which indirectly supported the Structure Planning exercise.

The other points raised in three of these submissions (12, 31 and 43) are dealt with further in this report under another topic.

The concern of submitter 4 regarding the school role is an operational issue and the responsibility of the Ministry of Education and is therefore not followed up any further in this report.

Submissions 5, 9, 10, 13, 23, 34 and 35 additionally requested that the Structure Plan is translated into the District Plan as soon as possible. While the Council's general planning processes support following up the Structure Plans with its translation into the District Plan, this statutory process is separate to the Structure Plan process and one for which the Council will need to make an independent process decision. Given the current timing of the Auckland Council reorganisation, the decision on a plan change/variation will, in all likelihood, be made by the new Auckland Council.

Submitter 40's opposition to specific parts of the Structure Plan is considered further in this report under sections 3.2, 3.10 and 3.11.

3.1.3 Officer recommendation

That all 24 submissions be accepted, in so far as they support the Structure Plan i.e. that submissions 12, 31, 40 and 43 be accepted in part, being that part generally supporting the Structure Plan.

3.1.4 Amendments to Structure Plan

There are no amendments arising from this recommendation.

3.2	Topic: Town centre
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3.2.1 Submissions

The following 14 submitters commented on this topic:

#	Name	Issues raised
1	Leena and Peter Wu	Former owners of KKK Store (2002-2008), have served locals for over half a century and provided for most of the essential needs. The current three service properties are adequate for the new commercial area so why build on other land? Also willing to extend the store to meet future needs. Proposed commercial land would affect the current business.
2	Philip Kirk	Rezone 1045, 1033 and 1037 Kaipara Coast Highway to Commercial. Used for commercial purposes for over 60 years and likely to continue. Rezoning of these sites to commercial would allow for a better redevelopment. Sites were close to proposed commercial zone. Proposed Commercial zoned land is excessive (3ha) compared to Red Beach shopping centre (1.0359ha) with a much larger residential catchment and busier road. Considerable population growth in KKK unlikely in 10-15 years.

5	KARRA	Asked if the Council planners could provide an explanation to justify leaving the current retail premises out of the new commercial zone.
8	N A Henderson	Disagreed with the proposed commercial zoning, incomprehensible that the existing village which has been commercially active since 1927 has been omitted.
10	Mrs P Berrington	Queried why the zoning of the existing businesses is residential, not commercial.
15	Gary Muir	Creating a new commercial centre would affect the existing shops and would create unsustainable competition with the small population. Changing the zoning of the Council land was a direct conflict of interest. Would there be height restrictions on the new commercial centre? Multi-storied buildings would drastically affect the aesthetics of the area. The commercial centre or petrol station should be located in the area earmarked for industry further north of the Town Centre and the paddock should be left and developed as a park or similar usage.
20	KKK School Board Trustees	Supported the concept of keeping the designated commercial areas as they were. The school's staff and children were regular users of these commercial facilities and moving the commercial area further north to the service and industrial area would create additional safety challenges.
28	Tonia Hunt	Does not object to commercial zoning but raises concerns relating to the purchase of the landholding by the Council on the basis that KKK residents would have a say and not sold conditionally to a developer. Sought a garage next to the maintenance garage. Zoning of the existing shops and businesses could not be upgraded as the zoning did not permit Commercial.
30	Elsbeth and Dennis McAulay	Did not support proposal for commercial area 4.2.2. Does not reflect KARRA consultation over past few years. The existing shops were to be zoned commercial to ensure security and development. Structure Plan has ignored this and placed all future commercial to be on Council owned land. Sought re-consultation be entered into and to investigate the Council's legal position as land owner with a commercial real estate contract pertaining to the commercial zoned land.
36	Kerry Antilla	There was a need for a focal point, village centre. The draft structure plan with its village centre concept and surrounding urban area connected by walkways, whilst retaining the surrounding bush escarpments presents an opportunity not to be missed.
38	H J Healy	Supported concept of a village centre, necessary for service station in KKK but that placing it in the village centre may create a conflict relating to pedestrian safety and the need for vehicle access and egress. Acknowledged argument that there was the necessity to create a critical mass of commercial activity to support the village centre.
39	Joanne Healy	Looked forward to the new town centre opening.
40	Maren Osbaldiston	Zone the existing village commercial, would prefer service station in industrial area next to the automotive due to safety reasons. (refer section 2.9)
41	Edwin Osbaldiston	Concerned about new commercial area, thought public should have a say about what was built there. Service station should be next to the automotive garage due to traffic congestion.

3.2.2 Discussion

Of the 14 submissions relating to the proposed Centre:

- three submissions (36, 38 and 39) fully supported the location of the proposed new Centre
- one submission (28) did not object to the commercial zoning but sought that the service station not be included in it
- two submissions (5 and 10) requested an explanation for the proposal

- seven submissions oppose the proposed location of the Centre on the grounds that it should be or they would rather it be located at the existing commercial area
- five submissions (15, 28, 38, 40 and 41) contended that the service station be located at the proposed service industrial area to the north of the town
- three submissions (15, 28 and 30) alluded to the fact that the Council had a conflict of interest, and/or has embarked on a surreptitious legal land sales process, as both a seller of the land proposed for the village centre and as a planning authority responsible for structure planning.

The support for the village centre as proposed under submissions 36, 38 and 39 is acknowledged.

Submissions 1, 2, 5, 8, 10, 15, 20, 28, 30 and 41, regarding the two key aspects of (i) the location of the village centre as proposed, or opposed to locating it at the existing commercial area, and (ii) the location of the service station, are discussed below.

Village centre location

The general location of the town centre in the northern node is accepted as appropriate, noting that there are no submitters opposing this locational aspect.

The Structure Plan also outlines that in order to avoid commercial strip development in the central northern node on both sides of SH16, the future town centre be located to the west of SH16. The planning exercise also concluded that it was not desirable to split the Town Centre so that it fell on either side of the railway line.

Following on from the above, there are two prominent sites which present themselves as opportunities for a future town centre. These sites are, (i) the existing commercial area, and (ii) the vacant site which lies between the hotel and the railway line.

The Structure Plan also outlines the need for the future town centre to serve as a focus for the village (i.e. a 'village heart'), be comprehensively designed and have a high level of urban design. Ideally the centre should also be vibrant with a high level of activity and should be of a sufficient mass, quality and impact so to achieve the objective of creating the required focus.

The existing commercial area comprises buildings which are of a low material standard and generally have a building form which is not conducive and optimum to the creation of a modern commercial area. The buildings are also arranged in a manner that it would be difficult to retro-fit a comprehensive plan around these buildings and still achieve a high environmental outcome. Therefore, the position adopted is that in order for the existing commercial area to be used as a future town centre, the complete redevelopment of the site would be required. This determines that insofar as it is necessary to create a high quality and high performance centre, these buildings would need to be demolished and to all intents and purposes, the site would then be a greenfields site.

The alternative to the above is that continued piecemeal development of and around these existing buildings would result in adhoc building extensions and the existing buildings would, in any event, still require a significant degree of upgrading. The end result would most likely not be an integrated commercial environment of high quality and impact.

Following on from the above, the planning assessment of the strengths and weaknesses of each of the two potential sites for a centre considered as a starting point that they would essentially both be vacant greenfields sites. The particular assessment of these two sites then considered a variety of site specific factors including:

- the SH16 interface
- the influence of the railway corridor
- the ability to provide multiple accesses and through the site
- the proximity to other commercial establishments
- the proximity to existing high community use areas, for example, a school or hotel
- engineering serviceability for a generally commercial usage
- other alternative potential uses of the site
- the site ownership pattern
- the site size and configuration.

In the above regard, on balance, the proposed site for the location of the centre is considered more suitable than that of the existing commercial area, on the basis that the particular attributes of the site offer the best opportunity for achieving the desired outcome.

Service station

During the planning exercise, a service station at the existing automotive site at the northern end of the northern township, on the eastern side of SH16 was mooted. The nature of the service station included three distinct functional components conventionally associated with a service station i.e. petrol filling, vehicle servicing, and ancillary uses.

The proposal included a petrol filling forecourt, the use of the existing vehicle servicing workshop and ancillary uses totalling 745m² gross floor area (GFA) (including a shop of 280m², 232m² of retail and office space, and a 233m² café).

To all intents and purposes, given the town's limited retail and commercial potential outlined in the supportive document to the Structure Plan, the service station as proposed would in fact, constitute the village centre, and would prevent the establishment of another centre within the town. During the structure planning process, both the land owner and the proponent of the service station development were consulted on the matter, particularly with regard to the potential impact that the service station would have on the town if it was developed according to the proposal.

In order to avoid the de facto development of a village centre on the outskirts of town the Structure Plan proposes that, in the first instance, the service station, (and its ancillary uses) is better located more centrally within the northern node and as part of the village centre. It is recognised that a vehicle servicing component would not be compatible with the fine-grained commercial area envisaged for the village centre, and that this component is thus better located at the automotive site.

Existing commercial area

With the proposal to establish the village centre to the north of the railway line, the issue of the potential use of the existing commercial area requires discussion. It is proposed that the existing commercial area is not suited to retail activities and is best suited and developed to residential-compatible activities, over time. These could include residential-compatible businesses (e.g. work-live units), home occupations for any professional use (medical or otherwise), residential development, or any other future residential-compatible activity currently not envisaged.

It is proposed to retain the existing commercial area under its existing Residential zoning as the above land use typologies would all generally be enabled under this zoning.

Additional matters of submission, over and above the two key matters discussed above (i.e. the location of the town centre and the service station) are discussed below.

Submission 2 also noted that the extent of the proposed commercial zone was excessive (three hectares (ha)) compared to the Red Beach Shopping Centre (approximately 1ha); inferring that the amount of land allocated was well in excess to that required in the foreseeable future.

The measured areas in section 4.2.2 of the Structure Plan are incorrect. The overall proposed commercial area is 1.3 ha, of which approximately 4,000m² is currently occupied by the existing hotel and some 3,000m² is occupied by the existing telecom exchange and church. The area remaining for additional commercial development on the site thus approximates 6,000m².

The exact development which will eventuate on the proposed site is unknown at this stage, but in all likelihood the GFA which can be realised will be limited by the requirement for the development to include; a small multi-functional public space (e.g. a village square), vehicle circulation and parking, and landscaping. It is highly likely therefore that the overall development will in fact have a retail and commercial GFA of much less than that of the Red Beach Centre.

Submissions 15, 28 and 30 raised the issue of the Council having a potential conflict of interest with the land sales process. The planning process generally, and in particular in relation to the conflict of interest matter, has been particularly careful to embark on an objective planning approach before consulting with any landowners on the merits/disbenefits of proposals for their land. The assessment of the best commercial site has been entirely separate from ownership issues and the matters considered are those set out in preceding paragraphs not land ownership.

Submission 15 requested height restrictions on the new commercial centre because of potential reverse sensitivity. As mentioned above the extent of GFA development on the site is likely to be self limiting because of the onerous wastewater and stormwater requirements for the site and furthermore, this is a design matter which will be discussed and resolved at the consent stage of the development.

Additionally, submission 15 stated that the existing proposed commercial site should not be developed for such uses and should be developed as a park. Consultation with the Council's Parks and Property Departments during the structure planning process resolved that:

- (i) the Council has no intention of establishing additional reserves in the town
- (ii) that donating the land as a reserve was not sufficiently financially rewarding.

Submissions 15, 28, 38, 40 and 41 suggested that the service station was best located at the northern automotive site. The Structure Plan proposes that the vehicle servicing component of the service station be located at this northern site and accordingly promotes this area (with some site extension to cater for compatible uses) as a service industrial area. The petrol filling component of the service station might, on final analysis, also prove to be incompatible with and/or unachievable within the proposed village centre. In this instance, a fall back position might well be that the petrol filling component also locates at the northern site. Although the above scenario would reduce the critical activity mass and threshold of the proposed village centre, and as such could reduce its overall performance, the inclusion of a significant extent of ancillary uses in any service station at the northern site, would obviate the development of a village centre in the proposed location, and is therefore to be avoided.

3.2.3 Officer recommendation

That submissions 5, 10, 36, 38 and 39 be accepted, on the basis of the above explanations.

That submissions 1, 2, 8, 15, 20, 30, 40 and 41 be rejected, on the basis of the above explanations regarding the location of the village centre. (Submission 2 be accepted, to the extent that the references to the land area be corrected.)

That submission 15, 28, 40 and 41 be rejected, subject to the above qualifications regarding the possible future locational options for the vehicle servicing and petrol filling components of the service station.

That submissions 15, 28 and 30 be rejected, insofar as references to any Council conflict of interest and land sales processes is concerned.

That submission 15 be rejected, insofar as building height restrictions and the use of the proposed village centre site as a reserve is concerned.

That the appropriate corrections to section 4.2.2 of the Structure Plan be instituted.

3.2.4 Amendments to the Structure Plan

The following amendments to the Structure Plan are required:

- that the measurements regarding the size of the commercial centre in section 4.2.2 be corrected
- that additional text be inserted into section 4.2.2 to cover the possibility of an alternative location for the petrol filling and vehicle servicing components of the service station to the proposed Service Industrial area
- that a fuller explanation of the potential uses of the existing commercial area be included in the section 4.2.2 text.

3.3 Topic: Large site-specific developments

3.3.1 Submissions

The following two submitters commented on this topic:

#	Name	Issues raised
14	Mt Hobson Properties Ltd	Sought rezoning of submitter's site (Lot 3 DP 202700, Lots 2-3 DP 318993, Lot 2 DP 349135 BLK X I Kaipara SD) into Commercial, Community, Township Residential, Reserve and Countryside Living to allow for redevelopment (as shown on the plans included in their submission).
25	Capital Group (KK) Ltd	Submitter's land (Lots 1 and 2 DP 415692). Sought that footnote 2 be amended to remove <i>although anecdotal evidence is that this consent might not be enacted</i> . Requested that all references to the proposed road within the site be removed, change name of <i>Primary walkway network</i> to <i>Indicative walkway linkage</i> , remove proposed reserves from its site, and supports its entire site being zoned Township Residential area.

3.3.2 Discussion

Submissions 14 and 25 are discussed separately below.

Submission 14 related to rezoning of the submitter's site (Lot 3 DP 202700, Lots 2-3 DP 318993, Lot 2 DP 349135 BLK X I Kaipara SD) into Commercial, Community, Township Residential, Reserve and Countryside Living to allow for redevelopment (as shown on the plans included in its submission).

Section 3.2 above refers in that it outlines the rationale for the location of the proposed Town Centre, and in this context that two other better-suited sites for this scale of development were assessed during the planning exercise. Additionally, the subject site falls within the flood plain and also lies to the east of SH16. The Structure Plan clearly directs that no mass urban development should occur in the flood plain and that for safety reasons strip commercial development should not occur on both sides of SH16 (i.e. new development should not occur to the east of SH16). For the above reasons it is considered that submitter 14's proposal is highly inappropriate.

Submission 25 related to the submitter's land at Lots 1 and 2 DP 415692, for which it sought various amendments to the Structure Plan.

Generally, the current consent and the ability to develop the site is respected. It is, however, noted that the current scheme plan was approved with only part of the site zoned Residential, and with the proposed use of the full site for residential purposes (which the submitter supports), there is a possibility that another subdivision consent application could be made, which could have a different arrangement of roads and lots. With this possibility in mind the Structure Plan shows an indicative road and walkway network through the site, which is better suited to the broader movement networks of the local area, in that it provides for more direct and legible movement channels to SH16, Peak Road and Sinclair Park.

In the event that another subdivision consent application for the site was made, it is expected that that consent would respond to the Structure Plan's indicative road and walkways. If these indicative network elements through the site are not shown in the Structure Plan, there is no guarantee that the more direct road link and the important walkway links through the site will be achieved.

It is thus considered appropriate to show the indicative road through the site, contrary to submission 25's request to remove the road from the plans.

Submission 25 also sought that the proposed reserves be removed from their site. The aim of showing these two reserves in the Structure Plan is to protect the option to achieve a continuous and direct walkway (linking SH16, Sinclair Park, and the areas to the east of Peak Road) through the subject site.

It is noted that the shown northern reserve aligns with the *Reserve to Vest* shown on the current consented scheme plan and the Structure Plan is thus responding to this fact. However, despite the fact that the Eastern Reserve is shown as a private stormwater utility reserve on the current consented scheme plan, it need not necessarily be a public reserve, especially because a walkway aligning with the Structure Plan's proposed road would achieve the same purpose. This eastern reserve could thus be deleted from the Plans.

Submission 25 sought that the label *Primary walkway network* be changed to *Indicative walkway linkage*. In this regard it is considered that all land use, roading, and walkway proposals of the Structure Plan are indicative only, and that the change in label achieves no purpose. As such, the particular labelling of the walkway should remain as it is in the Structure Plan.

The submission sought the deletion of page 15's Footnote 2, relating to the consent possibly not being enacted. The footnote is inappropriate and should be removed.

3.3.3 Officer recommendation

That submission 14 be rejected in its entirety.

That submission 25 be rejected, with the exception that the Eastern Reserve shown on the relevant plans be deleted.

3.3.4 Amendments to the Structure Plan

The amendments arising from this recommendation are:

- (i) that the text of the Structure Plan document pertaining to 'anecdotal evidence' be deleted
- (ii) that the Eastern Reserve shown on Plans 1 and 2 and Figure 8 of the Structure Plan be deleted (as shown on the amended Figure 8 attached to this report).

3.4	Topic: Site-specific zoning
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3.4.1 Submissions

The following 14 submitters commented on this topic:

#	Name	Issues raised
2	Philip Kirk	Rezone 1045 and 1033 and possibly 1037 Kaipara Coast Highway to Commercial (more included in section 2.3 as it related specifically to the town centre)
7	Alistair and Craig McNish	Requested 43 North Crescent be considered for rezoning to Township Residential due to the following reasons: <ul style="list-style-type: none"> ▪ Location – North crescent is a small ring road, has a hotel on the corner, one church and 28 houses close to one another. Road is tar sealed with footpath to village, in 50kph area. School 700m away. One property between the submitter's land and the Moses Way subdivision of 25 new sections. ▪ Zoning – Land opposite is medium intensity, min site size 800m2. Nature of road is Residential, rather than Countryside Living, most built up area, heart of village. Small adjacent property is proposed Countryside Living but similar size to medium density lots opposite.
14	Mt Hobson Properties Ltd	Sought rezoning of submitter's site (Lot 3 DP 202700, Lots 2-3 DP 318993, Lot 2 DP 349135 BLK X I Kaipara SD) into Commercial, Community, Township Residential, Reserve and Countryside Living to allow for redevelopment (as shown on the plans included in its submission).

16	Michael Paul McDonald	Sought rezoning of 137 (Lot 2) Pinchgut Road as Countryside Living Town. Submitter considered it would be an appropriate zoning for the property, for reasons set out in the submission.
19	SH16 Ltd	The area located to the west of SH16 should be zoned Township Residential rather than some of the area proposed to the east of the Highway, which was subject to significant risk of flooding. (refer map with submission)
22	Roger Prout	Sought inclusion of Lot 4 DP 321426 in Countryside Living Zone. Noted the plan did not provide for development with sea views and that this property was ideally located for that.
23	Jeff and Sarah Down	Questioned the location of the yellow line on the plan designating the edge of the Township Residential zone within their boundary, understood the flood plain comes into play on the edges of their property but would look to include land within their boundary as part of proposed future sections.
24	Steve Perris	Sought that the site at 19 Henley Road be zoned Township Residential as opposed to Countryside Living. Previous KARRA plans have shown their property and neighbouring property (corner of SH16 and Henley Road) as Township Residential. "The vast majority of township residential development (both north and south) shown on the Land Use Proposals of the KKK draft Structure Plan appears to be planned around existing roads with development contained within them. It therefore makes sense to include my family's property as well as that of my neighbour's property contained within the township residential development area of Henley Road, S.H.16, Peak Road and Macky Road." "The Proposed Spatial Development Strategy of the KKK draft Structure Plan (Page 26) clearly defines my family's property as being residential".
25	Capital Group (KK) Ltd	Sought amendments relating to its site at Lots 1 and 2 DP 415692 and supported its entire site be Township Residential Area (also refer section 2.4)
27	Heather May Sharples	Requested the Structure Plan boundary be moved to exclude their property (Lot 1 DP 169722)
29	Gillian Roberts	Opposed Countryside Living zoning proposed, sought inclusion of 19 and 5 Henley Road as Village Residential as set out in the preliminary concept. 19 and 5 Henley Road was a logical residential boundary and not including it in a residential development area would have serious effects on their properties.
30	Elsbeth and Dennis McAulay	The Structure Plan should remain as agreed during consultation with the community. Was agreed to allow further intensification of housing above North Crescent and the initial area of Downer Access Road, preventing small areas of rural zoned land from being locked in by rural residential e.g. the end of Downer Access Road and the eastern side at the end of Pinchgut Road.
31	Carol Lepupa	Sought inclusion of their property at 1185 Kaipara Coast Highway (17ha) as Countryside Living zoning (currently rural). Uneconomic as a rural land unit. "Logical extension of current neighbourhood. Subdivision recently completed on adjoining property by SH 16 Developments Ltd at Moses Ave"
38	H J Healy	Agreed with proposed zoning of their property (1126 SH16) as it left them with the bulk of their most productive orchard on the northern part of their property in the Rural Zone.

3.4.2 Discussion

The zonings sought by submissions 2 and 14 are linked and consequential to their respective points of submission regarding a village centre. Consistent with the rejection of those points of submission (in sections 3.2 and 3.3) these two submissions also rejected.

Submission 7 proposed that 43 North Crescent (currently a Countryside Living zoning) be zoned Township Residential.

In this regard the approximately 800m length of road extending from North Crescent through to Downer Access Road currently forms a clear and strong eastern edge to the township, which serves the purpose of preventing indiscriminate urban sprawl. On the eastern side of the road(s) the residential density and dwelling arrangement is definitively urban, whilst on the western side, the residential character is dominated by large lots and open spaces, and has houses set well back from the road (with only one house located close to the road). This demonstrates that this road functions well as an urban edge and this aspect is worthy of protection.

Conceding to the submitter's request would result in an individual site densifying on an adhoc basis and would likely lead to further such instances, ultimately sprawl. In that context, and the fact that there are other alternative mass township expansion options, determines that the submission not be supported.

Submission 16 sought that 137 Pinchgut Road be zoned Countryside Living.

There are some 50 vacant sites in the existing Countryside Living zone, in addition to which, more similar sites are proposed around the southern township. There thus appears to be no need for extending the existing zone from a demand perspective. Additionally, at the strategic level, the Structure Plan identifies that the northern bush-clad hills are a key landscape feature of the town's identity and further residential development should not be encouraged in this locality.

The subject site is currently not only almost fully covered in native bush but is also highly visually exposed within the broader landscape. A relatively small section of the site on Downer Access Road is cleared of bush and could potentially accommodate some built development. However, identifying the site for Countryside Living and following this through to a similar District Plan zoning, is not necessarily the best method for achieving the desired subdivision outcome of limited development near the road. It is suggested that a better outcome would be achieved by utilising the current bush protection provisions of the District Plan and focusing any lot yield near the road.

Submission 19 sought that areas within the flood plain at Land Unit 1 be kept as General Rural and be replaced by a Township Residential area on land to the west of SH16 (Lot 1 DP 403930, which is currently zoned Countryside Living).

A review of the floodline around Land Unit 1 revealed that that particular proposed Township Residential area should be reduced by some 4,800m². Given that there are other Township Residential areas planned to accommodate future growth, there is no need to replace that small area of Land Unit 1 now being excluded from development, with an equivalent area at the subject site. Additionally, as outlined above, there is a need to maintain a strong urban edge and the subject site is somewhat distanced from the existing and proposed township environment.

Submission 22 sought the inclusion of Lot 4 DP 321426 into the Countryside Living Zone. The site is currently zoned Rural, is outside of the Structure Plan study area, and is in a separate landscape compartment. It is not appropriate for the Structure Plan to determine development in the rural areas which extend beyond the study area boundary.

Submission 23 sought that their entire property, including that section falling within the floodplain, be included within the Township Residential zone (an extension of Land Unit 4) on the basis that these floodplain areas could still potentially be used as parts of residential sites, albeit without buildings.

The Structure Plan is consistent throughout in limiting any mass township development within the floodplain and this consistency is maintained in relation to this submission.

Submissions 24 and 29 sought a Township Residential zoning be applied to their properties (at 19 and 5 Henley Road respectively) instead of the Countryside Living zoning currently proposed in the Structure Plan.

An extension of Land Unit 5 towards SH16 is warranted in that the submission correctly identifies that the subject properties will be a residual island of Countryside Living in the Township Residential area generally bounded by Peak Road, Henley Road and SH16. However, the Structure Plan also identifies the need to protect the edges of SH16 from denser township development and accordingly proposes these edges as Countryside Living areas throughout the southern township. To conform to this objective and be consistent with the Structure Plans methods, that part of 5 Henley Road within 100m of SH16 should be retained as Countryside Living.

Submission 25 sought that its entire site (Lots 1 and 2 DP 415692) be zoned Township Residential. This is the intention and proposal of the Structure Plan and is supported.

Submission 27 sought that the Structure Plan boundary be amended to exclude the subject property (Lot 1 DP 169722, 20 Shanks Road). The Structure Plan boundary was determined at the outset of the property and should not be amended for this reason at this late stage. There are no implications for the submitter's property being within the study area boundary as its existing General Rural Zone is retained in the proposals.

Submission 30 stated that the Structure Plans proposals have changed from those agreed during consultation with KARRA. In this regard all preliminary Structure Planning proposals served as valuable inputs into the planning proposals including that of the community-based initiative. However, the Council has final responsibility for producing the Structure Plan and that process also needs input from a variety of other sources. The amendments to preliminary planning reflected in the final draft Structure Plan were made with a variety of additional inputs possibly not available to the planning exercise at the time of preliminary plan formulation.

Submission 31 sought that 1185 Kaipara Coast Highway be zoned Countryside Living. The site is to the north of and adjoins the existing Countryside Living Zone. As discussed previously, there are some 50 vacant sites in the existing Countryside Living zone, in addition to which more similar sites are proposed around the southern township. There thus appears to be no need for extending the existing zone from a demand perspective.

Submission 38's support for the proposed Township Residential area on their site is acknowledged.

3.4.3 Officer recommendation

That submissions 24, 25 and 38 be accepted.

That submission 29 be accepted in part, to the extent that the southern part of 5 Henley Road is now proposed to be Township Residential within an extended Land Unit 5.

That submissions 2 and 14 be rejected, which is consistent with the recommendation regarding their respective subsequent points of submission (in Sections 3.2 and 3.3 respectively).

That submissions 7, 16, 19, 22, 23, 27, 30 and 31 be rejected.

3.4.4 Amendments to the Structure Plan

The Structure Plan and associated plans be amended to include 19 Henley Street and part of 5 Henley Street as Township Residential under an extended Land Unit 5, as shown on the attached Figure 8, and any other consequential amendments arising.

3.5 Topic: Countryside Living

3.5.1 Submissions

The following submitter commented on this topic:

#	Name	Issues raised
42	ARC	<p>Did not support introduction of additional countryside living opportunities, particularly as within the Rodney District, a large amount of latent rural capacity exists.</p> <p>Identified issue of countryside living and rural capacity within the ARPS including Change 6 Strategic Policy 2.6.2.4 which states "Countryside living is subject to constraints as to location, scale and extent and should be considered alongside rural capacity so that urban consolidation policies are not compromised." Capacity issues should be addressed through transferable title rights of similar.</p> <p>Much of the proposed countryside living opportunities are located on highly versatile Land Use Capability 2 soils. The protection of soil resources are identified in Strategic objective 2.5.1.3 and Policy 12.4.1 of the ARPS.</p> <p>The potential provision of countryside living opportunities would be best achieved as part of a region wide response – most likely through the Auckland Council's Spatial Strategy.</p> <p>Requested reference to additional countryside living opportunities be removed if the Council is to approve the draft Structure Plan.</p>

3.5.2 Discussion

Submission 42 sought the removal of the Countryside Living areas (i.e. Land Units 6, 7, 8, 9, and 10) proposed in the Structure Plan, on the basis that:

- there is a large amount of latent rural capacity in the District
- the ARPS's policy that Countryside Living is subject to constraints as to locations scale and extent and should be considered alongside rural capacity
- capacity issues should be addressed through transferrable title rights or similar
- the majority of the new proposed Countryside Living areas are located on land use capability (LUC) Class II soils
- Countryside Living opportunities should be addressed on a region-wide basis through the Auckland Council's spatial strategy.

These matters are discussed briefly below.

The total planned provision of new Countryside Living areas in the Structure Plan study area is 31 sites, which will accommodate approximately 90 persons. The greater Auckland region's projected additional population growth over the next three or four decades is generally measured in 100,000's and total population in the millions. From this, whilst the strategy to consolidate the urban areas is understood, it is highly doubtful that in the context of the greater regional population growth scenario, some 90 additional inhabitants in KKK will fundamentally undermine achieving the regional growth strategy objectives.

In the context of the degree of confidence and accuracy associated with regional population projections, these projections are likely to be out by more than 90 persons in any event, thus requiring some level of adjustment with respect to not only the overall population growth numbers but also the relative numbers which will be absorbed and accommodated into the current Rodney district's and other regional rural areas.

Furthermore, despite the fact that there is a large amount of latent rural capacity in Rodney District, the Structure Plan has highlighted the fact that there is a high and unsatisfied demand for Countryside Living in the southern sector of KKK. Meeting this demand is currently occurring in an adhoc fashion as evidenced by the extent of de facto lifestyle blocks present in the town's southern sector. From this empirical evidence, it is clear that lifestyle seekers want to, and

will, locate in the study area, despite best endeavours to prevent and / or control this. The position adopted in the Structure Plan is that it is preferable to manage a highly evident situation rather than deny its existence.

With regard to the presence of highly versatile soils the following is observed. Firstly, the best productive usage of these soils lies not in the fact that they are in themselves productive, but also depends on numerous other issues (e.g. farm sizes, market position and location, agricultural economic vectors, etc). The Structure Plan clearly outlines that for a variety of reasons there are no intensive agricultural activities in the area with any activity generally being occasional and limited to grazing only. With only the occasional farm in the southern sector being above four hectares in size, it is highly unlikely that these are successful, productive and competitive agricultural enterprises. In this context the enhancement of the natural and ecological regime of the southern study area (which is not only a highly modified landscape, but is increasingly being denuded) is unlikely to stem from maintaining the area as an agriculturally productive area. It is more likely that environmental enhancement will be achieved as a tangent of high value residential lifestyle blocks.

Given, the above it is suggested that the allocation of lifestyle block areas to accommodate approximately 90 persons is appropriate in terms of enabling and catering for community aspirations, the actual location of residential demand, and the natural environmental upgrading benefits which can accrue from land uses other than farming.

While it is agreed that the submitter's position that the provision of Countryside Living, and in fact other rural living, is ideally best achieved as part of a comprehensive region wide strategy, it is unrealistic to put the local residential demand on hold till this strategy is in place, and as a corollary of this, to expect the Council to wait until this strategy is in place before proceeding further with the Structure Plan process.

3.5.3 Officer recommendation

That submission 42 be rejected.

3.5.4 Amendment to the Structure Plan

There are no amendments to the Structure Plan arising from the recommendations.

3.6	Topic: Site sizes
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3.6.1 Submissions

The following three submitters commented on this topic:

#	Name	Issues raised
5	KARRA	Requested minimum site sizes for Township Residential of 2,200m ² and Rural Residential at 10,000m ² , that figures shown for yield are indicative only.
11	Sloan Group Trust Partnership	Contested the following site sizes provided: site size without on site water treatment – should not be proposals for 1000m ² sites, understood high density sites of 40-600m ² were not wanted, but 800m ² were more appropriate. Requested 800m ² sites with off site reticulation. Sites with on site treatment – 2,200m ² sites were counter productive for affordability. Treatments were becoming increasingly sophisticated and the soakability of the ground varied. Conditions applied to house size and non-permeable area and systems should be designed appropriately. Requested site sizes be reduced closer to 1,500m ² as currently allowed.
13	R H and M S MacLennan	Yields on rural residential sites – questioned whether it would be better to have a proposed density of sites with a minimum of 10,000m ² on proposed land units 6, 7, 8, 9 and 10.

3.6.2 Discussion

The following submissions sought alternative site sizes to that currently provided.

Submission 5 requested that yield figures shown for minimum site sizes for Township Residential (2,200m²) and Rural Residential (10,000m²) be shown as indicative only. Notwithstanding that all of the Structure Plan's proposals are indicative and have no legal effect until translated and incorporated into the District Plan, strengthening that notion throughout the Structure Plan, and specifically in relation to Table 3 (Residential Lot Yield) is warranted.

Submission 11 contended that proposed wastewater-reticulated 1000m² Township Residential sites should rather have a minimum size of 800m², and those with individual on-site treatment should be a minimum of 1500m² as opposed to the proposed 2,200m².

The matter of determining an appropriate minimum Township Residential site size included consideration of the following:

- the technical findings of the Structure Plan's specialist soil investigation and wastewater report, which concluded that a minimum of 1071m² is required for an on-site wastewater disposal field and recommended a minimum site size of 1,800m² for this type of servicing
- meeting the ARC's current statutory planning standard of a 1500m² minimum site size for sites with on-site disposal, recognising that this standard is sometimes too low because it is based on an average contemporary dwelling, and it is common for modern houses to be larger than this average
- local evidence and that from similar other township situations regarding the general performance of existing soakaway systems in relation to site sizes
- the feedback from the community through KARRA, which envisaged a minimum site size of 2400m²
- for lots which initially have individual on-site disposal systems and which could be subdivided at a future date when wastewater reticulation is available, a additional land allowance of 10% for access and servicing corridor(s)
- at the reticulated and denser lot level the need to increase lot sizes above those of urban townships (i.e. 600m²) was expressed and was supported in that there remains an overriding requirement to maintain a distinctive small rural town character in the residential areas. A site size minimum of 800m² – 1000m² was considered appropriate
- ease of subdivision management, with a preference to manage subdivision by way of setting a minimum site size in the District Plan rather than determining these (variable) sites sizes on an individual case basis at the subdivision consent stage.

On balance, it was determined that the 1000m² minimum lot size in wastewater-reticulated areas and a minimum 2200m² for sites with on-site disposal, was appropriate.

Submission 13 questioned whether it would be better to have a proposed density of sites with a minimum of 10,000m² for rural residential sites on proposed Land Units 6, 7, 8, 9 and 10. For clarification, the Structure Plan indeed proposes these sites to be a minimum of 10,000m².

3.6.3 Officer recommendation

That submission 5 be accepted.

That submission 11 be rejected

That submission 13 be accepted.

3.6.4 Amendments to the Structure Plan

That the notion of the Structure Plan proposal's indicative nature be reinforced in relevant parts of the Structure Plan document text, and particularly in relation to Table 3.

3.7 Topic: Urban design and character

3.7.1 Submissions

The following submitter commented on this topic:

#	Name	Issues raised
3	Yvonne Harland	<p>Agreed urban design in the village was poor – historic aspect could enhance appeal and connect with historic Helensville. Toilet block and fire station designed to fit historic style – proposed gas station and shopping complex should also follow it.</p> <p>Would like existing pattern of stonework and autumnal trees repeated to enhance roadsides, including stone benches/tables, low walls, wishing well, traditional playground.</p> <p>Suggested paddock in front of Henley House be bought for safe walkway, with remainder resold for café/museum/craft complex with ample parking.</p> <p>Uphold rural village character – scope to enhance heritage aspects of KKK, six buildings dating from 1880s. Little chance of internal employment so enhance historical feel to attract visitors – could promote internal employment and service opportunities. Promote village atmosphere.</p>

3.7.2 Discussion

Submission 3 agreed that the retention and enhancement of rural character and heritage values, and that good urban design and landscaping outcomes were necessary, and tabled a variety of detailed aspects and potential small projects which could be implemented to achieve environmental improvement.

These suggestions are generally supported. However, these are detailed matters which are best dealt with in any downstream urban design of the SH1 frontage and/or central area of the northern township and/or in relation to the general environmental upgrading of the public realm.

3.7.3 Officer recommendation

That submission 3 be accepted to the extent that it generally identified the need for improvements in the level of urban design, landscaping and street furniture in the Town.

3.7.4 Amendments to the Structure Plan

There are no amendments arising from this recommendation.

3.8 Topic: Defendable boundaries

3.8.1 Submissions

The following two submitters commented on this topic:

#	Name	Issues raised
5	KARRA	<p>Requested that Land Units 3 and 4 (Figure 7) be the flood plain boundary as determined by GIS information (Figure 4).</p> <p>Requested that for Land Unit 1 (Figure 7) and Land Units 5, 7, 8 and 10 (Figure 8) that the defendable boundaries be either a waterway or road. To avoid units with split zonings.</p>
13	R H and M S MacLennan	<p>In regard to land unit 4 they would like to see the flood plain as outlined in GIS information (Figure 4) be the proposed boundary between Residential zone and the flood plain. The proposed residential sites may be larger bordering the flood plain but it would eliminate having a split zoning.</p>

3.8.2 Discussion

Submissions 5 and 13 requested that the boundary of Township Residential Land Units 3, 4 and 5 and Countryside Living Units 7, 8 and 10 be bounded by defendable boundaries, either a waterway or a road.

In this regard, Township Residential Land Units 1, 2 and 3 are bounded by the floodplain and Land Unit 5 is bounded by Peak Road, Henley Road, State Highway 16 and Macky Road, thus conforming to the submitter's request.

Countryside Living Units 6, 7, 8 and 10 are bounded by the floodplain and / or roads.

However, Township Residential Land Unit 4 is perched on top of an elevated alluvial terrace which has relatively erosion-prone steep sides as evidenced by the presence of some gullies. The floodplain extends to the base of the terrace slope. It has been seen as necessary that the steep slopes are protected from any mass urban development (albeit the un-built part of a residential site) because they form an important part of the visual backdrop to the floodplain and in some instances constitute highly erodible land.

The alternative mechanism for protecting these steep slopes and gullies is to extend the Township Residential area to include these features and then require a 'no building' restriction to be placed on those parts of the residential areas which should not be developed. This approach is somewhat cumbersome but could be achieved when the Structure Plan's proposals are translated into the District Plan (e.g. with a site specific restriction on that particular area). It is deemed more appropriate at the Structure Planning stage to set the boundaries of the proposed residential areas to exclude any land which should not be residentially developed.

3.8.3 Officer recommendation

That submissions 5 and 13 be rejected.

3.8.4 Amendments to the Structure Plan

There are no amendments to the Structure Plan arising from the recommendation.

3.9	Topic: Flooding
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3.9.1 Submissions

The following two submitters commented on this topic:

#	Name	Issues raised
7	Alistair and Craig McNish	Land behind the community centre (land unit 3) is to be raised by 1 metre to allow 21 sites. Submitter was concerned this will displace water and impact other properties that already border the flood zone i.e. Henley House.
19	SH16 Ltd	Remove some of the Township Residential Zone [in Land Unit 1] that is subject to significant flooding.

3.9.2 Discussion

These two submissions specifically raised issues relating to flooding in the northern township, and both specifically in relation to proposals.

With respect to submission 7, as discussed in the next section (in relation to Submission 26) there are very few road access options to Land Unit 3 and the proposed road represents the best option, albeit not without constraints. Land Unit 3 is itself above the floodplain and its built development will therefore not, in its own right, affect flooding. The proposed access road, however, is in the floodplain and will need to be raised about 1m - 1.5 m above current ground level (to meet required roading standards). There are a variety of road formation options (e.g. culverts) to ensure that there is minimal overall impact on the immediate area's flooding pattern. Henley House is some 500m away from the subject road, very close to the

river, and well within the floodplain. In the context the flood impact of the proposed road on Henley House will be negligible, if any.

Submission 19 sought that any areas subject to flooding in Land Unit 1 were removed from proposed Township Residential usage. In this regard, floodline information has been revisited and it has been found that an approximately 4,800m² on the southern edge of Unit 1 indeed falls within the floodline, and should hence be excluded from Land Unit 1.

3.9.3 Officer recommendation

That submission 7 be rejected.

That submission 19 be accepted in part, being that part concerning the identification of a flood hazard in the southern part of proposed Land Unit 1.

3.9.4 Amendments to the Structure Plan

That the proposed southern boundary of the Land Unit 1 be amended (as shown **Appendix 1**), to exclude that approximately 4,800m² part which falls within the floodplain, and any other consequential associated amendments (e.g. the residential capacities expressed in Table 3).

3.10	Topic: Roading and traffic
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3.10.1 Submissions

The following nine submitters commented on this topic:

#	Name	Issues raised
8	N A Henderson	Disagreed with NZTA wish for south travelling traffic not to turn right over SH16 after railway crossing. Suggested the crossing improves traffic safety by slowing traffic and alerting motorists. Traffic has been turning right since 1927 – doesn't recall any traffic accidents relating to the turn over the last 16 years.
12	Michael and Anna Trent and Kiri Pendlebury	Opposed to the road that goes through the middle of their property. Should they subdivide their property (25 Anderson Road) the property does not necessitate the road as there would be ample access from Anderson, Henley and Macky Roads. Also understood should they decide to subdivide the cost of forming the road would be borne by them. Also concerned the existence of the road on paper would affect their land value.
15	Gary Muir	"In the plan it shows a road going from the paddock next to the Hotel back out to Downer Access Rd, however this is not an option due to the fact that there is a Right of Way running from the Hotel east to the railway line therefore nothing can be built across this ROW." Entering directly from a main highway and adjacent to a railway line is not safe.
19	SH16 Ltd	New areas of Township Residential zoned land to the east of SH16 would need new intersections with NZTA approval meeting the relevant standards, concerned re whether any more intensive developments will be unable to be served by a ROW access onto SH16 – as occurred with the Moses Road subdivision.
20	KKK School Board of Trustees	Supported the new roadway off SH16 beside the fire station – would allow improved safety at the bus staging area and would provide alternative and safer parking/dropping off area and take such activities off SH16. New road would also provide additional spill over parking for cars during events attracting more than the current car park can sustain. Concerned that the proposed roads turning circle would be sufficient for school buses to use.

25	Capital Group (KK) Ltd	Sought removal of all references to <i>Proposed Road</i> within the site, as shown on Figure 8 <i>Southern Township detail</i> , Plan 2.
26	The Ashby Family Trust	Opposed the roading layout as inappropriate for this site (Lot 15 DP 189520).
40	Maren Osbaldiston	Traffic concerns re location of a service station, present roadside (on both sides of Kaukapakapa shops) was dangerous.
43	NZTA	<p>Supported the Structure Plan in part – in that it seeks to provide for growth of the KKK township and the need to reduce conflict with adjacent land use activities requiring access off the state highway.</p> <p>Acknowledged a number of aspects NZTA considered positive:</p> <ul style="list-style-type: none"> ▪ Formalisation of existing and future commercial activities and developing a ‘town centre’ (likely to reduce need for longer distance travel for day-to-day amenities) also supports provision on one side of SH16 only. ▪ Development of walking and cycling networks ▪ Identification of Council policy for payment for future infrastructure – appropriate for developers to pay costs of upgrading infrastructure. ▪ Raised issues relating to local street design, proposed development areas, proposed speed limits. ▪ Sought that the Council defers making any decision until following had been addressed: <ul style="list-style-type: none"> ▪ Council consults further with NZTA re location and design of proposed side roads accessing SH16 to ensure intersections meet NZTA standards for safety and operation. ▪ SP maps and text specifically note property access to new development land units for residential activity will be from side roads as opposed to from SH16 ▪ Council consults further with NZTA regarding proposed speed limit changes along SH16 to ensure they are in accordance with ratings in the Land Transport Rule 5400, Setting of Speed Limits. ▪ Further or other relief, including consequential amendments, considered appropriate to address NZTA concerns raised in submission were addressed.

3.10.2 Discussion

Submission 8 disagreed with the NZTA regarding its identification that south-bound traffic turning right into the existing commercial area was unsafe. In this regard, there are a variety of road safety and design standards which are required to be met, and at the intersection of SH16 and the rail line these are particularly demanding. The Integrated Transport Assessment (ITA) undertaken for the Structure Plan confirms the NZTA’s position that this traffic directional movement will not meet current standards and should therefore be avoided.

Submission 12 opposed the road that goes through the middle of their property (25 Anderson Road) on the basis that it is not necessary and would be costly to construct when they subdivide.

The proposed road is important in that it provides a direct link between Peak Road and Anderson Road and also extends along the northern boundary of Sinclair Park. In light of the fact that in the long term future the southern node could be a denser urban area, it is deemed necessary to protect this corridor for a future road which will be required at that stage of the town’s development. However, it is recognised that with the subdivision into the lifestyle blocks proposed for Land Unit 8 the density of lots would not necessarily justify the formation of the road. Therefore, it does not necessarily follow that an indicative road would require full construction when the subject property is subdivided as long as the corridor is protected for possible future use.

Submission 15 contended that establishing the link road through Land Unit 2 “was not an option” because the road crosses the existing ROW which leads from the Hotel to the railway line. In this regard, the existence of the right of way does not preclude the road’s development because there are numerous legal survey mechanisms (e.g. private road with a gross public access easement, road dedication, etc) for achieving public access along the road and still maintaining the ROW. Furthermore, regarding submission 15’s contention that north-bound traffic making left-in turns to the proposed village centre was not safe; the preliminary assessment of this opportunity was undertaken under the auspices of the Structure Plan’s ITA, and this assessment concluded that subject to detailed location and design to achieve the optimum access point on SH16, generally, northbound left-in movements into the centre could be achieved.

Submission 19 was concerned that proposed Township Residential land units required NZTA approval with respect to the intersection of their access roads with SH16, and that these developments will be unable to be served by a ROW access onto SH16 should that approval not be forthcoming.

Township Residential Land Units 1, 2, 3, and 4 all require new intersections with SH16. These intersections were tested in terms of required standards during the structure planning process and are reported on in the ITA. Although the submission from NZTA (refer below, submitter 43) sought that the Council consults further with the NZTA regarding the location of these intersections, and this remains to be done, the testing of these intersections against known NZTA standards and criteria in the ITA provides a high level of confidence at this stage that these intersections are achievable.

Submission 20 supported the new road proposed to access Land Unit 3. However the submitter was concerned that the proposed road’s turning circle would be insufficient for school buses to use. Submission 20’s support is acknowledged. With regard to bus-turning, the detailed design of the road will need to take into account traffic engineering standards which provide for safe and easy bus turning. This is a future activity outside of the scope of the Structure Plan.

Submission 25 sought removal of all references to *Proposed Road* through its site at 34 Peak Road. This matter has previously been attended to under Section 3.3 and is not further discussed here.

Submission 26 opposed the road layout on the site (which is taken to mean both the access road from SH16 to Land Unit 3 and the Land Unit’s internal road). With regard to the access road, there are very few road access options to Land Unit 3 and the proposed road appears to be the most viable option (albeit not without constraints), especially as it also serves the purpose of providing a safe alternative access to the Reserve, School and Bowling Club.

The proposed road on the edge of the reserve lies towards the edge of the floodplain and will need to be raised about 1m - 1.5 m above current ground level (to meet roading standards). The road will thus be relatively costly to develop and will include road formation options (e.g. culverts) to ensure that there is minimal overall impact on the local flooding pattern.

It is noted that identifying Land Unit 3 for residential development is dependent on an access road to the land unit being achieved, and that without a viable road solution, Land Unit 3 cannot be promoted in the Structure Plan.

The submission does not provide any argument for the exclusion of the roads proposed through their property or any alternative solutions. The submitter is welcome to provide any other alternative access and/or internal roading solutions at the hearing.

Submission 40 was concerned that the traffic situation would be unsafe should the service station be located in the proposed village centre. The Structure Plan’s ITA considered and reported generally on access into the proposed village centre and confirmed that access could be relatively easily achieved. Section 3.2 outlines that in the event that the service station cannot be accommodated within the proposed village centre, the option exists to locate this facility at the proposed northern service industrial site. More detailed traffic analysis and design will be undertaken outside of the scope of this Structure Plan, which will enable locational decisions to be made based on safety considerations.

Submission 43 supported the Structure Plan in part and acknowledged positive aspects such as: formalisation of commercial activities, the development of the town centre, limiting non-residential development to the western side of SH16, the development of walking and cycling networks, and the identification of a funding mechanism for upgrading infrastructure.

Submission 43 also raised concerns that new SH16 intersections, local street design, and proposed speed limits have not been formally agreed to by the NZTA, and sought that the Council defers making any decision on the Structure Plan until its concerns have been addressed. These concerns are that:

- the location and design of proposed side roads accessing SH16 to ensure intersections meet NZTA standards for safety and operation. In this regard the ITA reports that generally all new intersections meet NZTA standards, and it remains for NZTA to confirm this in the absence of detailed intersection design which will follow the Structure Plan
- the Structure Plan maps and text specifically note that access to new residential areas will be from side roads as opposed to from SH16. Regarding this matter it is considered appropriate to introduce these text notations in the Structure Plan document
- the Council consults further with NZTA regarding proposed speed limit changes along SH16 to ensure they are in accordance with ratings in the Land Transport Rule 5400, Setting of Speed Limits. This remains to be undertaken.

In relation to Submission 43 it is considered appropriate that NZTA provide to the hearing a more definitive assessment with respect to proposals, in that Council would wish to adopt the Structure Plan as soon as possible and not delay that action until all traffic matters are satisfactorily resolved at a detailed level.

3.10.3 Officer recommendation

That submission 20 be accepted.

That submission 43 be accepted in part, with the exception of NZTA's desire to see a decision on the Structure Plan held back until all detailed traffic and roading matters are finalised.

That submission's 8, 12, 15, 19, 25 and 40 be rejected.

That submission 26 be rejected, subject to the submitter providing more detailed information to the contrary at the hearing.

3.10.4 Amendments to the Structure Plan

There are no amendments to the Structure Plan arising from the above recommendations.

3.11	Topic: Reserves and walkways
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3.11.1 Submissions

The following 15 submitters commented on this topic:

#	Name	Issues raised
3	Yvonne Harland	Proposed that the Council buy the three acre front paddock that is part of Henley House and use the long frontage for a safe walkway off the road.
5	KARRA	The primary walkway network must not go along SH16 for safety reasons, requested that the Plan revert back to KARRA's original concept of the network being away from SH16 (Plan 2).
13	R H and M S MacLennan	Requested clarification on: Why "...the suggestion of the primary linkage connecting North and South Nodes through our property across the river and through R Ashby's property as shown on the original concept plan" (attached to submission).

17	Ralph Martin	Priority needed to be given to pathways and the road frontage linking the north and south. Extend footpath from the hotel to the northern end of the village within the Structure Plan.
18	David Adams	<p>Objected to part of their property being designated as a reserve – concerned re property values and no consultation from the Council.</p> <p>Also objected to proposed public right of way across the southern boundary of their property.</p> <p>Reduction in overall site size would reduce existing ability to subdivide the property into three lots at 2200m² to two lots – affecting property values.</p> <p>Concerned re safety, security and privacy resulting from proposed public ROW, increasing access to the rear of their property would increase security risks to them and neighbouring properties.</p> <p>Questioned the need for the walkway as it appears to finish in one of the neighbours properties and does not seem to go anywhere in particular.</p>
20	KKK School Board Trustees	<p>Requested that the Council-owned reserve land adjacent to the school be retained as an important local asset and that the school be able to negotiate use rights for a playing field.</p> <p>Supported the concept of a walkway linking north and south nodes to provide for safer passage for pupils and parents – would prefer it avoid SH16 as it would be less likely to be used by pupils or concerned parents due to safety reasons. Well formed walkway would enable the school to optimise Sinclair Park during school time for events.</p> <p>Would prefer secondary walkway as it avoided the part of SH16 outside of the 50kmh zone, was a more direct link to Sinclair Park and was more of a dedicated walk/cycle way than just a footpath adjoining a very busy main road.</p>
21	Glenn and Leanne Suckling	Liked the idea of a walkway connecting the park to the main township but didn't want it cutting through private property (including their own). Objected to public walkways cutting through their property at 752 Kaipara Coast Highway.
22	Roger Prout	Would like to set aside an area for a park/play sports field etc in consultation with the Council – More details to be presented at hearing).
25	Capital Group (KK) Ltd	<p>Sought that the term <i>Primary walkway network</i> be amended to read <i>Indicative walkway linkage</i> on Plan 2: Proposed Open Space Network, and any associated material.</p> <p>Recognised the need for pedestrian connectivity, however considered it inappropriate to delineate the <i>Primary walkway network</i> in the manner shown given that there were other options to create the network without dictating where it should be. Suggested the walkway be made more generalised by amending Plan 2 (as above).</p> <p>Sought removal of all references to <i>Reserve/Proposed Reserve</i>, as shown on Figure 8 <i>Southern Township detail</i>, Plan 2 and <i>Proposed Open Space Network</i> and any other material comprising the Structure Plan or supporting information.</p> <p>Any areas identified as <i>Reserve/Proposed Reserve</i> be deleted and redefined <i>Township Residential areas</i>.</p>
31	Carol Lepupa	<p>Safety concerns from isolation of walkway/cycleway – with regard to the footpath being laid from North Ave to 1183 Kaipara Coast Highway (just past Moses Ave).</p> <p>Link between North and South to be in place prior to re-zoning land Township Residential in the South. Residents needed to be able to move between safely and current roadway is unsafe.</p>

32	Alan Fish	The walkways connecting the north and south were a very good concept allowing safe access for the children to Sinclair Park, the school and proposed village centre.
33	Helen Beech	Liked the idea of the walkway connecting north and south, allowing for safe access from Sinclair Park to the school and the proposed village centre.
38	H J Healy	The submitter supported the suggested network of walkways, however linking the north and south by routing pedestrians alongside SH 16 was not desirable, the original more cross country route was better.
39	Joanne Healy	The pedestrian access ways to the school and shops look excellent.
40	Maren Osbaldiston	Concerned with existing footpath, acknowledged walkway was planned but was a long way off. Present roadside on either side of KKK shops was dangerous. Concerned with pedestrian safety past a proposed service station.

3.11.2 Discussion

Submission 3 proposed that the Council purchase part of the Henley House site for a walkway off SH16. Discussions with the Council's Parks Department during the structure planning process have resolved that the Council does not intend purchasing any additional land in the town for reserve purposes. However, if this position alters as a result of a future more detailed walkway investigation, acquiring the proposed land could be revisited.

Submissions 5 and 13 sought that the primary walkway should not be along SH16 for safety reasons, and requests that the Plan reverts to KARRA's concept of an alternative route away from SH16. The matter of a choice of routes for that part of the walkway which crosses the floodplain requires considerably more investigation with regard to options, methods and costs, as this level of detailed investigation could not be achieved under the structure planning process. This future investigation could change the Structure Plan's definition of the primary and secondary walkway routes.

Submission 17 supported the Structure Plan's proposed upgrading of pathways and road frontages, and states that this is a priority need. Support for the Structure Plan's walkway and road frontage proposals is acknowledged. Part of the primary walkway is currently under construction and the prioritisation of other ongoing works to complete the network is a function of, and dependent on, the Council's broader budgeting and expenditure processes.

Submission 18 objected to the part of their property (21 Peak Road) being shown as a reserve and associated walkway. In that it would reduce property value, there was no consultation from the Council on the matter; it reduced potential subdivision yield, and concerns relating to safety, security and privacy. The southern part of the submitter's property is currently a natural stormwater gully and the Structure Plan proposed this particular area as a reserve and walkway in order to provide easy and direct access from proposed Land Unit 10 to Sinclair Park. Notwithstanding the fact that this corridor still represents the most ideal option, there are other options slightly to the south which could serve the same purpose. It is now proposed to rather rely on any of these alternate southern options, and accordingly remove the reserve and walkway from the subject site.

Submission 20 supported the retention of the adjacent reserve (Section 3 SO 379863) and wished to negotiate use rights for a school playing field on the reserve. The submission furthermore supported the walkway linking north and south nodes, but would prefer to avoid its alignment along SH16. In this regard, the Council intends to retain the reserve and is willing to hear from the school about the use of the reserve. The support for the walkway is acknowledged, noting as per above that its alignment is a matter for future investigation, which could not be undertaken as part of the Structure Plan.

Submission 21 generally supported the walkway but objected to it passing through their property. The general support for the walkway is acknowledged. The intention of this section of walkway is to create a link between Sinclair Park and the River esplanade, ideally by the most direct route. The particular alignment of this section of the secondary walkway coincides with a well vegetated steep gully which could form a future subdivision boundary. Acknowledging the submitter's concerns, there are other possible alternative alignments for this sector of the walkway. It is suggested, as per above, that the detailed alignment of this

and other sections of the walkway need to be resolved through a separate future investigation which could not be finalised under the Structure Plan. However, it is now proposed to retain the alignment of the subject section of the walkway as shown in the Structure Plan to indicate the linkage intention in this vicinity. Additionally, and in the light of other submissions regarding the walkway alignment, it is now proposed that additional commentary be included in the Structure Plan document to the effect that the Structure Plan's shown indicative walkway alignments are subject to change following detailed investigations.

Submission 22 mentioned the setting aside of an area for open space, and suggested that more details would be presented at the hearing. The hearing committee looks forward to the provision of such information.

Submission 25 sought the removal of all proposed reserves within their property at 34 Peak Road. This matter is discussed previously in Section 3.3.

Submission 31 expressed safety concerns regarding the footpath north of Moses Road, and sought that the walkway link between North and South be in place prior to re-zoning land for Township Residential in the South. The footpath currently being developed to the north of Moses Road is not part of the Structure Plan proposals and is therefore not discussed further in this report. The Council will need to make a separate and independent decision on the incorporation of the Structure Plan's proposed southern residential extensions into the District Plan and also the budgeting and construction of the linking walkway. These decisions stand outside of the Structure Plan process.

Submissions 32, 33, 38 and 39 generally supported the walkway. In addition, submission 38 questioned the safety of the primary walkway alongside SH16, and submission 40 was concerned with the safety of the walkway through the central area of the northern township.

The support for the walkway by the various submitters is acknowledged. Regarding submission 38, as proposed previously, the alignment of the walkway, especially in relation to SH16, is a matter for more detailed investigation outside of the scope of the Structure Plan. Regarding submission 40, it is proposed in the Structure Plan to upgrade the roadsides in the vicinity of the central northern township to avoid potential safety issues.

3.11.3 Officer recommendation

That submissions 17, 18, 20, 22, 32, 33, 39 and 40 be accepted.

That submission 38 be accepted in part, with the exception of that part suggesting specific alternative alignments for the primary walkway.

That submissions 25 be rejected, as recommended in previous Section 3.3.

That submissions 3, 5, 13, 21 and 31 be rejected.

3.11.4 Amendments to the Structure Plan

That additional explanations be inserted in the Structure Plan to the effect that indicative walkway alignments could be subject to change following more detailed investigations of alignment locations and options.

That additional notes be inserted into the Structure Plan identifying the priority to fix the locations of the primary walkway network.

That the walkway and reserve shown on submitter 18's property be deleted from the relevant plans (as shown in **Appendix 2**, and all consequential amendments).

3.12 Topic: Mapping and plans

3.12.1 Submissions

The following two submitters commented on this topic:

#	Name	Issues raised
5	KARRA	Sought following correction: Plan 1 – Key for designation of Rural Residential Land Units 6, 7, 8, 9 and 10 in Figure 8 should be a different colour to the Countryside Living zones in the northern node.
19	SH16 Ltd	There were two areas that are currently zoned Countryside Living Town and revert back to General Rural in the Draft Structure Plan. “This seems anomalous considering that the Structure Plan should be about providing for growth and development.”

3.12.2 Discussion

Submission 5 sought that the key of Plan 1 (Land Use Proposals) with the designation of Rural Residential Land Units 6, 7, 8, 9 and 10 in Figure 8 (Southern Township detail) should be a different colour to the Countryside Living zones in the northern mode. No justification is provided for such an amendment. The colours provided in the plans for the northern and southern areas are, and should be similar, in that they portray the same land use intent, i.e. Countryside Living, and this is consistent with other similar planning document formats.

Submission 19 noted that there were two areas (near Maddies Road and at Downer Access Road) that were currently zoned Countryside Living Town and have reverted back to General Rural in the Structure Plan. The observation is correct and there is a need to correct this mapping error.

3.12.3 Officer recommendation

That submission 5 be rejected.

That submission 19 be accepted.

3.12.4 Amendments to the Structure Plan

That the Structure Plan plans be amended to accurately reflect the current Countryside Living zone boundary.

Attachments

Appendix 1 - Figure 7: Northern Township detail plan

Appendix 2 - Figure 8: Southern Township detail plan

(Amended with officer recommendations on submissions)

APPENDIX 1

APPENDIX 2

