

I hereby give notice that a hearing by commissioners will be held on:

Date: Wednesday 6, Thursday 7 and Friday 8 November
2019
Time: 1:00pm (Wed), 9.30am (Thurs and Fri)
Meeting Room: Warkworth Town Hall
Venue: 21 Neville St, Warkworth 0910

HEARING REPORT – VOLUME TWO
SUBMISSIONS
PRIVATE PLAN MODIFICATION 25 -
WARKWORTH NORTH
TURNSTONE CAPITAL LTD

COMMISSIONERS

Chairperson	David Hill
Commissioners	Rebecca Macky
	Michael Parsonson

Kelsey Partridge
HEARINGS ADVISOR

Telephone: 09 890 2588 or 021 341 894
Email: kelsey.partridge@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Note: The reports contained within this document are for consideration and should not be construed as a decision of Council. Should commissioners require further information relating to any reports, please contact the hearings advisor.

WHAT HAPPENS AT A HEARING

At the start of the hearing, the Chairperson will introduce the commissioners and council staff and will briefly outline the procedure. The Chairperson may then call upon the parties present to introduce themselves to the panel. The Chairperson is addressed as Mr Chairman or Madam Chair.

Any party intending to give written or spoken evidence in Māori or speak in sign language should advise the hearings advisor at least five working days before the hearing so that a qualified interpreter can be provided.

Catering is not provided at the hearing. Please note that the hearing may be audio recorded.

Scheduling submitters to be heard

A timetable will be prepared approximately one week before the hearing for all submitters who have returned their hearing attendance form. Please note that during the course of the hearing changing circumstances may mean the proposed timetable is delayed or brought forward. Submitters wishing to be heard are requested to ensure they are available to attend the hearing and present their evidence when required. The hearings advisor will advise submitters of any changes to the timetable at the earliest possible opportunity.

The Hearing Procedure

The usual hearing procedure (as specified in the Resource Management Act) is:

- The applicant will be called upon to present his/her case. The applicant may be represented by legal counsel or consultants and may call witnesses in support of the application. After the applicant has presented his/her case, members of the hearing panel may ask questions to clarify the information presented.
- Submitters (for and against the application) are then called upon to speak. Submitters may also be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker. The council officer's report will identify any submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
- Should you wish to present written information (evidence) in support of your application or your submission please ensure you provide the number of copies indicated in the notification letter.
- Only members of the hearing panel can ask questions about submissions or evidence. Attendees may suggest questions for the panel to ask but it does not have to ask them. No cross-examination - either by the applicant or by those who have lodged submissions – is permitted at the hearing.
- After the applicant and submitters have presented their cases, the chairperson may call upon council officers to comment on any matters of fact or clarification.
- When those who have lodged submissions and wish to be heard have completed their presentations, the applicant or his/her representative has the right to summarise the application and reply to matters raised by submitters. Hearing panel members may further question the applicant at this stage.
- The chairperson then generally closes the hearing and the applicant, submitters and their representatives leave the room. The hearing panel will then deliberate "in committee" and make its decision by way of formal resolution. You will be informed in writing of the decision and the reasons for it.

**A NOTIFIED PRIVATE PLAN CHANGE TO THE AUCKLAND COUNCIL UNITARY PLAN
BY TURNSTONE CAPITAL LTD**

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Reporting officer, Ila Daniels

Reporting on proposed Private Plan Modification 25 - Warkworth North to rezone approximately 99 hectares of Future Urban zoned land to a mix of business and residential zones.

APPLICANT: TURNSTONE CAPITAL LTD

SUBMITTERS:	
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Private Plan Modification 25 - Warkworth North
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SUBMISSIONS AND FURTHER SUBMISSIONS

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Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Denise Lyn Civil

Organisation Name (if submission is made on behalf of Organisation)

on behalf of Joan Civil & Ian Civil

Address for service of Submitter

48 Prospect Terrace, Mt Eden, Auckland 1024

Telephone:

0274963759

Fax/Email:

icivil@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PPC25

Plan Change/Variation Name

Warkworth North

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or

Property Address

Or

Map

Proposed Warkworth North Plan Change: Proposed Zoning Map.

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

1.1

The reasons for my views are: Concerns regarding the proximity of Residential - Single Housing zoning immediately adjacent to a farmed property potentially restricting farming activities & causing nuisance with the farm activities

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

Revise the zoning plan to have an area zoned Open Space immediately adjacent to the boundary with Sec 20 SO495251 ie the property at 141 Carran Road.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Dennis Cive

Signature of Submitter
(or person authorised to sign on behalf of submitter)

8 June 2019.

Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

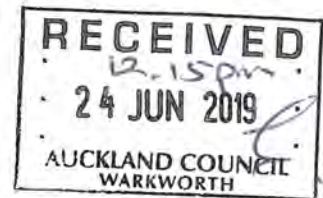
If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.



Form 5

Submission on notified proposal for policy statement or plan, change or variation
Clause 6 of Schedule 1, Resource Management Act 1991
To Auckland Council

Name of submitter: Chad & Carly Ranum

This is a submission on a change proposed to the following plan:

Auckland Unitary Plan Operative in part - **Plan Change 25(Private): Warkworth North.**

I could not gain an advantage in trade competition through this submission
I am directly affected by an effect of the subject matter of the submission
that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

By way of introduction, we are the owners and occupiers of 12 Viv Davie-Martin Drive (site size 8081m²) and our house is located on the south-western boundary of the proposed plan change area. It also abuts a proposed road linkage to Viv Davie-Martin Drive from the proposed plan change area, which could potentially route through our property.

The specific provisions of the proposal that our submission relates to are:

1. The provisions relating to the proposed change to the zoning of the land within the plan change area abutting our land, namely the provisional zonings on the western boundary in the zoning map of Appendix 1 of the plan change and the proposed precinct provisions for Warkworth North precinct set out below the zoning maps; and

2. The provisions relating to proposed transportation linkages between the land in the proposed private plan change and Viv Davie-Martin Drive, namely:

- I1.2 Objective (1)(a) which is to provide key road connections securing an east west link to connect with the Mansel Drive extension;
- I1.3 Policies (transport connections are mentioned regarding zoning and open space also the need for an indicative western link route as a policy and is supported but need for linkages beyond the site to other roads outside the sub precinct is not mentioned and not supported);
- the provisions set out in Activity Table 10.4.1 (A2), which make a restricted discretionary activity of *subdivision or development of land including or adjacent to "future road connections" indicated on the Warkworth North Precinct Plan*; Arguably this would relate to the indicative road connection shown to Viv Davie-Martin Dr but the objectives and policies do not support its inclusion.
- the matters for discretion in I1.8.1(1) and assessment criteria for restricted discretionary activities in I1.8.2(1) for Roading infrastructure that takes into account the extent the transportation needs of Warkworth North and the wider area and takes into account the extent to which roading connections are provided to adjacent land areas as indicated on Precinct Plan 1 – Warkworth North Precinct. Again, the objectives and policies support this

in relation to the Western link route but not local connections to adjacent areas as these are not mentioned.

3. The planning maps and supporting information relating to zoning and roading matters for the sub-precinct, for example Appendix 9 Neighbourhood Design Statement.

My submission is:

- We oppose the specific provisions referred to above relating to the transportation linkages to Viv Davie-Martin Drive (hereinafter referred to as VDMD), for the reasons set out below; and
- We oppose the provisions referred to above relating to the zoning and configuration of the residential area that is to be located on our north-eastern boundary for the reasons set out below.
- We support the general layout except to the extent set out specifically below with regard to the proposed neighbourhood centre and except to the extent that we seek potential new open space on the western boundary of the plan change area.

1.0 Zoning

1.1 While it is acknowledged that the land in Viv Davie-Martin Drive (VDMD) is proposed to be zoned Single House zone under the Warkworth Structure Plan and potentially with an overlay to allow for larger site sizes reflecting its already fully developed residential nature, it is also likely that it will be one of the last of the areas within that structure plan to be redeveloped.

1.2 This assertion is in no small part due to the nature of the ownership structures within VDMD, the fact that the subdivision is fully realised and consists of an established community and also because of the covenants on the titles intended to retain the type of amenity the proposed change of zoning will inadvertently compromise.

1.3 When or if a re-development of this discrete community eventually occurs, there is still a likelihood of an "Area for potential increase to minimum site size" overlay which would increase the minimum lot size from the standard 600m² to somewhere between 1,500m² – 2,500m² (exact size to be determined at the plan change stage) – source: Auckland Council's Warkworth Draft Structure Plan Response to feedback on draft plan document dated May 2019 at 2.2.6.

1.4 We would generally support this more spacious residential zoning for our property but note that if a road is to be put through it, we would expect to be able to utilise smaller site sizes for development purposes. If we are to lose my amenity then we should be able to gain in development potential. We recognise that this decision is outside the scope of the present plan change but offer our opinion for context.

1.5 The VDMD subdivision is fully developed and a spacious semi-rural lifestyle has been created for and by its residents, which was reflected in its original rural zoning of Countryside Living. Council planning staff have acknowledged as much in the Structure Plan feedback document, noting the "compromised nature of this area to achieve standard urban development (i.e. fragmented land

parcels, multiple different owners, covenanted bush areas, geotechnical issues, limited road access) and also acknowledges the current spacious residential amenity of the area”.

1.6 We generally support the proposed new residential zoning on the western boundary of the proposed plan change area (sub precinct A) however would like to see an Open Space zone or recreational space of no less than 6m width as a buffer between the two residential land areas.

1.7 There is no difference between single house or Mixed Housing Suburban zone in relation to the rear yard setback and proximity to the lifestyle blocks of VDMD however it is considered that in terms of amenity, the Mixed Housing Suburban zone is able to be more responsive to the peculiarities of contour and other features and generally is able to provide for more flexibility of housing. This could also assist with providing better urban design outcomes as the terrain is not flat and it is generally acknowledged that different residential typologies can adapt and be more responsive to sloping sites of various steepness.

1.8 In terms of the need for a buffer between VDMD and the proposed sub-precinct western boundary abutting it, the residential amenity of residents on the eastern side of VDMD will be severely compromised by the proposed residential zoning. This is because the bulk and location standards under the Unitary Plan zoning rules for Single House or Mixed Housing Suburban zones allow for relatively large houses on small lots, which can be sited at that boundary with rear and side yard setbacks of only one metre.

1.9 The existing housing pattern on VDMD and its orientation to boundaries of what was until recently an expansive farm means that the residential amenity of the VDMD housing stock abutting the private plan change area will be adversely affected to a severe degree. The houses were never built to abut urban density to that degree and there is no buffer proposed of a planted recreational strip or other amenity-saving devices.

1.10 By zoning a sufficient strip of land from the plan change’s proposed residential zone to open space zone or similar on that western edge to accommodate a planted strip, a buffer could be achieved. This buffer between single house or Mixed Housing Suburban zone and the lifestyle blocks of VDMD would not necessarily reduce the number of houses but would allow for smaller yard setbacks without loss of amenity, and if Mixed Housing Suburban zone were utilised in conjunction with it, more flexibility of housing.

1.11 It is suggested that the green buffer setback be in an Open Space or other recreational zoning rather than a mechanism such as a restrictive covenant to be brought down on to future titles. This is because an open space zoning could create a specifically recreational amenity strip, useful for jogging, walking, play, crossfit and/or similar activities for the benefit of residents of the plan change area. To be informally walkable, it does not necessarily require the formation of elaborate footpaths but could be kept slightly wilder yet traversable. This would serve to fulfil some of the recreational, ecological habitat, green space and amenity needs for the plan change area without compromising the present on-site amenity enjoyed by the VDMD residents. Not all green space needs to be intensively managed and in suburban areas today “waste green space” for exploration and unstructured play by children is often a missing element.

2.0 Rooding

2.1 It is acknowledged that the protection of key transportation linkages is vital in a planning exercise such as this. In my view the proposed plan change achieves this with the protection of a proposed Western Link Road, a key transport connection.

2.2 The Pacific Environments NZ Ltd Neighbourhood Design Analysis of Appendix 9 sets out constraints and opportunities, of which the compatibility of adjacent edges is a constraint and potential external connections to the existing movement network are opportunities. However, unlike Albert Rd and Sanderson Rd connections, VDMD is not a part of the movement network and not shown on Fig 17 (pg 16) as an opportunity.

2.3 Aside from the Western Link Road, the proposed route to undeveloped land in the north, and the need for internal rooding layout that is safe, workable and well connected within the plan change area itself, linkages to land off-site to the western life style block area of VDMD do not appear to be key, or indeed at all necessary on a traffic network or transportation basis.

2.4 Instead, protection of such unnecessary connections and the potential resulting upgrading of VDMD to a collector road imposes uncertainty and adverse effects on the landowners affected by such protection, potentially until the next 10-year planning horizon. Enabling people and communities to provide for their social, economic and cultural well-being can mean allowing people the freedom to enjoy their land unencumbered by unnecessary indicative road protections which are not justified on a resource management basis.

2.5 Appendix 19 of the PPC documents contains the Objectives and policies assessment table. Policies of the Unitary Plan include c) integrating land use and transport supporting a range of transport modes (d) support the efficient provision of infrastructure. The comment is that a precinct is proposed to secure key road connections, providing an indicative route for the Western Link Road and also future local road connections to adjacent land. Yet nowhere is it stated that the future road connections to VDMA are actually key – it is a box ticked to make the sub precinct PPC appear complete for planning purposes, even if it is not necessary (or able to be cost effectively developed) and is at the expense of some VDMD landowners.

2.6 In B3.3 Transport objectives and policies the same is repeated. Proposed road connections are stated to be secured by the precinct to ensure that future connections to adjacent land can be provided. It is not acknowledged that such protection comes at a cost. In fact, the burden of maintaining the potential connection in question is basically falling on existing residential landowner's such as myself and my family.

2.7 The Integrated Transport Assessment in Appendix 12 of the plan change does not shed further light on the need for the proposed connections to VDMD based on sound transportation planning reasons. The links are stated to "ensure the permeability and integrity of walking, cycling and rooding connections is maintained". Aside from the fact that there are no existing permeable and integral linkages to maintain, it misses the point that there needs to be a resource management justification for the creation and future protection of proposed linkages to an adjoining subdivision.

2.8 VDMD as a subdivision is unlikely to ever achieve significant residential density even if re-developed, because it is steep, has an established housing pattern, restrictive covenants and a body corporate associated with land tenure, and has geotechnical and other challenges. Its existing connection with Falls Road is considered perfectly adequate because the reality is that the increase in residents and thus traffic generation for this particular enclave is unlikely to increase dramatically. Unless there is a unanimous decision of all landowners of the body corporate to change the rules, it will not be able to be further subdivided or become significantly more populated.

2.9 In terms of amenity, there is no advantage to the residents accessing the proposed plan change area via a new local road connection. It is just as easy to drive to the neighbourhood centre or other areas by the established road network if they so desired. Reliance on private transport will still be required for VDMD residents due to the terrain and the lack of requisite population density for public transit. The proposed local/neighbourhood centre is no more proximate and considerably less useful to residents of VDMD than the nearby retail and commercial centres of Warkworth central and Woodcocks Rd.

2.10 In short, while connectivity and permeability are laudable concepts there are places, such as VDMD, where it is neither key nor particularly needed even assuming a scenario where the subdivision is redeveloped to its full potential under a higher residential density.

2.11 On the precinct side of the fence, the developer will achieve more housing fronting a road than a cul de sac formation allows, but the road will effectively simply terminate and remain a cul de sac anyway if the connection to VDMD is not made.

2.12 What the protection of these proposed connections does do is disadvantage existing landowner such as myself in VDMD. In the most likely event that the land including and surrounding the link is not further intensified, we are imposed upon by development controls that require resource consent for all development on our land.

2.13 The type of development that would require consent would include additions and alterations to my dwelling and also the construction of new residential accessory buildings, such as a potting shed or an implement shed, which are currently a permitted activity in the Future Urban zone provided a 6m side yard setback and other bulk and location controls are met.

2.14 In theory we could also apply for a minor household unit as a restricted discretionary activity on our land. We could at the present time meet all the controls but with a potential road shown through our property there would be little change of success because it would not meet policy H18.3.6, which requires development not to compromise future local transport network or hinder or prevent future urban development. Without the proposed road, which would probably never be constructed, we would likely be able to further develop our land our family's future needs.

2.15 In the event that we chose instead to sell, we also suffer the disadvantage of a route shown on planning documents that makes the land less attractive to be on-sold. People do not want to buy a property that has a potential road shown it.

2.16 So, although it is easy to put lines on plans showing connectivity and thereby tick a planning or urban design outcome box, this aspect of compliance with general policies is not value neutral

and is not imposed without burden. In this case the burden is on our family and the benefit is on the developer of the adjacent land.

3.0 Other

3.1 We generally support the layout of the proposed plan change but have concerns that the neighbourhood centre is too small for the proposed population of the area and that a local centre would be more appropriate.

3.2 Like many who gave feedback to the WW spatial plan, we agree with having additional small-scale local centres allowing for a growing population to have community resources and to reduce the pressure on the existing Warkworth town centre.

3.3 We disagree with the neighbourhood centre as it is too small and would not allow a diversity of activity to occur. However, I agree with its location.

3.4 We also feel that a local centre is not likely to compete with Warkworth town centre. If anything is to compete with or undermine the town centre it will be big box retail on the periphery, allowing free parking and essentially taking custom from small shops in the town centre. The lure of one-stop shopping with free parking is strong, particularly in a township like Warkworth where walkability from surrounding areas is not ideal.

I seek the following decision from the local authority:

- 2.1 | 1. That the area with lots shown immediately opposite our boundary be zoned Mixed Housing Suburban zone; and
- 2.2 | 2. That a 6m width strip along the western boundary with the VDMD subdivision be shown as Indicative Open Space in Precinct Plan 1.
- 2.3 | 3. That the indicative road layout that incorporates linkages to VDMD be removed from the planning documents (eg. Precinct Plan 1), particularly the proposed route potentially through our property at 12 Viv Davie-Martin Drive, and that relevant plans be amended to show the proposed road on the plan change side as a residential cul-de-sac.
- 2.4 | 4. That the proposed I1.4 Activity Table of 10.4.1 be re-worded at (A2) by deleting the words "future road connections" and replacing them with *indicative road connections to Sanderson Road, Albert Road, Hudson Road and to the adjacent land to the north.*
- 2.5 | 5. That the remainder of the plan change be kept in the form proposed with the exception of the proposed Neighbourhood Centre, which we would like to see changed to a Local Centre to offer a better outcome for social and community cohesion.

We wish to be heard in support of our submission.

If others make a similar submission, we will consider presenting a joint case with them at a hearing.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only
Submission No:
Receipt Date: RECEIVED 12.15 pm 24 JUN 2019 AUCKLAND COUNCIL WARKWORTH

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

ROBERT WHITE

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

44 VIV DAVIE-MARTIN DRIVE, WARKWORTH 0984

Telephone:

0278222083

Fax/Email:

robert@subsec.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PPC25

Plan Change/Variation Name

Warkworth North

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

see attached sheets (also in Form 5 format)

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

} see attached sheets in Form 5 format which contain my full submission

The reasons for my views are: *see attached sheets*

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

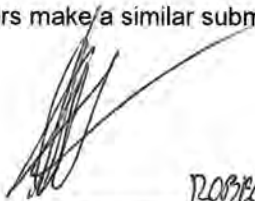
If the proposed plan change / variation is not declined, then amend it as outlined below.

See attached sheets

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing



ROBERT V. WHITE

Signature of Submitter
(or person authorised to sign on behalf of submitter)

24-6-19
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.



Submission on notified proposal for policy statement or plan, change or variation
Clause 6 of Schedule 1, Resource Management Act 1991
To Auckland Council

Name of submitter: **Robert White**

This is a submission on a change proposed to the following plan:

Auckland Unitary Plan Operative in part - **Plan Change 25(Private): Warkworth North.**

I could not gain an advantage in trade competition through this submission

I am directly affected by an effect of the subject matter of the submission that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

By way of introduction, I am the owner and occupier of 44 Viv Davie-Martin Drive and my house is located on the south-western boundary of the proposed plan change area. It also immediately abuts a proposed road linkage to Viv Davie-Martin Drive from the proposed plan change area, which would route straight through my property to create the said linkage.

The specific provisions of the proposal that my submission relates to are:

1. The provisions relating to the proposed change to the zoning of the land within the plan change area abutting my land, namely the provisional zonings on the western boundary in the zoning map of Appendix 1 of the plan change and the proposed precinct provisions for Warkworth North precinct set out below the zoning maps; and

2. The provisions relating to proposed transportation linkages between the land in the proposed private plan change and Viv Davie-Martin Drive, namely:

- 11.10.1.1 Precinct Plan 1 – Warkworth North Plan Change dated 18/1/2019.
- 11.2 Objective (1)(a) which is to provide key road connections securing an east west link to connect with the Mansel Drive extension;
- 11.3 Policies (transport connections are mentioned regarding zoning and open space also the need for an indicative western link route is a policy but need for linkages beyond the site to other roads outside the sub precinct is not mentioned;
- the provisions set out in Activity Table 10.4.1 (A2), which makes a restricted discretionary activity of *subdivision or development of land including or adjacent to "future road connections" indicated on the Warkworth North Precinct Plan;*
- the matters for discretion in 11.8.1(1) and assessment criteria for restricted discretionary activities in 11.8.2(1) for Roading infrastructure that takes into account the extent the transportation needs of Warkworth North and the wider area and takes into account the extent to which roading connections are provided to adjacent land areas as indicated on Precinct Plan 1 – Warkworth North Precinct.
- 3. The planning maps and supporting information relating to zoning and roading matters for the sub-precinct, for example Appendix 9 Neighbourhood Design Statement and Appendix

My submission is:

- I oppose the specific provisions referred to above relating to the transportation linkages to Viv Davie-Martin Drive (hereinafter referred to as VDMD), for the reasons set out below; specifically, the proposed transportation linkages to VDMD are not demonstrated to be required for sound transportation planning and urban design purposes in this particular location and disadvantage me strongly.
- I oppose the specific provisions referred to above relating to the zoning to be located on my north-eastern boundary for the reasons set out below; specifically, that the lack of a buffer between the interface of the plan change area and its western boundary sets up reverse sensitivity issues for existing land uses in VDMD and also will adversely affect my residential and general amenity to a significant degree.
- I support the general layout except to the extent set out specifically below with regard to the proposed neighbourhood centre and potential new open space on the western boundary of the plan change area.

1.0 Zoning .

1.1 While it is acknowledged that the land in Viv Davie-Martin Drive (VDMD) is proposed to be zoned Single House zone under the Warkworth Structure Plan and potentially with an overlay/subdivision variation control to allow for larger site sizes reflecting its already fully developed residential nature, it is also likely that it will be one of the last areas within that structure plan to be redeveloped.

1.2 This assertion is in no small part due to the nature of the ownership structures within VDMD, the fact that the subdivision is fully realised and consists of an established community and also because of the private covenants on the titles intended to retain the type of amenity the proposed change of zoning will inadvertently compromise.

1.3 When or if a re-development of this discrete community eventually occurs, there is still a likelihood of an “Area for potential increase to minimum site size” overlay which would increase the minimum lot size from the standard 600m² to somewhere between 1,500m² – 2,500m² (exact size to be determined at the plan change stage) – source: Auckland Council’s Warkworth Draft Structure Plan Response to feedback on draft plan document dated May 2019 at 2.2.6. and Figure 1 Warkworth Structure Plan June 2019 – Land Use Plan.

1.4 The VDMD subdivision is fully developed and a spacious semi-rural lifestyle has been created for and by its residents, which was reflected in its original zoning of Countryside Living. Council planning staff have acknowledged as much in the Structure Plan feedback document, noting the “compromised nature of this area to achieve standard urban development (i.e. fragmented land

parcels, multiple different owners, covenanted bush areas, geotechnical issues, limited road access) and also acknowledges the current spacious residential amenity of the area”.

1.5 This residential amenity, particularly on its eastern boundary, will be severely compromised if the proposed zoning on the western boundary of the private plan change area is Single House zone or Mixed Housing Suburban zone. This is because the bulk and location standards under the Unitary Plan zoning rules mean that large houses on small lots can be sited at that boundary with rear and side yard setbacks of only one metre.

1.6 The existing housing pattern on VDMD and its orientation and proximity to boundaries of what was until recently an expansive farm means that the use and amenity of the VDMD sites abutting the private plan change area will be adversely affected. The houses were never built to abut urban density to that degree and also many of the holdings are farmlets and run stock. There is no buffer proposed of a planted recreational strip or other amenity-saving devices.

1.7 My house is close to that interface and will be one of the most severely affected. Like many of my neighbours I also run cattle on my land and intend to keep doing so. There is potential for reverse sensitivity effects to arise which are not acknowledged in the s32 report for the plan change on the basis that VDMD is changing to a residential zoning in the future. Having the western edge of the plan change area where it interfaces with VDMD residential lots changed to Large Lot zone would assist as a buffer because the rear yard setback is 6m rather than 1m.

1.8 An alternative to Large Lot zoning would be to provide an interface buffer of recreational space. By zoning a sufficient strip of land from the plan change’s proposed residential zone to open space zone or similar on that western edge to accommodate a planted strip, a buffer could be achieved. This buffer between single house or Mixed Housing Suburban zone and the lifestyle blocks of VDMD would not necessarily reduce the number of houses but would allow for smaller yard setbacks without loss of amenity, and if Mixed Housing Suburban zone were utilised in conjunction with it, more flexibility of housing.

1.9 This open space zoned buffer could be of benefit to the future residents of the plan change area by offering an informally walkable area. In other words, it does not necessarily require the formation of elaborate footpaths or planting but could be kept slightly wilder yet traversable. This would serve to fulfil some of the recreational, ecological habitat, green space and amenity needs for the plan change area without compromising the present on-site amenity enjoyed by the VDMD residents. Not all green space needs to be intensively managed and in suburban areas today “waste green space” for exploration and unstructured play by children is often a missing element.

1.10 A further potentially acceptable alternative, is for provisions to be added to the Precinct Plan so that at subdivision stage a restrictive covenant is placed on the titles of the lots immediately adjacent to my property at 44 VDMD. The restrictive covenant would need to specify that no building is to be constructed within 6m of the rear boundary.

2.0 Roading

2.1 It is acknowledged that the protection of key transportation linkages is vital in a planning process such as this one and the proposed plan change achieves this with the protection of a proposed Western Link Road, a key transport connection.

2.2 The Pacific Environments NZ Ltd Neighbourhood Design Analysis of Appendix 9 sets out constraints and opportunities, of which the compatibility of adjacent edges is a constraint and potential external connections to the existing movement network are opportunities. However, unlike Albert Rd and Sanderson Rd connections, VDMD is not a part of the movement network and not shown on Fig 17 (pg 16) as an opportunity.

2.3 Aside from the Western Link Road, the proposed route to undeveloped land in the north, and the need for internal roading layout that is safe, workable and well connected within the plan change area itself, linkages to land off-site to the western life style block area of VDMD do not appear to be key, or indeed at all necessary on a traffic network or transportation basis.

2.4 Instead, protection of such unnecessary connections and the potential resulting upgrading of VDMD to a collector road imposes uncertainty and adverse effects on the landowners affected by such protection, potentially until the next 10-year planning horizon. Enabling people and communities to provide for their social, economic and cultural well-being can mean allowing people the freedom to enjoy their land unencumbered by unnecessary indicative road protections which are not justified on a resource management basis.

2.5 Appendix 19 of the PPC documents contains the Objectives and policies assessment table. Policies of the Unitary Plan include c) integrating land use and transport supporting a range of transport modes (d) support the efficient provision of infrastructure. The comment is that a precinct is proposed to secure key road connections, providing an indicative route for the Western Link Road and also future local road connections to adjacent land. Yet nowhere is it stated that the future road connections to VDMA are actually key – it is a box ticked to make the sub precinct PPC look complete for planning purposes, even if it is not necessary (or able to be cost-effectively developed) and is at the expense of some VDMD landowners.

2.6 In B3.3 Transport objectives and policies the same is repeated. Proposed road connections are stated to be secured by the precinct to ensure that future connections to adjacent land can be provided. It is not acknowledged that such protection comes at a cost. In fact, the burden of maintaining the potential connection in question is basically falling on existing residential landowner's such as myself.

2.7 The Integrated Transport Assessment in Appendix 12 of the plan change does not shed further light on the need for the proposed connections to VDMD based on sound transportation reasons. The links are stated to "ensure the permeability and integrity of walking, cycling and roading connections is maintained". Aside from the fact that there are no existing permeable and integral linkages to maintain, it misses the point that there needs to be a resource management justification for the creation and future protection of proposed linkages to an adjoining subdivision.

2.8 VDMD as a subdivision is unlikely to ever achieve significant residential density even if re-developed, because it is steep, has an established housing pattern, restrictive covenants and a body corporate associated with land tenure, and has geotechnical and other challenges. Its existing connection with Falls Road is considered perfectly adequate because the reality is that the increase in residents and thus traffic generation for this particular enclave is unlikely to increase dramatically. Unless there is a unanimous decision of all landowners of the body corporate to change the rules, it will not be able to be further subdivided or become significantly more populated.

2.9 In terms of amenity, there is no advantage to the VDMD residents accessing the proposed plan change area via a new local road connection. It is just as easy to drive to the neighbourhood centre or other areas by the established road network if they so desired. Reliance on private transport will still be required for VDMD residents due to the terrain and the lack of requisite population density for public transit. The proposed local/neighbourhood centre is no more proximate and considerably less useful to residents of VDMD than the nearby retail and commercial centres of Warkworth central and Woodcocks Rd. In short, while connectivity and permeability are laudable concepts there are places, such as VDMD, where it is neither key nor particularly needed.

2.10 On the precinct side of the fence, the developer will achieve more housing fronting a road, not a cul de sac, but the road will effectively remain an awkwardly terminated cul de sac anyway if the connection to VDMD is not made.

2.11 What the protection of these proposed connections does do is disadvantage existing landowner such as myself in VDMD. In the most likely event that the land including and surrounding the link is not further intensified, we are imposed upon by development controls that require resource consent for all development on our land.

2.12 The type of development that would require consent would include additions and alterations to my dwelling and also the construction of new residential accessory buildings, such as a potting shed or an implement shed, which are currently a permitted activity in the Future Urban zone provided a 6m side yard setback and other bulk and location controls are met.

2.13 The Unitary Plan provides for a minor household unit as a restricted discretionary activity, which I could in theory apply for on my land for my retirement. I assume the amendment of any private covenant requiring the consent of the landowners in VDMD but in the circumstances (the proposed urban zoning to occur on VDMD) I am confident that this would be agreed to for my site. I could at the present time meet all the controls but now, with a potential road shown through the easiest and least constrained part of my property, there would be little change of success because it would not meet policy H18.3.6, which requires development not to compromise future local transport network or hinder or prevent future urban development. Without a proposed road, probably never to be constructed, I would likely be able to further develop my land for my retirement.

2.14 In the event that I chose instead to sell, I also suffer the disadvantage of a route shown on planning documents that makes the land less attractive to be on-sold. People do not want to buy a property that has a potential road shown through the middle of the only usable, well contoured and least constrained area on the site. Or, in the case of my neighbour's property, potentially through his house.

2.15 So, although it is easy to put lines on plans showing connectivity and thereby tick a planning or urban design outcome box, this aspect of compliance with general policies is not value neutral and is not imposed without burden. In this case the burden is on me and the benefit is on the developer of the adjacent land.

3.0 Other

3.1 I generally support the layout of the proposed plan change but I have concerns that the neighbourhood centre is too small for the proposed population of the area and that a local centre would be more appropriate. Council's reasoning in the Structure Plan as to why only a small neighbourhood centre is required does not take into account that this centre will service future planned development as well as surrounding existing residential development such as that in Albert Road, Hill St and potentially Victoria St, Hudson Rd and Falls Road.

3.2 Like many who gave feedback to the Warkworth spatial plan, I agree with having additional small-scale local centres allowing for a growing population to have community resources which offer a better outcome for social and community cohesion. A local centre will also reduce the pressure on the existing Warkworth town centre, which is constrained by the existing planning provisions limiting the size of premises and heights as well as historic site development and ownership patterns.

3.3 I disagree with the neighbourhood centre as it is too small and would not allow a diversity of activity to occur. However, I agree with its location.

3.4 I also feel that a local centre is not likely to compete with Warkworth town centre. If anything is to compete with or undermine the town centre it will be big box retail on the periphery, allowing free parking and essentially taking custom from small shops in the town centre. The lure of one-stop shopping with free parking is strong, particularly in a township like Warkworth where walkability from surrounding areas is not ideal.

I seek the following decision from the local authority:

- 3.1 1. That the area immediately opposite my rear boundary of 44 VDMD be provided with a 6m wide buffer for the length of my property or more. This could be achieved by a number of mechanisms such as zoning the land residential large lot zone, not single lot zone nor Mixed Housing Suburban zone. Alternatively, that a strip of land between the boundary of VDMD and the plan change area's western boundary of a minimum 6m in width be zoned Open Space or be otherwise formally protected for recreation purposes and planted out as a buffer between the two residential land areas; or that provisions in the Precinct Plan are added to require restrictive covenants to be placed at subdivision stage on the titles of any proposed lots immediately adjacent to my property at 44 VDMD. The restrictive covenants would need to specify that no building is to be constructed within 6m of the rear boundary; and
- 3.2 2. That the indicative road linkages to VDMD be deleted from the Precinct Plan.
- 3.3 3. That the indicative road linkages to VDMD be deleted from the Warkworth North Structure Plan.
- 3.4 4. That the proposed Neighbourhood Centre change to a Local Centre.


I wish to be heard in support of my submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature of submitter

(or person authorised to sign

on behalf of submitter)


.....

Date

24/6/19.

LISA CAPES
PLANNING CONSULTANT.
FOR ROBERT WHITE AND AUTHORISED
BY HIM TO SIGN ON
HIS BEHALF

Electronic address for service of submitter: robert@subseco.co.nz

Telephone: 0278 222 083

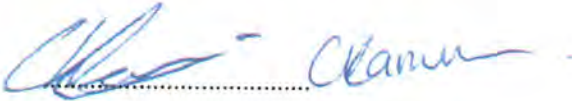
Postal address: 44 Viv Davie-Martin Drive, Warkworth, Auckland

Contact person: Robert White, landowner

Signatures of submitters

(or person authorised to sign

on behalf of submitter)

A handwritten signature in blue ink, appearing to read 'Chad Ranum', written over a dotted line.

Date 23 June 2019

Electronic address for service of submitter: chadranum@hotmail.com

Telephone: 021 08366989

Postal address: 12 Viv Davie-Martin Drive, Warkworth, Auckland

Contact person: Chad Ranum, landowner

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Maxine Hatfull

Organisation name:

Agent's full name: Maxine Hatfull

Email address: hatfull@xtra.co.nz

Contact phone number:

Postal address:
87 Hudson Rd
Warkworth
Warkworth 0910

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:

Submission on the Auckland Unitary Plan. Proposed Warkworth North Plan Change 25 Stubbs Farm.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I fully support the proposal that has been proposed for the Stubbs Farm development. It fits in with supporting affordable housing. It carefully looks after the waterways and allows for more landscaping to develop these areas. The change they have requested protects the residents that currently live in the area and further develops walking and cycling tracks. Having more Industrial along Hudson Road will only cause more noise pollution, and it is already bad enough. By developing the Western Link Road immediately will support the network roading system for the area and support a future proposal of a network hub near the showgrounds. The planning proposals allows for Warkworth to develop as a community, offers employment and housing in aesthically appealing way. I like the enhanced green spaces and the well thought out roading and differential housing.

4.1 | I or we seek the following decision by council: Accept the plan modification

Submission date: 27 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Pauline Preen
Date: Thursday, 27 June 2019 3:45:33 PM

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Pauline Preen

Organisation name: Ma and Pa Commercial Ltd

Agent's full name: Mark Weingarh

Email address: paulinekelly7@icloud.com

Contact phone number:

Postal address:
22a Maungakiekie Ave
Greenlane
Auckland 1051

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:

A plan change request to Re-zone approx 99 Hectares of Future Urban zoned land to a mix of business and residential.

Property address: The zoning of land within the Warkworth north Precinct and Stubbs Farm development

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

To elevate the pressures on Auckland housing/affordability and provide more options for families and home owners in the area. The intensification of residential housing in this location will help service the growing community as well as business growth in the region which is expanding. The accessibility to the region is improving given the new motorway and link Rd which improve travel times and make it more attractive to reside out of Auckland but work in the city.

5.1 | I or we seek the following decision by council: Accept the plan modification

Submission date: 27 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
Sent: Friday, 28 June 2019 11:16 AM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Patricia Sullivan

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Patricia Sullivan

Organisation name:

Agent's full name:

Email address: paddyasullivan@gmail.com

Contact phone number: 094258294 021425820

Postal address:
P.O Box 193 Warkworth
Warkworth
Auckland 0910

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:
9.5.1 Design and Location of the Western Link Road 9.6.1 Fresh Water

Property address: 27 state Highway one

Map or maps: Figure 3b page 12. Page 11 Appendix 1. Page 8 Appendix 13.

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The Indicitive route for the Western Link road dissects our property leaving parts of in in accessible. Also there is no Connectivity at the southern end to Mansel Drive. the watercourse on our property has been idetified as a permanent stream. However this watercourse is intermittent as it runs dry 2-3 months of the year. This is confirmed by ecology and stormwater reports on the council website under designation 6763 state highway 1 hudson road to Puhoi to warkworth.

7.1

7.2 | I or we seek the following decision by council: Accept the plan modification with amendments

7.3 | Details of amendments: Move indicative Western Link road to our eastern Boundary. Change Classification of watercourse to intermittent stream. Do not include any riparian planting of this watercourse in th plan change.

Submission date: 28 June 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
Sent: Sunday, 30 June 2019 2:16 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Ross David Brereton
Attachments: TCL submission.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Ross David Brereton

Organisation name:

Agent's full name: kate port

Email address: rbrereton@slingshot.co.nz

Contact phone number: 0274861358

Postal address:
28 Viv Davie-Martin Drive
Warkworth 0984
WARKWORTH
Auckland 0984

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:

Property address: Lot 6, DP339152 - 28 Viv Davie- Martin Drive, Warkworth

Map or maps:

Other provisions:
Proposed road from TCL subdivision through Lots 5 & 6 to Viv Davie-Martin Drive.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
Refer attached document

I or we seek the following decision by council: Accept the plan modification with amendments

- 8.1 | Details of amendments: 1. Proposed future roads from TCL to Viv Davie-Martin become cul-de-sac's at boundary. 2. No proposed future roads across Viv Davie-Martin subdivision.

Submission date: 30 June 2019

Supporting documents
TCL submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

TO: AUCKLAND COUNCIL

FROM: ROSS BRERETON 30TH JUNE 2019

SUBMISSION FOR PLAN PPC 25

REASONS FOR MY VIEWS:

- Viv Davie-Martin Drive (VDM) is a completed lifestyle subdivision (refer site location 4.2 & 8.1.1)
- Link road to VDM serves no purpose as the Western Collector is the new conduit from SH1 to Mansel Drive
- Would require the removal of approx. four existing houses on VDM
- Would require possible widening of VDM presently is 5.5 metres wide
- Section 8.2 – Consultation and Engagement – in our consultation with TCL the “ opportunities for future connection is in reference to water and sewage supply in the event of council adopting an increased lot size in single house zone. Not roading connection as VDM is a quiet cul-de-sac which in the existing form can handle any increase in traffic from a lot size zoning change
- The topography of TCL land up to Lots 5 & 6 would require extensive earthworks to attain a min 12% gradient for roading. The land is steep.
- Accepting the points mentioned above, I am in support of the proposed plan change for the following reasons:

8.2 | • Would like to see the development of a neighbourhood centre as proposed by TCL. The existing Warkworth town centre is fully developed now.

8.3 | • Do not wish to have more industrial buildings along the waterways as at present. Would

8.4 | • much prefer additional plantings (as at present on Stubbs Farm) with walk/cycle way connecting to existing A & P showgrounds and Mansel Drive. Support TCL plan to clean up rear of existing industrial sites. We have had significant pollution from these sites in the past.

8.5 | • Much prefer to see styles of housing as proposed by TCL (similar to Millwater) as opposed to what has been allowed in The Meadows subdivision in Warkworth i.e. single house on 500 sqm with wooden fence

8.6 | • I support TCL plan to put the Western Collector through the bottom of the valley as this will take the existing traffic pressure off Hudson/Falls roads, especially on the weekends with heavy SH1 traffic

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Dr Isobel Alexandra Topham

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

41 Braeside, Kinmont Park, Mosgiel 9024

Telephone: Fax/Email:

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

Plan Change/Variation Name

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or
Property Address

Or
Map

Or
Other (specify) North Block ecological impact assessment, health impact assessment, town centre, roading

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are: Please see attached sheet.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

9.1 | Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

9.1 | Perform a Health Impact Assessment (HIA) of the proposed plan change, including the North Block, and optimise the plan to promote human health and wellbeing based on the HIA.

9.2 | Complete the ecological impact assessment, including the North Block. Consider moving the town centre to the North, removing vehicle access from the centre,

9.3 | and reducing the number of lanes on the Western Link Road.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Submitter
(or person authorised to sign on behalf of submitter)

28 June 2019
Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

28 June 2019

Re: Auckland Council

PC 25 (Private): Warkworth North

To Whom It May Concern:

I am of the fourth generation of kaitiaki of the land comprising the “North Block” of the proposed Private Plan Change 25. I propose that the principle of zoning land in this area in order to provide for the expansion of Warkworth is sound and logical, but that key components needed to optimise this planning must be undertaken before the plan can be finalised.

I trained originally as a veterinarian, and have spent many years in clinical practice with both production animals and their agricultural businesses, and more recently with companion animals, alongside my research and publication in health economics. I direct two property companies. I have a Masters focussed in epidemiology, and am most of the way through a Postgraduate Diploma in Public Health with a focus on policy and environmental determinants of health. It is with this breadth of experience in business and health that I look over the plan change submission that includes a portion of our family’s land.

In line with the 2015 Sustainable Development Goals put forth by the United Nations, the work done by Turnstone Capital on cultural impact assessments and ecological impact assessment goes some way to supporting sustainable development. Along the same vein, promoting human health and wellbeing through the spaces in which we live, work, travel, and play, is specifically outlined in the Turnstone Capital Warkworth North Structure plan (page 44). However, an ecological impact assessment was performed only on Stubbs’ land. Excluding the North Block from this analysis means that optimising design for ecological factors is not possible based on the current data.

Additionally, a human health impact assessment has not been performed at all. This leaves quite literally the key and central role of sustainable development (and the Council), to support human flourishing, up in the air. How can this plan be optimised for human development without measuring or managing human health and wellbeing in relation to the proposal?

9.6 | The proposed Western Link Road has four lanes. No other urban roads in the area have two lanes each way, currently. Given that we should be implementing measures that move towards public and active transport in order to improve transport equity, reduce climate impacts, and promote health, it seems regressive to actively accommodate more private motorised vehicle use than is current, let alone desirable, particularly with the motorway only a few hundred metres away.

Specific to the proposed location (page 1 of Appendix 1) and design of the town centre (page 5 of Appendix 4, the Warkworth Structure Plan):

- Locating the proposed town centre atop or on the northern side of the hill between the Stubbs and North Blocks would make better use of the natural vistas of the area, providing uninhibited views of the Dome and Dome Valley. The current site is at the base of a gully with little outlook or sun.

- The current example shows vehicular access to the town centre. Pedestrian only, or much more pedestrian prioritised, design would enhance the walkability of the centre by making it more safe, quiet, and clean of air.

9.4 - The artist's impressions of the proposed streets, if pursued, result in a missed opportunity. Ideally, the design of these streets would include, at minimum, a grass berm between the road and footpath to minimised road traffic injuries, trees along the berm to provide shelter, shade, beautification, and to prevent crime, along with dedicated cycle areas.

9.5 Finally, The Zero Carbon Act is likely to result in municipal progress. Why not use this proposal as an opportunity to create some positive, progressive precedent by thoroughly incorporating our national and local responsibilities into expressing the Sustainable Development Goals? Let's do a thorough health impact assessment, finish the ecological assessment, and then optimise the plan from the top down.

Nga manaakitanga,
Dr Isobel Topham
BVSc, MVM, PGDipPH candidate

41 Braeside
Kinmont Park
Mosgiel 9024

Submission on the Auckland Unitary Plan (Operative in Part)

Proposed Plan Change 25

Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

To: Auckland Council

1. SUBMITTER DETAILS

Name of Submitter: Barry Kevin Woolsey

Postal Address: 56 Vin Dave Martin Drive
RD 4 Waikworth 0984

Phone: 021 849 752 Email: barry_woolsey@bzg.co.nz

This is a submission on Auckland Council's Proposed Plan Change 25.

Could you gain an advantage in trade competition through this submission?

Please select one of the below options:

- I could gain an advantage in trade competition through this submission.
- I could not gain an advantage in trade competition through this submission.

Are you directly affected by an effect of the Proposed Plan Change in so far as it:

- a) Adversely affects the environment; and
- b) Does not relate to trade competition or the effects of trade competition.

Please select one of the below options:

- I am directly affected by an effect of the subject matter of the submission.
- I am not directly affected by an effect of the subject matter of the submission.

2. SCOPE OF SUBMISSION

The specific provisions of the proposal that this submission relates to are:

- The whole of Proposed Plan Change 25
- A specific part of Proposed Plan Change 25 as detailed below:

Submission on the Auckland Unitary Plan (Operative in Part)

Proposed Plan Change 25

Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

3. SUBMISSION

Do you support or oppose the specific provisions of the proposal for which this submission relates? Please select one of the following:

Support

Oppose

The reasons for my views are:

10.1 I support the overall private plan change - in particular that the Business - Light Industry Zone does not extend over the permanent stream and is limited to that proposed off Hudson Road.

10.2 I am in favour of the open space Conservation Zone and the proposed walkways.

I seek the following amendments to Proposed Plan Change 25:

10.3 That a green belt be established on the western boundary to provide a buffer with the applicants proposed plan change and the existing lifestyle blocks off Viv Dave Martin Drive.

10.4 - given the level of condensed housing planned, I am concerned there appears to be inadequate off street parking that would lead to indicated roadways becoming congested.

Submission on the Auckland Unitary Plan (Operative in Part)

Proposed Plan Change 25

Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

4. DECISIONS SOUGHT

I seek the following decision from Auckland Council:

- Accept Proposed Plan Change 25
- Accept Proposed Plan Change 25 with amendments as outlined above
- Decline Proposed Plan Change 25

5. APPEARANCE AT COUNCIL HEARING

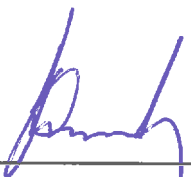
Do you wish to be heard in support of your submission? *Please select from the following:*

- I/we **wish** to be heard in support of my/our submission
- I/we **do not wish** to be heard in support of my/our submission

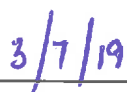
If others make a similar submission, I/we will consider presenting a joint case with them at the hearing: *Please circle one:*

- YES
- NO

6. SIGNATURE AND DATE SIGNED



Signature of person(s) making submission



Date

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only: Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name) Robert & Maryanne Sikora

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

26 Viv DAVID MARTIN DRIVE, Warkworth

Telephone: 021 300 576 Fax/Email: r.sikora@extraco.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PPC25

Plan Change/Variation Name Warkworth North

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s) Proposed future Road through lots

Or Property Address Viv David-Martin Drive

Or Map

Or Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are: Please see attached.

(continue on a separate sheet if necessary)

11.1

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below

Please See attached.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

M. Sika
Signature of Submitter
(or person authorised to sign on behalf of submitter)

3-7-19.
Date

Notes to person making submission:
If you are making a submission to the Environmental Protection Authority you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act, 1991.

I could / could not gain an advantage in trade competition through this submission.
If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Submission Plan Change 25 Warkworth

We would like to put forward a submission regarding the **Plan Change 25 Warkworth**, showing a proposed future road through our property at Lot 5 number 26 Viv Davie-Martin Drive Warkworth.

We purchased this land 5 years ago to develop as our retirement property, for all the family to enjoy. We have since spent a substantial amount of money designing, building and developing the property from scratch. We found out a year ago that the farm was to become a residential subdivision with single level housing along our back boundary.

We do not have an issue with this new subdivision at all, and understand that the new residential housing in this area is well needed with the future growth of the Warkworth area and beyond.

In anticipation of this happening we have proceeded in planting out our back boundary with native and substantial size trees. Since then we have now found out that there is a **“Proposed Future Road planned to go through our Property”** We now have been put in the position that we no longer have an home as an asset but, it is now a liability. Should we need to sell our property for any unforeseen reason we would not be in a position to do so as any purchaser would see the Proposed Future Road and for that reason not proceed?

As we understand the developers approached many building companies to buy into their first project, however the developers were asking too much for sections which made the potential building company's feasibilities come back unappealing and numbers did not stack up. Hence the “Plan Change 25 Warkworth”

The new Plan Change now shows a **“potential future road”** through our property which is very disconcerting to us. We now feel we cannot put any more money into our project as it could very well be taken away from us, in the near future. I would also like to point out that a lot of the Aerial photos provided in the Plan Change 25 are very much out of date, as they do not show the existing homes along the boundary of Stubbs Farm

Viv Davie-Martin Drive already has a considerable number of houses on it including Frances Place and the consented driveway of the top of Viv Davie-Martin Drive which itself has no less than 12 dwellings on it. Any more traffic on Viv Davie-Martin Drive would make the road very busy and dangerous for drivers and pedestrians, as this area is not designed to take high volumes of traffic. Not only will the proposed roads impact Viv Davie-Martin Drive, but there is a native bush area on our property which is listed as a covenant area and would have to be disturbed to get the road through, and we would assume it would remain restricted as future development will have a negative impact on the natural environment. This is on our land and as landowners we are not allowed to build, or disturb this area at all

It notes in the Plan Change that there has been “**extensive consultation and engagement with landowners**” we have heard from no one as yet? Were the developers hoping us landowners would not see the proposal until it was all too late?

“Ensuring that the Structure Plan provided and appropriate interface with the Viv Davie-Martin Drive area considering the character and location of the built form there and providing opportunities for future connections” again when were we going to get notification of potential roading connecting through our properties?

11.2 | The proposed light commercial / industrial area should be kept together, it is already starting to become spread out, it should be kept either north or Warkworth or south of Woodcocks Road area where it is already well established

We know we are just one small landowner among the big developers. Would it not make more sense that it you had to put a road through the area to do so on bare land (which there is some) rather than push people out of their homes. We hope that the council can view this as a very serious matter to us personally and the rest of the Viv Davie Martin Drive residents

Thank you

**Submission on publicly notified private plan change request:
Plan Change 25 (Warkworth North)**

Auckland Council
135 Albert Street
Private Bag 92300
Auckland 1142

Submitter:
Auckland Council

Scope of submission:

This is a submission on the whole of proposed private Plan Change 25 – ‘Warkworth North’.

The specific provisions which this submission relates to are:

All provisions of proposed private Plan Change 25.

12.1

I seek the following decision:

Proposed Plan Change 25 be amended in line with the submission points below.

Warkworth Structure Plan (general)

The Council submission is that:

- the council’s structure plan for Warkworth, referred to throughout this submission as the ‘Warkworth Structure Plan’, considered the entire 1,000ha of Future Urban zoned land around Warkworth in a comprehensive manner. The council’s Warkworth Structure Plan has gone through a robust process including four stages of consultation. Therefore, the landuse and supporting infrastructure conclusions reached by the Warkworth Structure Plan should be treated with more weight than the Warkworth North structure plan that forms part of PC25.
- While the RMA and Unitary Plan does not prevent privately initiated structure plans to be prepared, where there are two structure plans that cover the same area but show different land uses/infrastructure, preference should be given to the plan that looks at a larger area in a more strategic and comprehensive way, and the plan that has undertaken more consultation. In both cases that is the council’s Structure Plan and land uses.

The Council seeks the following decision:

- That the provisions of PC25, including proposed zoning pattern, be amended to reflect the Warkworth Structure Plan.

Industrial land

The Council submission is that:

- For the land in question the Warkworth Structure Plan shows around 25ha of Light Industrial zoning compared to 13ha in PC25. While the route of the Western Link Road is not finalised, the concept in the Warkworth Structure Plan is that the land between that road and the existing industrial area should be zoned Light Industry. In respect to the area to the east of the proposed Western Link Road and just north of Falls Road, this area already contains two industrial activities (a consented industrial storage facility, and a water treatment plant).
- The Warkworth Structure Plan identifies that over the long term, a high level of employment land is required in Warkworth to prevent the town becoming a dormitory suburb of Auckland (with residents travelling to urban Auckland for work). The Warkworth Structure Plan work identified that there are relatively few areas in Warkworth that would be suitable for industrial land due to issues such as transport access, clustering industrial effects, and land contours. The land covered by PC25 is one of those areas identified as being suitable for Light Industry and the PC25 proposed residential land uses would preclude the ability of industrial land to be developed here in the future. This would impact on the ability for Warkworth to be self-sufficient for employment.

The Council seeks the following decision:

12.2

- PC25 be amended to zone the land between the new Western Link Route (route yet to be finalised) and the Light Industrial zoned land along Hudson Road down to Falls Road (as shown as red hatched area in Figure 0) as Light Industry.



Figure 0

Other non-residential land

The Council submission is that:

- The majority of employment land proposed in PC25 is Light Industry rather than a zone that enables more retail/office (e.g. General Business, Mixed Use, Business Park) which would impact on the existing Warkworth town centre. The feedback from the public during the Warkworth Structure Plan project was that they wished for the existing town centre to remain as the focal point for Warkworth. This was backed up through the economic analysis for the Warkworth Structure Plan which stated that no new large areas of retail/office were needed in the Future Urban zone. The Warkworth Structure Plan contains a Planning Principle to "Retain the current town centre as the focal point and 'beating heart' of Warkworth". It should be noted that the existing town centre has capacity for expansion within the Town Centre zoning and the surrounding Mixed Use zoning.

12.3

The Council seeks the following decision:

- No General Business, Mixed Use, or Business Park zones are used in PC25.

Reverse Sensitivity

The Council submission is that:

- The proposed land uses in PC25 raise significant reverse sensitivity issues around residential land (Mixed Housing Urban and Mixed Housing Suburban) directly adjoining Light Industry land. PC25's SEA overlay map shows some thin areas of "Indicative Open Space" along most of the industrial interface. It is not clear whether these areas along the industrial interface are where an esplanade reserve would be expected to be vested on subdivision, or where the developer is offering up the open space area (i.e. some areas of indicative reserve are shown where the stream actually runs through the neighbouring site and therefore the esplanade reserve provisions would not apply).
- The existing industrial area along Hudson Road includes activities such as a concrete plant (Atlas), and a range of industrial activities could establish in the Hudson Road industrial area without the need for a resource consent (i.e. as a permitted activity).
- The Warkworth Structure Plan seeks to mitigate any reverse sensitivity issues between industrial areas and sensitive land uses such as residential by establishing spatial separation between the uses. This is primarily done through using arterial roads and esplanade reserve corridors. For Warkworth Structure Plan's proposed Light Industry areas in the area covered by PC25, the boundaries are the existing SH1 corridor (with a planted buffer) to the north (although noting that this buffer is provided for the amenity entrance of Warkworth rather than sensitive uses), the existing Light Industry zone on Hudson Road to the east, the small ridgeline of Falls Road to the south, and part of the esplanade reserve (40m width) and the Western Link Road (32m with cycleways and planted areas) to the west.

The Council seeks the following decision:

12.4

- PC25 is amended to provide separation between industrial and residential land uses to avoid issues of reserves sensitivity.
- PC25 is amended to use arterial roads and esplanade reserves as separators between industrial areas and sensitive land uses, as per the Warkworth Structure Plan.

12.5

- PC25 is amended to reflect the approach for the creation of esplanade and the vesting of land for open space contained in the Warkworth Structure Plan.

Neighbourhood Centre

The Council submission is that:

- The Warkworth Structure Plan identifies a small Neighbourhood Centre in roughly the same area as that shown in PC25. However, the council's concern is around the size of the Neighbourhood Centre as the economic analysis carried out for the Warkworth Structure Plan shows that there is no need for large retail/office areas outside the town centre, and that any new large areas could be detrimental to the primacy of the town centre. The Warkworth Structure Plan anticipates that the Neighbourhood Centre in this location would be no more than 1,500m² GFA. The Neighbourhood Centre in PC25 covers 3,000m².

12.6

The Council seeks the following decision:

- The size of the Neighbourhood Centre in PC25 be reduced to no more than 1,500m² GFA.

Buffer to Viv Davie-Martin Drive area

The Council submission is that:

- The land to the west (Viv Davie-Martin Drive area) of PC25 has various constraints which the Warkworth Structure Plan recognised by identifying it as Single House zone with a potential increased minimum site size to between 1,500m² and 2,500m². The Warkworth Structure Plan shows a transition of residential density towards this area by having this larger site size area border the Single House zone (with a standard 600m² site size).
- PC25 does not show this transition of residential density and the Mixed Housing Suburban zone is proposed to adjoin the Viv Davie-Martin Drive area.

12.7

The Council seeks the following decision:

- PC25 incorporate a transitional zoning approach along its boundary with the Viv Davie-Martin Drive area, that will continue to have larger site sizes in the future, in line with the approach contained in the Warkworth Structure Plan.
- PC25 be amended to reflect the zoning proposed within the Warkworth Structure Plan.

Walking/cycling network

The Council submission is that:

- The Warkworth Structure Plan shows Indicative Greenway routes for walkways and cycleways. This is to implement the Warkworth Structure Plan Planning Principle to "Prioritise convenient, segregated, and safe walking and cycling routes through the Future Urban zone connecting residential areas with key locations (e.g. schools, parks, centres), and the existing town, and to regional walking/cycling routes".
- PC25 only shows one pedestrian connection route on Precinct Plan 1 that goes from the Indicative Western Link Road to the back of the Light Industry zoning along Hudson Road. It is not clear if or how this route would extend to Hudson Road itself.

12.8

The Council seeks the following decision:

- PC25 be amended to include the pedestrian connections as shown on the Warkworth Structure Plan, or similar routes that would meet the same purpose, with provisions stating that they will be provided by the developer.

Western Link Road

The Council submission is that:

- The route of the Western Link Road is not finalised and it is noted that the Supporting Growth indicative strategic transport network for Warkworth shows a thick dashed line in a slightly different alignment than the "Indicative Western Link Road" shown in PC25 (Precinct Plan 1). The council do not support PC25 being approved without further certainty from the Supporting Growth Alliance (AT, NZTA) as to the route for the Western Link Road. It is also clear that the Western Link Road is not funded in any AT or NZTA work programme.

The Council seeks the following decision:

- 12.9 - PC25 be amended to reflect the Western Link Road route that is finally proposed by the Supporting Growth Alliance.
- 12.10 - That funding for all infrastructure (including the Western Link Road) is finalised, and for bulk infrastructure (including arterial and collector roads) an Infrastructure Funding Agreement be completed, before any approval of PC25.

Other Roads

The Council submission is that:

- PC25 (Precinct Plan 1) shows spots for "Potential Future Road Connections" but does not show any further detail (i.e. these are indicative roads only). An indicative road layout (particularly of the collector routes) would be preferable to understand how the transport network will work in this area.
- The Warkworth Structure Plan shows a high level potential Collector Road in the PC25 area (with separated walking and cycling provision). While such a route may not be required along this particular alignment, it is expected that a collector level road would be provided through the PC25 area. The one part of the proposed Collector Road that is required by council is the link through to Sanderson Road from the PC25 to achieve an east-west connection.
- The "Potential Future Road Connections" to the west to the Viv Davie-Martin Drive area shown in PC25 need further detail to show how a link through to Viv Davie-Martin Drive itself would work.

The Council seeks the following decision:

- 12.11 - PC25 is amended to incorporate an indicative road layout for the "Potential Future Road Connections" shown in Precinct Plan 1, including how connections will be made to the Viv Davie-Martin Drive area.
- 12.12 - PC25 is amended to include a Collector Road as shown in the Warkworth Structure Plan, which includes separated walking and cycling provision.

Landscape screening areas

The Council submission is that:

- The Warkworth Structure Plan identifies a "Landscape screening area" over the Light Industrial land along the frontage of SH1. Warkworth's identity and overall amenity currently benefits from the passage through verdant gateways to the town – on SH1, and Sandspit and Matakana Roads. The Warkworth Structure Plan proposes that the main SH1 'gateway' road entrance is through, or past, industrial areas, which would, inevitably, change public and local perceptions of the town. The Warkworth Structure Plan addresses this matter by showing landscape screening areas along the edge of the industrial zones in key locations. These are areas for planting that are large enough to effectively screen industrial

development, and would need to be in the order of 20-30m deep to accommodate mature native trees in the long term. PC25 does not propose any landscaping screening areas along the SH1 frontage.

- The Warkworth Structure Plan identifies a “Potential buffering/screening area from motorway” along the north western edge of the PC25 area.

The Council seeks the following decision:

12.13

- Provisions are included in the PC25 precinct to require landscape screening in the same manner as that proposed in the Warkworth Structure Plan along the SH1 frontage, and the motorway boundary.

Staging

- The Council submission is that:
- If PC25 is approved and there are no appeals then the land will have a live zoning in place in perhaps 2020. This is two years from when the council’s Future Urban Land Supply Strategy indicates that this land will be ‘development ready’ (“from 2022”). The “from 2022” date in the Future Urban Land Supply Strategy is to recognise that the bulk infrastructure projects to service growth in Warkworth North (the Puhoi to Warkworth motorway, Matakana Link Road, Warkworth wastewater upgrade) will not be completed until the end of 2021 or in 2022. Therefore, if a live zoning is in place prior to the required infrastructure being in place there will be the ability to develop residential and business land without the complementary bulk infrastructure to service it. This was a key concern from the public during consultation on the Warkworth Structure Plan – that infrastructure should be provided before growth. The risk with PC25 is that it ‘live’ zones land and allows development ahead of when infrastructure will be in place.
- Another concern around staging is the timing of when the Western Link Road will be completed as shown on Precinct Plan 1 (i.e. with a route connecting to the Mansel Drive bridge in the south up to SH1 and Matakana Link Road in the north). This is especially relevant as the private plan change proponent does not own or control all of the land along this alignment. Without connections at both ends of the Western Link Road there is the possibility of creating a long ‘cul de sac’ to service the development. If this were to occur, there may need to be staging provisions (based on transport evidence) around how much of the land could be developed before the full link is operating.

12.14

The Council seeks the following decision:

- PC25 include staging provisions to ensure development does not occur before the infrastructure required to service it is available or in place.

Green Network

- The Council submission is that:
- The Warkworth Structure Plan has a foundation of a ‘Green Network’ that sets aside the areas around streams, floodplains and existing bush from development and requires them to be appropriately restored/revegetated as development occurs on the land around them. Many of the assessment reports on the Warkworth Structure Plan rely on this Green Network being implemented.
- PC25 shows some areas around streams as “Indicative Open Space”. However, these areas do not fully match the Green Network in the Warkworth Structure Plan. There is also no

detail in the Precinct provisions as to how all these areas would be set aside from development and how restoration/revegetation would occur.

- 12.15 | - The Council seeks the following decision:
PC25 is amended to incorporate all of Warkworth Structure Plan's Green Network for the land covered by PC25, and include provisions to ensure such is provided.

Other possible precinct matters

The Council submission is that:

- The Warkworth Structure Plan outlines (at section 3.5.3) various matters that may be part of a precinct for the Warkworth North area. These items include:
 - o Fencing standards in the lower density residential zones to maintain front open boundaries
 - o Managing the interface between industrial and residential areas
 - o Managing the interface of industrial sites with residential development on the Western Link Road to facilitate good urban design outcomes
 - o "Rear loading" on collector roads to minimise interruption to separated cycle facilities
 - o Design of subdivision to retain mature trees/shelter belts as features
 - o Housing affordability
 - o Non-spatial options to manage erosion and sediment (e.g. modelling to assess levels of erosion and sediment generation would assist in balancing cut and fill volumes)
 - o The possibility for roads, streets and pathways be used to increase canopy and vegetation cover to improve environmental and health and wellbeing outcomes
 - o Further mapping of wetlands for the areas not included in this assessment to date
 - o Additional sediment controls for development in the vicinity of streams

- 12.16 | - The Council seeks the following decision:
PC25 precinct be amended to cover all of the plan change area, and the precinct provisions cover the matters the Warkworth Structure Plan sets out in section 3.5.3.

Stormwater and Stream Management

The Council submission is that:

- In relation to issues of stormwater and stream management, the following:

Issue	Application content	Comment	Relief Sought	
Objective I1.2 (c)	The objective is: <i>minimising loss of, or reduction in ecological values, and enhancing retained ecological values to achieve overall effects on ecological values that are less than minor.</i>	<p>The wording "overall effects" are less than minor the objective waters down the expectation that streams will be retained and restored and enhanced by creating an expectation that stream loss can be off-set by restoration activities elsewhere.</p> <p>The AUP seeks to protect, restore and enhance areas where ecological values are degraded or where <u>development is occurring</u>. (B7.2.1 (2) and B7.3.1).</p>	Delete the objective and defer to the existing AUP policy framework.	12.17
11.3 Policies (4)	<i>Provide an indicative network of open space areas to protect existing ecological values, provide for areas of public open space, as well as walkway and cycleway connectivity.</i>	There need to be riparian margin stream protection areas identified, for intermittent as well as permanent streams. Some of these will be open space, i.e. no building development, but not all will be public open space. The Council-adopted Warkworth Structure Plan maps those areas, supported by detailed stream ecological assessments. Geomorphically effective stream management solutions need to be enabled, to ensure stream bank and bed erosion is managed which may require some widening of incised stream channels.	<p>Amend the policy as follows. Strikethrough represents a deletion and <u>underline</u> represents an addition.</p> <p><i>Provide an indicative network of open space areas including riparian margin stream protection areas to protect existing ecological values, provide for areas of public open space, provide for geomorphically effective stream management solutions, as well as walkway and cycleway connectivity.</i></p>	12.18
11.3 Policies (5)	<i>Provide for the retention of watercourses except where Precinct Plan 1 Warkworth North Precinct identifies that there will be stream loss and implement appropriate mitigation measures onsite to offset any adverse effects as indicated on Precinct plans 2 - Stormwater Catchment Management plans.</i>	No stream loss is specifically identified in the precinct plan. Figure 3 compares the likely stream locations using the overland flow path layer and the precinct plan. The yellow segments indicate possible stream loss that would be enabled by the proposed plan change.	Delete the policy and defer to the existing AUP policy framework.	12.19
11.3 Policies (6)	<i>Enhance streams identified for enhancement using techniques such as boulder clusters; spur dikes, vanes and other rock deflectors; rock riffles; cobble or substrate; cobble floodways; root wads or large wooden debris; vegetated floodways; live siltation; erosion control blankets; living walls and culverts designed to enable fish passage.</i>	This policy is helpful. Recent studies conducted by Auckland Council Healthy Waters have indicated that hydrology mitigation alone will not prevent stream bank erosion when new impervious surfaces are introduced into the catchment. Stream channel shaping and armouring with natural materials may be required to prevent excess sediment polluting freshwater and marine receiving environments, and stream bank instability.	<p>Amend the policy as follows. Strikethrough represents a deletion and <u>underline</u> represents an addition.</p> <p><i>Enhance streams identified for enhancement to prevent stream bank erosion from new impervious surfaces using techniques such as boulder clusters; spur dikes,</i></p>	12.20

			<p>vanes and other rock deflectors; rock riffles; cobble or substrate; cobble floodways; root wads or large wooden debris; vegetated floodways; live siltation; erosion control blankets; living walls. <u>and Install culverts designed to enable fish passage.</u></p>
<p>I1.4 Activity table A3, A4 and A5</p>	<p><i>(A3) Protection of streams and wetlands as indicated on the Warkworth North Precinct Plan. Permitted in both precincts.</i></p> <p><i>(A4) Enhancement of streams as indicated on the Warkworth North Precinct Plan and in accordance with the 'Additional Enhancement Opportunities' identified in Policy I1.3 (6). Permitted in both precincts.</i></p> <p><i>(A5) Stream loss other than that shown on the Warkworth North Precinct Plan. Non-complying in both precincts.</i></p>	<p>The rule seeks to make a non-complying activity permitted in this precinct. The rule undermines the integrity of the plan because it doesn't provide an assessment of effects of the proposed stream loss and seeks to circumvent the usual consent process.</p> <p>While the plan change has been notified the application doesn't address the assessment criteria and policy framework in the AUP, therefore the proposal subverts the opportunity for a notification assessment and the ability of the public to comment on the proposal because they are not fully informed.</p>	<p>Delete the rule and defer to the existing AUP policy framework.</p>
<p>I1.6 Standards</p>	<p><i>The following Auckland-wide standards do not apply to activities (A3), (A4), and (A5) listed in Activity Table IX.4.1 above:</i></p> <p><i>(a) E3 (A49) New reclamation or drainage, including filling over a piped stream.</i></p>	<p>The standards seek to avoid assessment against the AUP policy framework without an appropriate assessment. The Non-complying status of stream reclamation is there to prevent the significant environmental damage that stream loss causes. The AUP rule framework is intended to make reclamation enabled only in restricted circumstances:</p> <p><i>(13) Avoid the reclamation and drainage of the bed of lakes, rivers, streams and wetlands, including any extension to existing reclamations or drained areas unless all of the following apply:</i></p> <p><i>(a) there is no practicable alternative method for undertaking the activity outside the lake, river, stream or wetland;</i></p> <p><i>(b) for lakes, permanent rivers and streams, and wetlands the activity is required for any of the following:</i></p> <p><i>(i) as part of an activity designed to restore or enhance the natural values of any lake, river, stream or wetland, any adjacent area of indigenous vegetation or habitats of indigenous fauna;</i></p>	<p>Delete the standard.</p>

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		<p>(ii) for the operation, use, maintenance, repair, development or upgrade of infrastructure; or</p> <p>(iii) to undertake mineral extraction activities; and</p> <p>(c) the activity avoids significant adverse effects and avoids, remedies or mitigates other adverse effects on Mana Whenua values associated with freshwater resources, including wāhi tapu, wāhi taonga and mahinga kai.</p> <p>The application hasn't adhered to the principle of avoidance and doesn't demonstrate that there is no practicable alternative or that the reclaimed land is required for restoration or infrastructure. I assume (b) (iii) doesn't apply for this residential development.</p>	
11.6.2	<p><i>Standard – Streams</i></p> <p><i>Purpose:</i></p> <ul style="list-style-type: none"> • To achieve stream enhancement works that improve ecological values and water quality now and into the future. <p>(1) Stream enhancement shall be undertaken in accordance with the best practice guidelines including TP148 – Auckland Council Riparian Zone Management; Guidance for Water Sensitive Design (GD04) – 8.1 Riparian Buffers and Planting and Auckland Council's Strategy for Urban Ngahere (Forest).</p>	<p>TP 148 only relates to stream side planting and GD04 is a broad approach to Water Sensitive Design. These are matters to be considered at resource consent stage taking into account the full suite of rules, objectives and policies in the AUP. Reference to TPs and GDs can be applied at resource consent stage.</p>	<p>Delete the standard. Replace with a standard for streams, permitting no building or development within stream protection areas, except permeable paved walkways and cycleways; stormwater management devices; and to require re-vegetation of the stream protection areas at time of earthworks and subdivision.</p>
Precinct Plan 1	<p><i>Precinct Plan 1 shows permanent, intermittent and ephemeral streams, and 'Indicative Open Space' alongside the permanent streams and some stands of trees.</i></p>	<p>The proposed Precinct Plan 1 pre-empts protection of intermittent and ephemeral stream reaches. Use of the term 'Indicative Open Space' could be taken to mean all will be public open space. The streams should be identified with riparian margin protection areas.</p>	<p>Amend Precinct Plan 1 to show riparian margin protection areas for the intermittent streams as well as the permanent streams.</p> <p>Amend Precinct Plan 1 to show 'Indicative Open Space' only for land Council agrees will become public open space (neighbourhood park, esplanade reserve, SEA conservation reserve, streamside walkways and cycleways), and to show the riparian margins of all permanent and intermittent</p>

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			streams as stream protection areas.	
Precinct Plan 2	<i>Precinct Plan 2, which is the Stormwater Catchment Management Plan, shows presumed stream loss and a development plan showing road layout, stormwater management devices, post-development overland flow paths and discharges and diversions.</i>	Such a precinct plan was used for consenting development under HASHAA for the special housing areas, and some of the AUP-OP SHA precincts still have such plans. If more of the intermittent stream reaches are retained (or the proposed stream reclamations are rejected) as requested by this submission, and their margins protected and re-vegetated, the development roading plan and overland flow paths could be quite different. If the SWCMP forms part of the Precinct Plan, it will purport to be a deemed consent for the stream filling, culverts, stormwater management devices, outfalls and overland flow path diversions. Stormwater and stream management should be matters to be considered at resource consent stage taking into account the full suite of rules, objectives and policies in the AUP, including in relation to any filling of streams, diversion of watercourses (including culverts), and discharges into streams. The Stormwater Catchment Management Plan (SWCMP) can be treated as supporting technical assessment demonstrating a land development scenario, but without providing the consents for filling of streams, diversions and discharges.	Delete Precinct Plan 2 (Drawing Nos. 402;403;404).	12.26
Bioresearchers 2.4 Freshwater	<i>One main watercourse (Mahurangi River tributary) was identified which ran along the majority of the eastern boundary of the site in a north-south direction before cutting across the southern section of the site. A further seven notable watercourses were identified and ran in a general west-east direction before draining into the Mahurangi River tributary. An additional notable watercourse was identified in the upper northwest section of the property which flowed in an east-west direction and drained into the Mahurangi River Left Branch Tributary (Figure 2.6).</i>	It's unclear what "notable" means. The wording doesn't appear in the AUP in relation to streams (only trees). The report seems to be attempting to create a stream hierarchy to justify loss of some streams. The AUP seeks to restore and enhance all streams apart from ephemeral streams at the time of development. The report and Figure 6 doesn't explain why the other streams shown are not classified. Figure 5 tries also to create a hierarchy to justify loss of some streams. Overall the report is deficient and doesn't properly address the expectations in the AUP.	The relief is addressed by the relief set out above.	12.27
Appendix 14 Page 16	Diagram showing retaining	Retaining walls within riparian margins will be undermined and fail in time.	Include a rule requiring retaining walls to be installed outside of the riparian margin. Include a rule requiring resource consent for structures within the riparian	12.28

			margin, including that they must have a functional or operational need to locate within the riparian margin, such as for example a stormwater outfall device adjacent to a road.
SMP pg 30	<p>2.4 Geology</p> <p><i>A Geotechnical Engineering Feasibility Assessment for the structure plan area has been completed by KGA Geotechnical which is included as part of the structure plan documentation. The following is an extract from the report by KGA regarding storm water soakage; "The underlying allochthonous, alluvial, colluvial and residual soils over the subject area generally comprise silts and clays with a low permeability rate, and groundwater levels have been noted to be relatively high where recorded. Based on this, stormwater retention by ground recharge is not recommended from a geotechnical perspective. Site specific soakage assessments are to be carried out to confirm soakage capabilities of the different materials".</i></p> <p><i>For further geotechnical information, refer to the report completed by KGA.</i></p>	<p>The report conflates infiltration and soakage. The former wording in used in the AUP to relate to small storm events (a return period of a few months) and soakage to relate to disposal of the 10% AEP to ground, order of magnitude larger than infiltration volumes.</p> <p>The geotechnical report doesn't assess the suitability of the ground for infiltration. If there are unstable soils present in this area (e.g. Oneroa Chaos) then infiltration may not be appropriate.</p> <p>The application is deficient in this aspect.</p>	<p>Include a standard relating to the suitability of the ground for infiltration that clearly refers to unstable ground to prompt future developers to make this assessment. Unstable ground would require rain-gardens to be lined.</p>
SMP Pg 40 and Appendix 14 Part 2.	<p><i>In our opinion the structure plan area is suitable for the proposed plan change in relation to natural hazards - flooding. The existing flooding is generally confined to the gullies and streams enabling the majority of the structure plan area to be clear of any flooding risk at all. In the lower areas where flooding is present, it is our opinion that new development can be achieved providing the stormwater management practices outlined in this SWCMP are followed.</i></p> <p>...</p>	<p>The timing and funding of this bridge has not been discussed.</p> <p>The result of the assessment is based on the modelling of detention ponds for Stubbs Farm Development but omits retention. Notwithstanding this flood mitigation detention (typically the 10 and 1% AEP) is orders of magnitude larger than SMAF1 hydrology mitigation. The flood section conflates hydrology mitigation with flood mitigation.</p> <p>Drawing 901 (Figure 7) shows Existing development flood extents but not MPD. Specific consideration of effects on the commercial properties east of the river has not been carried out.</p>	<p>Include an objective and rule framework that:</p> <ul style="list-style-type: none"> - Ensures development is outside of the 1%AEP flood plain including climate change in keeping with the AUP expectation that greenfield development avoid flood-related effects and the brownfield risk-based approach is not

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	<p><i>At source peak flow mitigation is not considered suitable to mitigate the issues associated with the Falls Road Bridge and as such it is our opinion that this structure is replaced and suitably designed structure to flow the 1% AEP.</i></p> <p><i>With the absence of flooding issues, the upgrade of the Falls Road Bridge, the potential to coincide subcatchment peak flows and that the Warkworth North catchment is located in the lower third of the wider Mahurangi river catchment; we have concluded that detention for the 50% AEP, 20% AEP, 10% AEP and 1% AEP events is not required.</i></p> <p><i>Peak Flow Control</i></p> <p><i>Extended Detention Volume (EDV),</i></p> <ul style="list-style-type: none"> - <i>Peak flow control 50% AEP (1 in 2 year)</i> - <i>Peak flow control 90th percentile storm</i> - <i>Peak flow control 95th percentile storm</i> <p><i>Volume Reduction</i></p> <ul style="list-style-type: none"> - <i>Rainwater harvesting</i> - <i>Stormwater retention</i> 	<p>The report says that "majority of the structure plan area to be clear of any flooding risk at all". This needs to be qualified so it is clear what areas are affected.</p> <p>The flood sensitivity analysis requires further review because the recommendations seek to require hydrology mitigation for stream erosion management to achieve flood related outcomes which may be indicative of fundamental errors.</p> <p>Stormwater technical report does not actually consider application of SMAF and its impact on flows through the development area and Falls Road.</p> <p>No detail is provided on how the stormwater network would actually work, for example with some piped outfalls above dry basins.</p> <p>Insufficient information on peak stormwater flows and durations from each sub-catchment, with the model and report assuming flows are limited to pre-development levels. Quality treatment of runoff is not included, even though there is an SEA downstream of Falls Road.</p> <p>Rain gardens and stormwater tree-pits are shown on road cross-sections, but no detail is provided about areas or spacing, and whether they can achieve hydrological neutrality, particularly on steeper gradient roads (up to 12.5%).</p> <p>The technical information does not appear to meet the standard of supporting resource consents for the proposed development and its stormwater components, and should not be considered to justify the plan change incorporating a Stormwater Catchment Management Plan to supplant the need for resource consents.</p>	<p>relied on for new development.</p> <ul style="list-style-type: none"> - Includes a rule that the bridge is upgraded by the developer prior to the establishment of new impervious surfaces. - Requires a flood sensitivity analysis prior to any development applications that clearly shows the existing development 1%AEP floodplain versus the maximum probable development scenario in the 1%AEP and specifically considers effects on the existing commercial development east of the river. <p>Stormwater Catchment Management Plan is not accepted for inclusion as a Precinct Plan, and the technical information does not support the SWCMP being a consent for the proposed stormwater and stream works, or roads (and relocated overland flow paths).</p>	12.31
SMP Pg 42	<p>5.5 Stormwater Management Summary</p> <p>Based on the above information it is our opinion that with the provision of SMAF 1 and the DEQR with the addition of partial treatment of the local roads at source is the best most optimal option to mitigate the development's effects with respect to stormwater management, flooding, water</p>	<p>The DEQR standards were in the notified AUP but not in the operative in part AUP. The SMAF provisions will provide some water quality contribution and GDO1 provides guidance.</p> <p>The SMP conflates infiltration and soakage (see above). Table 11 doesn't refer to flood management.</p> <p>It's unclear why a communal detention device would be used and retention achieved at source. A rain-tank for a residential lot sized to achieve SMAF would be very small.</p>	<p>Delete reference to DEQR.</p> <p>Delete reference to flooding in the discussion preceding table 11.</p> <p>The application of the SMAF overlay is supported.</p> <p>Include assessment criteria related to the subdivision that requires assessment of the efficiency of stormwater devices that are to be vested</p>	12.33 12.34 12.35 12.36

quality and protection of the streams from stream channel erosion; the approach is summarised in Table 11 below.

Table 11 - Warkworth Stormwater Management

Location	Quality Treatment (DEQR)	Retention (SMAF1)	Detention (SMAF1)
High-use Road	Yes (at source) via Raingarden or similar	Yes (at source)	Yes (downstream device)
Low-use Road	Partial (at source) via Tree Pit	Yes (at source)	Yes (downstream device)
Lots	N/a	Yes (at source)	Yes (downstream device)

The proposed hydrologic mitigation and stormwater quality treatment is in accordance with E9 and E10 of the Auckland Council Unitary Plan.

Each stormwater sub catchment will have a small detention device to provide detention volume for the road and the lots impervious surface.

The application of the controls in accordance with E9 and E10 of the Auckland Unitary Plan over the plan change area will ensure the stormwater outcomes within the plan change area will be aligned with the objectives and policies of the Auckland Unitary Plan E1.

Table 11 shows that it's unnecessary to treat residential lots. Roofs do generate contaminants and sediment is washed off roofs into the receiving environment. However, if hydrology mitigation is applied water quality treatment is applied by default.

There is no assessment of roads at steep grades (up to 12.5%) to achieve hydrology mitigation.

including the full life cycle cost. Require consideration of the amalgamation of rain gardens, or the construction of larger rain gardens to avoid a proliferation of small rain-gardens at catch-pit spacing.

Include assessment criteria requiring specific assessment of roads at grades over 5% to enable the location of rain-gardens adjacent to the road corridor or at intersections to achieve hydrology mitigation.

12.37

Figure 1 Plan change boundary with flood plains and OLFPs

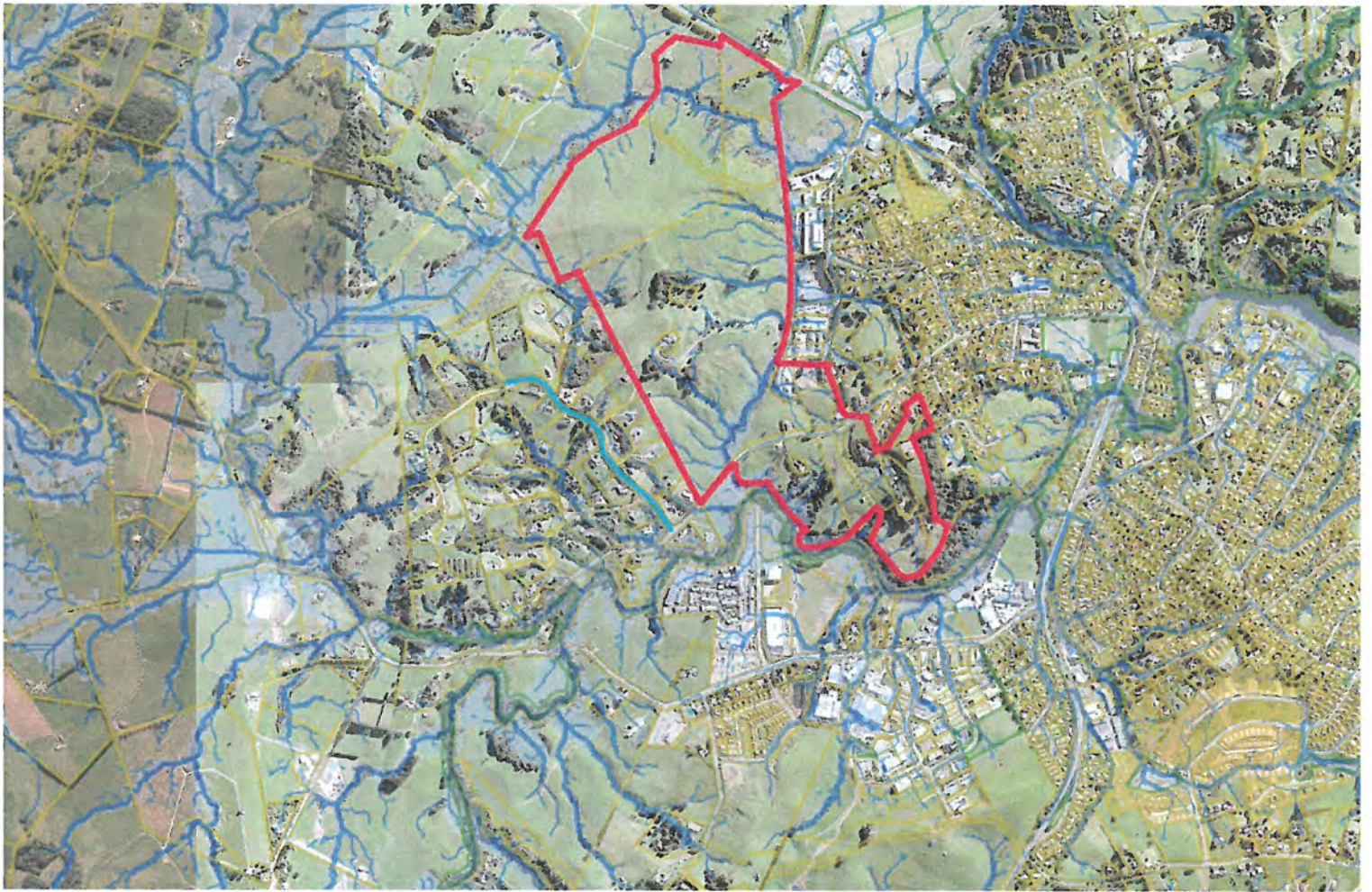


Figure 2 plan change area with flood plains and OLFPs

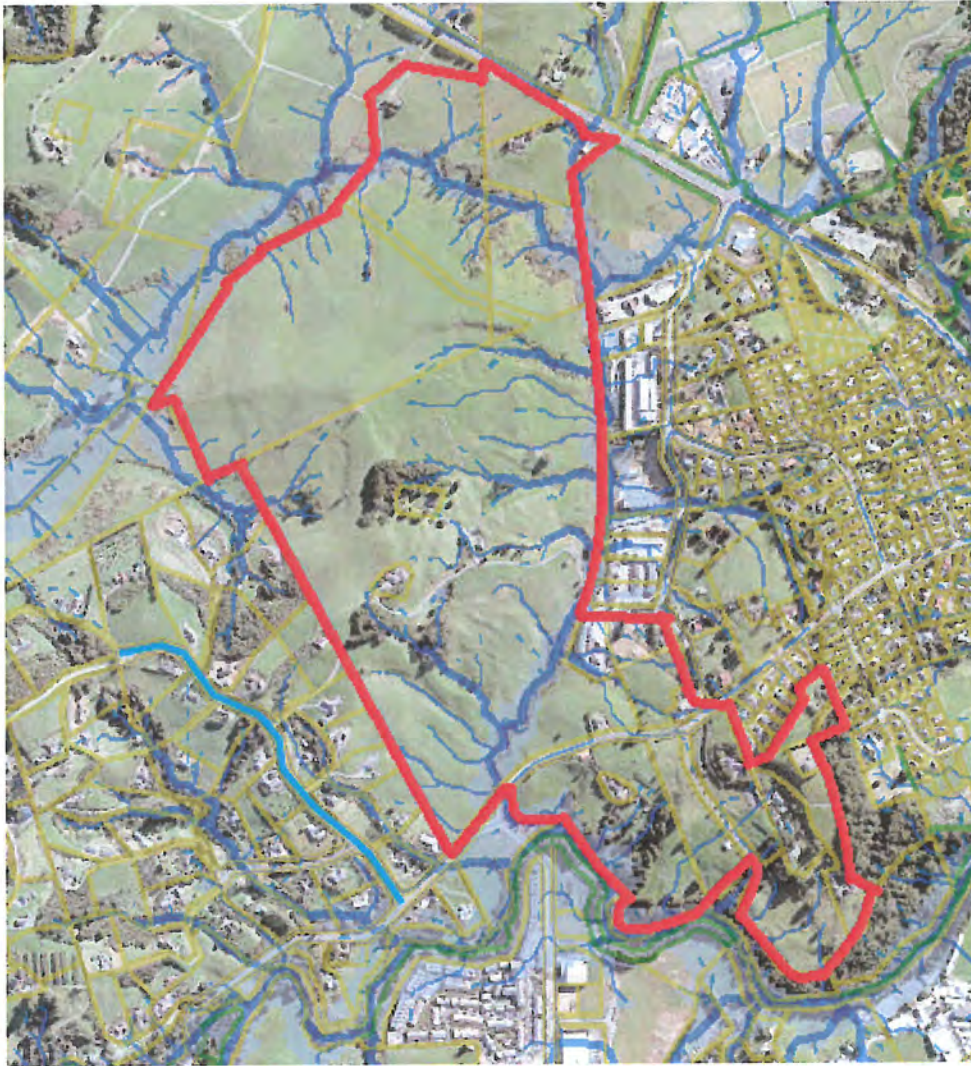


Figure 3 Plan change area with potential stream loss shown in yellow

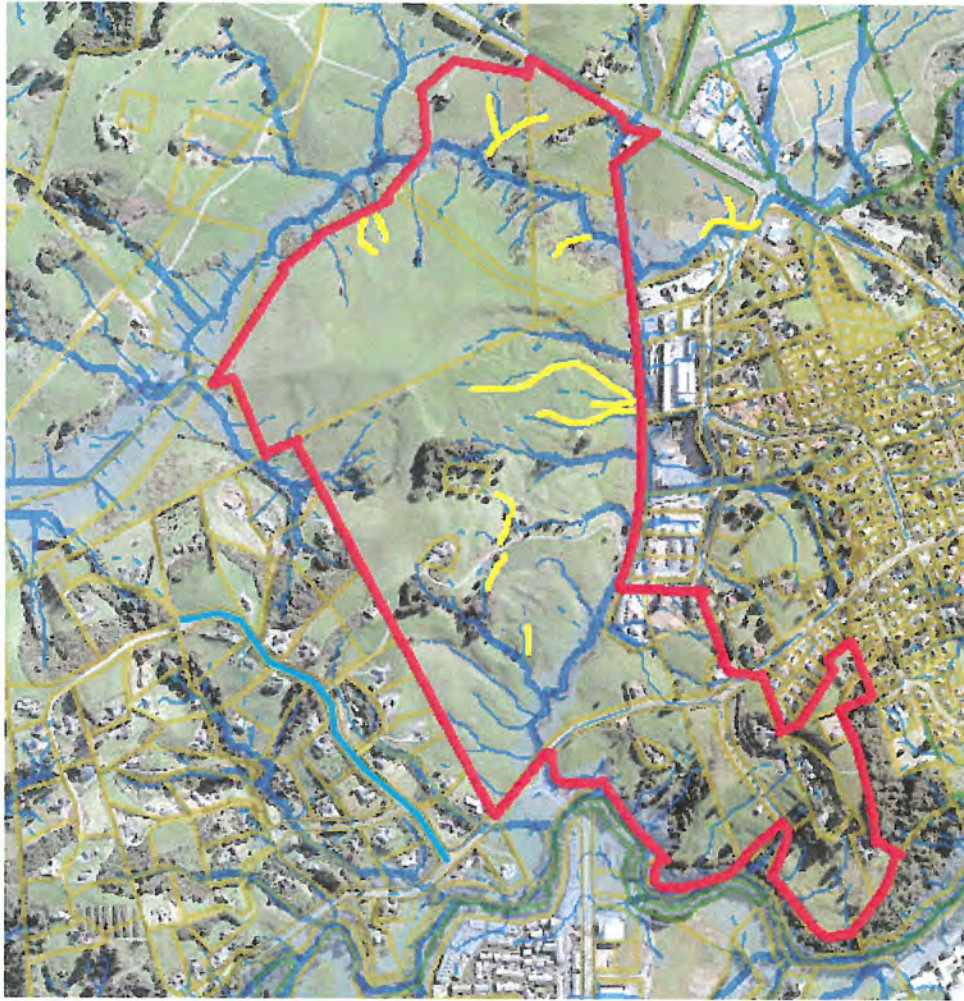


Figure 4 Proposed zoning

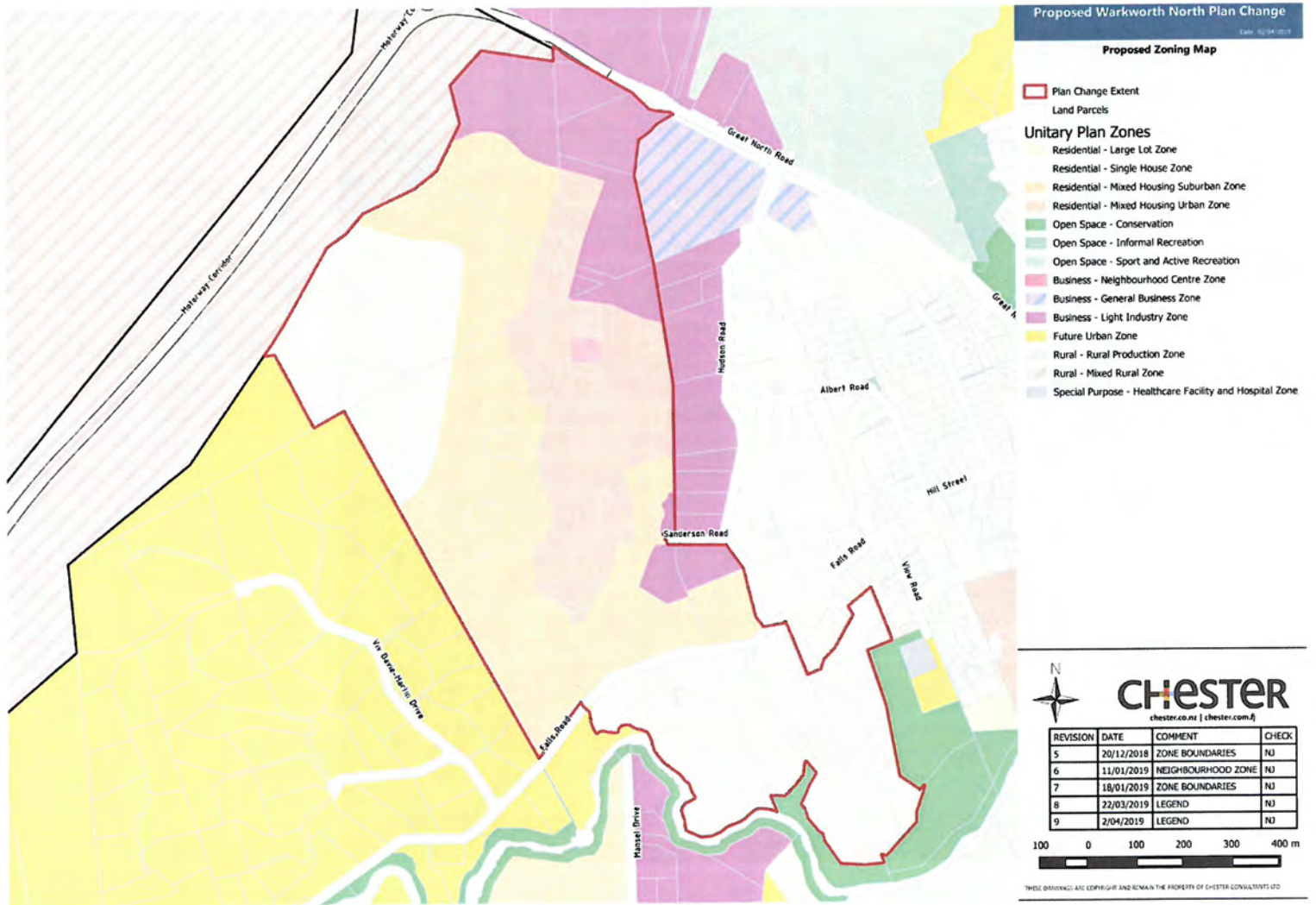


Figure 5 Streams proposed to be restored

ecological connections and connectivity between



Figure 2.4. Highest value sites recommended for vegetation and riparian restoration/ protection.

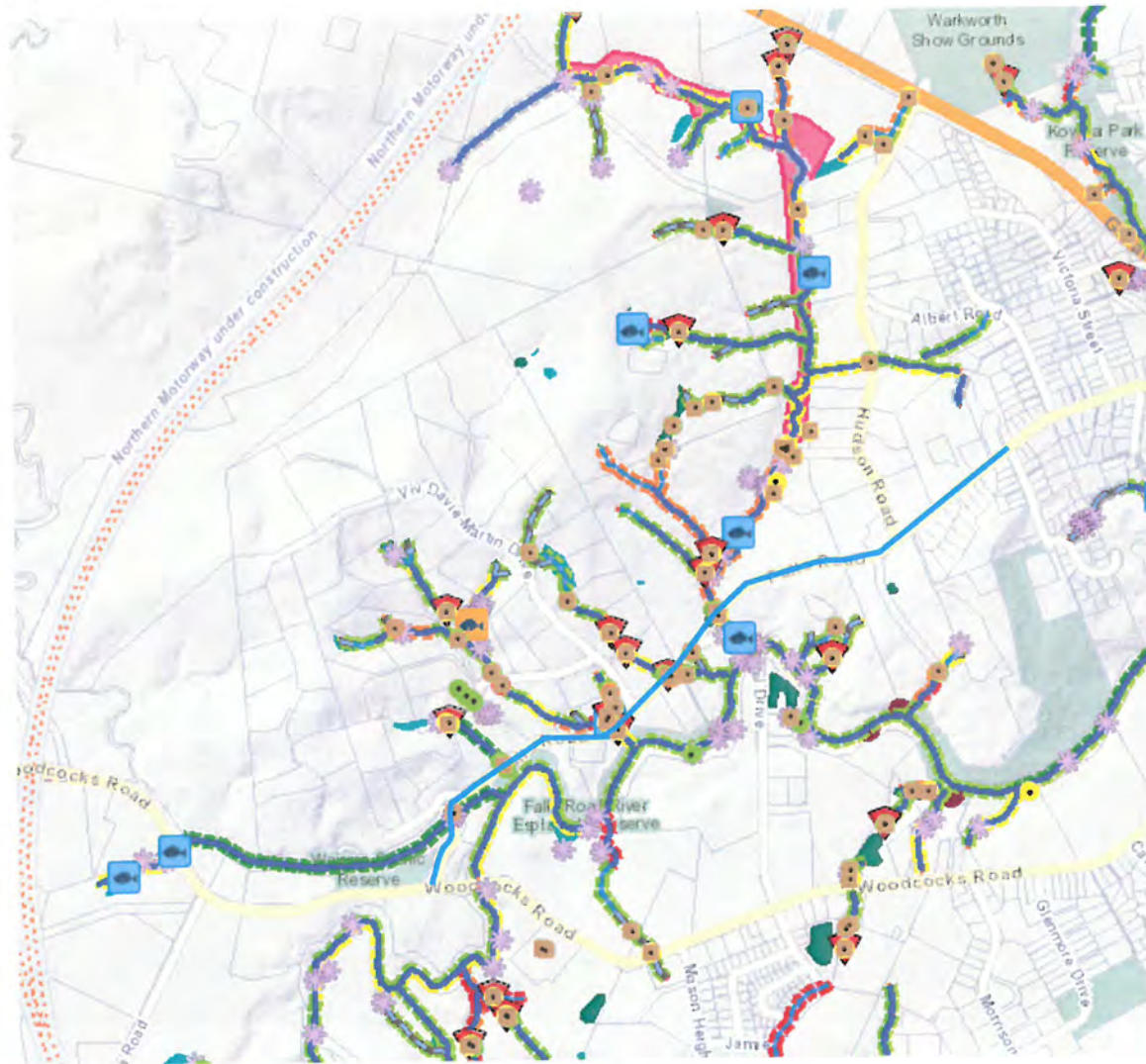
Figure 6 Bioresearches stream identification



Figure 7 Flood Plain Existing Development



Figure 8 AC Watercourse Assessment GIS layer



I wish to be heard in support of this submission.

If others make a similar submission I would consider presenting a joint case with them at the hearing.

On behalf of Auckland Council:

Signature of person authorised to sign on behalf of submitter

Phill Reid
Manager Planning – Auckland Wide
Auckland Council

Dated: 05 June 2019

Address for service:

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Manager Planning – Auckland Wide

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Auckland 1142

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Middle Hill Ltd as trustee for the Tyne Trust
Date: Thursday, 4 July 2019 3:30:52 PM
Attachments: [Plan Change 25 - Final Submission.pdf](#)
[Appendix 1 - Zoning Map - Lodged.pdf](#)
[Appendix 3 - Proposed Western Distributor Road Alignment.pdf](#)

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Middle Hill Ltd as trustee for the Tyne Trust

Organisation name:

Agent's full name: Harrison Burnard

Email address: harrison@mhg.co.nz

Contact phone number: 099505106

Postal address:

Po Box 37694

Parnell

Auckland 1151

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:

The Plan Change as a whole.

Property address: 63 State Highway One, Warkworth

Map or maps:

Other provisions:

See submission attached

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

See submission attached

I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: See submission attached

Submission date: 4 July 2019

Supporting documents

Plan Change 25 - Final Submission.pdf

Appendix 1 - Zoning Map - Lodged.pdf

Appendix 3 - Proposed Western Distributor Road Alignment.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

SUBMISSION ON PROPOSED PLAN CHANGE 25 (WARKWORTH NORTH) UNDER THE RESOURCE MANAGEMENT ACT (RMA) 1991

To: Auckland Council

Submitter Name: Middle Hill Ltd (as trustee for the Tyne Trust)

Address: 63 State Highway 1, Warkworth

This submission is made on behalf of Middle Hill Ltd (as trustee for the Tyne Trust), the owners of 25.8 hectares of land at 63 State Highway 1, Warkworth. Middle Hill's land comprises just over 25% of the land area encompassed in proposed Plan Change 25. Middle Hill generally supports proposed Plan Change 25 however seeks the following modifications:

Overview of relief requested

- 13.1 a. Re-zone the land identified as Business: Light Industry zone on the notified plan change map (Attachment 1) to Business: Mixed Use zone on the requested zone map (Attachment 2).
- 13.2 b. Re-zone the land identified as Business: Light Industry zone and Residential: Mixed Housing Suburban zone as shown on Attachment 1 to Residential: Mixed Housing Urban zone as shown on Attachment 2.
- 13.3 c. Re-zone the land identified as Residential: Single House zone as shown on Attachment 1 to Residential: Mixed Housing Suburban zone as shown on Attachment 2.
- 13.4 d. Confirm the alignment of the Warkworth western collector road and specify an access point to the submitter's land in general accordance with the plan included as Attachment 3.
- 13.5 e. Include the submitter's site as part of the first stage of "live zoning" within the Plan Change Area.
- 13.6 f. Provide for the land use zones requested above to shift slightly northwards as may be required to abut the final / finished designation boundaries, or the carriageway of the NZTA Ara Tuhono Puhoi to Warkworth highway.

Summary of reasons

Light Industry ("LI") zone changing to Mixed Use ("MU") zone

1. Approximately 63.5ha of LI land is already 'live-zoned' to the northern frontage of State Highway 1 and, as of 2019, much of this land is yet to be developed. In addition, there is approximately 7.5ha of partly developed light industry land along the western frontage of Hudson Road. In total, approximately 70% (79ha in total) of 'live-zoned' industrial land in Warkworth is currently vacant. There is not likely to be demand for further industrial land for at least two to three decades.
2. The Warkworth Structure Plan identifies demand for an additional 3 hectares of Mixed Use land in Warkworth, however no green fields land is provided. The Structure Plan indicates that the Mixed Use land around the Town Centre is available to meet this demand growth, however this land is developed with high value residential buildings and does not provide any significant amount of feasible capacity for additional Mixed Use

activities. The northern edge of the Warkworth North area is an ideal location for additional Mixed Use activities given its profile and accessibility. Activities at this location could include, for example, a medical centre, residential care and visitor accommodation.

3. Due to the under construction Northern Motorway extension terminating north of the town, the north-eastern corner of the plan change area will become the main entrance to Warkworth from both the north and the south. Mixed Use is a more appropriate zone in this location as it will respond well to the 'gateway' into Warkworth that will be formed by the new State Highway expansion project. Mixed Use is markedly superior to the General Business or Industry zones which have greater height limits and, in many instances, no design controls or expectations of public amenity at all.
4. Given the concentration of functions and amenities within the Warkworth centre and its centrality within the settlement as a whole, there is no realistic prospect of the requested Mixed Use zone area competing with or undermining that centre. Warkworth centre will remain the social and economic focal point of the community especially for non-retail activities that the community associates with as a focal point.
5. There are a number of watercourses and streams in the area identified as Light Industrial zone on Attachment 1. These are not well suited to light industrial, or large footprint activities and are better suited to finer-grained uses that involve more public uses and residents.

Mixed Housing Suburban zone changing to Mixed Housing Urban ("MHU") zone

6. The MHU zone is the most efficient and logical means of interfacing a Mixed Use zone and promotes high density, urban-character living likely to appeal to first-home and affordable-home buyers, including those working in the new business zones in Warkworth. The land identified as MHU on Attachment 2 is close to transport infrastructure including the planned collector routes that will give convenient access to Warkworth centre as well as planned and existing active transport routes.
7. PPC25 would enable development planning and consenting of this area to occur over the next 1-2 years. This would ensure that the significant Watercare infrastructure upgrades are able to be utilised efficiently when completed in 2022.
8. The proposed MHU area is also close to the proposed centre and Mixed Use zones identified in the proposal and as requested in this submission, respectively. This will efficiently provide for people's daily needs.
9. Warkworth North has a small number of landowners and this more readily enables a comprehensive master planned development. The Mixed Housing Urban and Suburban zones would provide more flexibility to enable a high quality master planned development. Mixed Use land in this location would enable an attractive and suitable entrance to the Warkworth North area and township more generally.

Single House zone changing to Mixed Housing Suburban zone

10. Excessive use of the single house zoning will promote low-density 'sprawl' development, leading to poor pedestrian connectivity and car dependency. To allow such development

would not be in accordance with the draft Auckland Climate Action Framework, which states:

“evidence demonstrates that quality compact urban development has many benefits. These include better and lower-carbon transport choices, reduced travel times and costs, and fewer impacts on air and water quality.”¹

11. It is also much easier to build high-quality medium density on greenfields land (Hobsonville Point for example) than it is to retrofit it within the existing urban fabric. While this area is on the north-western edge of the township, it will still only be located a maximum of 2km from the town centre, and as such could still be easily accessed by bus or active transport. Further, there is already ample supply of Single House zoned land within Warkworth, with few opportunities for infill or intensification within the town.
12. The Single House zone is restrictive, and does not encourage a wider range of housing typologies, such as attached or terraced dwellings. Future development should provide for a range of dwelling types, at a range of market values. In this regard, we concur with the Manuhiri Kaitiaki Charitable Trust (Mana Whenua), who has requested that the Plan Change provide for affordable housing options². The Mixed Housing Suburban zone is the more appropriate choice for this portion of the site, as this zone will maximise housing choice and allow for a wide variety of housing typologies.
13. While it is acknowledged that this is adjacent to the motorway corridor, the prospect of medium density housing adjacent to a highway can be seen to have been successfully realised across NZTA's North Western routes, including most recently at Hobsonville Point. As such, there are no landscape or environmental sensitivities that would justify a Single House zone, and it would be an inefficient use of well-connected land to waste is unnecessarily on low-density housing.
14. The placement of the new motorway as a defensible boundary will act as a long term, urban edge to the settlement and it is most appropriate that this land be developed to its most efficient possible extent, given how potentially disconnected any residential development to the north of the motorway might be.

Include the submitter's site in Stage 1

15. The submitter's land is close to the new highway and will form an important part of the collector network around Warkworth. Omitting the submitter's land from the first stage would not lead to an efficient or effective outcome for the land, and would not be consistent with the principle of establishing the intended collector road to leave out a large and central link.

13.7

16. Related to this the submitter requests that no development be allowed to occur in the new proposed plan change area until a comprehensive infrastructure funding and access solution has been adopted.

¹ Page 31,

[http://infocouncil.aucklandcouncil.govt.nz/Open/2019/06/ENV_20190611_AGN_6851_AT_Attachment_67783_1.PDF](http://infocouncil.aucklandcouncil.govt.nz/Open/2019/06/ENV_20190611_AGN_6851_AT_files/ENV_20190611_AGN_6851_AT_Attachment_67783_1.PDF)

² Page 28, <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/proposed-plan-changes/docspc25/appendix-7-2-ngati-manuhiri-cia.pdf>

Confirm the route of the Western collector road and identify an access point to the submitter's land

17. Middle Hill Ltd broadly supports the proposed alignment of the indicative western link road; however seeks assurance that access to its site will be provided in the adopted structure plan. A traffic assessment, produced by Arrive transportation consultants outlines several a preferred new access link to the site (Attachment 3). Plan Change 25 should ensure that adequate access to the site is provided for to enable the type of development envisioned in the PPC request and this should be confirmed on the Precinct Plan.

Allow the zone boundary to follow the "final" designation boundary

18. The submitter understands that upon completion of the Puhoi to Warkworth stretch of the Northern Motorway, it is possible that some of the land within the designation may be returned to the previous landowners. If this occurs, the submitter would like to ensure that this land is given an appropriate urban zone, rather than reverting back to the Mixed Rural zoning of parcels beyond the Plan Change area. This would enable this strip of land to be developed, as an isolated strip of rurally zoned land would be too fragmented to be practically usable.
19. The submitter requests that the Precinct contain a rule confirming that the northern boundary of the zone will follow the final designation boundary of the completed highway or the carriage way, and the zones requested (Attachment 2) extend northwards as necessary to remain adjoined to that boundary.

Conclusion

Middle Hill Ltd requests that Plan Change 25 is accepted with some modifications as detailed above. The relief requested will promote the sustainable management of the land by utilising it efficiently and taking advantage of the site's characteristics including the imposition of a 'hard' northern and urban edge to the zone, the gateway context of the SH1 and new highway intersection, and the relatively discrete location of the site in the corner of the town.

The submitter or agents on behalf wishes to be heard in support of this submission.



Harrison Burnard

Planner – Mt Hobson Group

On behalf of Middle Hill Ltd

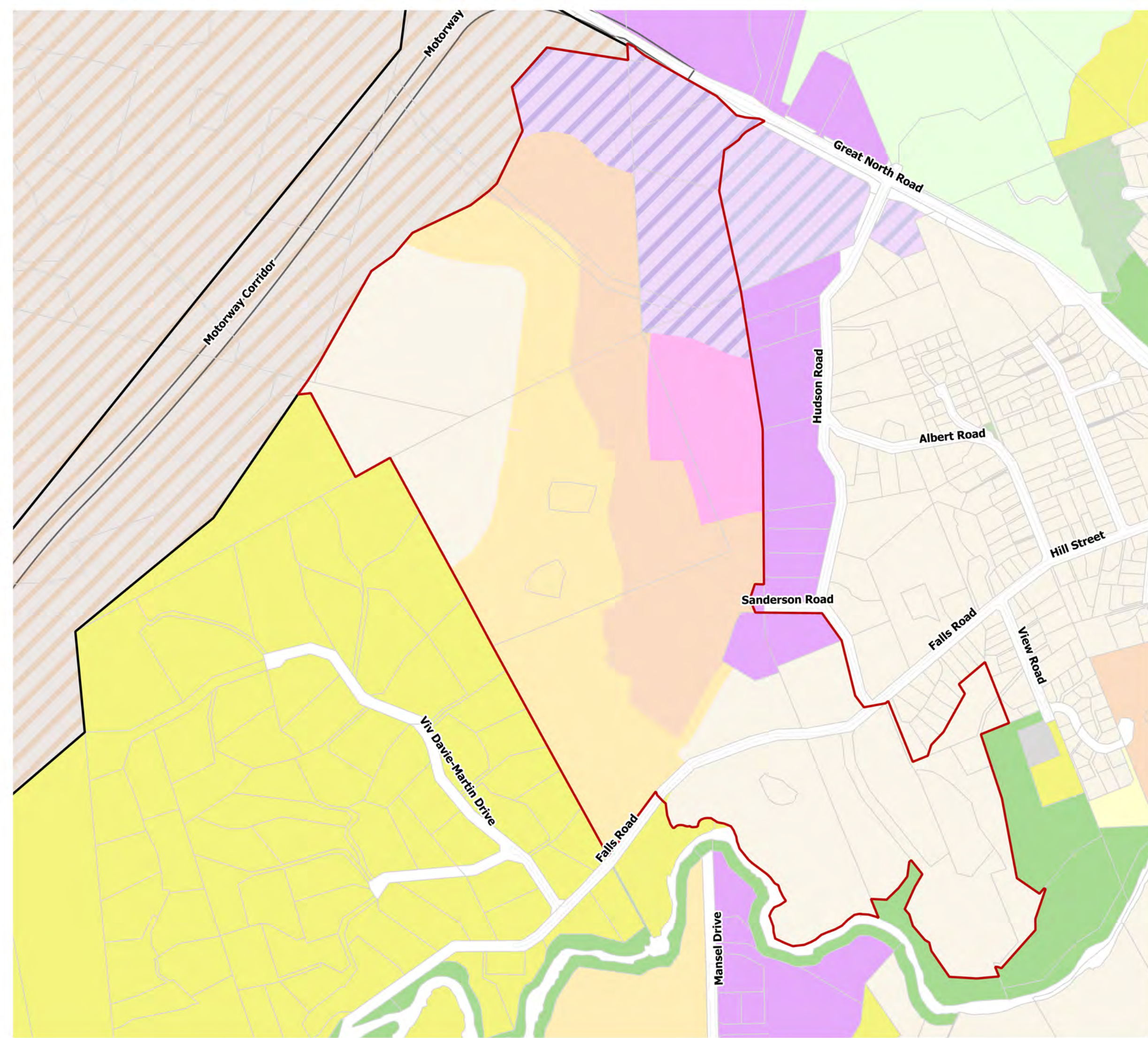
Date: 5 July 2019
Name: Middle Hill Ltd
Contact person/agent: Harrison Burnard
Address for service: Middle Hill Ltd
C/- Mt Hobson Group
PO Box 37964
Parnell
Auckland 1151
Telephone: 09 950 5106
Email: Harrison@mhg.co.nz

Attached:

- 1 Plan Change 25 proposed land zoning
- 2 Amended zoning map
- 3 Proposed link for northern end of western collector road.

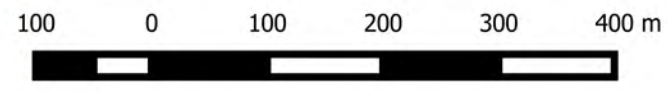
Proposed Zoning Map

- Plan Change Extent
 - Land Parcels
- Unitary Plan Zones**
- Residential - Large Lot Zone
 - Residential - Single House Zone
 - Residential - Mixed Housing Suburban Zone
 - Residential - Mixed Housing Urban Zone
 - Open Space - Conservation
 - Open Space - Informal Recreation
 - Open Space - Sport and Active Recreation
 - Business - Local Centre Zone
 - Business - General Business Zone
 - Business - Light Industry Zone
 - Future Urban Zone
 - Rural - Rural Production Zone
 - Rural - Mixed Rural Zone
 - Special Purpose - Healthcare Facility and Hospital Zone

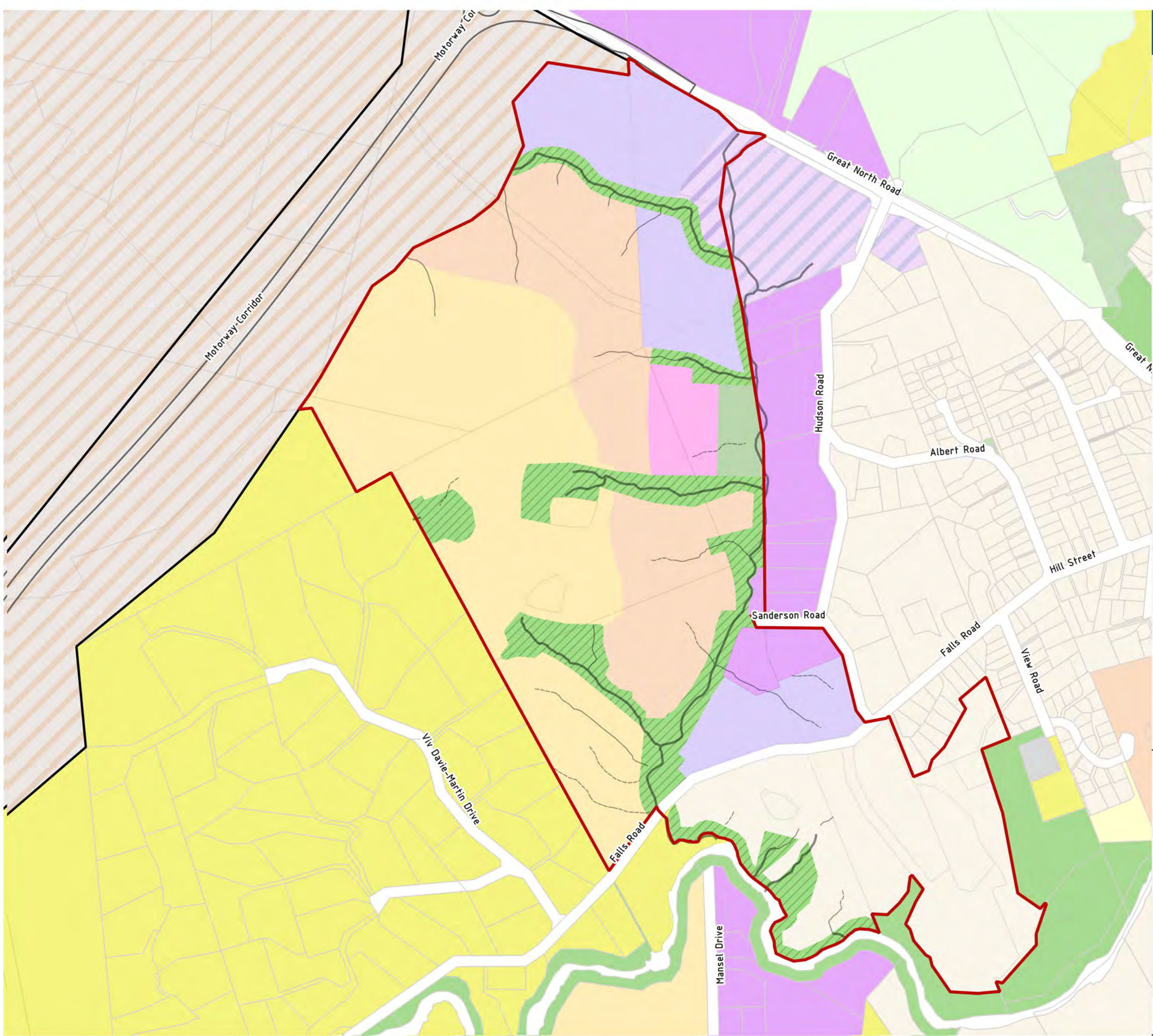


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REVISION	DATE	COMMENT	CHECK
0	9/03/2018	ORIGINAL ISSUE	NJ
1	21/05/2018	WETLANDS ADDED	NJ
2	10/10/2018	REVISE ZONES	NJ
3	15/10/2018	SEA AREAS	NJ
4	15/11/2018	ZONE BOUNDARIES	NJ



Proposed Zoning Map

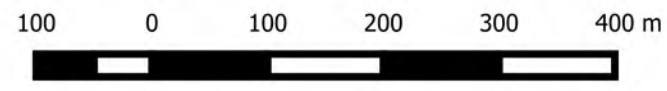


- Plan Change Extent
- Land Parcels
- Stream Classifications**
- Intermittent Stream
- Permanent Stream
- Ephemeral Stream
- Unitary Plan Zones**
- Residential - Large Lot Zone
- Residential - Single House Zone
- Residential - Mixed Housing Suburban Zone
- Residential - Mixed Housing Urban Zone
- Open Space - Conservation Zone
- Open Space - Informal Recreation Zone
- Open Space - Sport and Active Recreation Zone
- Business - Mixed Use Zone
- Business - Local Centre Zone
- Business - General Business Zone
- Business - Light Industry Zone
- Future Urban Zone
- Rural - Rural Production Zone
- Rural - Mixed Rural Zone
- Special Purpose - Healthcare Facility and Hospital Zone
- Indicative Open Space



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0	9/03/2018	ORIGINAL ISSUE	NJ
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2	10/10/2018	REVISE ZONES	NJ
3	15/10/2018	SEA AREAS	NJ
4	27/06/2019	REVISE ZONES	SR



Submission on Proposed Private Plan Change 25 to the Auckland Unitary Plan (Operative in Part)

Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

To: **Auckland Council**

1. SUBMITTER DETAILS

Name of Submitter: **Goatley Holdings Limited (Goatley Holdings)**

This is a submission on Private Plan Change 25 to the Auckland Unitary Plan – Operative in Part (AUP).

Goatley Holdings could not gain an advantage in trade competition through this submission.

Goatley Holdings is directly affected by effects of the subject matter of the submission that:

- a) Adversely affect the environment; and
- b) Do not relate to trade competition or the effects of trade competition.

2. SCOPE OF SUBMISSION

The specific aspects and provisions of Proposed Private Plan Change 25 that this submission relates to are:

- a) Business – Light Industrial Zoning;
- b) Identified neighbourhood centre;
- c) Provision of a mix of residential zoning; and
- d) Indicative Western Link alignment

3. SUBMISSION

3.1 Introduction

Goatley Holdings own five properties (“the land”) in Goatley Road and State Highway 1 (SH1) as shown in **Figure 1** and described in the table below. Skywork Helicopters Ltd currently operate from a number of buildings located in the northern portion of the land. There are also three existing residential dwellings and a farm shed located on the land.



Figure 1: Location of the subject site (Source: Auckland Council Geomaps)

Street Address	Legal Description
38 Goatley Road	Lot 1 DP 88298
104 State Highway 1	Lot 2 DP 88298
102 State Highway 1	Pt Allot 95 Psh Of Mahurangi SO 27C
42A State Highway 1	Lot 2 DP 155679
N/A	Lot 3 DP 155679 and Lot 3 DP 61693

The land is bound by Goatley Road to the west and SH1 to the south. The new Puhoi to Warkworth p2Wk motorway project will provide connection (by way of a round-about) to the existing SH1 directly to the south of the land. This project is currently under construction and will be open for traffic by late 2021. Currently the land is zoned Business – Light Industry under the Auckland Unitary Plan (Operative in Part).

By way of background, Goatley Holdings Limited and Stellan Trust have lodged a resource consent application for a 94-lot subdivision of their Business – Light Industry zoned land. This

resource consent application is currently being processed by Auckland Council and the applicant is yet to respond to further information requests.

3.2 Proposed Private Plan Change 25

3.2.1 Oppose

Goatley opposes the proposed Business – Light Industry zoning in Private Plan Change 25. | 14.1

3.2.2 Reasons

The Council’s Warkworth Structure Plan shows Business – Light Industry fronting the existing SH1 and also extending from north to south through the plan change area up to Falls Road and between Hudson Road and the river on the land to the south of Sanderson Road. The existing zoning and amount of industrial land within Warkworth provides a sufficient supply of industrial land.

The McDermott Consultants economic report submitted with the Private Plan Change outlines a potential over-commitment of land for industrial type purposes. The Economic reports states (page 4):

“the currently zoned capacity will be enough to meet demand for many years”

There is no need for any more additional industrial land in Warkworth. Goatley oppose any more industrial land on the Turnstone land or in the plan change area. Providing an oversupply of industrial land will mean that land is likely to sit vacant for many years, land will not be efficiently utilised, and there will not be the opportunity for an appropriate balance to be achieved as to employment types and also a comparative balance between residential and employment land.

3.2.3 Support

Goatley Holdings support the following aspects of Private Plan Change 25:

- Business – Neighbourhood Centre/Business – Local Centre;
- Mix of residential zoning; and
- Indicative Road (Western Link alignment)

14.2

3.2.4 Reasons

Goatley Holdings support the above aspects of Private Plan Change 25 for the following reasons:

Business – Neighbourhood Centre – The proposed neighbourhood centre is well-located and will be accessible for the community that will establish within the proposed residential areas. The neighbourhood centre will be important for servicing the community and contributing to the functionality and vitality of Warkworth Town Centre.

We understand that Turnstone are seeking Business – Local Centre as opposed to the Neighbourhood Centre currently shown on the notified zoning map. Goatley supports this potential change as this will provide for supporting employment close to the live zoned industrial land.

Mix of Residential zoning – The mix of residential zoning (Mixed Housing Urban, Mixed Housing Suburban and Single House) identified within the Private Plan Change will deliver housing in a variety of types and sizes to provide housing choice for the community. This is consistent with one of the key principles of the Warkworth North Structure Plan which is to provide a range of housing options in Warkworth so that it is a place for people to live at all stages of life.

Indicative Road (Western Link alignment) – One of the key elements of the Warkworth North Structure Plan is to provide transport connectivity with the wider area. The indicative Western Link alignment identified in Private Plan Change 25 will be a key piece of roading infrastructure for Warkworth that will enable well-functioning and well-planned transport networks. The

14.3

14.4

indicative road provides good network and transport links and connections for the area which is supported.

4. DECISIONS SOUGHT

Goatley Holdings seeks the following relief from Auckland Council (or other relief or other consequential amendments as are considered appropriate or necessary to address the concerns set out in this submission):

- a) Removal of the Business – Light Industry Zone within the Plan Change Area.
- b) Any such further or consequential changes necessary or appropriate to address the concerns expressed in this submission.

Goatley Holdings wishes to be heard in support of this submission.

If others make a similar submission Goatley Holdings will consider presenting a joint case with them at the hearing.



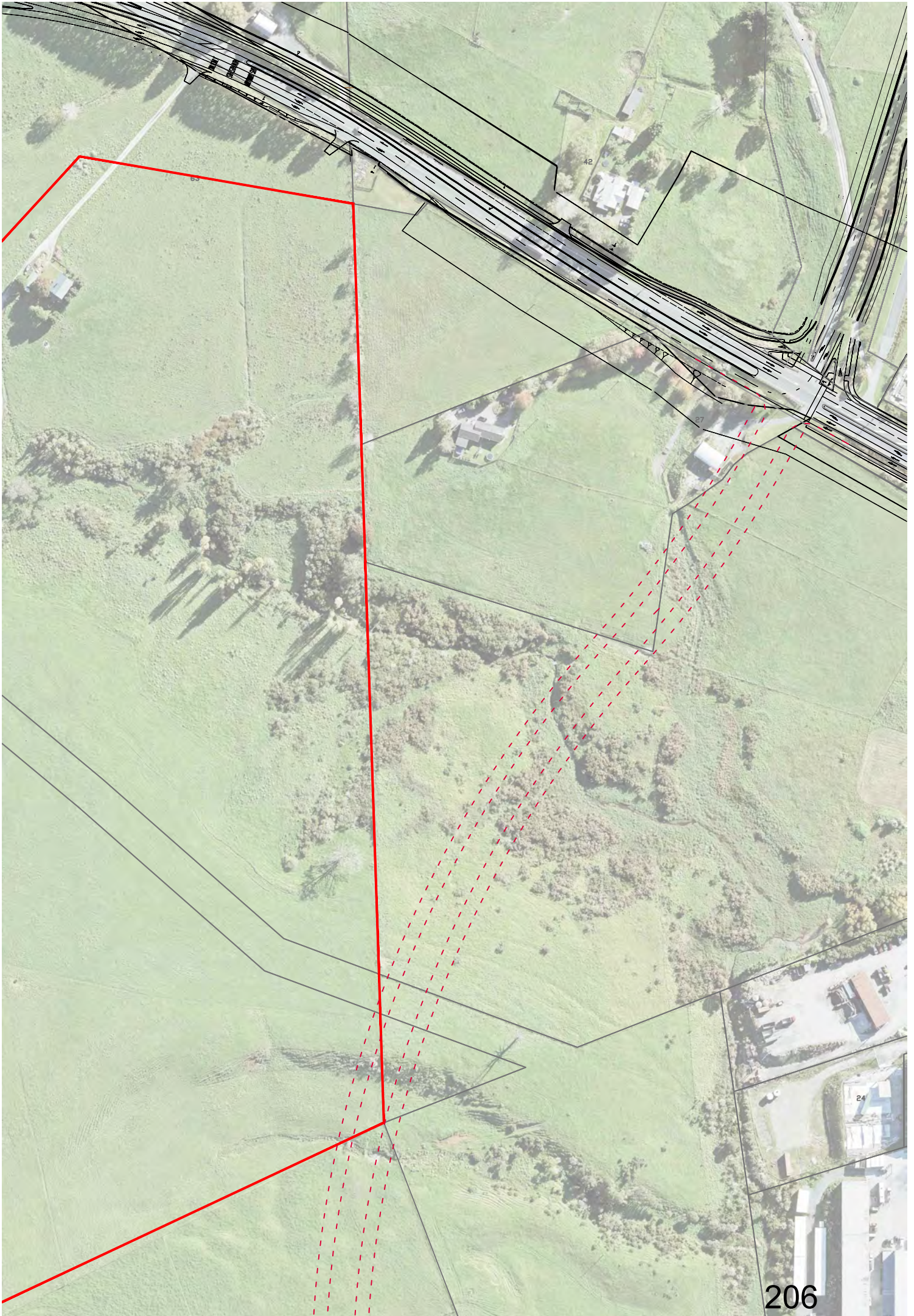
Pamela Santos, Barker & Associates Ltd
(Persons authorised to sign on behalf of submitter)

Date: 4 July 2019

5. ADDRESS FOR SERVICE

Goatley Holdings Limited
c/- Barker & Associates Ltd
PO Box 1986
Auckland 1140
Attn: Pamela Santos

Mobile: 021 306 026
Email: pamelas@barker.co.nz



**SUBMISSION ON PLAN CHANGE 25 (PRIVATE): WARKWORTH NORTH TO THE
AUCKLAND UNITARY PLAN – OPERATIVE IN PART**

Clause 6 of Schedule 1 of the Resource Management Act 1991

To: Auckland Council
unitaryplan@aucklandcouncil.govt.nz

Copy to: Turnstone Capital Limited
c/- Barker and Associates
burnetteo@barker.co.nz

WARKWORTH PROPERTIES (2010) LTD c/- Ellis Gould, Solicitors at the address for service set out below ("**the Submitter**") makes the following submission in relation to Plan Change 25 (Private): Warkworth North ("**the Plan Change**").

1. The Plan Change seeks operative urban zonings for Future Urban zoned land on the northern margins of Warkworth.
2. The Submitter will be directly affected by the Plan Change as the owner of the site on the north western corner of the Hudson Road SH1 intersection, legally described as Section 4 Survey Office Plan 476652 ("**Site**"), part of which is proposed to be zoned a mix of Light Industry and Mixed Housing - Urban pursuant to the Plan Change.
3. The Submitter is not a trade competitor of the applicant for the Plan Change and could not gain any advantage in trade competition through this submission.
4. The Submitter generally supports the Plan Change for the reasons set out below. The Submitter has a particular interest in:
 - (a) The proposed extent and location of Light Industry zoning;
 - (b) The proposed indicative location of the route for the Western Link Road ("**WLR**"); and
 - (c) The adequacy of stormwater analysis supporting the Plan Change.
5. The reasons for the submission are as follows;
 - (a) Unless the relief sought below in this submission is granted, the Plan Change will:

- (i) Not promote the sustainable management of natural and physical resources;
 - (ii) Not amount to and promote the efficient use and development of resources;
 - (iii) Be inconsistent with the purpose and principles in Part 2 of the Resource Management Act 1991 ("**RMA**"); and
 - (iv) Not be appropriate in terms of section 32 of RMA.
- (b) Provided the relief sought below in this submission is granted, the Plan Change will be in accordance with the purpose and principles of the RMA and will be appropriate in terms of section 32 of the RMA.

In particular, but without derogating from the generality of the above:

- (c) The Site has a split zoning:
- (i) A 5.5 hectare portion of the Site fronting Hudson Rd and SH1 has a General Business zoning. This part of the Site is currently subject to an application for resource consent for large format retail incorporating a Pak'n Save supermarket.
 - (ii) The balance of the Site is subject to a Future Urban zoning. The Plan Change proposes to rezone a proportion of this part of the Site to Light Industry.
- (d) The Submitter generally supports the proposal to apply live urban zones to the Future Urban zoned land subject to the Plan Change but wishes to ensure that the Plan Change provides for development in an appropriate manner whilst ensuring that potential adverse effects on its land are minimised.

Suitability of Light Industry Zoning of the Site

- (e) The Plan Change proposes Light Industry zoning for a proportion that part of Site which is currently zoned Future Urban, along with land immediately to its south.
- (f) The Submitter agrees that this land should be allocated an operative urban zoning but considers that the Light Industry zoning is not appropriate and should be replaced by a Mixed Housing – Urban zone, for the following reasons:

- (i) This land has a relatively steep contour and is not well suited practically to industrial activities, which ideally use relatively large and flat building and manoeuvring platforms.
 - (ii) The allocation of Light Industry zoning to this land is inconsistent with the rationale set out in the section 32 report supporting the Plan Change for the application of zonings (namely that generally residential activities have been proposed on steeper areas with Light Industry applied on flatter more developable land).
 - (iii) Because the land is relatively steep it would be more suitably zoned for residential activity, complementary to the Mixed Housing – Urban zoning proposed for adjacent land.
 - (iv) The application of Mixed Housing – Urban zoning to the part of the Site subject to the Plan Change would result in a small, narrow and inappropriate block of Light Industry zoned land to the south and a lengthy sensitive boundary between Light Industry and Mixed Housing – Urban that would give rise to significant interface issues. That land should, therefore, also be rezoned Mixed Housing – Urban.
- (g) The Submitter therefore seeks the application of the Mixed Housing – Urban zone for that part of the Plan Change Area shown in **Annexure A** to this submission. Failing that, the Submitter seeks the application of the Mixed Housing – Urban zone to that part of the Site that is subject to the Plan Change, as shown in **Annexure B** to this submission.

Location of Western Link Road

- (h) The Precinct proposed under the Plan Change:
 - (i) Identifies an indicative route for the WLR; and
 - (ii) Provides for the WLR to be secured and constructed through a subsequent resource consent process.
- (i) The Submitter supports the indicative route identified for the WLR which does not encroach on the land owned by the Submitter that has an operative zoning (General Business). This approach is consistent with:

- (i) Submissions made by the Submitter on Notices of Requirement lodged by New Zealand Transport Agency and Auckland Transport in relation to the location of the intersection of the proposed Matakana Link Road with SH1; and
 - (ii) Feedback provided by the Submitter to Auckland Council on the Draft Warkworth Structure Plan.
- (j) While the Submitter agrees that the WLR route through the Plan Change area should be flexible, it considers it desirable to provide greater certainty in the immediate vicinity of the intersections with the existing road network. Accordingly, the Submitter seeks the inclusion of a control in the Precinct provisions that fixes the location of the WLR in the immediate vicinity (eg: within 100m) of SH1 to the north and Falls Road to the south.
- (k) The location of these intersections will have a particularly significant impact on the location and form of proximate activities. Thus, fixing the location of these parts of the WLR will enable land owners to plan activities with certainty and to reduce the prospect of potential adverse effects on urban form and the rational and efficient use of land.

Potential Flooding Effects

- (l) The Plan Change will alter the use of approximately 99 hectares of land from primarily rural activities to primarily urban activities (business and residential). This will necessarily result in a significant increase in the amount of impervious surfaces within the Plan Change area over time.
- (m) The Application has not assessed the potential increased flood risk for the Site with this increase in impervious area. The Submitter therefore seeks assurance that there will be no increase in flooding on its land as a result of the rezoning proposed with the Plan Change, and, to the extent necessary, incorporation into the Plan Change provisions which ensure that outcome.

6. The Submitter seeks that the Plan Change be upheld provided the following changes are made:

- 15.1 | (a) That the proposed zoning of the area identified on **Annexure A** to this submission be altered from a mix of Light Industry and Mixed Housing – Urban to Mixed Housing - Urban, as shown in **Annexure A**.

- 15.1 (b) That, if the relief in item (a) above is not granted, that the proposed zoning of the part of the Site subject to the Plan Change be altered from a mix of Light Industry and Mixed Housing – Urban to Mixed Housing - Urban, as shown in **Annexure B** to this submission.
- 15.2 (c) That a control be included in the Precinct which fixes the location of the WLR within 100m of its intersections with SH1 to the north-east and Falls Road to the south-west, and which aligns with the indicative location of the WLR identified in Precinct Plan 1.
- 15.3 (d) That an assessment of potential flooding risk for the Site be undertaken and that, to the extent necessary, provisions be incorporated into the Plan Change which ensure that there will be no increase in flooding risk for the Site as a result of the rezoning proposed in the Plan Change.
- (e) Such other orders, relief or other consequential amendments as are considered appropriate or necessary to address the matters outlined in this submission.
7. The Submitter wishes to be heard in support of its submission.
8. If other parties make a similar submission, the Submitter would consider presenting a joint case with them at any hearing.

DATED this 5th day of July 2019

**WARKWORTH PROPERTIES (2010)
LTD** by its solicitors and duly authorised
agents, Ellis Gould



DA Allan / AK Devine

ADDRESS FOR SERVICE: The offices of Ellis Gould, Solicitors, Level 17, Vero Centre, 48 Shortland Street, PO Box 1509. Auckland 1140, DX CP22003, Auckland. Telephone: (09) 307-2172, Facsimile: (09) 358-5215. Attention: Douglas Allan, Alex Devine. dallan@ellisgould.co.nz, adevine@ellisgould.co.nz.

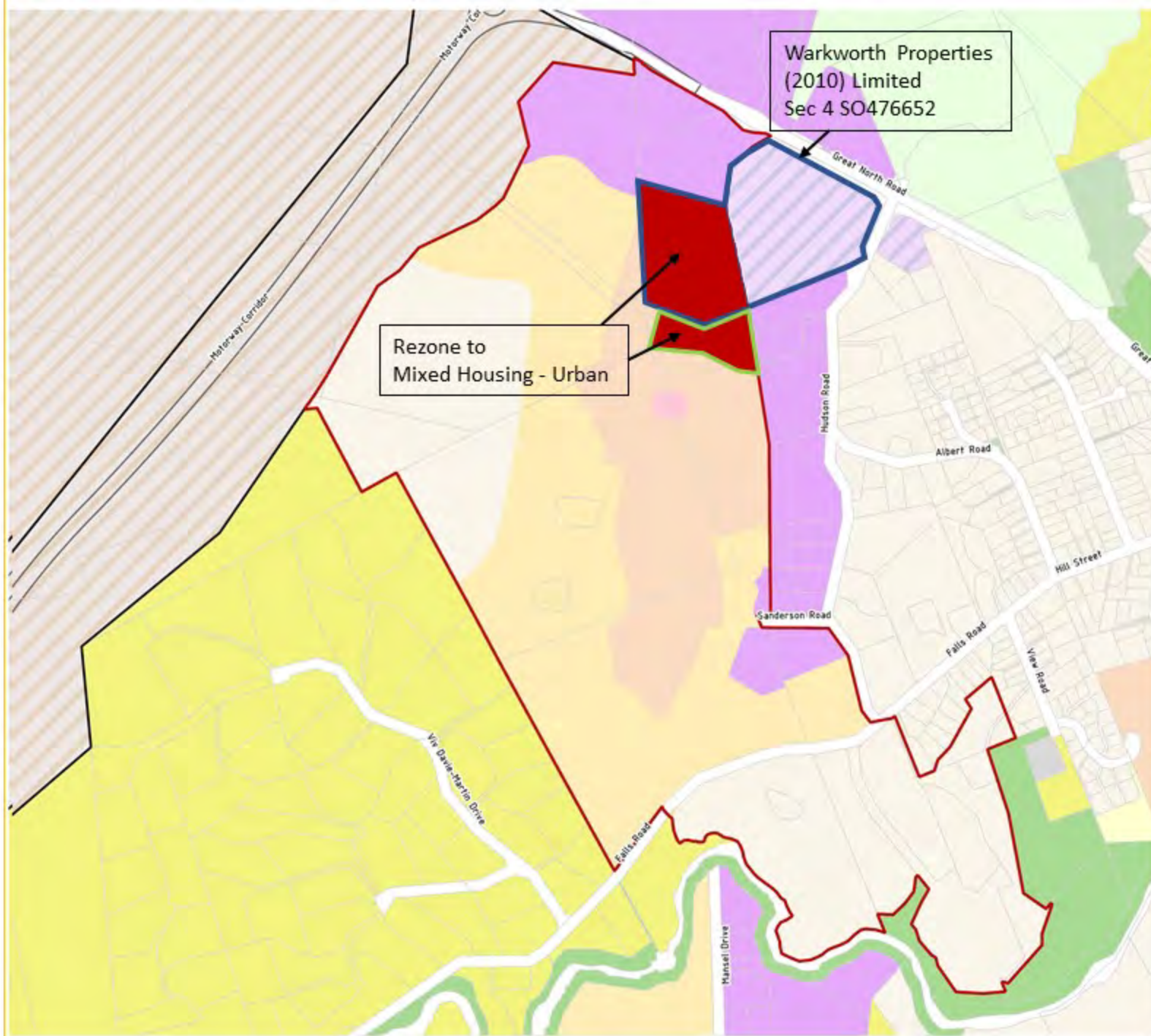
Annexure A

Warkworth Properties
(2010) Limited
Sec 4 SO476652

Rezone to
Mixed Housing - Urban

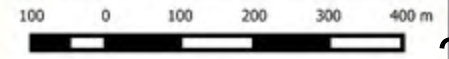
Proposed Zoning Map

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 - Rural - Mixed Rural Zone
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REVISION	DATE	COMMENT	CHECK
5	20/12/2018	ZONE BOUNDARIES	NJ
6	11/01/2019	NEIGHBOURHOOD ZONE	NJ
7	18/01/2019	ZONE BOUNDARIES	NJ
8	22/03/2019	LEGEND	NJ
9	2/04/2019	LEGEND	NJ



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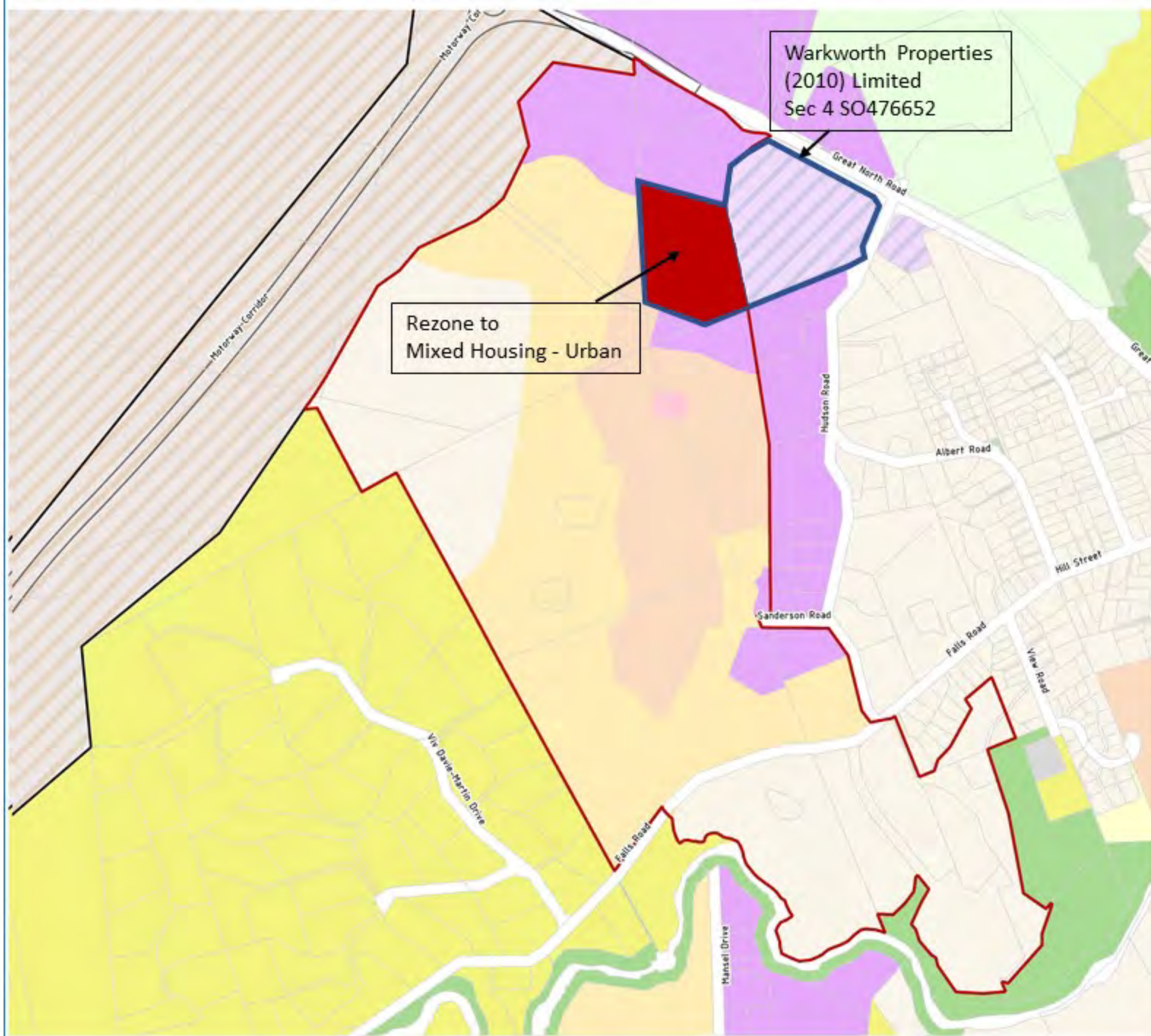
Annexure B

Warkworth Properties
(2010) Limited
Sec 4 SO476652

Rezone to
Mixed Housing - Urban

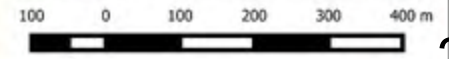
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8	22/03/2019	LEGEND	NJ
9	2/04/2019	LEGEND	NJ



5 July 2019

Plans and Places
Auckland Council
Private Bag 92300
Auckland 1142
Attn: John Duguid

Email: unitaryplan@aucklandcouncil.govt.nz

Re: Proposed Private Plan Change 25 - Warkworth North

Please find attached Auckland Transport's submission on the proposed private plan change 25 from Turnstone Capital Limited.

If you have any queries in relation to this submission, please contact Katherine Dorofaeff, Principal Transport Planner, on 09 447 4547.

Yours sincerely



Tracey Berkahn
Acting Executive General Manager: Planning and Investment

cc:
Barker and Associates Ltd
PO Box 1986
Shortland Street
Auckland 1140
Attention: Burnette O'Connor

Via email: BurnetteO@barker.co.nz

Submission by Auckland Transport on private plan change 25 - Warkworth North

To: Auckland Council

Submission on: Proposed private plan change 25 from Turnstone Capital Limited for land at Warkworth North

From: Auckland Transport
Private Bag 92250
Auckland 1142

1. Introduction

- 1.1 Turnstone Capital Limited ('Turnstone' or 'the applicant') is applying for a plan change ('PC25' or 'the plan change') to the Auckland Unitary Plan – Operative in Part ('AUP(OP)') to rezone approximately 99 hectares of land in Warkworth North from Future Urban to a mix of Residential zones (Mixed Housing Urban, Mixed Housing Suburban and Single House), and Business zones (Light Industry and Neighbourhood Centre).
- 1.2 The rezoning is expected to provide capacity for approximately 1,000 to 1,200 dwellings, 13 hectares of light industrial land and a neighbourhood centre of 3,000m². PC25 also introduces a new Warkworth North precinct for the plan change area north of Falls Road, applies the Stormwater Management Area Flow -1 (SMAF-1) overlay to the whole of the plan change area, and applies the Significant Ecological Area overlay to two areas.
- 1.3 Auckland Transport ('AT') is a Council-Controlled Organisation of Auckland Council ('the Council') and the Road Controlling Authority for the Auckland region. AT has the legislated purpose to contribute to an 'effective, efficient and safe Auckland land transport system in the public interest'.¹ AT is responsible for the planning and funding of most public transport; operating the local roading network; and developing and enhancing the local road, public transport, walking and cycling network.
- 1.4 Urban development on greenfield land not previously developed for urban purposes generates transport effects and the need for investment in transport infrastructure and services to support construction, land use activities and the communities that will live and work in these areas. AT's submission seeks to ensure that the transport related matters raised by PC25 are appropriately considered and addressed.
- 1.5 AT is also part of the Supporting Growth Alliance (Te Tupu Ngātahi) ('SGA') which is a collaboration between AT and the New Zealand Transport Agency ('NZTA') to plan and route protect the preferred transport network in future growth areas such as Warkworth. In reviewing this plan change, AT has had regard to the Integrated Transport Assessment ('ITA') completed by SGA in February 2019 to complement the Warkworth Structure Plan. The Warkworth Structure Plan was prepared by the

¹ Local Government (Auckland Council) Act 2009, section 39.

Council and went through a robust process, including four stages of consultation, before being adopted by the Council's Planning Committee on 4 June 2019. The structure plan sets out a pattern of land uses and the supporting infrastructure network for approximately 1000 hectares of Future Urban zoned land around Warkworth.

1.6 The ITA completed for the Warkworth Structure Plan identifies a strategic transport network which includes the Western Link Road passing through the plan change area. The Western Link Road runs between State Highway 1 (north) and State Highway 1 (south) and includes Mansel Drive and a small part of Falls Road. In reviewing the plan change, AT has been particularly interested in how the plan change provides for the Western Link Road and has regard to the anticipated form and function of that road.

1.7 AT is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

2. **Specific parts of the plan change that this submission relates to**

2.1 The specific parts of the plan change that this submission relates to are set out in **Attachment 1**. In keeping with AT's purpose, the matters raised relate to transport, and include:

- Deficiencies in the transport information provided to support the plan change
- Deficiencies in the precinct plan provisions relating to transport matters
- Lack of funding or alternative mechanisms identified to ensure that the transport infrastructure and services required to support the rezoning will be provided
- Lack of certainty about how the Western Link Road will be route protected and provided for by the plan change
- Loss of potential employment land adversely affecting integration of land use and transport.

2.2 AT opposes the plan change unless the applicant satisfactorily addresses the matters raised in **Attachment 1**.

2.3 AT is available and willing to work through the matters raised in this submission with the applicant.

3. **Decisions sought**

3.1 The decisions which AT seeks from the Council are set out in **Attachment 1**.

3.2 In all cases where amendments to the plan change are proposed, AT would consider alternative wording or amendments which address the reason for AT's submission. AT also seeks any consequential amendments required to give effect to the decisions requested.

4. **Appearance at the hearing**

4.1 AT wishes to be heard in support of this submission.

4.2 If others make a similar submission, AT will consider presenting a joint case with them at the hearing.

Name: Auckland Transport

Signature:



Tracey Berkahn
Acting Executive General Manager: Planning and Investment

Date: 5 July 2019

Contact person: Katherine Dorofaeff
Principal Planner

Address for service: Auckland Transport
Private Bag 92250
Auckland 1142

Telephone: 09 447 4547

Email: katherine.dorofaeff@at.govt.nz

Issue	Support / oppose	Reasons for submission	Decision requested
<p>The whole plan change</p>	<p>Oppose</p>	<p>Deficiencies in the transport information provided</p> <p>The traffic and transport information and assessment provided in the applicant's Integrated Transport Assessment ('ITA') is not sufficient to determine the transport effects resulting from PC25 and the consequential development. Those transport effects need to be determined so that they can be avoided, remedied or mitigated.</p> <p><i>Modelling</i></p> <p>The modelling undertaken to support the applicant's ITA does not provide the level of assessment required to understand the potential transport effects of the proposal. The ITA relies on the regional transport model (ART I11), with SIDRA modelling of two individual intersections. ART is a macroscopic modelling tool suitable for large sub regional or regional catchments, with SIDRA being a microscopic modelling tool suited to modelling an isolated intersection. The outputs of the regional transport model assumed different land uses than are proposed in the plan change. The ITA needs to further consider assumptions about land use and transport projects in ART I11 and the relevance of these assumptions to the current proposal.</p> <p>To assess the potential transport effects of the proposed development, in particular the key connection points, the ITA needs to include traffic modelling that considers current volumes, forecast base volumes associated with wider growth and infrastructure changes and plan change volumes. The default ART volumes should not be assumed as reasonable, noting the differences in land use and the higher tiered nature of the regional model. The ITA should also consider relevant regional models being used by SGA. This may include a shift from ART to the regional macro simulation model (MSM) and use of a consistent modelling platform used by the SGA, being a meso-scope model (SATURN).</p> <p>The applicant's ITA needs to include a traffic modelling assessment of the Warkworth North area and key transport links beyond the plan change area. This traffic modelling assessment is required to:</p>	<p>Decline the plan change, unless all of the following are addressed:</p> <ul style="list-style-type: none"> • sufficient additional information (including traffic modelling) is provided, as outlined in this submission, to assess transport effects • the plan change is amended to: <ul style="list-style-type: none"> ○ avoid, remedy or mitigate transport effects ○ ensure that subdivision and development will be co-ordinated with the delivery of transport infrastructure and services including connections to the wider network ○ address all matters raised in this submission • certainty is provided about how the plan change will ensure that the transport infrastructure and services required to support the rezoning, including the Western Link Road, will be provided. • it is demonstrated that the lesser amount of Business zoned land, when compared with the zoning proposed in the Warkworth Structure Plan, will not have an adverse effect on the ability of the wider Warkworth area to be self-sufficient for employment.

Issue	Support / oppose	Reasons for submission	Decision requested
		<ul style="list-style-type: none"> • assess the effects on the transport network of the development which would be enabled by the plan change • identify the transport infrastructure required to support and enable the proposed development, and outline whether the infrastructure is assumed to be publicly or privately funded and delivered • inform staging of development to align with provision of required transport infrastructure • assess the effects that may result if any required transport infrastructure is not in place. As well as addressing developer provided infrastructure, consider the effects that may result if any transport infrastructure planned in public documents, but currently unfunded, is not in place. <p>The key transport links beyond the plan change area which should be considered in the traffic modelling assessment will depend on staging of the development and delivery of the Western Link Road. The modelling may require assessment of Hill Street / Great North Road, Woodcocks Road / Auckland Road, Hudson Road / Great North Road, and Falls Road / Woodcocks Road intersections.</p> <p><i>Future road network</i></p> <p>Further assessment of the future road network is required. In particular, apart from the Western Link Road, the applicant has assumed that all roads will be local roads. Collector roads should also be provided for as a specific road typology needed to service development within the plan change area.</p> <p><i>Cycling</i></p> <p>More information is required to show that the provisions of the plan change will enable cycling as a logical transport choice within and beyond the precinct.</p> <p><i>Summary</i></p> <p>In summary, the applicant needs to provide additional information and assessment of potential transport effects. This needs to include:</p>	

Issue	Support / oppose	Reasons for submission	Decision requested
		<ul style="list-style-type: none"> • Traffic modelling assessments which address the concerns raised above about the adequacy of the information included in the applicant's ITA. • Anticipated timing and funding arrangements for the transport infrastructure and services required to enable the development. This should include an implementation plan identifying what the developer will deliver at their cost, and when. • Information about how the precinct provisions will ensure that the delivery of transport infrastructure and services is integrated with subdivision and development. • An assessment of street typologies, including the need for collector roads to service development. • A Movement Plan identifying key connection points or intersections, indicative road alignments, and walking and cycling networks within the precinct. • Detail about how a well-connected and safe cycle network will be achieved within and beyond the precinct. <p>Deficiencies in precinct plan provisions</p> <p>As outlined in more detail elsewhere in this submission, there are deficiencies in the provisions proposed for the new Warkworth North Precinct (objectives, policies, rules, assessment criteria, special information requirements, and precinct plans). In particular, the provisions:</p> <ul style="list-style-type: none"> • Do not properly avoid, remedy or mitigate adverse transport effects • Do not co-ordinate subdivision and development with the delivery of the required transport infrastructure and services • Lack robustness, and in some cases are not well articulated and lack clarity • Lack clear alignment between objectives and policies and the implementing rules and assessment criteria. <p>Lack of funding or alternative mechanisms for transport infrastructure and services</p> <p>The plan change is occurring before AT and the NZTA have completed planning for the transport infrastructure and services to support urban growth in the Warkworth area. Preferred routes to</p>	

Issue	Support / oppose	Reasons for submission	Decision requested
		<p>support the Warkworth Structure Plan have not been confirmed, and the funding is only allocated for existing strategic projects such as the Matakana Link Road. For this plan change, the particular concern is the absence of funding for the Western Link Road. The applicant has indicated willingness to construct the road to collector road standard, leaving AT to purchase additional land alongside the collector road to provide for a future upgrade to an arterial standard. This type of arrangement is possible but still requires AT to have funding available to acquire the additional land required. Other funding requirements include: addressing expected road damage from heavy construction vehicles; providing public transport services and infrastructure; upgrading existing roads needed to service the development to an urban standard including for walking and cycling.</p> <p>AT has had initial discussions with the applicant about funding including the possibility of entering into an infrastructure funding agreement. However further work is required to resolve these matters.</p> <p>Lack of certainty about the Western Link Road</p> <p>As well as lack of funding, there are other uncertainties about how this plan change provides for the Western Link Road. These uncertainties relate to land ownership, connections at the northern and southern ends of the Western Link Road, and the robustness of the precinct plan provisions. Also, SGA has not yet undertaken the detailed work needed to confirm whether the general alignment proposed in Precinct Plan 1 can be supported.</p> <p>The plan change includes land which is not owned by the applicant. In particular, the northern portion of the proposed Western Link Road, including the intersection with State Highway 1 (refer to Precinct Plan 1) is located on land not owned by the applicant. AT understands that the affected owners have not formally agreed to the proposed location of the Western Link Road on their properties. AT does not support rezoning for urban use in the absence of agreed and certain route protection for the Western Link Road.</p>	

Issue	Support / oppose	Reasons for submission	Decision requested
		<p>The Warkworth Structure Plan and associated ITA show an indicative alignment for the Western Link Road. These documents indicate that the intersection of the Western Link Road and Great North Road (State Highway 1) aligns with the proposed Matakana Link Road on the northern side of SH1. The alignment for the Western Link Road shown on Precinct Plan 1 in PC25 is not consistent with the Warkworth Structure Plan and the associated ITA.</p> <p>The statutory planning processes associated with confirming the route for the Matakana Link Road, including its intersection with State Highway 1, have not been completed. The location of the northern end of the Western Link Road and its intersection with State Highway 1 is dependent on confirming the route and intersection for Matakana Link Road.</p> <p>SGA is aware of geotechnical limitations on the plan change land which need to be further understood before confirming the alignment of the Western Link Road. The applicant's supporting information includes a Geotechnical Engineering Feasibility Assessment from KGA Geotechnical Group Ltd. That assessment generally concludes that the land is suitable for the proposed zoning subject to later detailed geotechnical engineering investigation and design once development details are known. The assessment does not address geotechnical limitations specific to a proposal to locate an arterial road (i.e. the Western Link Road) through the plan change area.</p> <p>Loss of potential employment land</p> <p>The Warkworth Structure Plan seeks, as a planning principle, to provide new local employment centres (e.g. small centres, industrial areas) so people can live and work locally in Warkworth. This principle is critical for better integrating land use and transport, providing residents with more opportunities to avoid long commutes for employment, and reducing transport demands. PC25 includes less Business zoned land than is identified in the Warkworth Structure Plan for this location. The applicant needs to address the effects of their zoning proposal on the overall aim of providing employment land in the wider Warkworth area.</p>	

Issue	Support / oppose	Reasons for submission	Decision requested
Land south of Falls Road	Oppose	<p>The plan change rezones land south of Falls Road from Future Urban to Residential - Single House. However, unlike most of the remaining plan change area, this land is not included in the Warkworth North Precinct though it is shown on Precinct Plan 2.</p> <p>This land should be included within the Warkworth North Precinct so that it is subject to the same objectives, policies and other precinct provisions as the rest of the plan change land. This additional land has frontage to Falls Road and the precinct provisions should address upgrading of that frontage to an urban road standard. Development of this area may also be affected by the need to upgrade the Mansel Drive / Falls Road intersection which is identified in the applicant's ITA.</p>	<p>Amend the Warkworth North Precinct to include the land south of Falls Road which is proposed to be rezoned Residential - Single House as part of PC25.</p> <p>Amend the precinct plan provisions to require upgrading of Falls Road to an urban road standard in conjunction with subdivision and development.</p>
Land at 9 and 11 Sanderson Road, and at 76, 78 and 86 Hudson Road	Oppose	<p>The plan change rezones land near Sanderson Road from Future Urban to Business - Light Industry. However, unlike the rest of the plan change area north of Falls Road, this land is not included in the Warkworth North Precinct though it is shown on Precinct Plan 2.</p> <p>This land should be included within the Warkworth North Precinct so that it is subject to the same objectives, policies and other precinct provisions as the rest of the plan change land. Some of this additional land has frontage to Sanderson Road and the precinct provisions should address upgrading of that frontage to an urban road standard. Sanderson Road currently provides vehicle access into Stubbs Farm and is identified on Precinct Plan 1 as providing a 'potential future road connection'. The Warkworth Structure Plan and the supporting ITA includes an indicative collector road which connects to Sanderson Road.</p>	<p>Amend the Warkworth North Precinct to include the land at 9 and 11 Sanderson Road, and at 76, 78 and 86 Hudson Road which is proposed to be rezoned to Business - Light Industry as part of PC25.</p> <p>Amend the precinct plan provisions to require upgrading of Sanderson Road to an urban road standard in conjunction with subdivision and development.</p>
11.2 Objectives and 11.3 Policies	Oppose	<p>The proposed objectives and policies do not recognise the need for subdivision and development to be co-ordinated with the delivery of the transport infrastructure and services required to support this precinct and connect it to the wider network. Co-ordination is required to avoid, remedy and mitigate adverse effects and to achieve integration of land use and transport.</p> <p>The proposed objectives and policies do not recognise the need to establish a safe, efficient and integrated transport system which</p>	<p>Amend the objectives and policies to include the following:</p> <p>Objectives</p> <ol style="list-style-type: none"> 1. A safe, efficient and integrated transport system is established within the precinct including strategic road connections, a choice of travel modes, and measures which facilitate walking, cycling and use of public transport 2. Subdivision and development is co-ordinated with the delivery of the transport infrastructure and services

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Issue	Support / oppose	Reasons for submission	Decision requested
		<p>includes strategic connections and provides for a variety of transport modes.</p> <p>The proposed objectives and policies do not adequately recognise the wider strategic importance of the Western Link Road as well as its value within the precinct as a multi-modal connection which includes separated cycle facilities. AT does not support Objective 11.2(1)(a) or Policy 11.3(3) in their current form. Objectives and policies are needed to:</p> <ul style="list-style-type: none"> • Give specific recognition to the Western Link Road intersections at its northern and southern ends. • Require the Western Link Road to be constructed to an interim collector road standard to service subdivision and development within the precinct with provision made for upgrading to an arterial road. • Recognise and protect the route for Western Link Road as a future arterial road providing a strategic transport connection through the precinct to service growth in the wider Warkworth area. • Support the safe use of the Western Link Road for walking, cycling and public transport by restricting direct vehicle access from adjoining properties. <p>There is no specific wording in the objectives and policies to support or justify the rules about 'future road connections'. The proposed objectives and policies therefore do not provide the higher level framework for the 'future road connections' contained in the precinct plan rules (Table 10.4.1 Activity Table (A2)) and identified on I2.10.1 Precinct plan 1 - Warkworth North Precinct Plan as 'potential future road connections'. These connections identify locations where there is potential for roads to connect between the following locations:</p> <ul style="list-style-type: none"> • the Stubbs Farm sub-precinct with the land to the north which is also within the plan change area. • the Stubbs Farm sub-precinct with Future Urban zoned land to the west which adjoins Viv Davie-Martin Drive, and is located outside the plan change area 	<p>required to provide for development within the precinct and connect it to the wider transport network.</p> <ol style="list-style-type: none"> 3. Subdivision and development within the precinct occurs in a manner which avoids, remedies or mitigates adverse effects on the safe and efficient operation of transport infrastructure and services. 4. Subdivision and development recognises, protects and supports strategic transport connections through the precinct which support growth in the wider Warkworth area. <p>Policies</p> <ol style="list-style-type: none"> 1. Require subdivision and development to be staged to align with the provision of transport infrastructure and services identified in the precinct plan. 2. Require subdivision and development to provide transport connections within and beyond the precinct 3. Restrict direct vehicle access onto the Western Link Road and across any cycling facility (including any shared use path) to support the safe and efficient operation of the transport network for walking, cycling and public transport. 4. Recognise and protect the route for the proposed Western Link Road within the precinct as a future strategic transport route connecting with State Highway 1 to the north and with the Mansell Drive / Falls Road intersection to the south. 5. Require the Western Link Road to be constructed to an interim standard to service subdivision and development within the precinct with provision made for upgrading to provide a strategic transport connection. <p>As a consequential amendment, delete Objective 11.2(1)(a) and Policy 11.3(3).</p>

Issue	Support / oppose	Reasons for submission	Decision requested
		<ul style="list-style-type: none"> the Stubbs Farm sub-precinct with Business - Light Industry zoned land to the east which has frontage to Sanderson Road or Hudson Road. <p>It is important that new roads within the plan change area are connected with existing and future road networks to integrate with new urban development to the north and with the existing development to the west and east.</p>	
Rules - Table 10.4.1 Activity table - (A1)	Oppose	Activity (A1) in the activity table, which relates to subdivision and development adjacent to the Western Link Road, is not well articulated and lacks clarity and robustness. Rules need to be clear and certain.	<p>Amend the rules to:</p> <ul style="list-style-type: none"> Use more precise wording in (A1) in Table 10.4.1 Activity table. It is not clear what is meant by 'subdivision or development adjacent to the Western Link Road'. Specify a non-complying status for proposals that do not meet rules requiring subdivision and development to construct the Western Link Road to collector road standard with provision made for upgrading to an arterial road.
Rules - Table 10.4.1 Activity table - (A2)	Oppose	Activity (A2) in the activity table, which relates to future road connections, is not well articulated and lacks clarity and robustness.	<p>Amend the rules to:</p> <ul style="list-style-type: none"> Use more precise wording in (A2) in Table 10.4.1 Activity table. It is not clear what is meant by 'subdivision of land including, or adjacent to 'future road connections'. Specify a non-complying activity status for proposals that do not meet rules requiring subdivision and development to provide the 'future road connections'.
Rules - Table 10.4.1 Activity table - (A6) and (A7)	Oppose	The distinction between the activities (A6) and (A7) in the activity table is not clear, and is dependent on a judgement as to whether or not Policy 11.3(7) is met. The type of judgement required can be appropriate for assessing a proposal, but is not workable for the purpose of determining whether a proposal is a restricted discretionary activity or a non-complying activity.	Amend or replace the activity descriptions for (A6) and (A7) in Table 10.4.1 Activity table with wording that is clear and precise so that plan users can easily determine the activity status of subdivision or development within the Neighbourhood Centre zone.
11.5 Notification (2)(a)	Oppose	Applications which infringe the standards requiring construction of the Western Link Road should be subject to the normal tests for notification. In addition to AT, there may be other parties which have an interest because the proposed alignment of this road joins	Delete the notification rule which requires infringements of Standard 11.6.1 Western Link Road to be considered without public or limited notification or the need to obtain written approval from affected parties.

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Issue	Support / oppose	Reasons for submission	Decision requested
11.6.1 Standards - Western Link Road	Oppose	<p>their property boundary. NZTA will have an interest where the proposed alignment intersects with State Highway 1.</p> <p>These proposed rules relating to the Western Link Road lack clarity and robustness. This will hinder the rules from achieving the desired outcome, that is construction of the road to collector road standard as subdivision and development occurs within the precinct, while securing opportunity for future upgrading to arterial road standard.</p>	<p>Delete the purpose statement at 11.6.1 Standards - Western Link Road and replace it with the following:</p> <p><u>'To provide for the transport needs of the precinct while allowing for the indicative Western Link Road to be upgraded to form part of a network serving the wider Wairkath area.'</u></p> <p>Amend the rule (11.6.1 Standards - Western Link Road) to require the developer, as part of consent for subdivision or development, to construct the road to an interim standard as a collector road, with appropriate design and additional land set aside to enable future upgrading to an arterial standard. As an example of a suitable rule refer to the 1610 Redhills Precinct, subdivision standard 1610.6.4.2(1)(c)(ii). This rule sets out some of the options for constructing an interim road cross section within a larger road reserve that provides for upgrading to arterial status.</p> <p>Apply a non-complying status to subdivision and development which does not meet the proposed new standard which sets construction and vesting requirements for the Western Link Road.</p>
1.6.3 Standards for Neighbourhood Centre	Oppose	<p>AT supports the proposal to provide a pedestrian connection between the Neighbourhood Centre and Hudson Road as indicated on Precinct Plan 1. However the standard, including the purpose statement, lacks clarity and robustness. It is not clear how the requirement to provide the pedestrian connection will occur in conjunction with subdivision and development, since the pedestrian connection extends beyond the Neighbourhood Centre zone and includes land proposed to be zoned Mixed Housing Urban. The rule heading and the purpose statement are overly broad do not align with the rule which focuses on pedestrian connections.</p>	<p>Amend 11.6.3 to read:</p> <p><u>'1.6.3. Standards for pedestrian connections to the Neighbourhood Centre</u></p> <p>'Purpose:</p> <ul style="list-style-type: none"> To achieve a versatile, accessible and high-quality pedestrian connection to the Neighbourhood Centre that provides positively for the needs of the local community. <p>(1) A pedestrian connection shall be provided <u>between the Neighbourhood Centre and Hudson Road to the</u></p>

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Issue	Support / oppose	Reasons for submission	Decision requested
			<p>eastern side of the Mahurangi river tributary as indicated on the Precinct Plan 1.</p> <p>(2) Pedestrian connections shall be provided to the adjoining indicative open space areas.</p> <p>Apply a non-complying status to subdivision and development which does not meet the standard for pedestrian connections to the Neighbourhood Centre.</p>
Missing provisions - restricting vehicle access to the Western Link Road	Oppose	Direct vehicle access to the Western Link Road needs to be restricted to support safe use of this transport corridor for walking, cycling and public transport. Development should be designed so that properties fronting the Western Link Road get vehicle access via rear lanes accessed from other roads.	<p>Amend the precinct plan to include rules for subdivision and development which restrict vehicle crossings from directly accessing the Western Link Road.</p> <p>Apply a non-complying status to subdivision or development which proposes direct vehicle access to the Western Link Road.</p>
Missing provisions - restricting vehicle access to Falls Road	Oppose	Direct vehicle access to Falls Road needs to be restricted or limited as this road is likely to be a primary walking and cycling route, with separated cycle facilities.	<p>Amend the precinct plan to include rules for subdivision and development which restrict vehicle crossings from directly accessing Falls Road.</p> <p>Apply a discretionary status to subdivision or development which proposes direct vehicle access to Falls Road.</p>
Missing provisions - restricting vehicle access to State Highway 1	Oppose	<p>Direct vehicle access from the northern plan change area onto State Highway 1 will already be restricted by other legislation and the arterial road identification in the AUP(OP). However this land is close to the future Ara Tūhono interchange (under construction) and the proposed intersection of State Highway 1 and the Matakana Link Road. Apart from the proposed Western Link Road, no other road or vehicle access to State Highway 1, can be accommodated.</p> <p>A motorway interchange control (as provided for in E27 Transport) may be required, but NZTA should be consulted about the type of vehicle access restriction.</p>	<p>Amend the plan change to include rules which prevent vehicle crossings and roads (other than the Western Link Road) from directly accessing State Highway 1 at the northern end of the plan change area.</p>
Missing provisions - collector roads	Oppose	The precinct plan does not identify any indicative locations for collector roads or require such roads to be constructed to service subdivision and development. The ITA undertaken by SGA to complement the Council's Warkworth Structure Plan identifies the need for a collector road within the plan change area. Separated	<p>Amend the precinct plan to provide for collector roads:</p> <ul style="list-style-type: none"> Identify indicative locations for collector roads Add provisions, including rules, to require the construction of collector roads with appropriate cycle

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Issue	Support / oppose	Reasons for submission	Decision requested
		cycle facilities should be provided on collector roads where possible. Such a collector road should be provided for in the precinct plan.	facilities and vehicle access controls as part of subdivision and development.
Missing provisions - interim bus station	Oppose	The ITA undertaken by SGA identifies an interim northern bus station / park and ride located within the northern part of the plan change area. This has not been addressed in the proposal.	Amend the precinct plan to address options for locating the proposed interim northern bus station / park and ride within the northern part of the plan change area.
Missing provisions - limitations on cul-de-sacs.	Oppose	The creation of cul-de-sacs should be discouraged or restricted to support the creation of a connected road network and support walking and cycling.	Amend the precinct plan to add provisions, including rules, which discourage or restrict creation of cul-de-sacs.
11.8 Assessment - restricted discretionary activities	Oppose	<p>The matters of discretion and assessment criteria are not sufficiently robust or comprehensive to provide for assessment against transport outcomes.</p> <p>In particular, the matters of discretion and assessment criteria should consider:</p> <ul style="list-style-type: none"> • connectivity within the plan change area as well as connectivity to adjacent land • the design of the road, rather than just the construction standard • safe and efficient operation of the transport network for all modes • the implementation of relevant transport upgrades (which need to be outlined in the precinct plan) 	Amend matters of discretion and assessment criteria to provide for more robust and comprehensive assessment of subdivision and development proposals against transport outcomes.
11.10.2 Precinct plan 2 - Warkworth North Stormwater Catchment Management Plans	Oppose	The purpose of the stormwater management information shown on Precinct Plan 2 is unclear. It shows a future roading network including roads which are not identified elsewhere in the precinct plan. It is not clear what the implications of the stormwater management indicated on this plan is for the future management of roads to be vested in the Council and managed by AT as Road Controlling Authority. Precinct Plan 2 includes some information which is more appropriately considered in conjunction with an application for resource consent.	Amend Precinct Plan 2 to clarify the stormwater management information as it relates to roads, particularly those roads which are not identified elsewhere in the plan change. Remove any detail which is not required or which may be misleading.
11.10.3 Precinct plan 3 - Western Link Cross-section	Oppose	There are some confusing anomalies in Precinct Plan 3 including some detailed information which does not need to be included in the AUP(OP):	Amend Precinct Plan 3 by deleting the tree pit example, the stormwater device information, and the indicative cross-section of the proposed local roads.

Issue	Support / oppose	Reasons for submission	Decision requested
		<ul style="list-style-type: none"> The indicative cross section of the Western Link Road should be deleted as cross-sections can become outdated. Rather text in the precinct plan rules can identify the likely width of the road, and the components it needs to contain. The cross-section of proposed local roads is not required as this level of detail will be determined at the time of subdivision and development. The details provided of tree pit and stormwater device do not clearly relate to any rules. This level of detail should not be included in the precinct plan but rather determined at the time of subdivision and development. 	<p>Amend Precinct Plan 3 by deleting the indicative cross section of the proposed Western Link Road and replacing it with text in the precinct plan rules identifying the likely width of the road and the components it needs to contain.</p>
Mitigation measures - Mansell Drive / Falls Road intersection	Oppose	The applicant's ITA identifies the need to upgrade the Mansell Drive / Falls Road intersection as part of subdivision and development. However this is not acknowledged or required in the precinct plan.	Amend the precinct plan to require the upgrading of the Mansell Drive / Falls Road intersection, including signalisation (or other appropriate intersection control), as part of subdivision and development.
Mitigation measures - staging	Oppose	The applicant's ITA discusses staging of development, but the precinct plan does not provide for staging of subdivision and development in order to co-ordinate with the provision of key transport infrastructure needed to service the development such as the Western Link Road, intersection upgrades, public transport services, and any upgrades required to existing roads such as Falls Road. As explained earlier in this submission, the applicant's ITA needs to be amended to provide further transport assessments to establish the extent of mitigation required to service the development provided for in the plan change.	Amend the precinct plan to include provisions to ensure that subdivision and development is integrated with the delivery of the transport infrastructure and services required to provide for the transport needs of the precinct, connect with the surrounding network and avoid, remedy or mitigate adverse effects. Provisions may include triggers or staging, or clear assessment and consenting processes, aligned to related objectives and policies.
Missing provisions - construction effects	Oppose	The rezoning will lead to construction activities associated with subdivision and development. Those construction activities will include increased use of heavy vehicles on routes to and from development sites. This is likely to result in pavement damage to roads some of which will be particularly unsuited to heavy vehicle use.	Amend assessment criteria and special information requirements to ensure that the impact of heavy construction vehicles on roads is properly assessed and avoided, remedied or mitigated by conditions of consent on subdivision and development. These amended provisions need to address the need for applicants to:

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Issue	Support / oppose	Reasons for submission	Decision requested
			<ul style="list-style-type: none"> • identify routes for heavy construction vehicles • undertake pavement strength testing to determine its suitability for use by heavy construction vehicles, and to set a baseline • monitor damage during construction • avoid, remedy and mitigate damage to roads including by strengthening, repairing and rebuilding roads.

**Submission on the Auckland Unitary Plan (Operative in Part)
Proposed Plan Change 25**

Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

Warkworth Service Centre
05 JUL 2019
Auckland Council

To: **Auckland Council**

1. SUBMITTER DETAILS

Name of Submitter: Warwick and Hueline Massey

Postal Address: Post Box 335, Warkworth 0941

Phone: 09 425 9246

Email: masseyw930@gmail.com

This is a submission on Auckland Council's Proposed Plan Change 25.

Could you gain an advantage in trade competition through this submission?

Please select one of the below options:

I **could** gain an advantage in trade competition through this submission.

I **could not** gain an advantage in trade competition through this submission.

Are you directly affected by an effect of the Proposed Plan Change in so far as it:

- a) Adversely affects the environment; and
- b) Does not relate to trade competition or the effects of trade competition.

Please select one of the below options:

I **am** directly affected by an effect of the subject matter of the submission.

I **am not** directly affected by an effect of the subject matter of the submission.

2. SCOPE OF SUBMISSION

The specific provisions of the proposal that this submission relates to are:

The whole of Proposed Plan Change 25

A specific part of Proposed Plan Change 25 as detailed below:

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In our opinion PPC25 has a far better outcome for the river verges which flows along the East boundary of the Turunstone site. Turunstone have shown protection of the western side of the river with open spaces and revegetation along this stretch.

The Warkworth Structure Plan (as adopted) shows further Industrial development along this stretch of the site — NOT A GOOD PLANNING DECISION 236!

Submission on the Auckland Unitary Plan (Operative in Part)

Proposed Plan Change 25

Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

3. SUBMISSION

Do you support or oppose the specific provisions of the proposal for which this submission relates? Please select one of the following:

Support As indicated on previous page.

Oppose See below.

The reasons for my views are:

As submitters we fully support the submission by the Warkworth Area Hudson Group (written by Roger Williams).

This submission expresses all our grave concerns about the management of traffic through this area from Mansell Drive to SH1 junction. We agree that the Turnstone Development should not proceed until the Western Link Road is completed.

The horrors of heavier traffic loads on Hudson and Falls Rd/View Rd is totally unacceptable.

I seek the following amendments to Proposed Plan Change 25:

17.1

That the Western Link Road be shown fully extended through the site and completed before development begins.

Submission on the Auckland Unitary Plan (Operative in Part)

Proposed Plan Change 25

Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

4. DECISIONS SOUGHT

I seek the following decision from Auckland Council:

- Accept** Proposed Plan Change 25
- Accept** Proposed Plan Change 25 with amendments as outlined above
- Decline** Proposed Plan Change 25

5. APPEARANCE AT COUNCIL HEARING

Do you wish to be heard in support of your submission? *Please select from the following:*

- I/we **wish** to be heard in support of my/our submission
- I/we **do not** wish to be heard in support of my/our submission

If others make a similar submission, I/we will consider presenting a joint case with them at the hearing: *Please circle one:*

- YES
- NO

6. SIGNATURE AND DATE SIGNED

Ashley Massey

Signature of person(s) making submission

05/07/2019

Date

Step 1 - Submitter and agent details

Full name of submitter

Z Energy Limited

Organisation name (optional)

Enter the organisation name if the submission is on behalf of an organisation.

Z Energy Limited

Agent's full name (optional)

Enter the name of your agent if applicable.

Mark Laurensen, 4Sight Consulting Limited

Email address

markl@4sight.co.nz

Postal address (required under section 352 of the act if no email address available)

PO Box 911 310, Victoria Street West

Suburb

Auckland

City

Auckland

Postcode

[Find your postcode](#)

1142

Step 2 – Submission details

Specific provisions

Z Energy Limited operates an existing service station (Z Warkworth) from the site at 1 Hudson Road (corner of Hudson Road and SH1). The site is zoned Business - General Business Zone in the partially operative Auckland Unitary Plan.

PPC 25 proposes to rezone a large tract of land including land adjacent the Submitter's site. As part of the documentation in support of the rezoning, the Applicant is relying on a long-term wastewater solution that is based on certain assumptions. The Submitter is aware that a residential wastewater loading has been assumed and applied to the Submitter's site at 1 Hudson Road. This is depicted at Figure 10 to the Applicant's s32 Analysis Report dated 21 January 2019 (and also in the Land Development Report at Appendix 18), which encompasses the Submitter's site within East Catchment B Zone and records that the catchment is zoned residential.

Property address (optional)

Enter the property address that the submission relates to.

Do you support or oppose the provisions you have specified?

- I or we support the specific provisions identified
- I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended?

- Yes
- No

Reason for views

The Submitter supports the development of a long-term wastewater solution for Warkworth North, including the site at 1 Hudson Road but seeks to ensure that the promoted solution makes sufficient provision for wastewater volumes arising from the existing operational service station at Z Warkworth. The Submitter is concerned that this may not be the case as Figure 10 to the s32 Analysis Report that accompanies the plan change (and the underlying Land Development Report) identifies the site as being within a residential catchment area (East Catchment B) when in fact Z Warkworth is an established service station in a General Business Zone. The Submitter notes that the application of residential wastewater loadings to this site does not provide an adequate assessment of existing or potential wastewater loadings. The Submitter wishes to see the wastewater loading potential for this site amended accordingly (to recognise the Business zoning of the site and the potential wastewater loading that can be associated with such a zoning, having regard to the potential for changes in land use or land use intensity over time in accordance with the zoning of the site).

I or we seek the following decision by council

- Accept the plan modification
- Accept the plan modification with amendments**
- Decline the plan modification
- Amend the plan modification if it is not declined

Amendments sought

18.1

Ensure that any wastewater solution provided through PPC25 is appropriately designed to accommodate the potential commercial wastewater loadings that can be generated from the business zoned site at 1 Hudson Road, including Z Warkworth.

The Submitter understands from a meeting with Watercare (Ilza Gotelli, 28 June 2019) that these loadings have already been factored into Watercare's long term plans but seeks to ensure that the appropriateness of doing the same is clearly recognised in the assumptions made in association with the development of the land subject to PPC25 and in the documentation supporting PPC25.

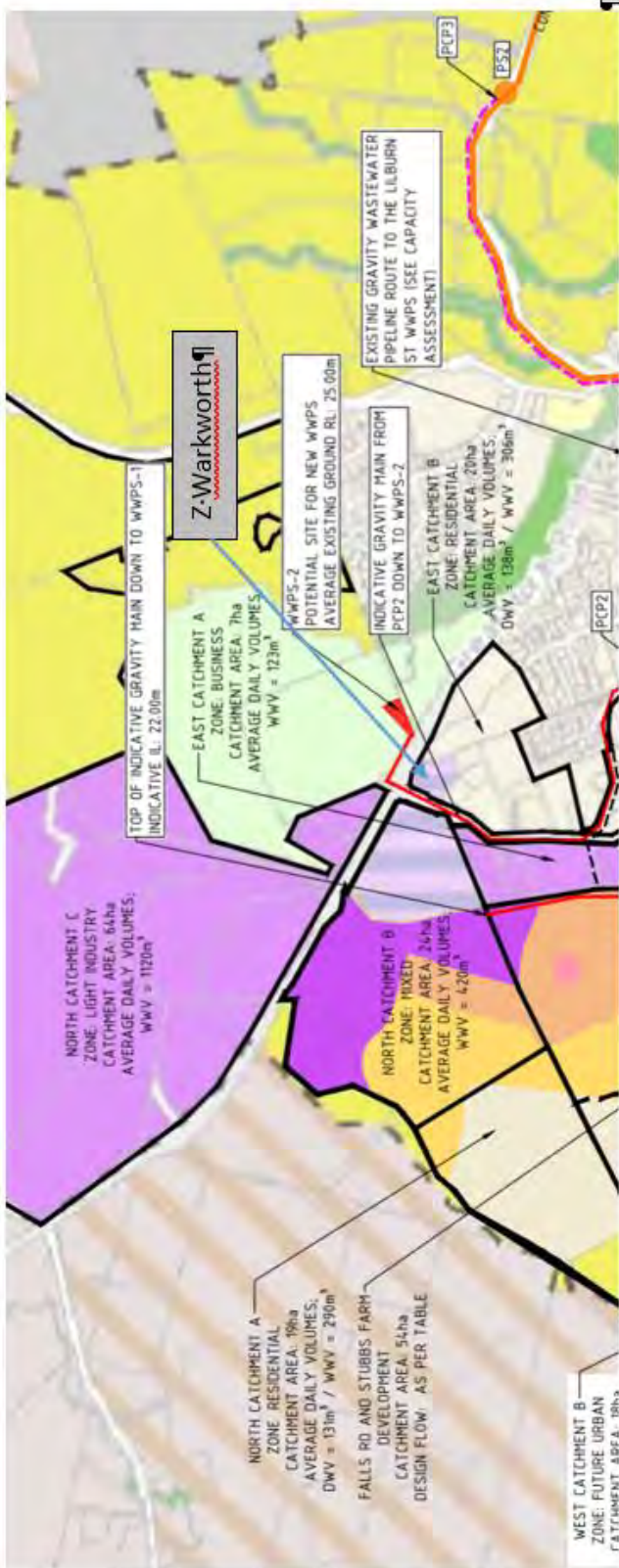


Figure 1 — Z-Warkworth in the context of the options for wastewater servicing for the Plan-Change area, adapted from Figure 10 to the applicant's s32 assessment report dated 21 January 2019.

Attend a hearing

Step 3 of 4

[← Back to start](#)

Do you wish to be heard in support of your submission?

Yes

No

If you could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6 (4) of part 1 of Schedule 1 of the Resource Management Act.

Could you gain an advantage in trade competition through this submission?

- Yes
 No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition

- Yes
 No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

PROPOSED PRIVATE PLAN CHANGE 25 – WARKWORTH NORTH

1 SUBMITTER DETAILS

Submission by:

Summerset Villages (Warkworth) Limited
Owner of Summerset Falls Village at 31 Mansel Drive, Warkworth

Agent and Address for Service for Submission

Andrew Wilkinson
Scott Wilkinson Planning
PO Box 37-359
Parnell
Auckland
Email: andrew@scottwilkinson.co.nz
Phone: (09) 354 4166 or Mobile: 021 619 571

2 SUBMITTER LOCATION AND BACKGROUND

Summerset Villages (Warkworth) Limited own the 79,357m² site known as Summerset Falls Village containing a comprehensive care retirement village that has 204 independent units, plus 44 care apartments and 41 care beds located at 31 Mansel Drive, Warkworth.

The location of the Summerset Falls Village is identified as a mark-up on the map provided as Attachment 1 to this submission.

The Summerset Falls Village was established in 2010 and further extended in 2016 - 2018.

3 SUBMISSION

3.1 ZONING

The submitter agrees that a plan change is necessary to facilitate development of the Warkworth North area.

The submitter supports the Residential – Single House and Residential - Mixed Housing Suburban zoning identified to the north of their site on the northern side of Falls Road as it will provide an appropriate level of intensity of development in the Warkworth North area; and is reflective of the intensity of existing development in proximity to the area, such as the Summerset Falls Village.

The submitter would oppose any increase in intensity in residential zoning above that indicated in Proposed Private Plan Change 25 in the areas north of the Summerset Falls Village.

3.2 INFRASTRUCTURE PROVISION

Proposed Private Plan Change 25 proposes a wastewater treatment pumping station (identified as WWPS Location – 1) and a ‘dry basin’ stormwater device (Device A) to be located on land outside of the private plan change area and not owned by the private plan change proponent, to the more immediate north of the Summerset Falls Village.

The submitter opposes and objects to the proposed location of the proposed wastewater treatment pumping station (WWPS – Location 1) and proposed dry basin (Device A) in close proximity to their site, given the potential for adverse amenity impacts on the existing residential retirement village from odour; and from wastewater and stormwater overflows and flooding.

The submitter considers that the plan change proponent should locate all infrastructure associated with their Private Plan Change area within that Private Plan Change area on their own land.

3.3 TRAFFIC AND ROADING

The traffic environment surrounding the Summerset Falls Village is identified to change substantially, especially along Mansel Drive and to the north as a result of the proposed western link road.

The western link road is proposed to be a four-lane road within a corridor of 29.5m. This is expected to connect to the currently two-lane, approximately 20m wide, Mansel Drive at the southern end.

The submitter is concerned about the cumulative and increased traffic effects on the Summerset Falls Village and the limited ability for these to be mitigated on Mansel Drive; as a result of the combination of the proposed western link road, the need to develop the intersection of Falls Road / Mansel Drive and the western link road with traffic signals; and the re-zoning and likely development that is indicated to occur under the now adopted Warkworth Structure Plan for the wider Warkworth area.

The submitter seeks better indication and understanding of the likelihood and timing of any upgrades or widening to Mansel Drive, noting the current width (i.e. approximately 20m wide) and existing development on either side (i.e. Summerset Falls Village and Mitre 10) that any ability to widen Mansel Drive is considered to be limited.

The submitter provided feedback on the draft Warkworth Structure Plan. In that feedback the submitter advised that they consider that transport agencies should be in direct discussions with them as an affected landowner. Furthermore, the submitter reserved the right to comment further on roading and traffic matters when Council provides details of what Mansel Drive is anticipated to look like in 2046 under the Auckland Unitary Plan (road cross-section and vpd), compared to the Warkworth Structure Plan (road cross-section and vpd). This matter is reiterated in this submission, in light of the Proposed Private Plan Change and the traffic and roading submission points made above.

4 RELIEF SOUGHT

The submitter seeks the following relief:

- 19.1 | 1. That the location of Residential – Single House and Residential – Mixed Housing Suburban zones as identified in the map provided as Attachment 1 to this submission and as identified in the Proposed Private Plan Change 25 maps, be confirmed.
- 19.2 | 2. That the proposed wastewater pumping station (WWPS – Location 1) and dry basin (Device A) identified on land to the north of the Summerset Falls Village be relocated away from the submitters property and contained wholly within the private plan change proponents land.
- 19.3 | 3. That further and better consideration be given to the cumulative and increased traffic effects and potential mitigation measures and their limitations on Mansel Drive as a result of the both the development of the western link road; any connections to Mansel Drive required under the proposed private plan change and development of the western link road; and as a result of the development of the wider Warkworth Structure Plan area.

OR

4. Such other relief that will meet the concerns of the Submitter.

AND

5. Such consequential relief necessary to give effect to this submission.

5 OTHER

Summerset Villages (Warkworth) Limited will not gain an advantage in trade competition through this submission.

Summerset Villages (Warkworth) Limited is directly affected by an effect of the subject matter of the submission that adversely affects the environment; and does not relate to trade competition or the effects of trade competition.

Summerset Villages (Warkworth) Limited wishes to be heard in support of its submission.

If others make a similar submission, the submitter will consider presenting a joint case with them at any hearing.



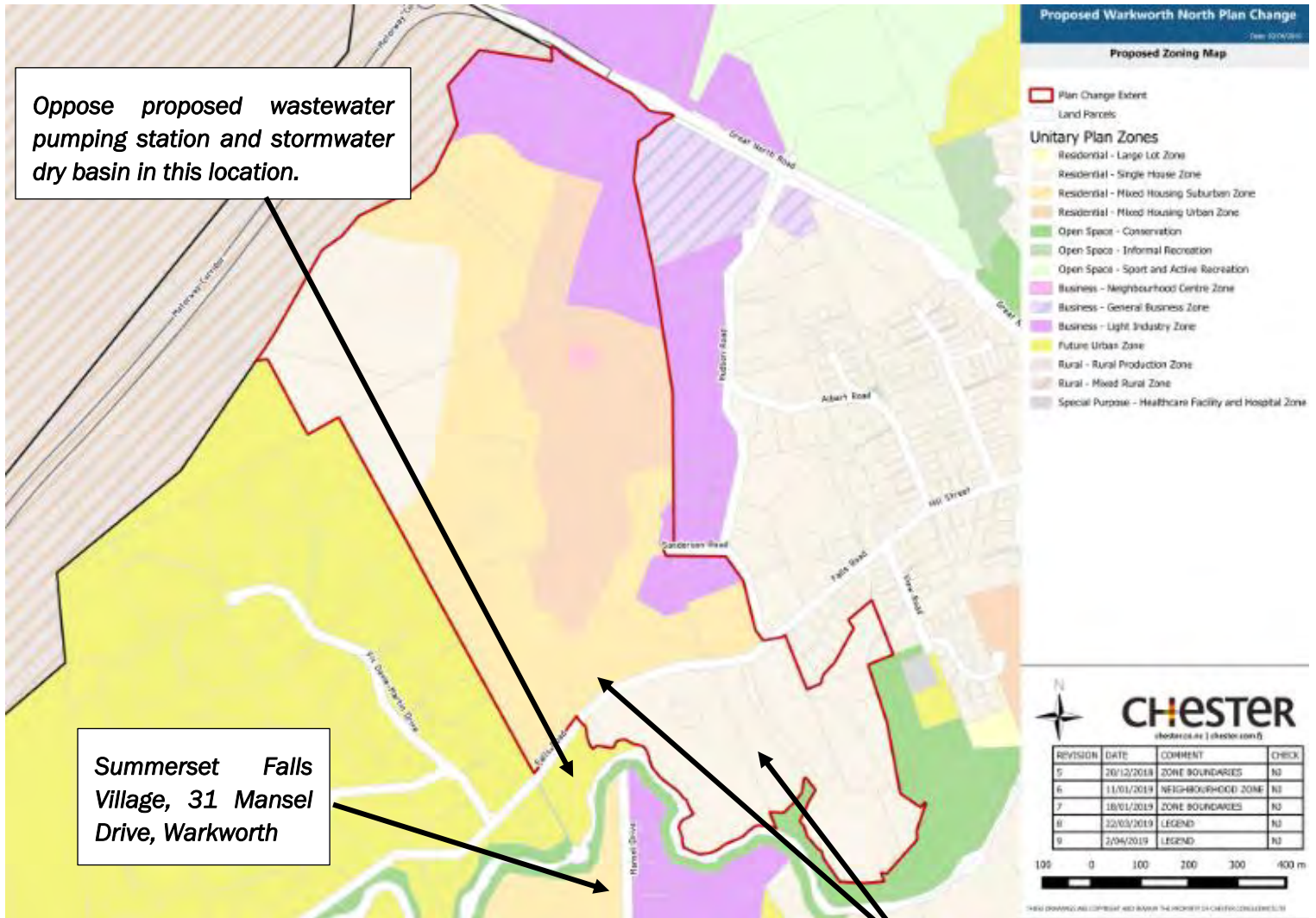
Aaron Smail

Duly authorised agent for
Summerset Villages (Warkworth) Limited

Date: 3 July 2019

ATTACHMENT 1

Location of Summerset Falls Village, 31 Mansel Drive, Warkworth and identification of submission point locations supported or opposed



SUBMISSION ON

PROPOSED PRIVATE PLAN CHANGE 25 WARKWORTH NORTH, WARKWORTH

SUBMITTER DETAILS:

1. Name: Atlas Concrete Ltd
2. Address for Service:
Postal: c/- Haines Planning
PO Box 90842
Victoria Street West
AUCKLAND 1142

Email: kaaren.rosser@hainesplanning.co.nz
3. Contact Person: Kaaren Rosser
Senior Planner
Haines Planning
4. Date of Submission: 5 July 2019

SCOPE OF SUBMISSION:

5. This submission by Atlas Concrete Limited ("Atlas") relates to the property at 24 & 26 Hudson Road, Warkworth, which is owned and operated by Atlas as a concrete batching plant and dry goods sales depot.
6. This submission relates to the request made by Turnstone Capital Ltd to Auckland Council for a private plan change. Private Plan Change 25 ('PPC25') seeks to rezone 99 hectares of Future Urban zone land in the north of Warkworth, between Falls Road and State Highway 1, to a mix of business and residential zones.
7. This submission relates to the proposed re-zoning of land proximate to the Atlas Concrete site.

INTRODUCTION

8. Atlas is an incorporated company that supplies ready mix concrete, pre-cast concrete, aggregates and other related products within the Auckland and Northland regions through 11 branches across five divisions: Atlas Concrete, Atlas Quarries, Atlas Recycling, Mount Rex Shipping and Atlas Tilt Slab.
9. Atlas operates a concrete batching plant and trade supplies (dry goods) depot at 24 and 26 Hudson Road, Warkworth. The concrete plant has recently become operational, and the trade supply depot is in its final stages of construction.
10. 24 and 26 Hudson Road have been identified as affected properties with respect to PPC25 as they are immediately to the east of the proposed Plan Change area.
11. Atlas previously submitted on the separate Draft Warkworth Structure Plan and Warkworth Structure Plan consultations initiated by Auckland Council. These submissions focussed on transport connections and reverse sensitivity effects and generally supported Auckland Council's approach to the future zoning of land in Warkworth North. Auckland Council has subsequently adopted the Warkworth Structure Plan as outlined below.

COUNCIL-ADOPTED WARKWORTH STRUCTURE PLAN

12. On 4 June 2019, the Planning Committee of Auckland Council adopted the Warkworth Structure Plan (WSP). The WSP provides for future employment growth and new industrial areas at a capacity that equates with Warkworth being a significant satellite town. Three new industrial areas are proposed, with two of these areas being adjacent to existing industrial areas.
13. **Figure 1** below shows the Council-proposed industrial area (coloured purple) located to the west of the existing industrial properties along Hudson Road. The western boundary of the extended industrial area is the proposed Western Link Road. The Structure Plan document states that the proposed industrial land '*limits the interface of the new industrial land with potentially sensitive uses and allows industrial activities to co-locate*'. It also states that the 30-metre wide Western Link Road '*will act as a buffer, providing physical separation between the industrial land and the residential land uses on the other side of the road to prevent conflicts between these uses*'.
14. The WSP also recommended, for amenity reasons between zones, that urban design solutions for the frontages of the industrial zone along the Western Link Road would be needed.
15. As noted, Atlas supports the Council's decision on the location of industrial land under the adopted WSP, the latter having been established through assessment of the land's characteristics and extensive community consultation. It is therefore considered that unsatisfactory planning outcomes will result from PPC25, which does not align with the WSP.

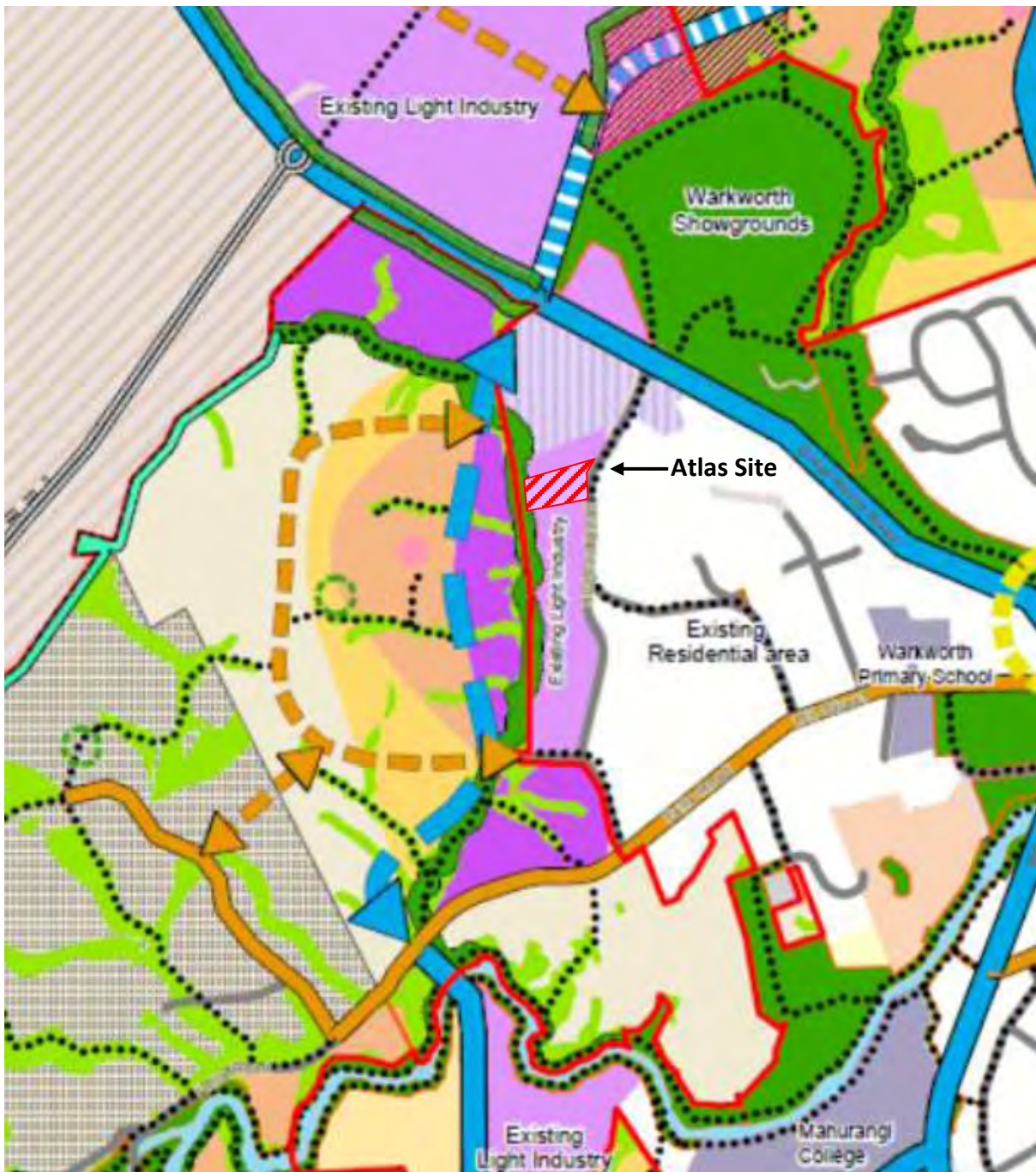


Figure 1: Excerpt from Auckland Council adopted Warkworth Structure Plan

PPC25 PROPOSED ZONING PATTERN

- 16. Atlas opposes the proposed zoning of land (west of the existing industrial area at Hudson Road) to Residential - Mixed Housing Urban. As shown at **Figure 2** below,

the proposed Mixed Housing Urban zones are immediately adjacent to the majority of the Hudson Road industrial area and within 30 metres of Atlas's newly completed concrete batching plant. As noted, the proposed PPC25 residential zoning conflicts with the Council's adopted Warkworth Structure Plan.

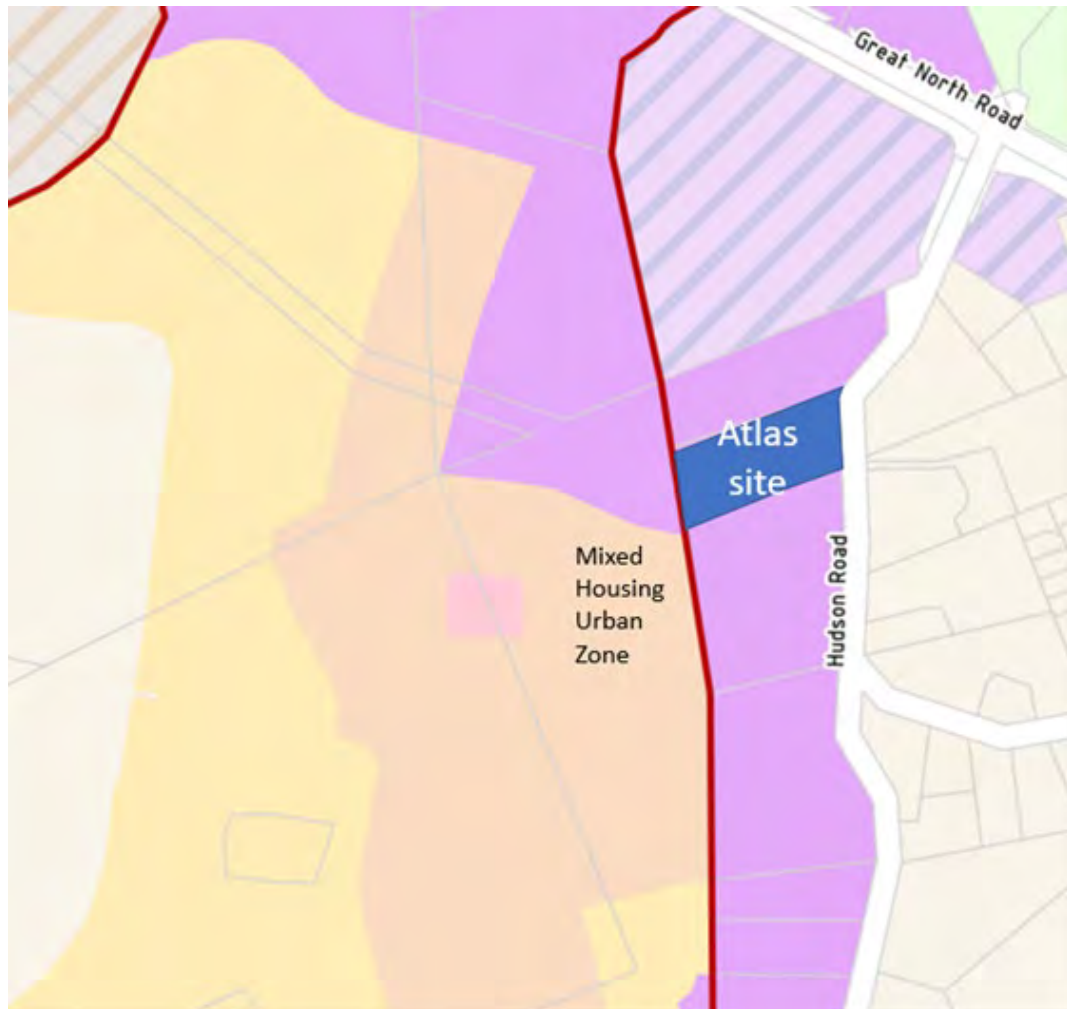
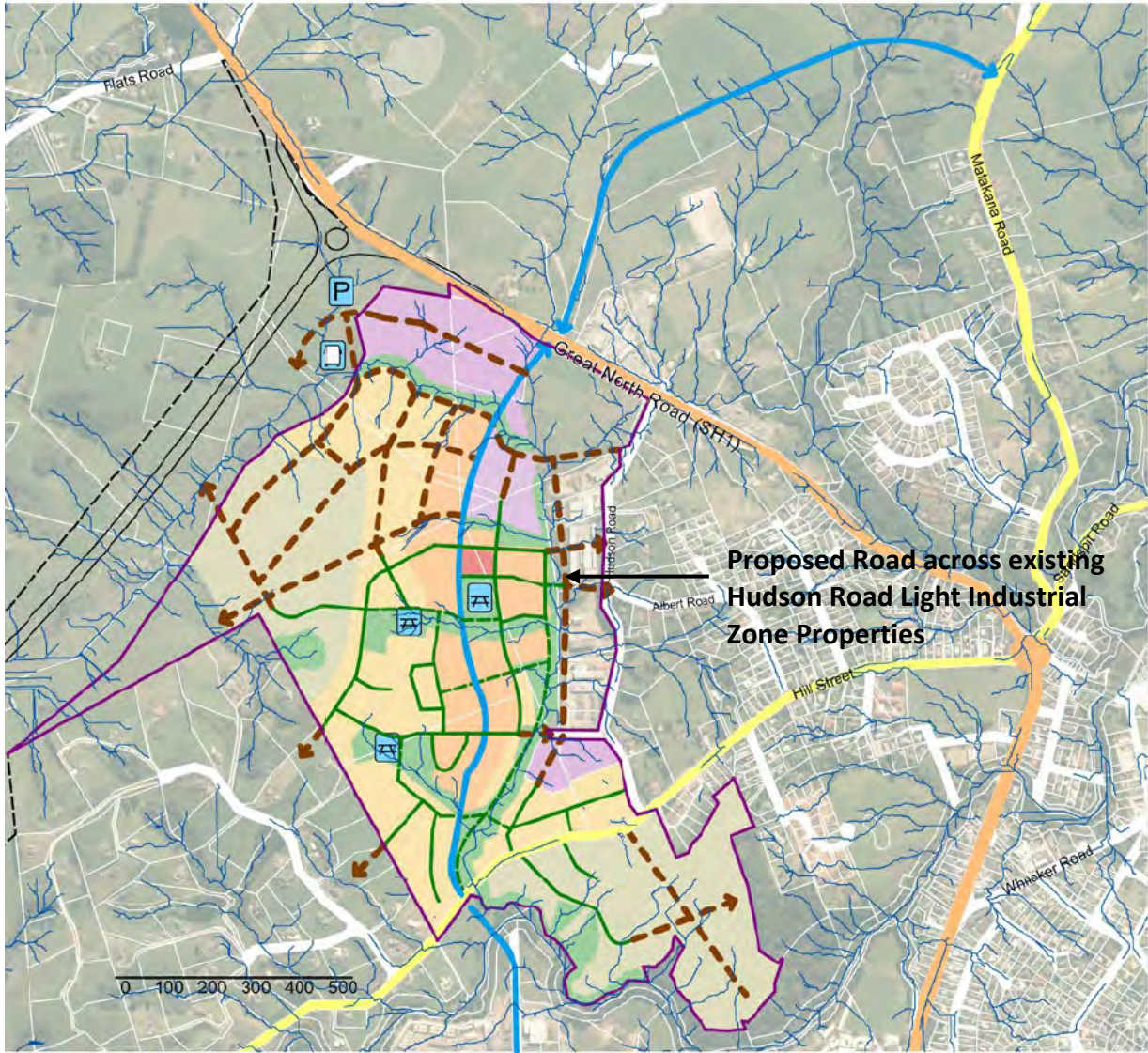


Figure 2: PPC25 Proposed zoning in relation to Atlas site

17. Atlas disagrees with the conclusions of the privately proposed Warkworth North Structure Plan (WNSP) and Section 32 report of PPC25, particularly with regards to the location of the proposed residential zoning.
18. The WNSP fails to take into consideration recognised 'edge effects' with the existing Hudson Road Light Industry Zone, being potential amenity and reverse sensitivity effects at this edge. The WNSP suggests that these effects will be managed by locating roads or open spaces between industrial and residential areas.
19. The WNSP also proposes a "schematic proposed road" (shown as a green line) on the western side of the stream running parallel to a fanciful proposed road (shown as brown dos) thereby "borrowing" land on the eastern side of the

stream to give the impression of a wide open space buffer between the two roads. Refer **Figure 3** below.

20. The green “schematic proposed road” is then excluded from related precinct plan maps which feature only a narrow SEA overlay for the stream valley, with this being the only buffer between the Atlas site and proposed Mixed Housing Urban Zone. Additionally, the WNSP map shows proposed roads (solid green lines) located to the west of the stream and Hudson Road industrial land. However, Precinct Plan 2 of the WNSP shows no indicative roads at this location.
21. The proposed zoning and precinct provisions also do not provide any certainty that open spaces will be provided or that landscaping will result in providing a suitable buffer for the existing industrial uses.
22. Approximately half of the stream at the western edge of the Hudson Road industrial area is located within the existing industrial land owned by Atlas. The WNSP Ecological Assessment reports that this stream has an average width of 1.2 metres. The PPC25 documents suggest that open space will be achieved by the creation of esplanade reserves through subdivision. Where the stream is located within or adjoining the Hudson Road industrial properties, it is very unlikely that they will be subdivided, if at all. The stream width is also insufficient (a minimum of 3 metres is required) to trigger an esplanade reserve within the Stubbs Farm land.
23. While the precinct rules provide for protection of streams and wetlands as a Permitted Activity, the Stream standard I1.6.2 does not require planting which would act as a visual buffer to the existing industrial uses. Nor is there a corresponding precinct rule for non-compliance of the proposed ‘stream enhancement’ standard. Only stream loss along this particular section of stream requires a resource consent. Accordingly, any visual landscape buffer is unlikely to result. Nor does PPC25 recognise that landscape planting, by itself, will not offer any acoustic protection.



- | | |
|---|---|
| Warkworth Structure Plan Boundary | Residential - Single House Zone |
| Proposed new link road corridors-Refer also Transport Networks Drawings | Residential - Mixed Housing Suburban Zone |
| Proposed AT Park and Ride | Residential - Mixed Housing Urban Zone |
| Proposed Neighbourhood Park | Business -Light Industry |
| Schematic proposed roads (indicative) | Business - Neighbourhood Centre Zone |
| Schematic proposed pedestrian and cycle connection (indicative) | Open Space - Informal Recreation Zone |
| Potential Future Roads | Warkworth Structure Plan Boundary |
| Existing Watercourse | |

SCALE @ A3 = 1:10,000
SCALE @ A4 = 1:15,000



Figure 3: Proposed Warkworth North Structure Plan (for PPC25)

24. The submitter considers that the provision of Light Industrial zone land to the west of the existing Hudson Road industrial properties, the proposed Western Link Road, will best provide the required buffer as already proposed in the Council-adopted Warkworth Structure Plan.
25. The co-location of industrial zone land, on both sides of the valley floor, will generally eliminate any adverse air discharge effects from the existing industrial land. It would also improve noise compliance given the topography of the land and location of the proposed Western Link Road. Similarly, landscaping to a 3 metre depth needs to be provided adjoining the land zoned Open Space zone land., while landscaping is also required within the 2m front yard of the proposed Light Industry zone land. Given the valley contours, this would significantly reduce any visual effects from the existing industrial land.
26. The Precinct policies should also recognise reverse sensitivity effects from the existing industrial areas and provide for visual screening and other controls around the edge of existing industry zoned land.

DECISION SOUGHT

27. Atlas OPPOSES the proposed re-zoning pattern in PPC25 as notified, and considers that it:
 - a) Will not promote the sustainable management of existing land and improvements (being natural and physical resources); and
 - b) Will otherwise be inconsistent with the purpose and principles of the Resource management Act 1991('RMA')
28. Further, it is considered that the objectives, policies and methods of the method of PPC25 as they relate to the submitter's site are inappropriate and unjustified in terms of s32 RMA.
29. Atlas seeks the following relief from the Council:
 - a) That PPC25 be refused; or
 - b) Replace the proposed PPC25 zoning pattern to align with the proposed land pattern shown in the Council's adopted Warkworth Structure Plan, particularly as it relates to land proximate to the Atlas landholding at 24 and 26 Hudson Road.
30. Atlas agrees to participate in mediation or other alternative dispute resolution and would be pleased to discuss the content of this submission with Council staff if required.

20.1

For and on behalf of Atlas Concrete Ltd:



Kaaren Rosser (BSc, Dip Nat Res, CertPlan, Assoc.NZPI)

Senior Planner

1404 PPC25 SUB

Submission on the Auckland Unitary Plan (Operative in Part)

Proposed Plan Change 25

Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

To: **Auckland Council**

1. SUBMITTER DETAILS

Name of Submitter: David Oliver

Postal Address: 24 Viv Davie-Martin Drive
Warkworth 0984

Phone: 0272 657 570 Email: warkwortholivers@gmail.com
09 425 8370

This is a submission on Auckland Council's Proposed Plan Change 25.

Could you gain an advantage in trade competition through this submission?

Please select one of the below options:

- I **could** gain an advantage in trade competition through this submission.
- I **could not** gain an advantage in trade competition through this submission.

Are you directly affected by an effect of the Proposed Plan Change in so far as it:

- a) Adversely affects the environment; and
b) Does not relate to trade competition or the effects of trade competition.

Please select one of the below options:

- I **am** directly affected by an effect of the subject matter of the submission.
- I **am not** directly affected by an effect of the subject matter of the submission.

2. SCOPE OF SUBMISSION

The specific provisions of the proposal that this submission relates to are:

- The whole of Proposed Plan Change 25
- A specific part of Proposed Plan Change 25 as detailed below:

- The "Potential Future Roads" that enter the
Viv Davie-Martin Drive sub-division on the South West boundary
- The Bush and River walkways
- The Public use areas - Food, Outdoor, Cinema, Playground
- The Indicative western link Road

Submission on the Auckland Unitary Plan (Operative in Part)

Proposed Plan Change 25

Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

3. SUBMISSION

Do you support or oppose the specific provisions of the proposal for which this submission relates? Please select one of the following:

Support

Oppose

The reasons for my views are:

I oppose the potential future roads that are marked to enter the Uiv Davie-Martin Drive subdivision as they will have adverse effects on a large number of properties along Uiv Davie-Martin Drive by driving down land values, increased traffic noise, loss of protected bush areas, stress to residents on or adjacent to affected properties, "rat running", high level of uncertainty for years as to whether the roads will ever be needed or installed thus severely impacting a large number of residents.

21.2

I support the public use areas, including food areas, bush walks, river walks, outdoor cinema and playgrounds

I seek the following amendments to Proposed Plan Change 25:

21.1

Have the roads that are marked to enter the Uiv Davie-Martin subdivision converted to cut-de-sacs at the boundary and removed as possible future roads

Submission on the Auckland Unitary Plan (Operative in Part)

Proposed Plan Change 25

Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

4. DECISIONS SOUGHT

I seek the following decision from Auckland Council:

- Accept** Proposed Plan Change 25
- Accept** Proposed Plan Change 25 with amendments as outlined above
- Decline** Proposed Plan Change 25

5. APPEARANCE AT COUNCIL HEARING

Do you wish to be heard in support of your submission? *Please select from the following:*

- I/we **wish** to be heard in support of my/our submission
- I/we **do not** wish to be heard in support of my/our submission

If others make a similar submission, I/we will consider presenting a joint case with them at the hearing: *Please circle one:*

- YES
- NO

6. SIGNATURE AND DATE SIGNED



Signature of person(s) making submission



Date

FORM 5

Submission on a notified proposal for Private Plan Change 25 Warkworth North under Clause 6 of Schedule 1 Resource Management Act 1991

5th July 2019

Auckland Council
Plans and Places
Private Bag 92300
Auckland 1142
Attn: John Duguid

Email: unitaryplan@aucklandcouncil.govt.nz

Name of submitter: The New Zealand Transport Agency

This is a submission on Private Plan Change 25 Warkworth North (**Plan Change**) to the Auckland Unitary Plan (operative in Part).

The New Zealand Transport Agency (**the Transport Agency**) could not gain an advantage in trade competition through this submission.

NZ Transport Agency role and responsibilities

The Transport Agency is a Crown Entity established by Section 93 of the Land Transport Management Act 2003 (**LTMA**). The Transport Agency's objective is to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest. The Transport Agency's roles and responsibilities include:

- Managing the State Highway system, including planning, funding, designing, supervising, constructing, maintaining and operating the system.
- Managing funding of the land transport system, including auditing the performance of organisations receiving land transport funding.
- Managing regulatory requirements for transport on land and incidents involving transport on land.
- Issuing guidelines for and monitoring the development of regional land transport plans.

The Plan Change relates to areas that adjoin and potentially affect State Highway 1; both the existing State Highway 1 (Great North Road) and Ara Tuhono – Puhoi to Warkworth, which is presently under construction. The Transport Agency's interest in this proposed Plan Change stems from its role as:

- A transport investor to maximise effective, efficient and strategic returns for New Zealand.
- A planner of the land transport network to integrate one effective and resilient network for customers.

- Provider of access to and use of the land transport system to shape smart efficient, safe and responsible transport choices.
- The manager of the State Highway system and its responsibility to deliver efficient, safe and responsible highway solutions for customers.
- A collaborative partner in Te Tupu Ngātahi (Supporting Growth Alliance).

Government Policy Statement on Land Transport.

The Transport Agency also has a role in giving effect to the Government Policy Statement (GPS), the GPS outlines the Government's strategy to guide land transport investment over the next 10 years. The GPS is required under the Land Transport Management Act 2003, which sets out the scope and requirements for the GPS.

The four strategic priorities of the GPS are safety, access, environment and value for money. The National Objectives for land transport include a transport system that:

- Is a safe system, free of death and serious injury.
- Provides increased access to economic and social opportunities.
- Enables transport choice and access.
- Is resilient.
- Reduces greenhouse gas emissions, as well as adverse effects on the local environment and public health.
- Delivers the right infrastructure and services to the right level at the best cost.

A key theme of the GPS is integrating land use, transport planning and delivery. Land use planning has a significant impact on transport policy, infrastructure and services provision, and vice versa. Once development has happened, its impact on transport are long term. Changes in land use can affect the demand for travel, creating both pressures and opportunities for investment in transport infrastructure and services, or for demand management. Likewise, changes in transport can affect land use.

Transport Sector Outcomes Framework

In June 2018, the Ministry of Transport launched the Transport Sector Outcomes Framework (Framework). The Framework defines the long-term strategic outcomes for New Zealand's transport system and explains how Government and the transport sector should work towards these outcomes through a guiding principle of mode neutrality. The purpose of the transport system is to improve people's wellbeing, and the liveability of places. It does this by contributing to the following outcomes:

- Inclusive Access – enabling all people to participate in society through access to social and economic opportunities, such as work, education, and healthcare.
- Economic prosperity – supporting economic activity via local, regional, and international connections, with efficient movement of people and products.
- Healthy and safe people – protecting people from transport-related injuries and harmful pollution and making active travel an attractive option.
- Environmental sustainability – transitioning to net zero carbon emissions, and maintaining or improving biodiversity, water quality, and air quality.
- Resilience and security – minimising and managing the risks from natural and human-made hazards, anticipating and adapting to emerging threats, and recovering effectively from disruptive events.

Wider Context

In making this submission, the Transport Agency is cognisant of the context of the Plan Change and ongoing planning processes and projects. These include:

- The construction of the Ara Tuhono – Puhoi to Warkworth (**P2Wk**) motorway by the Northern Express Group.
- The Transport Agency's Notice of Requirement for works to widen State Highway 1 between Hudson Road and the new northern connection to P2Wk (under appeal).

- The Transport Agency's planning process for the Ara Tuhono; Warkwork to Wellsford project.
- The Notice of Requirement (NoR) lodged by Auckland Transport for the 'Matakana Link Road' connecting Matakana Road to State Highway 1 with an intersection in proximity to the plan change area.
- Te Tupu Ngātahi's (Supporting Growth Alliance) planning work on the Warkworth transport network which includes an arterial (proposed Western Link Road) to connect to State Highway 1 (SH1) in the vicinity of the proposed SH1/Matakana Link Road intersection.
- Application for a new supermarket (Foodstuffs) (Sec 4 SO 476652) directly east of the plan change site.
- The Council adopted Warkworth Structure Plan.

A high level of care is required to ensure integrations between the projects in the area and the planning outcomes being sought, all of which have differing timeframes.

Decision sought


The Transport Agency does not oppose the Plan Change but seeks amendments and / or further information to provide greater certainty around the provision of transport infrastructure.

Decisions that the Transport Agency seeks on the Plan Change are set out in its submissions contained in **Table 1**. The Transport Agency also seeks any consequential changes to the Plan Change required to give effect to the relief described in **Table 1**.

Hearings

The Transport Agency wishes to be heard in support of its submission. If others make a similar submission, the Transport Agency will consider presenting a joint case with them at a hearing.

Signature of person authorised to sign on behalf of Submitter:



Evan Keating

Principal Planner

NZ Transport Agency


Address for Service of person making submission:

NZ Transport Agency

Contact Person: Evan Keating

Email: Evan.Keating@nzta.govt.nz

Table 1: Plan Change 25: Warkworth North Submission

No.	Provision Number	Provision	Agency Submission / Relief Sought New text underline Deleted text strikethrough
1	Planning Maps and Precinct Provisions – Maps (Appendix 1 Parts 1 and 2)	Plan Change Boundaries	<p>Submission: Retain with amendment.</p> <p>Reason: Maps within the Private Plan Change (PPC) do not consistently reflect the boundary of the PPC area (denoted in red). For example, the area to the south of Falls Road is included in some maps but not on others.</p> <p>Maps should be updated to clearly reflect the extent of the PPC.</p>
2	Planning Map	Vehicle Access Restriction	<p>Submission: Adopt new mapped provision.</p> <p>Reason: The PPC is located in close proximity to the Ara Tuhono Interchange – Puhoi to Warkworth. As is provided for at other motorway interchanges under the Auckland Unitary Plan, a Vehicle Access Restriction (VAR) is proposed to be applied to manage the establishment of vehicle accesses in close proximity to the interchange.</p> <p>The VAR is proposed in the location identified on Figure 1. No additional rules are necessary to support the change to match extent as activity is already managed within E27.4.1(A7).</p> <p>Figure 1: VAR Location (Green Dash)</p> 

22.1

22.2

3	Whole of plan change	Reference to Western Link Road / east-west link	<p>Submission: Retain with amendment.</p> <p>Reason: The Western Link Road is referred to both as the <i>east-west link</i> and the <i>Western Link Road</i>. To assist plan users, it is requested that terminology used is consistent, with the Western Link Road being preferred (instead of east-west link) within the PPC.</p> <p>Consequential changes throughout the PPC will be required.</p>
4	Whole of plan change	Location of Western Link Road	<p>Submission: Support with amendment.</p> <p>Reason: The Western Link Road alignment is currently under investigation and is not yet confirmed. The Transport Agency's agreement to the connection of the Western Link Road to Great North Road/SH1 is required.</p> <p>The specific location of the connection points to Great North Road/SH1 and Falls Road should provide more flexibility on the Precinct Plans. In particular, the Transport Agency requests that two key intersections are more generally indicated as approximate locations (rather than defined points currently shown).</p> <p>Relief sought: New notations (for example, circles at intersections) are provided on the Precinct Plans to indicate some flexibility for intersection locations.</p>
5	Whole of plan change	Whole of plan change	<p>Submission: Support in part.</p> <p>Reason: Strategic planning documents (Auckland Plan, FULSS and Council's adopted Structure Plan) signal Warkworth as a satellite town and an area to accommodate residential and business growth. The Transport Agency generally supports the proposal as its broader purpose is largely consistent with this strategic direction.</p> <p>Council has progressed this strategic vision to include a Future Urban Zone within the Auckland Unitary Plan and a recently adopted Structure Plan (ASP). The Transport Agency supports the Council's structure plan process including through its transport planning input within Te Tupu Ngātahi (Supporting Growth Alliance).</p> <p>The PPC identifies less business zoned land than the ASP. The Transport Agency considers that careful analysis of changes to the ASP should be made given the extent of investigation and investment in this process. Failure to do this potentially undermines forward planning in transport infrastructure based on the ASP wider planning process.</p> <p>The applicant has provided an Integrated Transport Assessment (ITA) to support its PPC. A review of the ITA indicates that there are a number of areas where additional information or clarification should be provided as the current traffic methodology and outputs do not provide the necessary confidence for Transport Agency to recognise any potential implications to the transport system, including its network.</p>

			<p>Relief Sought: The applicant should provide a revised ITA with the methodology/content being developed and agreed with both the Transport Agency and AT. The methodology should consider a more appropriate intermediate modelling tool that spans the strategic ART model and SIDRA. The modelling and methodology should include clear statements about input assumptions for both the ART model and those for the PPC, employment and residential trip generation rates and totals (to understand the traffic forecasting process) and assumptions on proposed mode split. Finally, the revised ITA should include commentary and analysis on the effects of the reduction in business zoned land relative to the ASP.</p> <p>The Transport Agency seeks any consequential changes to the provisions and zoning which ensure that effects on the transport system identified in the revised ITA are appropriately managed and mitigated.</p>	22.5
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6	Objective 11.2(1)	<p>(1)To achieve high quality urban design outcomes through: a. providing key road connections securing an east west link to connect with the Mansel Drive extension;</p>	<p>Submission: Retain with amendment. Reason: Objective 1 refers to delivery of the east west link connection to Mansel Drive but omits reference to the northern connection point (to Great North Road/SH1). The Transport Agency, as a participant in Te Tupu Ngātaihi (Supporting Growth Alliance), strongly supports a suitable connection between Mansel Drive and Great North Road/SH1 as part of ensuring an integrated transport network both for the PPC area and the wider development of Warkworth. The following amendment to Objective 1 is requested:</p> <p>a. providing key road connections securing the <u>Western Link Road, an east-west link to connect with the Mansel Drive extension and Great North Road/SH1.</u></p> <p>The proposed addition is considered to support and align with E27.2. Objective (1) <i>Land use and all modes of transport are integrated in a manner that enables: (a) the benefits of an integrated transport network to be realised; [...]</i> and Objective (2) <i>An integrated transport network including public transport, walking, cycling, private vehicles and freight, is provided for.</i></p>	22.6
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7	Objective 11.2(1)	<p>(1)To achieve high quality urban design outcomes through: f. Providing a balance of employment land and places for people to live with a choice of living types and environments.</p>	<p>Submission: Retain as notified. Reason: The provision of business land within Warkworth is supported as a method of managing transport system effects.</p>	22.7
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8	Policy 11.3(3)	(3) Provide an indicative route for the Western Link to secure this option should it be required.	<p>Submission: Retain with amendment. Reason: Policy 3 does not reflect the strategic importance of the Western Link Road.</p> <p>(3) Provide an indicative route for the Western Link Road. to secure this option should it be required.</p>	22.8
9	Activity Table 11.4	(A1) Subdivision or development adjacent to the indicative Western Link Road, unless an alternative road alignment has been approved by resource consent and is constructed, or being constructed.	<p>Submission: Retain with amendment. Reason: An amendment to this provision is proposed to improve clarity and to ensure the Western Link Road location has been determined and constructed prior to any development within the PPC. In particular, the term 'adjacent' does not provide any certainty about which land parcels/areas would be captured by Rule (A1).</p> <p>(A1) Subdivision or development in the Warkworth North Precinct in accordance with Standard 11.6.1 adjacent to the indicative Western Link Road, unless an alternative road alignment has been approved by resource consent and is constructed, or being constructed.</p>	22.9
10	Activity Table 11.4	New provision	<p>Submission: Adopt new provision. Reason: Activities undertaken prior to the construction of the Western Link Road (Rule (A1) and Standard 11.6.1) would currently default to a discretionary activity under Rule C.1.7 of the Auckland Unitary Plan. Recognising the critical nature of the Western Link Road, a non-complying activity status is considered to be more appropriate. Amendments are proposed.</p> <p>(A1A) <u>Subdivision or development in the Warkworth North Precinct not meeting Standard 11.6.1</u></p> <p><u>Non-complying activity within Warkworth North Precinct and Sub Precinct A</u></p>	22.10
11	Activity Table 11.4	(A2) Subdivision or development of land including, or adjacent to 'future road connections' indicated on the Warkworth North Precinct Plan.	<p>Submission: Adopt new provision. Reason: There are two matters which require amendment within this provision:</p> <ol style="list-style-type: none"> Rule (A2) provides little certainty as to what land the provision would apply to (ie. by the use of <i>land including, or adjacent to</i> [...]). The Warkworth North Precinct Plan 1 shows 'point' locations for <i>potential future road connections</i> but no road alignments. <p>A wording change is proposed to address point (a).</p> <p>Reference to Precinct Plan 2 (which contains potential future road locations) is proposed to address point (b).</p>	22.11

12	I1.5 Notification	(2) Any application for resource consent for the following activity / any of the following activities and/or an activity that infringes the following standard(s) will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991: (a) Standard I1.6.1 Western link Road	<p>(A2) Subdivision or development of land with access including, or adjacent to 'future road connections' indicated on the Warkworth North Precinct Plan <u>Precinct plan 2 – Warkworth North Stormwater Catchment Management Plans</u>.</p> <p>Consequential amendments to the key/legend on Precinct Plan 1 and Precinct Plan 2 may be required.</p> <p>Submission: Oppose. Reason: For the following reasons, the Transport Agency has a significant interest in the formation of the Western Link Road:</p> <ul style="list-style-type: none"> • The Western Link Road will be in close proximity to the Ara Tuhono – Puhoi to Warkworth interchange; and • The Transport Agency, as a partner with Auckland Transport within Te Tupu Ngatahi (Supporting Growth Alliance), generally supports the provision of growth within the Warkworth area in accordance with the Council's adopted Warkworth Structure Plan. <p>The final location and design of the Western Link Road has yet to be determined and development which may determine the alignment of the Western Link Road could have implications for the safe, efficient and effective operation of the State highway network. In this regard precluding public or limited notification on such development is not considered appropriate.</p> <p>(2) Any application for resource consent for the following activity / any of the following activities and/or an activity that infringes the following standard(s) will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991: (a) Standard I1.6.1 Western link Road</p> <p>Applications made in relation to Standard I1.6.1 Western Link Road should be subject to usual notification tests (Rule I1.5(3)).</p>	22.11
13	I1.5 Notification	I1.5(1)	<p>Submission: Retain with amendment. Reason: It is suggested that I1.5(1) could be deleted as there are no listed control activities (as noted in I1.7) within Activity Table I1.4.</p>	22.12
14	I1.6.1 Standard – Western Link Road	Purpose: • To provide road connectivity that will assist in securing an East West link for Warkworth.	<p>Submission: Retain with amendment. Reason: The PPC precinct plans proposes to include the entirety of the Western Link Road. At a high level, the Transport Agency supports the Western Link Road noting that its final design and alignment have yet to be determined. The purpose of the standard is supported with amendment.</p>	22.13

15	11.8.1(1) Matters of discretion	(1) Roading infrastructure: (a) Practical and effective connectivity to adjacent land; and (b) Appropriateness of construction standard to fulfil the transport function of the road.	<p>Purpose: ● To provide road connectivity by providing for the Western Link Road within the Warkworth North Precinct. That will assist in securing an East-West link for Warkworth.</p> <p>Submission: Retain with amendment. Reason: The matters of discretion do not comfortably align with 11.8.2 Assessment Criteria (either with or without amendments proposed by the Transport Agency) or E27.2 Objectives (1) and (2) which support a transport network for all modes.</p> <p>(1) <u>Transport Roading</u> infrastructure: (a) <u>Safe, efficient Practical</u> and effective connectivity to adjacent land; and (b) <u>Appropriateness of design construction standard</u> to fulfil the transport <u>network</u> purpose <u>function of the road</u>; and (c) <u>Provision for active transport modes</u>.</p>	22.14
16	11.8.2(1) Assessment criteria	(1) assessment criteria for Roading infrastructure; (a) A road network shall be developed that responds to the transportation needs of Warkworth North and the wider area now and into the future which may include the preferred Western Link collector route. (a) The extent to which roading connections are provided to adjacent land areas as indicated on Precinct plan 1 – Warkworth North Precinct.	<p>Submission: Retain with amendment. Reason: As indicated in Submission points 9 and 11, the Transport Agency is seeking greater certainty that the Western Link Road is appropriately considered. The proposed assessment criteria do not provide a suitably refined suite of criteria and amendments. In addition, the matters of discretion do not recognise the potential for active modes to be accommodated or the functioning of a holistic transport network.</p> <p>(1) assessment criteria for <u>transport Roading</u> infrastructure; (a) A <u>transport road</u> network shall be developed that responds to the transportation needs of Warkworth North and the wider area now and into the future which may includes the <u>Western Link Road, preferred Western Link collector route</u>. (a) b The extent to which <u>transport roading</u> connections are provided in accordance with <u>Precinct plan 2 – Warkworth North Stormwater Catchment Management Plans and to adjacent land areas as indicated on Precinct plan 1 – Warkworth North Precinct</u>; (c) <u>the provision of connected active transport modes</u>.</p>	22.15
16	11.8.2(1) Assessment criteria	(1) assessment criteria for Roading infrastructure; (a) A road network shall be developed that responds to the transportation needs of Warkworth North and the wider area now and into the future which may include the preferred Western Link collector route. (a) The extent to which roading connections are provided to adjacent land areas as indicated on Precinct plan 1 – Warkworth North Precinct.	<p>Submission: Retain with amendment. Reason: As indicated in Submission points 9 and 11, the Transport Agency is seeking greater certainty that the Western Link Road is appropriately considered. The proposed assessment criteria do not provide a suitably refined suite of criteria and amendments. In addition, the matters of discretion do not recognise the potential for active modes to be accommodated or the functioning of a holistic transport network.</p> <p>(1) assessment criteria for <u>transport Roading</u> infrastructure; (a) A <u>transport road</u> network shall be developed that responds to the transportation needs of Warkworth North and the wider area now and into the future which may includes the <u>Western Link Road, preferred Western Link collector route</u>. (a) b The extent to which <u>transport roading</u> connections are provided in accordance with <u>Precinct plan 2 – Warkworth North Stormwater Catchment Management Plans and to adjacent land areas as indicated on Precinct plan 1 – Warkworth North Precinct</u>; (c) <u>the provision of connected active transport modes</u>.</p>	22.16

Submission on Proposed Private Plan Change 25 to the Auckland Unitary Plan (Operative in Part)

Turnstone Capital – Warkworth North

Clause 6 of Schedule 1, Resource Management Act 1991 (Form 5)

.....

To: **Auckland Council**

1. SUBMITTER DETAILS

Name of Submitter: **Turnstone Capital Ltd (Turnstone)**

This is a submission on Proposed Private Plan Change 25 (PPC25) to the Auckland Unitary Plan – Operative in Part (AUP).

Turnstone could not gain an advantage in trade competition through this submission.

2. SCOPE OF SUBMISSION

The specific aspects and provisions of PPC25 that this submission relates to are:

- a) Consistency with the recently adopted Warkworth Structure Plan and rationale for any differences.
- b) The zoning pattern, including the size and location of each zone and the introduction of new zones.
- c) The deletion of one proposed road connection.

3. SUBMISSION

3.1 Introduction

Turnstone requested a private plan change following an extensive developer-led structure planning process. The notified version of PPC25 was prepared in consultation with Auckland Council. The notified zoning map was prepared in late December 2018 / early January 2019.

The notified zone layout was prepared on advice from Council that it closely aligned with the Draft Structure plan that the Council was soon to notify for public feedback.

Auckland Council had advised that they would not recommend the private plan change request be accepted for processing unless and until it aligned with the Council's draft Structure Plan.

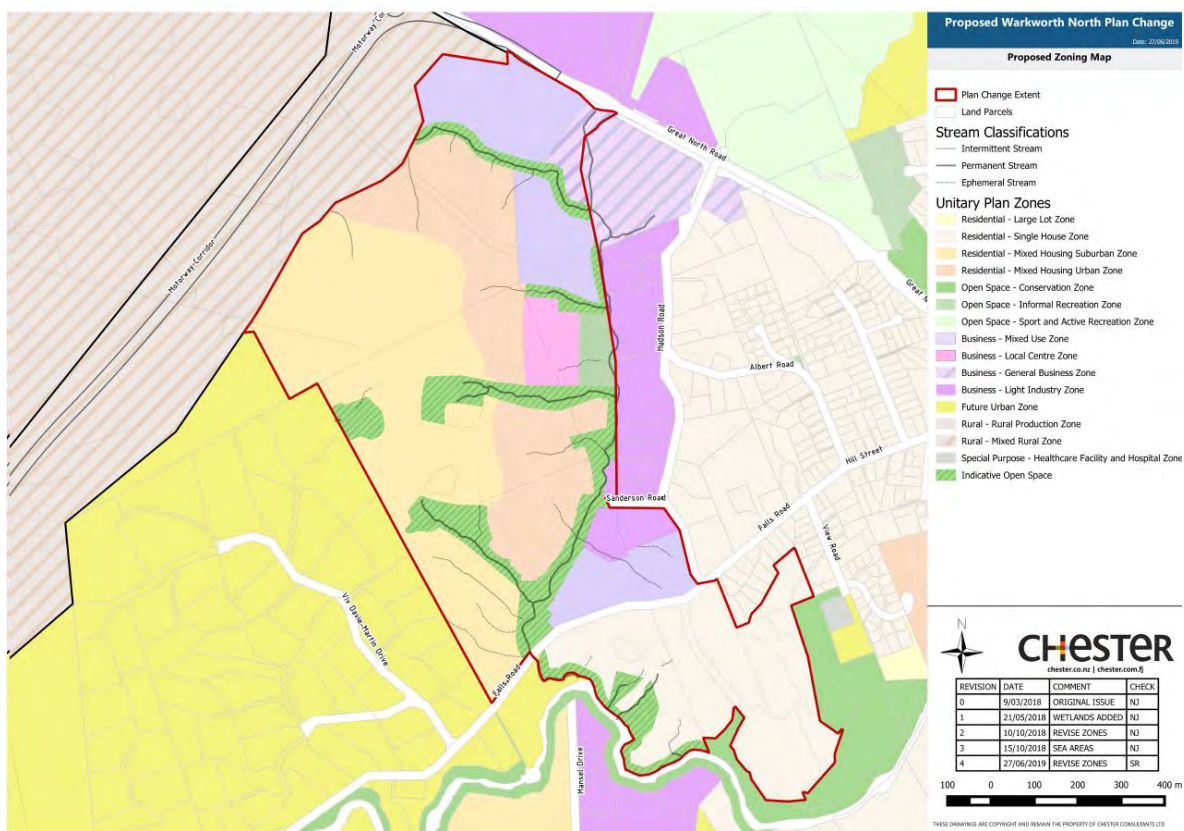
At the time that the notified zoning map was amended Turnstone had not been provided with the Council's draft Structure Plan and nor was it publicly available.

In the time since the notified zoning map was prepared, Council has notified the draft Structure Plan, received and considered feedback on it, and adopted the now Warkworth Structure Plan.

Turnstone has reviewed the submissions, the Council reports and the adopted Warkworth Structure Plan. This submission seeks to respond to the adopted Warkworth Structure Plan prepared by Council. It has taken and received advice from its independent specialist experts in relation to the Council reports that support the adopted Warkworth Structure Plan and any impacts on their own individual assessments previously undertaken in support of the developer-led Structure Plan and the related private plan change request.

All independent specialist expert assessments have been reviewed in the context of the adopted Warkworth Structure Plan.

Fundamental changes are now proposed to the zone layout from that notified, as shown below and in **Attachment 'A'**:



There is no change to the extent of the area affected by PPC25. This request for an amended zoning pattern is on PPC25 as the plan change seeks to rezone FUZ land to live urban zonings. All zones shown in the zoning pattern are urban or complementary open space zones, and no additional land is sought to be live-zoned by the submission.

3.2 Turnstone's Response to Adopted Structure Plan

3.2.1 Planning Principles

The Warkworth Structure Plan has been guided by a number of planning principles. These principles are identified as being Warkworth specific and intended to be considered in addition to existing objectives and policies as set out in the Auckland Plan, and the Regional Policy Statement provisions of the Unitary Plan guiding Warkworth's growth. The Warkworth Structure Plan planning principles are grouped under seven headings:

- The Mahurangi River is Warkworth's taonga
- Character and identify
- A place to live and work
- Sustainability and natural heritage
- A well-connected town
- Quality built urban environment
- Infrastructure

These principles were set by Council following consultation associated with preparation of the draft Structure Plan for Warkworth.

Turnstone supports the principles of the Warkworth Structure Plan as useful guidance in reflecting community outcomes sought for the future growth of Warkworth. The Turnstone submission seeks changes to PPC25 to respond to, and better align with, these principles.

3.2.2 Business – Light Industry

The Warkworth Structure Plan shows an extension to the existing Hudson Road Business – Light Industry area that extends west across the tributary of the Mahurangi river; north to the State Highway adjoining the existing Business – General Business zoned land and also extends south up to Falls Road and west to the river tributary – see Council Adopted Warkworth Structure Plan **Attachment B**.

The Warkworth Structure Plan states that Business – Light Industry is placed by existing light industry areas to minimise reverse sensitivity effects.¹ The Warkworth Structure Plan also states that new industrial areas are *"...generally required to be located on relatively flat land, have efficient access to freight routes, and be efficiently served by infrastructure. Their location needs to consider reverse sensitivity effects by not locating close to sensitive activities (e.g. high density residential, schools)..."*. Specifically, the Warkworth Structure Plan addresses

¹ Adopted Warkworth Structure Plan, page 47 – Attachment A (page 49) to the Council Agenda, Planning Committee 4 June 2019.

the additional industrial land it proposes in the north at section 3.3.5.1 – *Additional northern industrial land*.

As notified, PPC25 proposed Business – Light Industry in the vicinity of Sanderson Road and in the north-east of the PPC25 area.

Turnstone no longer supports, or seeks, a proposed Business – Light Industry zoning in the north-east.

The Turnstone zoning pattern – **Attachment A** does not propose any extension to the existing Business – Light Industry zone, other than across the two existing sites to the south of Sanderson Road that contain the established storage activity and the Watercare water treatment plant. This zoning is applied to reflect those established activities, to recognise both the topography and the fact the sites are able to be well screened with landscaping from sites further south, and to reflect the Business – Light industry zoning on the other side of Sanderson Road.

The Turnstone zoning pattern proposes Business – Mixed Use for some areas shown Business – Light Industry in the Warkworth Structure Plan, including the area in the north-east shown as Business – Light Industry in the notified PPC25. Turnstone independent experts consider that Business – Mixed Use is a more appropriate zoning to provide a range of employment options suitable with the adjoining residential activities and also activities to support existing business zoned land areas in this location.

Turnstone considers that any further extension to the Business – Light Industry zone will not achieve the guiding principles of the Warkworth Structure Plan. Extending the Business – Light Industry zone in the locations shown by Council also increases reverse sensitivity issues. There are known issues with disruption to the residential properties on the eastern side of Hudson Road. This situation will be exacerbated by increasing industrial activity in this location. In addition, the Turnstone zone layout will achieve better urban design and economic outcomes as discussed in the respective technical summary assessments attached. The Urban Design assessment is **Attachment C** and an economic review prepared by Phil McDermott and Fraser Colegrave is **Attachment D**.

In summary the Turnstone zoning pattern provides a more optimal land use outcome with respect to reverse sensitivity, ecological impacts, urban design outcomes and economic sustainability matters. We have prepared a table summarising the effects associated with the respective proposed land uses and that is **Attachment E**.

The submission seeks to amend PPC25 to replace the Business – Light Industry Zone in the north east with Business – Mixed Use.

The submission also seeks to introduce an area of Business – Mixed Use in the south of PPC25, rather than Residential – Mixed Housing Suburban along the Falls Road frontage.

3.2.3 Residential

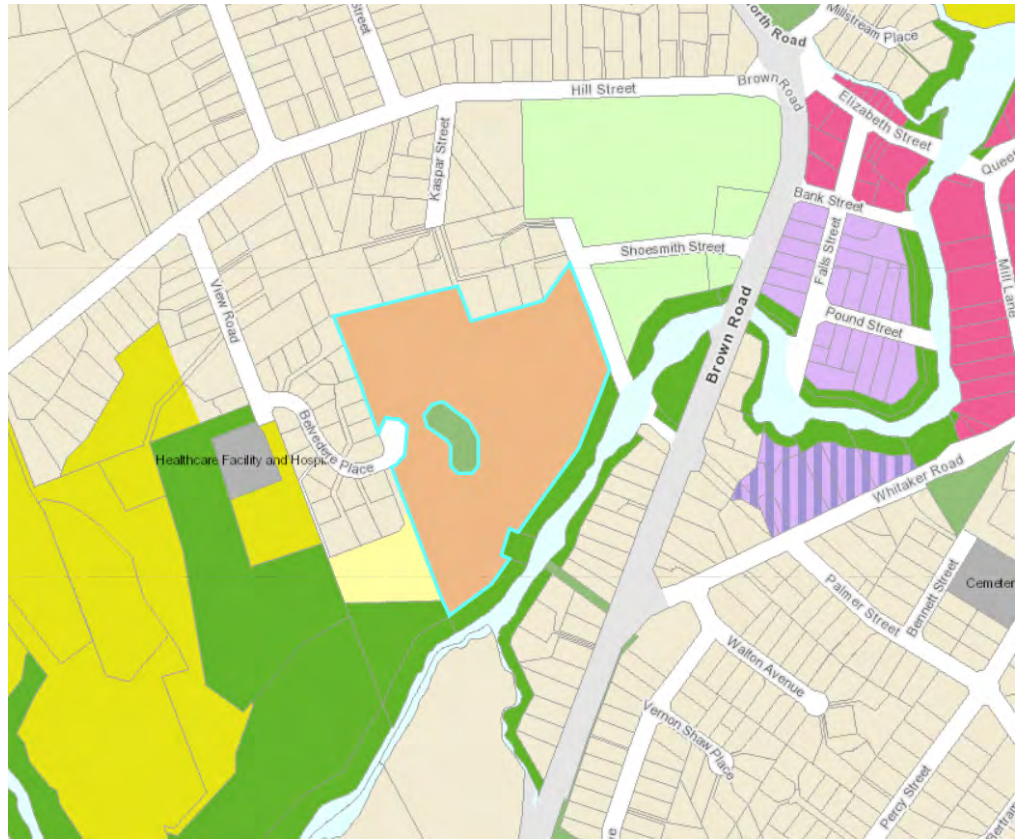
As notified, PPC25 included an area of Residential – Single House zone in the western corner of the site abutting the future motorway corridor and adjacent the Viv Davie-Martin Drive development.

The Warkworth Structure Plan shows the majority of the northern portion of the PPC25 area as Residential – Single House. The reasoning set out in the Structure Plan at section 3.3.2 states that *“Lower intensity residential areas are located in places that are not close to centres and public transport, are subject to high environmental constraints or natural and physical constraints, or where there is an existing suburban area with an existing neighbourhood character (recently consented and / or built developments). In the steeper areas around Warkworth, a lower density residential zone is used to minimise the scale of earthworks required (and therefore associated sediment generation)”*. At 3.3.2.2 the Structure Plan states *“The Warkworth Structure Plan applies the Single House zone in areas that are not close to public transport routes or centres and in areas with natural and physical constraints..... The Single House land to the east of Viv Davie-Martin Drive is not suitable for higher density residential development due to its location on the long-term north western edge of Warkworth, its slopes, and geotechnical issues....2.”*

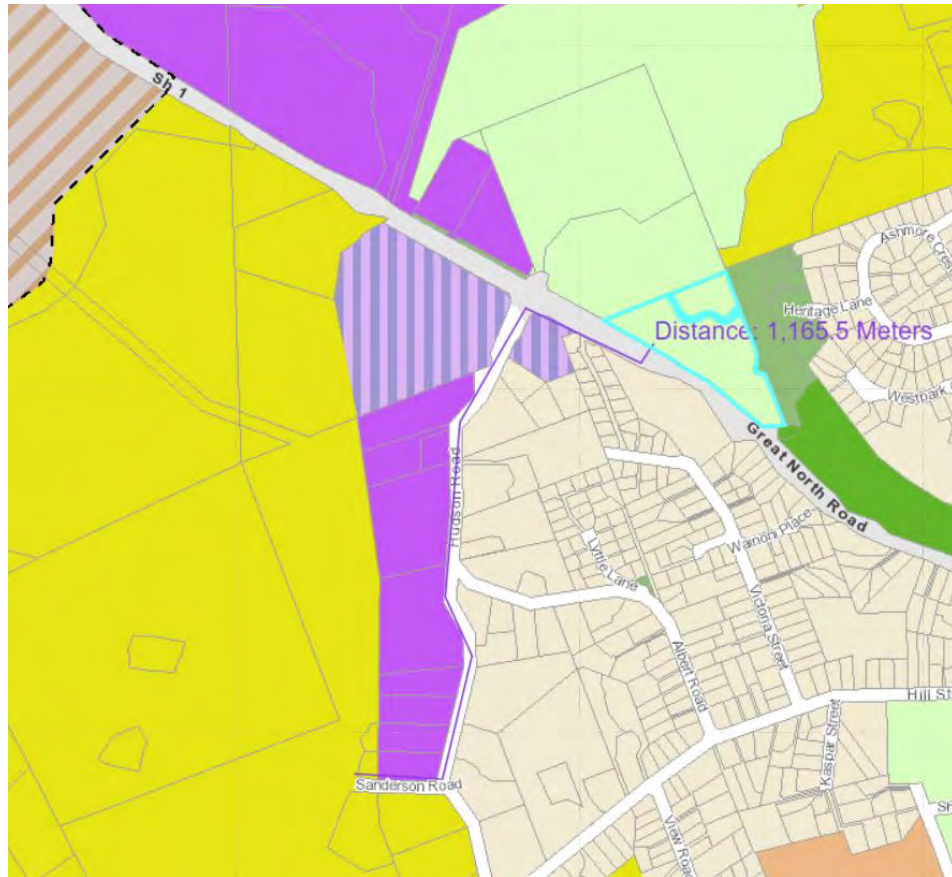
The Turnstone zone layout now proposes Residential – Mixed Housing Suburban over the area identified as Residential - Single House in the north western portion of PPC25 as notified with consequential changes to the boundary of the Mixed Housing Urban and Mixed Housing Suburban zones. The reasons for this are:

- The land is not geotechnically unsuitable for higher density development. Detailed geotechnical investigation has been undertaken.
- The Residential – Mixed Housing Suburban and Urban zone provisions encourage and provide for a greater interrelationship between subdivision and land use outcomes thus achieving higher quality urban outcomes than the Residential – Single House zone provisions.
- Geotechnically challenging land in Warkworth has typically been zoned for higher density development to enable efficient use of the urban land resource e.g. the Residential – Mixed Housing Urban zoned land at the end of Belvedere Place in Warkworth that was rezoned through the Unitary Plan process and a higher density applied because of the geotechnical constraints and costs of developing the land efficiently.

² Adopted Warkworth Structure Plan, page 29 - Attachment A (page 31) to the Council Agenda - Planning Committee 4 June 2019



- The land is close to a proposed centre (Business- Local Centre); to existing zoned Business – General Business land; Business – Mixed Use and also Business – Light Industry land at Hudson Road and more importantly on the opposite side of the State Highway 1.
- The Western Link Road will traverse through the PPC25 area and will presumably accommodate public transport given it is proposed as an arterial route.
- A Park n Ride is proposed at 80 Great North Road, Warkworth and this project has funding. The proposed Park n Ride is approximately 1-kilometre walking distance on existing roads to a central location within the PPC25 area as shown below:



- The Western Link Road will contain cycleway connections and off road, formed cycle paths connections area proposed adjacent to the river as part of the Stubbs Farm Estate development. The area will be well connected and accessible to public transport and a proposed Park n Ride.

In summary the opinion of Turnstone experts is that application of an appropriate mix of Residential – Mixed Housing Urban and Suburban zones will achieve more optimal land use outcomes than the Residential – Single House zone; will result in a more efficient use of the urban land resource; will achieve better urban design outcomes and will have no worse ecological effects associated with land development and sedimentation because of the controls that will apply to earthworks and land development regardless of zoning.

The submission seeks to amend PPC25 to remove the Residential – Single House zone from the area of the Plan Change north of Falls Road entirely and to rezone that part of the site as Residential – Mixed Housing Suburban.

The submission also seeks to amend the layout and boundaries of the Residential – Mixed Housing Suburban and Urban zones, by wrapping the Mixed Housing – Urban zone around the northern extent of the extended Mixed Housing Suburban zone providing a transition to the Business – Mixed Use zone.

3.2.4 Business – Neighbourhood Centre

As notified PPC25 showed a Business – Neighbourhood Centre in a central location of PPC25. Turnstone, supported by independent expert assessments now proposes a Business – Local Centre zone instead over a larger area.

The Warkworth Structure Plan states that “*Considering the existing and planned supply, the Future Urban zone areas around Warkworth require only small centres for the local convenience needs of surrounding residential areas*”³.

Turnstone commissioned McDermott Consultants and Insight Economics to provide independent input and assessment to inform the Turnstone zoning pattern. This assessment is **Attachment D**. This report concludes “*...there is justification for Business – Local Centre*”. The assessment summarises the Business – Local Centre zone at section 11 stating:

Area 5.7ha, approximately 290 jobs (at 50/ha)

Based upon the analysis of sector, workplace, and vocation gaps and opportunities undertaken in support of PC25, it is important to support residential growth “with the capacity to accommodate a range of commercial investment while meeting neighbourhood and local retail needs”.

The proposed Business - Local Centre precinct will achieve this enabling a wide range of final demand activities (retailing, hospitality, personal services, education and care services, and personal business services) to an immediate catchment that can be defined north of Hill St (serviced by Albert Rd), Warkworth North, and North East. Its household service and retail roles will be two-fold, providing neighbourhood goods and services through a network of local roads, walkways, and cycleways; and complementing this with higher order goods and services in response to enhanced accessibility to a much wider semi-rural hinterland with the pending road connections.

*A Local Centre also provides a base for local business services (law, accountancy, training, placement, testing, and consultancy), meeting the needs of an expanding industrial sector anticipated north of the Showgrounds, supporting new investment and entrepreneurship, and a range of small office-based services. In this way it should be able to sustain a range of vocational (education, training, placement) and employment activities*⁴.

The Urban Design review assessment provided by Pacific Environments also addresses the proposed expansion of the Business- Neighbourhood Centre to Business – Local Centre noting that the Turnstone proposal takes advantage of a well-connected location; provides greater

³ Adopted Warkworth Structure Plan, page 40 - Attachment A (page 42) to the Council Agenda - Planning Committee 4 June 2019

⁴ McDermott Consultants / Insight Economics report, page 10

choice for community facilities to be provided that will support and utilise the planned open space adjacent to the river and is appropriate in the context of the proposed urban structure⁵.

Turnstone experts therefore consider that the proposed Business – Local Centre zone will provide a more optimal planning outcome than the proposed Business – Neighbourhood Centre in PPC25 as notified and the combination of Business-Neighbourhood Centre and Business – Light Industry zoning shown on the Warkworth Structure Plan for this location.

The submission seeks to amend PPC25 by removing the Business – Neighbourhood Centre zone and replacing it with a larger Business – Local Centre zone in the central location of the plan change area adjacent the proposed WLR.

3.2.5 Open Space As notified, PPC25 did not propose any open space zonings. Turnstone wishes to create an open space zone between the Business – Local Centre and the river to create optimal urban design and community outcomes.

The submission seeks to amend PPC25 by introducing an area of Open Space adjacent to the river on land that was proposed in the notified PPC25 to be Residential – Mixed Housing Urban and is shown in the Warkworth Structure Plan as Business – Light Industry.

3.2.1 Transport

PPC25 as notified shows an indicative Western Link Road (WLR) on Precinct Plan 1. A version of this roading connection is also shown on the Adopted Warkworth Structure Plan. Turnstone does not propose any change to its indicative alignment. The Council's alignment of the indicative WLR is not supported for a range of reasons including land usability, land stability and contour.

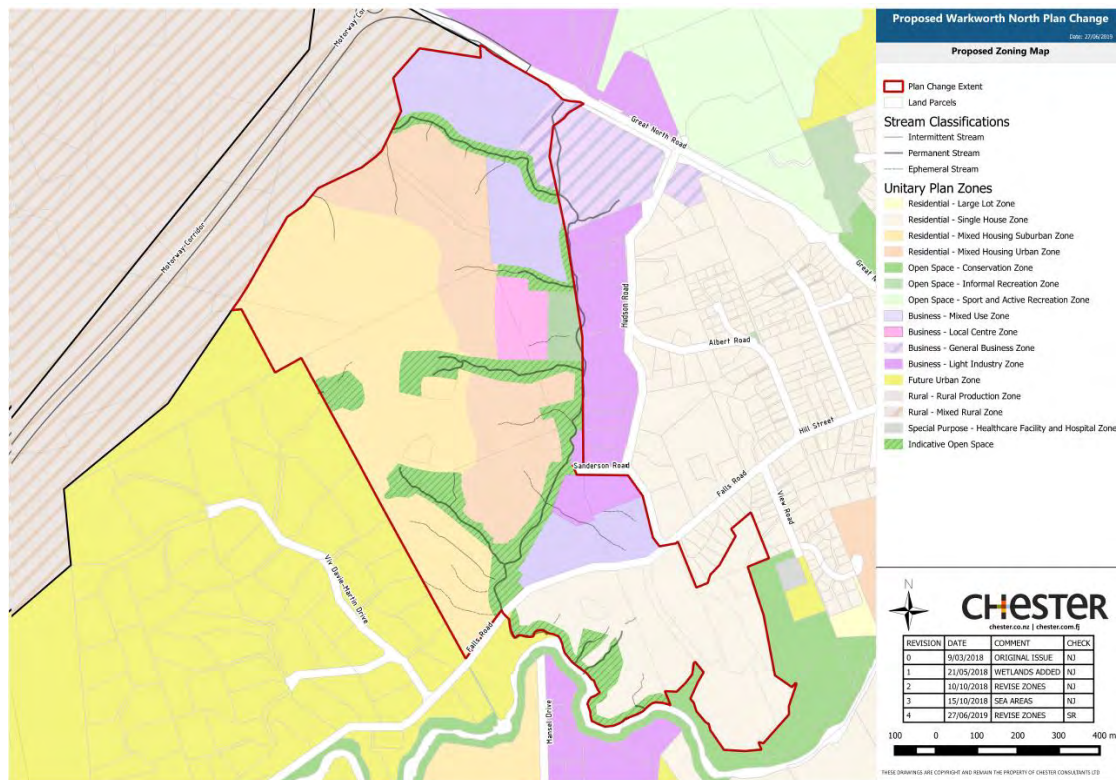
It is agreed that the eastern extent of the WLR will need to form a cross roads with the Matakana Link Road creating a full intersection at State Highway 1. The south-western extent of the WLR will also need to align with, and form an appropriate intersection at, Mansel Drive.

There are a number of factors that need to be taken into account when setting the alignment of the road between these two intersections. Turnstone remains of the view that its proposed alignment will achieve better urban design, engineering, planning and community outcomes.

The location of the road alignment significantly influences the proposed zoning pattern. As shown in **Attachment A**, Turnstone proposes that the existing Business – General Business zoning at the corner of State Highway 1 and Hudson Road be extended north to the future alignment of the WLR providing a legible and coherent zoning pattern in future.

⁵ Pacific Environments Urban Design review, 1 July 2019, page 5

3.3 Turnstone's Proposed Zoning



The submission responds to the planning principles underpinning the Council's Warkworth Structure Plan. The key differences between the notified zoning pattern, the proposed zoning pattern requested through this submission, and the Council's Warkworth Structure Plan are:

- The notified zoning has a Business – Neighbourhood Centre, as does the Council's Structure Plan. The submission instead seeks a Business – Local Centre to provide for a broader range of business activities and opportunity for a more vibrant centre associated with the planned parks and open spaces.
- Neither the notified zoning nor the Council's Structure Plan shows any areas of open space zone. The submission seeks an area of Open Space – Informal Recreation zoned land between the proposed Local Centre and the river that backs the existing Hudson Road industrial area. This will remain in private ownership but be for public use.
- The two land holdings to the south of Sanderson Road remain as proposed to be zoned Business – Light Industry to reflect the existing lawfully established land uses there – the Watercare water treatment plan and the storage activity. The submission seeks to zone the adjacent land to the south Business – Mixed Use rather than Residential – Mixed Housing Suburban as shown in PPC25 as notified or Residential – Single House in Council's Warkworth Structure Plan.
- With the exception of the two Sanderson Road sites noted above the submission seeks to zone the land that is shown on the notified plan to be Business – Light

Industry Business - Mixed Use or General Business instead. A small extension to Business – General Business is proposed along SH1 to extend the existing live zoned Business – General Business to the eastern boundary of the WLR, with the remainder to Business – Mixed Use. The extent of Business – Light Industry differs from Council’s Warkworth Structure Plan which shows Business – Light Industry fronting the existing SH1 and also extending from north to south through the plan change area up to Falls Road and between Hudson Road and the river on the land to the south of Sanderson Road.

- There is no change to the zoning south of Falls Road, which remains as Residential – Single House. The notified zoning also included a portion of Residential – Single House to the north of Falls Road and the Council’s Warkworth Structure Plan indicates a large area of Residential – Single House. The submission seeks to replace the Residential - Single House zone north of Falls Road with Residential - Mixed Housing Suburban. The Residential – Single House zoning is now contained to the south of Falls Road where that zone will enable a consistent type of outcome to the existing residential area. The key reason for removing the Residential – Single House zone to the greenfields land to the north of Falls Road is because its provisions do not direct a strong urban design outcome and the Residential – Mixed Housing Suburban is a zone that does direct a more comprehensive approach to subdivision and built form and is more likely to achieve better urban design outcomes.
- The proposed residential zoning sought through this submission seeks a mix of Residential – Mixed Housing Urban and Residential – Mixed Housing Suburban. The mix and layout are generally in keeping with the planning principles and rationale behind the Council’s Warkworth Structure Plan.

A minor change is also sought to the Precinct Plan to remove one of the indicative road connections through to Viv Davie-Martin Drive. This is consistent with the Council’s Warkworth Structure Plan which shows less intensive development at Viv Davie-Martin Drive that was originally envisaged in the preparation of the plan change request. It also reflects the topographical and engineering challenges that a potential connection in this location would have involved, and responds to issues raised during ongoing consultation with the residents of Viv Davie-Martin Drive. An Overlay Map showing the proposed Turnstone zoning pattern on the Warkworth Structure Plan is **Attachment F**.

3.4 Analysis

The team of independent specialist experts advising Turnstone have carefully reconsidered the notified zone pattern in response to the Council’s Warkworth Structure Plan and issues raised during ongoing consultation with the community.

The following summarises the outcome of the analysis:

Business – Light Industry:

- The Structure Plan zone pattern will create an impermeable seam of industrial development at the bottom of a valley, either side of a river and located between upslope residential development on either side.
- Economic analysis states there is a significant over supply of Business – Light Industry land in Warkworth.
- A better mix of employment opportunities is required to support sustainable growth and development.
- The existing urban areas will not provide the necessary supply of this mix for a range of reasons including timing of re-development, land ownership patterns etc.
- Reverse sensitivity effects will be exacerbated and compounded by extending an industrial zoning in the middle of existing and planned residential environments.
- Poorer ecological outcomes are likely to arise locating Business – Light Industry adjacent to the river when Open Space options are being put forward with associated cycleways and pedestrian connections.
- A better opportunity exists to provide for land use changes over time, rather than cementing in inappropriate land uses with zoning extensions.

Business – Neighbourhood Centre:

- Business – Neighbourhood Centre zone is not sufficiently sized to provide for a meaningful variety of employment opportunities. Nor does it provide for an appropriate mix of community facilities.
- Lost opportunity for a cohesive and vibrant centre utilising the open space attributes of the location and planned opportunities for pedestrian and cycleway connectivity.
- The Business – Local Centre zone enables a better mix of community and supporting activities.
- The Centre will in fact support existing residential areas at Albert Road, Hill Street, Viv Davie-Martin etc and not be limited to only servicing new residential areas within the Plan Change 25 area and further along Falls Road.

Business – Mixed Use:

- The Unitary Plan states that the Business – Mixed Use zone *“...is typically located around centres and along corridors served by public transport. It acts as a transition area, in terms of scale and activity, between residential areas and the Business – Metropolitan Centre zone and Business – Town Centre zone”*. Whilst the proposed zoning does not transition from the Business – Town Centre zone it is still considered to be the most appropriate zone to achieve business land uses, as sought by the

Council's Warkworth Structure Plan and create an appropriate transition between residential and business activities. This is the only business zone that provides for activities appropriate for that transition in land uses.

- The location of this proposed zoning is appropriate given the motorway extension; transition in activities across Falls Road from residential to industrial adjacent to Sanderson Road and also the relationship with the existing Business – General Business zoned land on the corner of Hudson Road and State Highway 1.

Business – General Business:

- The land on the corner of Hudson Road and State Highway 1 is live zoned Business – General Business. PPC25 proposes to rezone a small area between that existing zone and the indicative WLR intersection with SH1. A consistent zoning of Business – General Business across the land adjacent SH1 between Hudson Road and the WLR is preferred.

Residential – Single House:

- The land areas previously identified for Residential – Single House zone to the north of Falls Road are not limited, or restricted by high environmental constraints.
- Inefficient use of the urban land resource and will achieve lesser quality urban design outcomes because the zone does not encourage a comprehensive approach to subdivision and land use.
- Zone provisions do not contain as many standards as other residential zones to achieve quality urban design outcomes.
- Greenfields Residential – Single House developments are not achieving the outcomes sought by the Regional Policy Statement provisions with respect to achieving a quality compact urban form (B2.2); *enabling higher residential intensification in and around centres; along identified corridors and close to public transport and social facilities including open space; and employment opportunities (B2.2.2 (5)); and B2.3.1 and B2.3.2; B2.4.*

Residential – Mixed Housing Urban:

- The proposed location around the centre reflects the Council's Warkworth Structure Plan and the proposed location of the WLR with associated public transport, cycleways and pedestrian connectivity supports residential density.
- The proposed public open space network along the river; adjacent to watercourses connected to bush areas and the wider Warkworth esplanade connections support this as a higher density residential area.

Residential – Mixed Housing Suburban:

- As above this is a preferable zone to Residential – Single House to achieve the objectives and policies of the RPS that relate to urban development.
- Better urban design outcomes will be achieved through application of the Residential

– Mixed Housing Suburban zone rather than Residential – Single House.

- The area is not an established residential neighbourhood therefore the purpose of the Single House zone is not directly relevant and the choice option stated in the Zone description is not valid because the Residential – Mixed Housing Suburban zone can deliver a variety of site sizes and built outcomes more so than the Single House zone and has a greater scope to respond to site characteristics in a positive way.

Open Space – Informal Recreation:

- The proposed public open space network along the river; adjacent to watercourses connected to bush areas and the wider Warkworth esplanade connections provides an enhanced urban outcome for the community.

4. DECISIONS SOUGHT

Turnstone Capital seeks the following relief from Auckland Council (or other relief or other consequential amendments as are considered appropriate or necessary to address the concerns set out in this submission):

- 23.1 | a) Zone the land as shown in **Attachment A** and make consequential changes to all associated maps and provisions, including the Precinct provisions as shown in
- 23.2 | **Attachment G.**
- 23.3 | b) Amend the Warkworth North Precinct Plan 1 as per the amended precinct plan attached in **Attachment G.**

Turnstone Capital wishes to be heard in support of this submission.

If others make a similar submission Turnstone Capital will consider presenting a joint case with them at the hearing.



Burnette O'Connor, Barker & Associates Ltd
(Persons authorised to sign on behalf of submitter)

Date: 5 July 2019

5. ADDRESS FOR SERVICE

Turnstone Capital Limited
c/- Barker & Associates Ltd
PO Box 591
Warkworth 0941
Attn: Burnette O'Connor

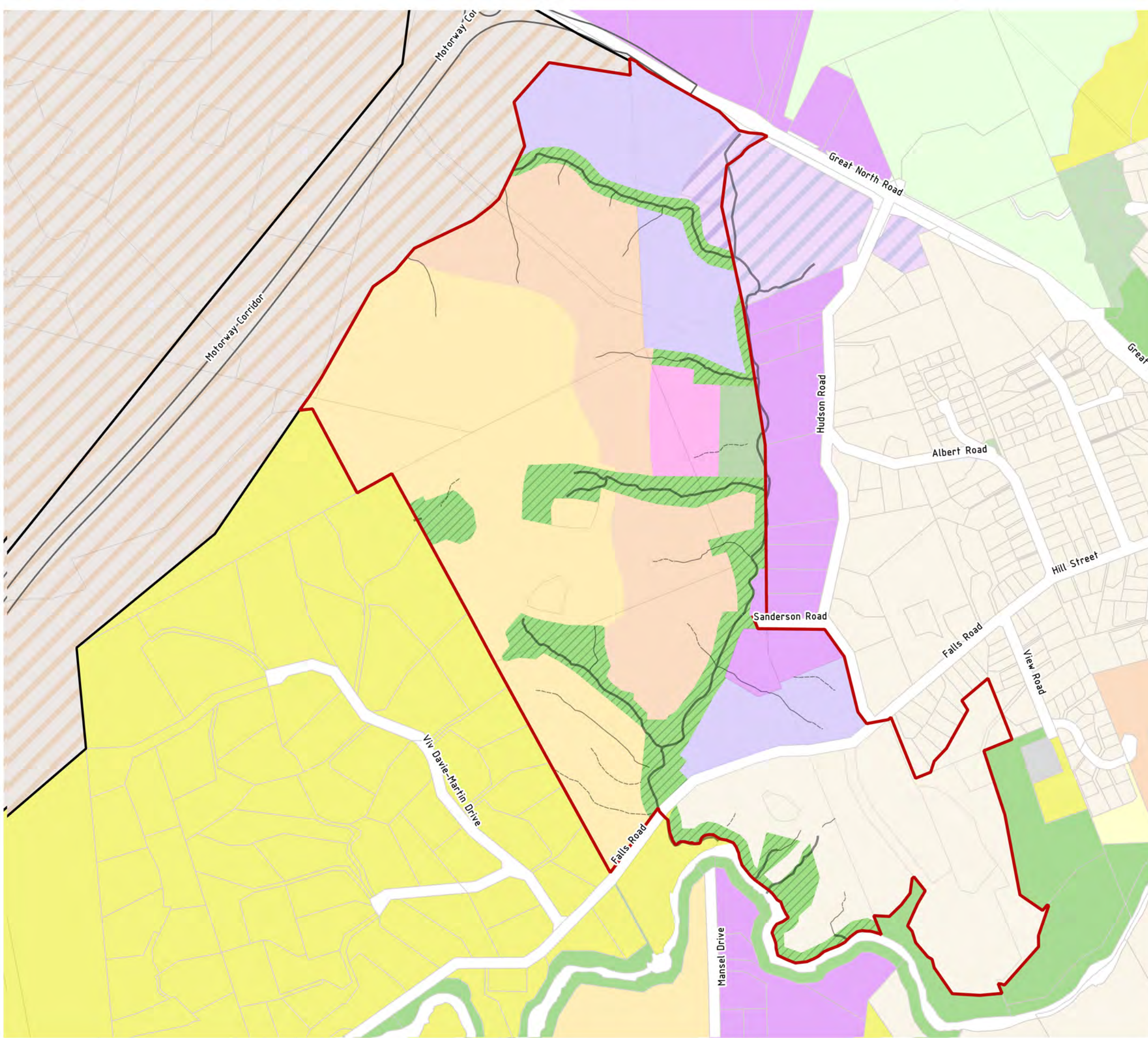
Mobile: 021 422 346

Email: burnetteO@barker.co.nz

Attachments:

- A - Proposed Zone Map**
- B - Adopted Auckland Council Structure Plan**
- C - Urban Design Assessment**
- D - Economic Review**
- E - Zone Comparison Table**
- F - Proposed Zoning Overlay of WW Structure Plan**
- G - Full set of zone and Precinct maps and Precinct provisions**

Proposed Zoning Map

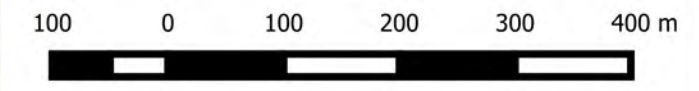


- Plan Change Extent
 - Land Parcels
- Stream Classifications**
- Intermittent Stream
 - Permanent Stream
 - Ephemeral Stream
- Unitary Plan Zones**
- Residential - Large Lot Zone
 - Residential - Single House Zone
 - Residential - Mixed Housing Suburban Zone
 - Residential - Mixed Housing Urban Zone
 - Open Space - Conservation Zone
 - Open Space - Informal Recreation Zone
 - Open Space - Sport and Active Recreation Zone
 - Business - Mixed Use Zone
 - Business - Local Centre Zone
 - Business - General Business Zone
 - Business - Light Industry Zone
 - Future Urban Zone
 - Rural - Rural Production Zone
 - Rural - Mixed Rural Zone
 - Special Purpose - Healthcare Facility and Hospital Zone
 - Indicative Open Space



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REVISION	DATE	COMMENT	CHECK
0	9/03/2018	ORIGINAL ISSUE	NJ
1	21/05/2018	WETLANDS ADDED	NJ
2	10/10/2018	REVISE ZONES	NJ
3	15/10/2018	SEA AREAS	NJ
4	27/06/2019	REVISE ZONES	SR



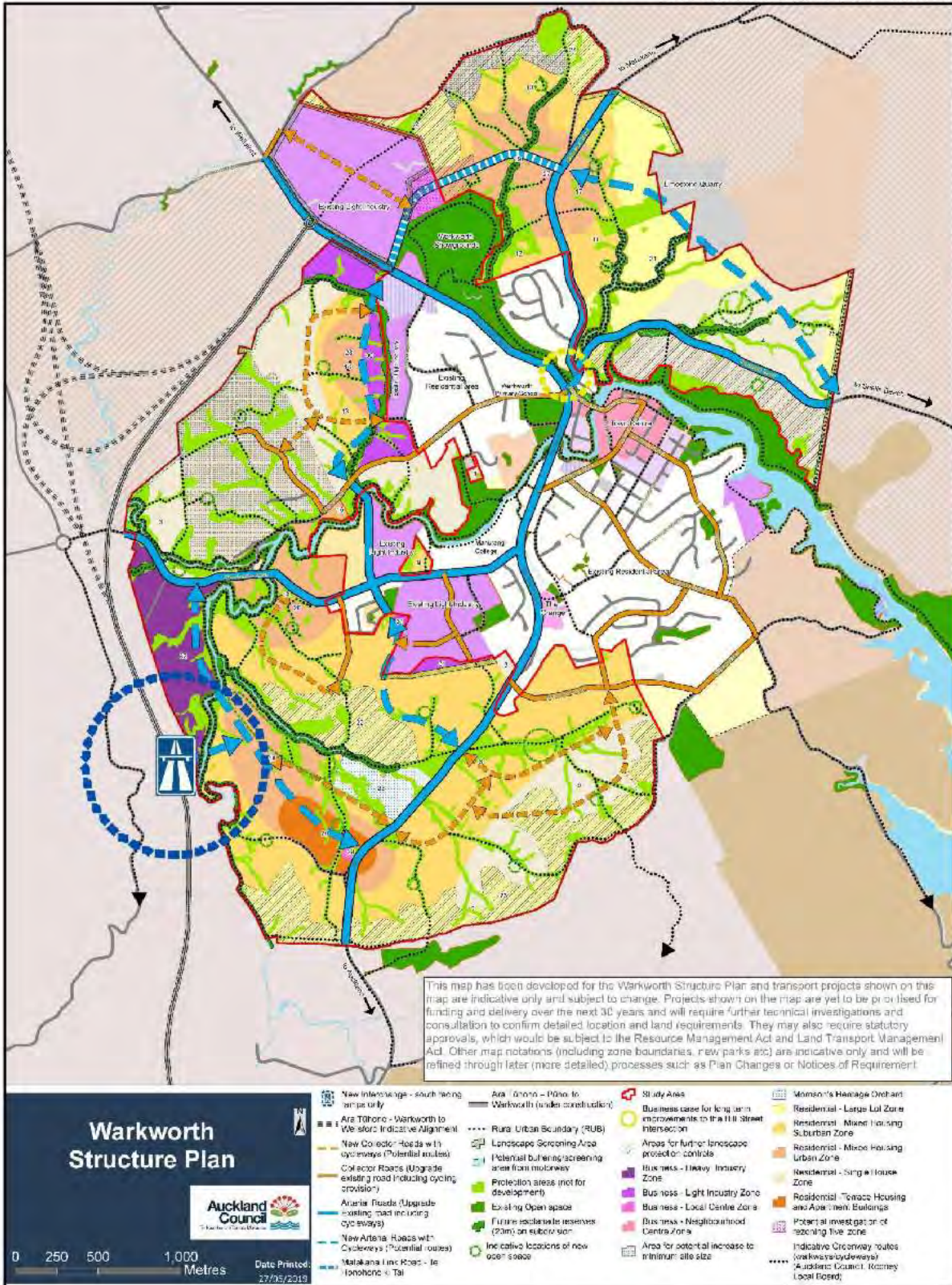


Figure 1: Warkworth Structure Plan – Land use plan

Urban Design Report on the submission to the *Warkworth North Private Plan Change 25 (PC25)* by Turnstone Capital, July 1st 2019.

The **PC25** applicant is submitting some changes in zoning to their original application. This report comments on those changes based on the drawing "*Proposed Zoning Map*" Rev 4 27/6/2019 by Chester Consultants. Illustrations pasted in below are from this document and have additional descriptive comments added.

Significantly, Auckland Council has adopted the *Warkworth Structure Plan (WWSP)* since **PC25** was accepted by Council and has identified potential zoning for this same area. This report will reference the applicants changes against the proposed **WWSP** zones where relevant.

1. 220 Falls Road area:



It is proposed in this submission to change the originally applied for zoning (*Mixed Housing Suburban(MHU)*) for the site around 220 Falls Road to *Business- Mixed Use (Business-MU)*.

In the **WWSP** adopted by Council this land is proposed to be zoned *Light Industrial*.

This zone change in the **PC25** submission is supported, and it is considered that a light industrial zoning is a poor outcome for this site.

Comment:

Business-MU as appropriate transitional zoning

Given the live zoned light industrial land on Hudson Road, It is acknowledged that a business type activity may not be inappropriate. It is considered that a business mixed use zone would be a better transitional zone to the residential zones than light industrial indicated in the council structure plan. This allows living and residential orientated uses as well as business, and gives potential for these living activities as a compatible edge to the Falls Road residential zoned area.

H13.1 Zone Description of the Unitary Plan notes the appropriateness of *Business MU* as a transitional zone.

Light Industrial zone is out of character with the residential streetscape of Falls Road

Falls Road is of a strongly residential scale and character, with existing single house sites fronting it. A strip of light industrial land facing this residential Falls Road environment will be out of character and will detract from it.

The **WWSP** proposes Residential Single House zone across Falls Road from this site. It is considered that an industrial use on 220 Falls Road will compromise this proposed single house zoned area and the quality of life of the people who live in it, particularly those on the Falls Road frontage.

Negative effects from the *Light Industrial* zoning to the existing and proposed residential street can be caused by the significant difference in scale, and the potential for environmental (noise) reverse sensitivity caused by Light Industrial development. Design expectations are typically lower in Business Light Industrial zones than Business Mixed Use zones.

Business- MU keeps residential opportunities both sides of Falls Road

It is considered a better outcome for residential areas to have the same or similar use on both sides of the road, and to change uses mid-block with an appropriate internal buffer. This gives better street legibility and a consistent sense of urban character. *Light Industrial* will remove any possibility of this happening and a built outcome will be similar in effect to Marua Road in Mt Wellington. Marua Road is considered a suboptimal urban residential environment.

Business-MU can avoid an unsafe and anomalous proposed Light Industrial strip in an otherwise residential street

Residential uses are proposed further west along Falls Road in the Council structure Plan. An industrial frontage presents a challenging streetscape for pedestrians, with these proposed residential areas within an easily walkable distance to the local primary school. Introducing this industrial use in the otherwise residential context brings in an anomaly of wide driveways, and significant truck crossovers of the footpath.

If the area is serviced as *Light Industrial* by an internal road only, and buildings do not face Falls Road, the visual outcome will be even worse for the Falls Road residential character- as it will now consist of the back ends of industrial buildings, and associated security fencing.

Business-MU avoids heavy traffic in local street compared to Light Industrial

The **WWSP** shows the western collector deviating from this area, therefore the only industrial traffic introduced into this area will be from this strip of zoning only.

Business- MU gives direction to future of Hudson Road in a residential setting

Business Mixed Use zoning would also give a direction should the Hudson Road live zoned light industrial zone become redundant in the future; for the Hudson Road strip to change zoning to a business/residential mix that is more compatible with the surrounding context.

Business- MU gives employment choices

The council Warkworth Structure Plan chose light industry as its dominant employment zone, a *Business- MU* zone gives more nuance and choice to employment options in greater Warkworth, while still providing for living opportunities originally proposed for this site.

2. Change to proposed Light Industry zone against SH1 to Business – Mixed Use



Appropriate for location

This proposed change is supported, it is considered Business Mixed Use activities are appropriate at the proposed motorway exit and gateway into Warkworth.

This zoning will provide for activities that the council Warkworth Structure Plan did not entirely facilitate, in what are considered good locations for them such as travellers accommodation, convention facilities, and medical facilities. It also gives a more appropriate zone in the context of the planned supermarket on the Corner of Hudson Road and the existing SH1.

Good access to surrounding area

Being adjacent to the future key road transport connection of the under-construction motorway and SH1 northwards, this area as *Business-Mixed Use* can acknowledge that Warkworth is a service town that reaching outside the Auckland Council area. Warkworth needs an opportunity to provide larger scale retail to service the wider region in an accessible and connected position, within the regional roading structure for private, goods, and public transport access.

Provides choice for business investment in Warkworth

It was this applications' first choice to use Business General zoning in the area, and as is explained in the planning report, was changed on advice from Council at a preapplication meeting into a zone that, while we considered barely adequate, would not produce the highest and best urban design outcomes for this site and for Warkworth.

Further on, now in response to the council structure plan not addressing a new supplies of Business land, consider it best to change this zoning here to enable options and richness in employment land investment that will better provide for a diverse future population.

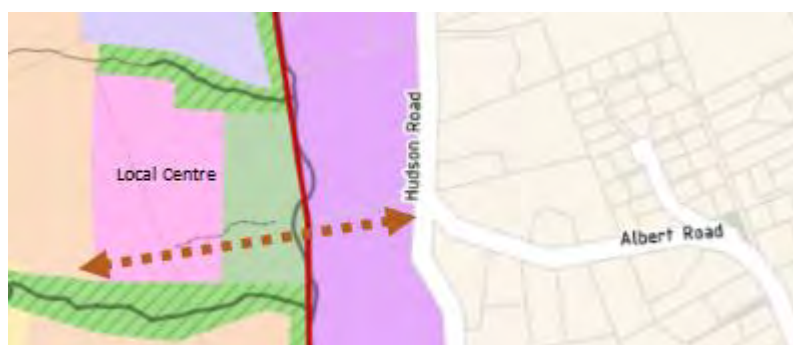
Transitional and gateway opportunities

This land will provide a better transitional outcome (as intended in the Unitary Plan zone Description) to the residential zones in the **PC25** area from the highway, and from the live zoned *Business Light Industrial land* across the highway from it.

Business Mixed Use will also provide development of a better visual quality, as design expectations and outcomes are higher from *Business Mixed Use* than *Business Light Industrial* zones. This is important as the area will be the urban gateway to Warkworth on completion of the motorway currently under construction.

3.

4. Expansion of Neighbourhood Centre to Local Centre and Open Space



Opportunity to provide a vibrant community area

The economic rationale behind this change is commented on in reporting by relevant experts, in urban design terms it is appropriate to support this proposed change because it creates opportunity for a more vibrant community hub for not only the Structure Plan area, but also the existing residential zoned area in Warkworth from Hudson Road to the existing SH1 off Albert Road.

Takes advantage of well-connected location

In the **SP25** application a potential connection was indicated to Albert Road from this area. This connection is entirely feasible and would provide good direct connectivity. It is highly unusual that Council chose not to indicate this realistic and highly beneficial connection in its own structure plan.

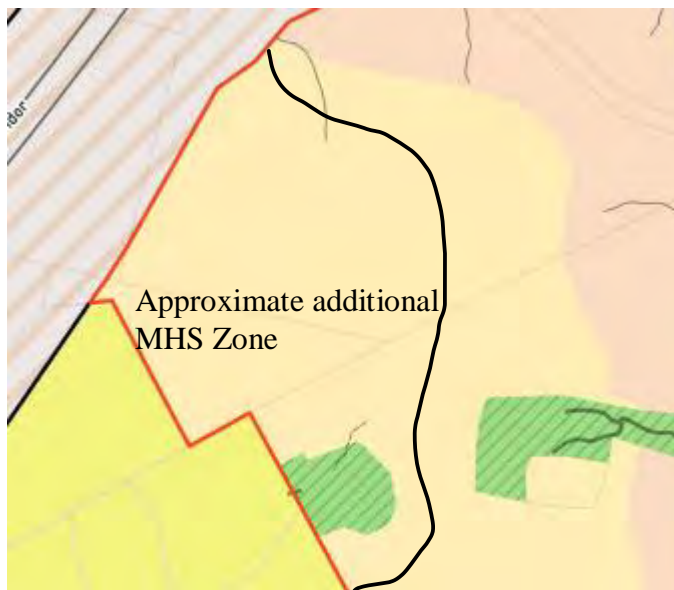
Gives more choice for community facilities

This connection to both Albert Road and the **PC25** area makes the Local Centre a pivotal place, and the available land gives opportunity for larger footplate amenity uses such as a swimming pool complex, and for significant urban open park space to be formed. A highly desirable feature like a swimming pool would cover more than the previously proposed 3000m² itself, yet alone additional neighbourhood facilities.

Area is appropriate to be increased in context of proposed urban structure

The proposed local area is contiguous with the northern *Business Mixed Use* zone and will allow a continuation of urban structure and scale, instead of a step down in scale from Light Industry to Neighbourhood Centre.

5. Change in Single House zone to MHS zone



Choice determined by natural and market variables

This change is supported as *Mixed Housing Suburban (MHS)* is considered a more sustainable development approach that lets topography, physical constraints, and market demand decide lot size, not an over-arching zone ideology. Larger lots are still able to be created if the market demands them.

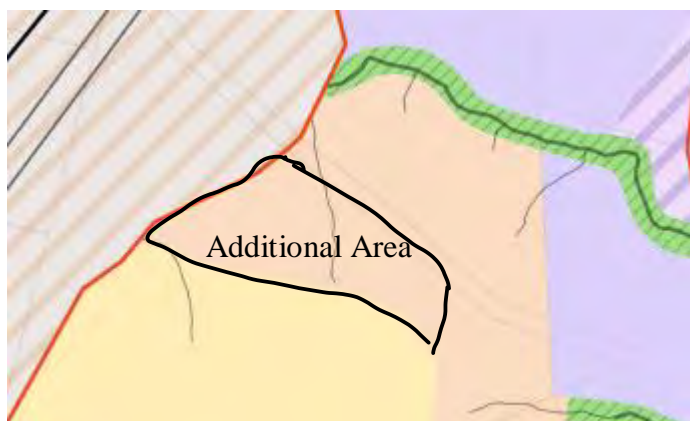
Better design outcome

MHU has a higher level of design quality assessment than single house zone and will produce a better residential environment overall compared to the unassessed permitted activity of Single house zone.

Deals with site specific issues

This area has several issues that are better able to be dealt with on a superlot scale as opposed to single house, such as geotechnical and proximity to the motorway. MHU will allow attached housing, this is more cost effective to acoustically mitigate than single houses, and can be used to form noise reducing blocks to the rest of the area.

6. Additional Mixed Housing Urban land at northern end of PC25 area.



The applicant is submitting to increase the area of Mixed Housing Urban. This is supported as the additional area is conjunctive with the proposed *Business Mixed Use*, and is within a walkable distance to the significant amenity this zone can provide.

Additionally, it is likely a transport node of some form linking to the proposed motorway, for example bus stop or bus station, will be within the Business Mixed Use area.

7. Summary

The proposed changes to the zones indicated in this submission to **PC25** are supported in their entirety, and will produce better urban design outcomes than the original application in response to Councils adopted **WWSP**.

Grant Neill
B Arch, M Urb Des (1st cl. Hons)
Urban Designer

For and on behalf of
Pacific Environments NZ Ltd
Registered Architects

The Provision of Business Land in Warkworth North

3 July 2019

1. Purpose

Turnstone Capital Ltd commissioned McDermott Consultants and Insight Economics to assess the business zones in the proposed Warkworth North Plan Change (PC25), including whether it is appropriate to:

- (1) Zone Business - Light Industry (LIZ) land in the PC25 area as provided for in the Warkworth Structure Plan (WSP);
- (2) Zone a Business – Local Centre in the PC25 area as proposed in the 2018 draft of the Warkworth North Structure Plan rather than the Neighbourhood Centre in the WSP.
- (3) Introduce a Business – Mixed Use Zone in the Plan Change 25 area.

The assessment is qualified by the uncertainty around the changing nature of investment and demand for labour. This is demonstrated by varying estimates of land needs since 2016 (Table 1), confirming the need for a flexible and adaptable approach to future business land.

2. Our Conclusions

We conclude that there is no need to provide additional LIZ land in Warkworth North via the WSP as this will simply exacerbate the substantial existing oversupply.

Conversely, we conclude that there is justification for Business - Local Centre and Business – Mixed Use zones in the area covered by PC25. This conclusion is justified:

- To support planned residential growth and job needs in Warkworth North, Warkworth town (over the longer term), and continuing growth in the Warkworth hinterland;
- In recognition of the dynamic, diverse, and rapidly-evolving nature of the organisation of work, work practices, and vocations;
- To maximise local work (and shopping) opportunities and reduce outbound commuting;
- By the need for flexible investment paths to support these work needs in an economy with a current bias towards light industry and facing considerable economic uncertainty;

3. Background

In January 2018, Insight Economics was commissioned by Turnstone Capital to provide an independent assessment of the differences in opinion between the experts retained to assess business land use demands by Auckland Council (Market Economics Ltd)¹ and Turnstone Capital Ltd (McDermott Consultants Ltd)². The review supported:

¹ Market Economics (January 2019) *Review of dwelling and employment – Warkworth Draft Structure Plan*

² McDermott Consultants (January 2019) *Economic Assessment*, Appendix 8, Warkworth North Proposed Plan Change

- The reduction in business land provided for in PC25 given “an abundance of business land in the general Warkworth area”;
- The McDermott Consultants conclusion that there is a “need to be more flexible with business land provisions given the rapidly evolving nature of business and employment”.

Our support for the zones proposed in the Turnstone Capital submission is explained below.

4. Timing and aligning of residential and business development

The WSP confirms that Warkworth North remains targeted for early development. The business zones provided for in PC25 enable employment capacity to be expanded in parallel with residential development. Opening up new business investment opportunities alongside new residential development will help to ensure that the latter takes place.

This takes on some urgency. Market research by Bayleys³ indicates low vacancy rates in March 2018 (industrial 2.6%, office 5.6%, and retail 7.1%, although the latter predated much of the uptake of space at the Grange Centre), suggesting a capacity-constrained economy. This limited capacity, in turn, has two adverse economic effects. First, it increases investment costs and, second, it reduces employment opportunities.

As outlined below, the adoption of a 69ha Business – Light Industrial Zone recommended by the Independent Hearings Panel on the Auckland Unitary Plan more than meets the need for industrial employment capacity into the foreseeable future. However, providing an abundance of industrial land is only a partial response to the need for more local jobs in an area planned for substantial growth.

5. Is commuting the answer?

In the absence of non-industrial employment opportunities, many new residents will join the southbound commute from Warkworth to work. Some 44% of residents were recorded as commuting out of the town in 2013.⁴ This is consistent with low vacancy rates. It may also reflect an imbalance in employment towards industry, and the need for a significant increase in investment outside traditional light industrial sectors and blue-collar jobs⁵.

Ideally, the WSP should help to lower the rate of outbound commuting to avoid overloading the motorway south. Indeed, it sets out strong arguments against outbound commuting (e.g., WSP, pages 19 and 47).

³ MarketBeat Winter 2018, Bayleys Research Letter, *Warkworth Commercial & Industrial Report ...it's all about the future*. Note: This refers to built capacity, not land developed.

⁴ Para 5.24, Statement of Planning Evidence to the Auckland Unitary Plan Independent Hearings Panel, Philip McDermott on behalf of Goatley Holdings and Stellan Trust, February 2016

⁵ McDermott Consultants (January 2019) Appendix 8 Proposed Plan Change Warkworth North, Appendix 8 McDermott) *Economic Assessment*, Section 3, especially Section 3.2 and 3.6

Table 1: Changing Expectations for Future Employment and Business Land, Warkworth

Date	Document	Author	Client	Provision for Employment Land
Nov-15	Future Urban Land Supply Strategy, 2015	Auckland Council	Inform Unitary Plan	Warkworth Total : 115ha; Warkworth North & North East: 3,270 Jobs (93ha at 35 jobs/ha); One Local Centre
Feb-16	Assessment of Warkworth's Industrial Land Requirement Statement of Evidence before the Auckland Unitary Plan Independent Hearings Panel	Philip McDermott, McDermott Consultants	Goatley Holdings & Stellan Trusts	Warkworth Total : 150-180ha business zones
Dec-16	Supporting Growth: Delivering Transport Networks, September 2016	Auckland Transport Alignment Project	Inform regional transport planning	Warkworth North: 104ha Potential Business (covering approximately areas 1, 13, 16, 28, 30)
7-Mar-17	Future Urban Land Supply Strategy Refresh	Auckland Council	Update sequencing and timing of future land development, amended to reflect changes on the	No change to business land; Warkworth North: Local Centre deleted
9-Oct-17	Statement of Evidence of Fairgray, Env Court AKL 00075	Market Economics	For Auckland Council	Warkworth Total : Up to 46ha Light Industrial
16-Oct-17	Draft Warkworth Business Land Assessment	Market Economics	For Auckland Council	Warkworth Total : 57ha Light Industrial
Jun-18	Business Land Topic report, Warkworth Structure Plan, June 2018	Auckland Council	Planning Committee, Auckland Council	Warkworth Total : Around 57ha under highest scenario
12-Jun-18	Warkworth Business Land Assessment, June 2018	Market Economics	For Auckland Council	Warkworth Total : Light & Heavy Industry up to 57ha; General Business up to 4ha; Mixed use up to 3ha; Centres, up to 4.5ha
Jan-19	Warkworth North Proposed Plan Change Economic Assessment	McDermott Consultants	For Turnstone Capital, Proposed Plan Change (As submitted)	Warkworth North: Additional - LIZ 13ha, GBZ 6ha, Total 19ha Neighbourhood Centre 0.3ha
23-Jan-19	Draft Review of Dwelling and Employment Yields Warkworth Draft Structure Plan	Market Economics	For Auckland Council	Warkworth Total : LIZ 52.5 ha - 1,035 jobs; Heavy Industry 37.4ha, 706 jobs; Residential Areas - 3,653 jobs
Jun-19	Final Warkworth Structure Plan	Auckland Council	Final, Published	Warkworth Total : 61.9ha LIZ, 2.9ha HIZ Warkworth North: 24.5ha Light Industry

Any measures to lower outbound commuting need to take account of the pressure for additional Warkworth-based jobs from the surrounding labour catchments. The 2013 Census indicated that 25% of jobs in Warkworth were filled by residents from south of the town, 30% from the east, and 10% from the north⁶. The pressure from these areas has no doubt continued. Collectively, there has been more residential growth in the hinterland⁷ than in Warkworth itself in the recent past (Table 2).

Table 2: Dwelling Consents Issued in and Around Warkworth, 2010-2019

	March Years			
	2009-14	2015-19	2009-14	2015-19
East	332	458	67%	54%
North	149	370	30%	43%
South	12	26	2%	3%
Total Hinterland	493	854	100%	100%
Warkworth	210	306		

Notes: Data missing for second quarter 2018
 See Footnote 5 for definitions of catchments
 Source: Statistics NZ

Over the last ten years, there were around 830 more residential consents issued in the hinterland (as defined in Footnote 1, below) than in Warkworth. The number of consents issued in the hinterland was 73% higher in the second five years than the first, compared with Warkworth, where they were 46% higher in the second 5 years.

Some , 60% of hinterland growth occurred east of Warkworth, with the bulk of the balance to the north. Planned road investment will enhance connection with these catchments (and probably boost residential growth within them)⁸. Consequently, we expect inbound commuting pressure on Warkworth from the Hinterland to increase over next twenty years.

We conclude that it is important to provide employment opportunities that recognise the costs of outbound commuting and the role of Warkworth as an economic hub for the north of Auckland.

6. Workforce Growth in the Warkworth Structure Plan

We disagree with the methodology reported in the WSP for estimating future job needs. The estimated increase in labour supply appears to be based on a ratio of jobs to households across Warkworth. This leads to the assumption that the marginal participation rate (relating to the additional households) will be substantially lower than the 1.39 persons

⁶ Statement of Planning Evidence to the Auckland Unitary Plan Independent Hearings Panel, Philip McDermott on behalf of Goatley Holdings and Stellan Trust , February 2016

⁷ East: Cape Rodney South, Leigh, Omaha, Matakana, Snells Beach, Algies Bay; South: Mahurangi, Tauhoa- Puhoi; North: Cape Rodney, Wellsford.

⁸ Currently, no north facing ramps are planned for Puhoi so accessibility to the southern hinterland will not change significantly.

prevailing at the moment, at just 0.66 jobs/dwelling. The result is “around 5,000 jobs” required (WSP p.47)⁹. No reason is given for this substantial disparity.

In contrast, PC25 (Appendix 8) addresses the employment needs of the additional workforce associated with the uptake of residential capacity. It considers the demographic influences on labour supply, including likely household size, allowing that a significant share of new residents can be assumed to be working age adults. It aligns household character with the different forms of dwelling provided for in PC25 (Sections 2.2, 2.3 and Appendix 1). While recognising that retirement households will continue to contribute to the population gains, the experience with rapid settlement growth is that it is generally characterised by a large working age component.

The result is an estimate of between 1.0 and 1.25 working residents per additional dwelling, leading, in turn, to estimates of between 7,500 and 9,000 more people seeking employment when the Future Urban Zone is fully developed.

7. Catering for an Expanded Workforce

Meeting Household Demand

Some provision is made for business dependent on expanding household consumption as Warkworth grows. This is based on the consumption profile (defined in terms of average spend on retail, hospitality, automotive, and other services) of an additional 12,500 households in Warkworth and the surrounding catchment by 2043. This leads to an estimate of demand for an additional 72,000m² gross floor area, or between 10ha and 13ha¹⁰.

This analysis assumes that traditional retailing will continue to expand (by 60%) despite the changes taking place in the distribution of comparison goods, in particular. Even more significant is the expectation in the projections that only a little over half of the expanded demand will be met by locally based shops. While the Market Economics analysis suggests a marginal propensity to shop locally equivalent to of 53% new households compared with its estimate of 44% of all households in 2016¹¹, the expectation remains that outbound travel for purchasing goods and services will increase substantially with population growth. This is consistent an expectation of a higher level of outbound commuting.

This seems inconsistent with the policy expectations of the plan, which favours greater local self-sufficiency in the interests of reducing transport demand and enhancing social outcomes. The risk is that the analysis as it stands leads to an underestimation of likely demand for land for uses oriented towards the consumption needs of households. This undermines the WSP assumption that most of this employment will grow around existing centres.

⁹ Attachment 1, But see WSP p. 47 where the marginal ratio is 1.66

¹⁰ Market Economics (13 June 2018) *Warkworth Business Land Assessment*, Section 5), Appendix 1 in Auckland Council (June 2018) *Business Land Topic report*, Warkworth Structure Plan, pp10-12 and Appendix -

¹¹ Market Economics, op.cit., Tables 5.4 and 5.5.

In terms of the town centre, in particular, it states that “the 9ha of Mixed Use zoning around the town centre ... predominantly occupied by older housing stock ... could be redeveloped into higher density residential and office/retail space. There is also some undeveloped capacity within the area zoned Town Centre” (p40). Together with the likelihood that more rather than less land than projected will eventually be required, and the significant urban design issues raised with respect to retaining the quality and character of the town centre and likely traffic impacts suggests that unduly limiting the provision of commercial land will fail to deliver the outcomes sought by way of capacity and quality of development.

Business Land

The Market Economics report (p12) estimates 4,430 additional jobs required at full development, the WSP estimates capacity for an estimated 4,992 additional jobs. Both appear to depend on a large share of these jobs being located within residential zones, 75% in the case of the WSP (Table 3). In the apparent absence of analysis of the nature of future employment, the WSP assumes that the high share of jobs in industry will be maintained, even as the number of households increases four- or five-fold¹². The WSP provides for another 65ha of light and heavy industrial land by 2028, equivalent to around 1,160 jobs.¹³

Table 3: Additional Employment Capacity, Warkworth Structure Plan

Sequence*	Local	N'hood	Light	Heavy	Busines	Residntl	Total
2022	0	20	447	0	470	1,080	1,550
2028	19	10	7	706	740	2,070	2,810
2033	0	0	0	0	-	540	540
2038	0	0	0	0	-	30	30
Total	19	30	454	706	1,210	3,720	4,930
Share	0%	1%	9%	14%	25%	75%	100%

Source: WSP, Appendix 3

On this basis, and with minimum provision for commercial centres (30 jobs spread across three new neighbourhood centres and 19 in one new local centre over the period), there is an implicit expectation in the WSP that any increase in non-industrial jobs not accommodated in residential areas will take place in the town centre.

It is our view that the WSP should support and enable more balanced employment growth given that Warkworth is already highly dependent on industrial employment, and that this should be reflected in the land use provisions for PC25. Providing for greater diversification calls for capacity for mixed business activities outside industrial areas. Industry alone will not facilitate or encourage the diverse investment required to maintain high levels of local employment, nor cater for the diverse occupations and skills that can reasonably be expected in a substantially increased population.

¹² Market Economics (January 2019), p10; Warkworth Structure Plan, Appendix 3

¹³ WSP, Appendix 3. At a little over 17 jobs/ha it adopts a low yield raising questions about the suitability of the land for industry.

8. Business land Use Provision in the WSP

There are two highly unlikely land use expectations contained in the WSP.

Residential Land

First, there is an assumption contained in the WSP employment yield estimates (Appendix 3) that a very large share of new employment will locate in residential areas (Table 3). Apart from the externality issues this raises (with respect to traffic and noise, for example), there are no grounds for expecting 75% of employment growth associated with residential gains to be housed in residential areas.

It is useful to compare this expectation, as set out in Appendix 3, with the 2013 Census. According to the Census (and an estimate made for 2016), only 8.2% of the Warkworth workforce worked from home (down from 9.2% in the 2001 Census).¹⁴ Home-based employment has lagged labour force growth.¹⁵ In addition, the rapid growth of co-working in shared, mainly commercial premises could well supplant home-based work as the dominant response to remote working opportunities.¹⁶ Co-working could easily be favoured in Warkworth given its distance from the CBD, and would be a source of demand for office and workspace capacity in neighbourhood and local centres.

In addition, if we were to assume (generously) that all education and residential care jobs are in residential zones, Business Directory figures suggest another 16% of Warkworth jobs (around 400) located in residential areas in 2018. Together with people working from home, these would make up less than 25% of employment. This share is likely to be high and highly unlikely to double, let alone triple, over the next 20 years, as implied by the WSP, especially in the face of increasing dwelling density.

We conclude that most of the (presumably non-industrial) jobs the WSP allocates to residential zones will instead require suitably zoned commercial – not industrial – land.

Industrial Land

Second, the provision for industrial land in the WSP is excessive. While Warkworth already has high dependence on manufacturing for local employment opportunities, industry alone will not cater for the diversity of occupations and skills that might be expected in a substantially increased population, nor for the diverse investment that will be required to maintain high levels of local employment.

¹⁴ Statistics New Zealand, Census of Population, Statement of Planning Evidence to the Auckland Unitary Plan Independent Hearings Panel, Philip McDermott on behalf of Goatley Holdings and Stellan Trust, February 2016

¹⁵ The Census recorded a 35% increase in the Warkworth resident workforce from 2001 to 2013, and a 22% increase in the number working from home.

¹⁶ Falling premise size, enhanced technologies, and changing work practices mean that as coworking expands, so premises are more likely to be established outside the traditional major centres. See: www.dropbox.com/s/jjor71mecwqbxdy/2019%20Complete%20Coworking%20Forecast.pdf?dl=0

Securing a jobs:employee ratio of 1:1 in Warkworth North would require capacity for around 2,600 jobs based on the estimates prepared for PC25¹⁷, with around 1,300 associated with the area covered by PC25. If we assume that one third of these (860) are industrial jobs and that another 25% (650) locate in residential areas¹⁸, non-industrial employment land would be required to accommodate around 1,100 jobs in Warkworth North, and about half of those in PC25.

Accommodating 860 industrial jobs would be no issue in the existing live zoned Business – Light Industrial Zone which, we suggest, has capacity for over 2,000 jobs (Table 4). The WSP simply adds capacity for another 470 jobs on top of this, albeit at much lower densities given the topography of the land involved.

Once 37.4ha of Business – Heavy Industry is added in (scheduled by the WSP for 2028), the additional capacity supplied could cater for 3,300 jobs, or around 3.7 times current industrial employment (930 in February 2018). This might be absorbed by around 2055 if a compound growth rate of 4.2% is sustained¹⁹, which we consider *extremely* unlikely

Table 4:Planned Capacity for Industrial Employment

Source	Zone	Ha	Jobs/Ha	Total
IHP	LIZ Current	69.0	30	2,070
WSP	LIZ, 2022, Area 30	24.5	18	440
WSP	LIZ, 2028, Area 31	2.9	25	70
WSP	HIZ, 2028, Area 32	37.4	19	710
		133.8	25	3,290

Regardless of the actual rate of growth achieved, or the densities of development, these figures confirm that the WSP provides for a substantial over-supply of industrial land. Moreover, they suggest that little consideration has been given to the possible nature of investment and occupational prospects and possibilities in a substantially expanded town. In contrast, the land use mix promoted by PC25 acknowledges and responds to changes taking place in the economy, skills, and the organisation of work. While not knowing precisely what form these changes might take, it is important that they can be adaptable in the face of a changing local population and enhance the prospects for a transformation of the Warkworth economy from both the rapid expansion planned and the significant transport investments underway or planned.

¹⁷ McDermott Consultants (January 2019) Appendix 8 Proposed Plan Change Warkworth North, Appendix 8 McDermott) *Economic Assessment*. Tables 2 and 3, accompanying text, and Appendix 1 set out the demographic rationale and assumptions for these figures.

¹⁸ Both assumptions are considered on the high side; i.e., resulting in a low estimate of non-industrial jobs requiring business-zoned land.

¹⁹ This is the rate recorded in the industrial categories in the Business Directory, 2000-2019, boosted by exceptional growth after the 2008-9 Global Financial Crisis.

9. Catering for the Non-Industrial Workforce

Land use expectations for PC25 are influenced by the possible nature as well as magnitude of workforce growth and the planning principle adopted by Auckland Council that the Structure Plan should provide “*new local employment areas so people can work locally in Warkworth*” (WSP, p46).

The very limited provision of additional commercial business land in the WSP (6,000sqm in 2022 and 3,000sqm 2028 in three neighbourhood centres and 1ha in a local centre in 2028, respectively) assumes that the structure of activity will remain largely unchanged. This is likely to have the following consequences:

- (1) Reduced participation as residents have difficulty finding suitable local employment (outside of industry);
- (2) Increased long-distance commuting by Warkworth and hinterland residents, compounding congestion south of Orewa;
- (3) Fewer local services that might support both community and business expansion;
- (4) Ongoing pressure to convert areas of unutilised land zoned for industry to other uses.

As a result, constrained local employment growth is likely to lower the uptake of housing capacity and will frustrate the objectives of the WSP and the Auckland Unitary Plan.

10. The Nature of Future Employment

While the AUP rules provide some flexibility in industrial zones, they are limited and do not reflect, for example, the growth in office-based activity and final demand services that underpin the development of the wider Auckland economy over recent decades. They do not reflect the rapid changes production, distribution and consumption services generally.

Section 3, Appendix 8 of the WSP explored labour market and employment trends and prospects as they relate to Warkworth, including changing work practices.

The analysis acknowledges the uncertainty the Warkworth’s economy faces. Despite identifying a positive outlook for Warkworth’s industry (p26) we foresee no prospects for the full uptake of the amount of industrial land provided in the WSP within the next 30 to 40 years, or even well beyond.

Rather, the analysis notes that:

- *... a large share of employment growth will be associated with non- industrial uses, including personal, household, business, and community services;*
- *Disruptive technologies, volatile domestic and international markets, and new business models make it difficult to forecast in detail the nature and needs of medium- (five to ten years) and long-term (ten years plus) investment and employment; and*
- *Flexibility of land use will enable the community to respond effectively to and initiate new investment and employment opportunities despite this uncertainty.*

Over-emphasis on industrial land simply highlights the issues facing the economy:

- *A dearth of local business and professional services acts against growth in sectors that use such services, including industry;*
- *Much of Warkworth's industry (and employment in it) is vulnerable to [a] the cyclical nature of construction; and [b] the fortunes of a few significant local employers, reinforcing the need to allow the economy to diversify;*
- *Retailing faces transformational challenges, the nature of which is not yet clear, but which raise questions over the capacity of traditional stores to sustain job growth;*
- *Service investment is likely to be the major driver of new jobs for some time to come, including services to households and families, to business and employment, to the community, and to individuals; and*
- *Entrepreneurship and innovation can play a significant part in shaping new jobs, many of which may fall between production, logistics, and service delivery, making it difficult to determine with any precision future land use needs;*

One conclusion, given the difficulty of forecasting future employment, is the need for flexible investment paths if employment growth is to be sustained. Traditional industrial zones limit flexibility and do not easily accommodate emerging trends – the integration of production, warehousing, wholesaling, and distribution, for example; the increase in co-working sites; the convergence of factory, laboratory, and office-based production; the emergence of totally new sectors and activities; and the disappearance (through technical integration, product or process redundancy, or off-shoring) of others.

Based on these observations and the 69ha of vacant land already zoned for light industry, PC25 does not add to the industrial land pool. Rather, it seeks to provide flexibility and diversification in uses that might:

- Complement and support manufacturing;
- Reflect the need for growth in the immediate neighbourhood, the wider Warkworth North area, and the surrounding hinterland;
- Recognize and respond to the rapidly evolving nature of work;
- Provide varied local employment opportunities; and
- Facilitate innovation and entrepreneurship.

It also takes account of the nodal advantages offered by the intersection of the Great North Road (current SH1), the Northern Motorway extension (and future SH1), and the planned link road to the settlements east of Warkworth, from Leigh through to Snells Beach.

The zones advanced in proposed PC25 – General Business and a Local Centre – reflect these requirements and influences. However, it is proposed in this submission to replace the Business - General Business Zone with a more flexible zone, Business – Mixed Use. As well as providing wider scope for activities, this offers a more satisfactory transitional zone for urban design purposes, while reflecting the increasingly fuzzy boundary between industrial

and non-industrial activities. It also recognises the likelihood that the sorts of large format activities that might be favoured by the location are likely to be catered for in the Light Industrial Zone to the east of SH1 and north of the Warkworth Showgrounds.

11. The Proposed Business Zones

- **The Business – Local Centre Zone**

Area 5.7ha, approximately 290 jobs (at 50/ha)

Based upon the analysis of sector, workplace, and vocation gaps and opportunities undertaken in support of PC25, it is important to support residential growth *“with the capacity to accommodate a range of commercial investment while meeting neighbourhood and local retail needs”*.

The proposed Business - Local Centre zone will achieve this enabling a wide range of final demand activities (retailing, hospitality, personal services, education and care services, and personal business services) to an immediate catchment that can be defined north of Hill St(serviced by Albert Rd), Warkworth North, and North East. Its household service and retail roles will be two-fold, providing neighbourhood goods and services through a network of local roads, walkways, and cycleways; and complementing this with higher order goods and services in response to enhanced accessibility to a much wider semi-rural hinterland with the pending road connections.

A Local Centre also provides a base for local business services (law, accountancy, training, placement, testing, and consultancy), meeting the needs of an expanding industrial sector anticipated north of the Showgrounds, supporting new investment and entrepreneurship, and a range of small office-based services. In this way it should be able to sustain a range of vocational (education, training, placement) and employment activities. In the proposed location, it will also offer potential for the development of community facilities that will complement the planned open space, reinforcing its role as a social hub for the community.

- **Business – Mixed Use**

16.3ha, approximately 490 jobs (at 30/ha).

The Auckland Unitary Plan provides for the Business - Mixed Use Zone around centres and along corridors and as a transition area between residential and business zones centre zones, and to areas *“where there is a need for a compatible mix of residential and business activities”* (H13.1 Business- Mixed Use Zone). It favours small scale activity but offers design and functionality within an attractive environment.

In terms of employment diversity, the main objectives relate to design, compatibility with residential use, and not compromising the centre zones. Flexibility, though, is also fostered through the wide range of permitted uses. These include: hospitality - visitor accommodation, entertainment, food and beverage including drive-through facilities; community facilities, including care centres, education and healthcare, arts and recreation, and marae; and activities that support manufacturing and services, including light industrial support services, laboratories, repairs and maintenance, warehousing and storage.

12. Conclusion

The provision for business land advanced in this submission will help mitigate the prospect of oversupply of industrial land, while also increasing opportunities for diverse investment. It will complement the current industrial focus of Warkworth land supply. It will offset any imbalance or vulnerability that this focus creates in the face of uncertainty over medium- and long-term economic development. And, it will provide the variety of investment and employment opportunities that substantial urban expansion demands at a time of rapid and largely unpredictable change in the drivers of economic growth, the nature of work, and a growing social and environmental imperative to limit commuting.

Philip McDermott

McDermott Consultants Ltd

3 July 2019

Fraser Colegrave

Insight Economic Ltd

Date: 24 June 2019

Re: Comparison of land uses Turnstone proposal vs Council Adopted WW Structure Plan

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Discipline	Turnstone	Council	Summary
Economic	<ul style="list-style-type: none"> • Business - Mixed Use provides a variety of employment types. • Enables employment to be provided / employment land developed in conjunction with residential land in a balanced way. • Joint statement indicates that the WSP business land zoning pattern will in fact potentially result in the outcomes the WSP is trying to avoid. (page 4). • Local Centre enables a greater variety of employment choices and greater opportunity for activities that support the industrial land on the northern side of SH1. • Local Centre will support a greater area than just the new residential. It will serve existing development to the north of Hill street accessible via Albert Road. 	<ul style="list-style-type: none"> • Over supply of Light Industry zoned land in Warkworth. • This will lead to inefficient development of urban land and provide a limited and inequitable provision of employment options. • Neighbourhood centre is limited in the types of community facilities that are enabled and the size of a Neighbourhood Centre will not achieve a community hub centred around the planned open space areas. 	Most optimal outcome is reflected in the Turnstone submission.
Urban Design	<ul style="list-style-type: none"> • Residential uses abutting Falls Roads provides consistent streetscape, legibility and residential character. • Business – Mixed Use is preferable transitional zoning enabling a mix of residential and compatible business uses. 	<ul style="list-style-type: none"> • SP notes that “...careful urban design solutions will be needed to ensure that permeability through this new urban area is maintained for pedestrian and cyclists 	Most optimal outcome is reflected in the Turnstone submission.

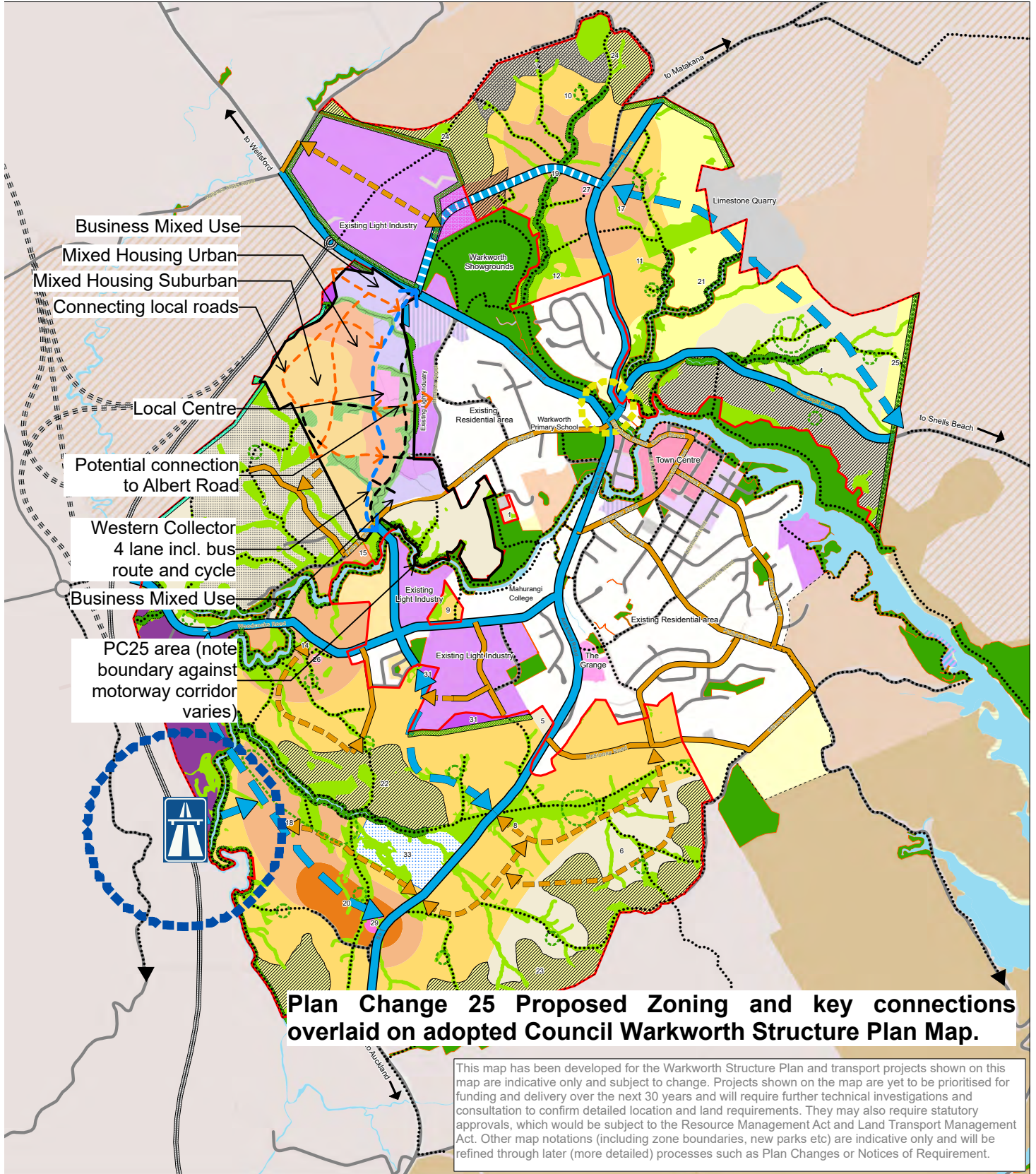
	<ul style="list-style-type: none"> Residential is preferable to industrial for pedestrian safety as wider crossings etc associated with industrial sites. Business – Mixed Use provides direction for future uses of existing industrial sites if those become redundant in the future due to higher value land uses. Local Centre provides greater opportunity for community facilities that will create a focal point around planned open space areas. This will provide an opportunity for a vibrant centre to be created as a community hub. 	<p><i>and that the road frontage is activated and attractive on both side of the road¹</i></p> <ul style="list-style-type: none"> SP – page 89 suggests a Precinct to manage the interface if industrial sites with residential development on the WLR to facilitate good urban design outcomes. 	
Transport	<ul style="list-style-type: none"> Industrial would require access direct onto the WLR with heavy transport when the other side of the road will be residential. WLR likely to be a Limited Access Road (LAR) same as the MLR. Limited access therefore means road intersections. These will then be intersection used by heavy transport associated with the industrial and the Residential areas planned to the north and also the Business Centre. 	<ul style="list-style-type: none"> WLR provides a good separation between the Light Industrial extension proposed and the residential planned to the north. Any refinement / shift in the alignment of the WLR will have flow on effects for the extent of the proposed industrial zoning. 	Most optimal outcome is reflected in the Turnstone submission.
Civil Engineering	No limitations.	No limitations.	Council technical guidelines and standards ensure acceptable outcomes will be achieved.
Geotechnical	No constraints to the proposed zoning. With respect to residential zoning a higher intensity zoning is often warranted to justify increased	<ul style="list-style-type: none"> Page 49 of the SP states that “New industrial areas are required to be located on relatively flat land, have efficient 	Most optimal outcome is reflected in the Turnstone submission.

¹ Adopted WW SP, page 48

Ecological	<p>development costs and also enables a greater flexibility in design to get more optimal land use outcomes.</p>	<p><i>access to freight routes, and be efficiently served by infrastructure. Their location needs to also consider reverse sensitivity effects by not locating close to sensitive activities (e.g. high density residential, schools) and not enabling sensitive activities to establish adjacent to industrial areas”</i></p>	
	<ul style="list-style-type: none"> Residential and a Centre will have lesser potential adverse effects on water quality associated with runoff and water treatment devices, even with SMAF 1, than the proposed Business – Light Industry. The zone alterations proposed by Turnstone Capital with respect to the Auckland Council Proposed Warkworth North Plan Change (i.e. Single House Zone (SHZ) to Mixed House Urban (MHU) and Business Light Industry (BLI) to Business Mixed Use (BMU)) would have negligible additional influence on the adverse ecological effects anticipated for the development of these areas. The terrestrial ecological values in these areas are currently very low and potential effects of the zone changes to MHU are likely to be similar to those of SHZ. The current freshwater values are, in general, moderate in both proposed zone alteration areas and although the land-use proposed (MHU) may result in increased development intensity, the objectives of the zone are the same for that of the SHZ; “Restrict the maximum impervious area 	<p>Not proposing any higher level of treatment or stormwater outcome. Hardstand areas typically associated with Industrial have greater adverse effects on water quality, especially adjacent to the river.</p>	<p>Optimal outcome would be to encourage existing industry to move further away from the river to improve water quality.</p> <p>In addition, the area of open space proposed between the centre and watercourse would offer an ‘ecological buffer’ and reduce impervious surfaces.</p> <p>Most optimal outcome is reflected in the Turnstone submission.</p>

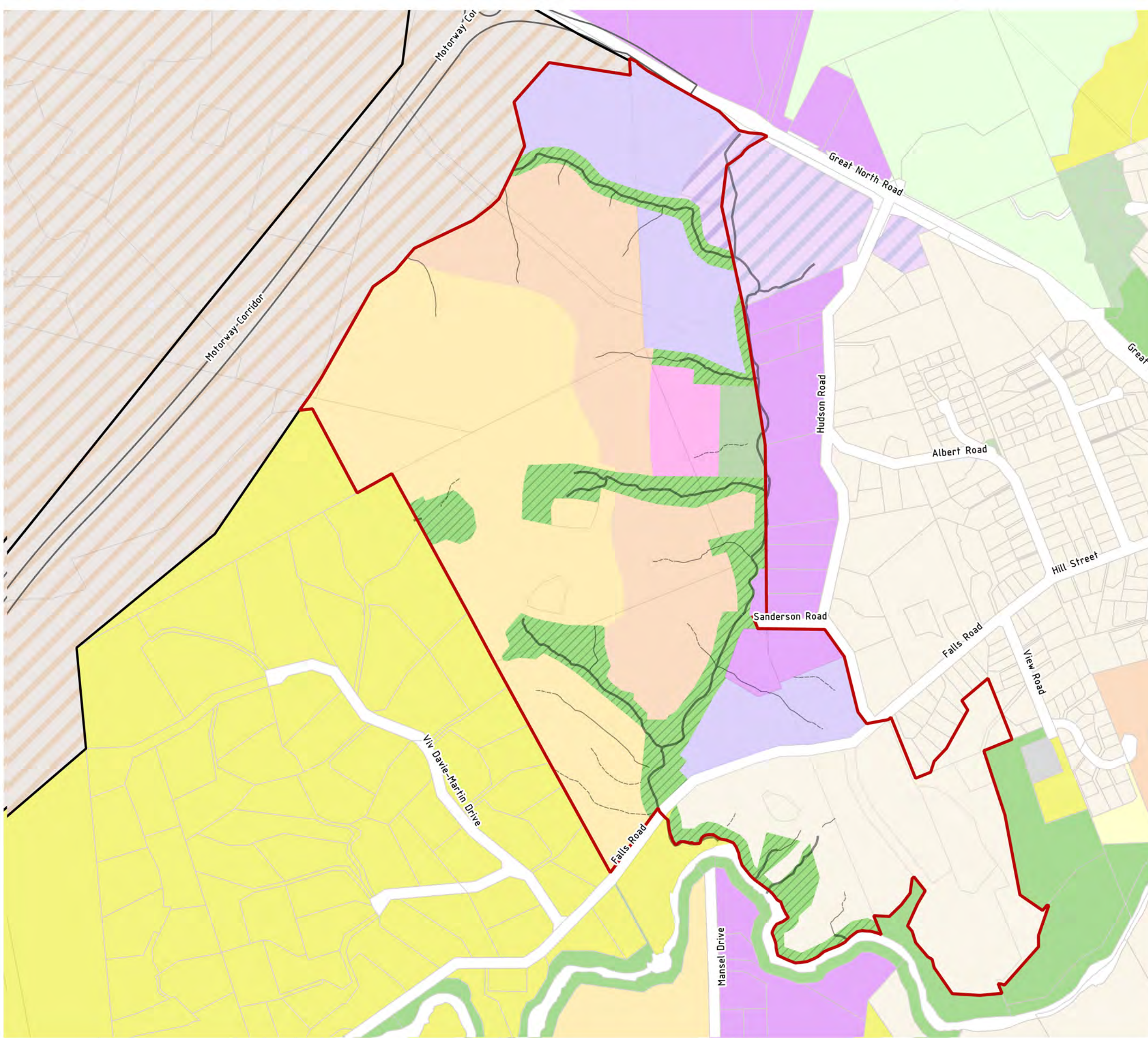
	<p>on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated”.</p> <ul style="list-style-type: none"> • The anticipated terrestrial adverse ecological effects associated with BMU, will potentially be less than those associated with BLI, simply due to type of activities conducted and the potential effects (noise, vibration, contaminants, impervious surfaces, etc) on the environment. • The maximum impervious area per site remains the same (60%). Like the SHZ, with appropriate water management (SMAF 1) the adverse effects on the environment as a result of MHU development can be appropriately mitigated. The anticipated adverse freshwater ecological effects associated with BMU, will be potentially be less than those associated with BLI, simply due to type of activities conducted and the potential effects (contaminants, impervious surfaces, etc) on the environment. 		
Arboricultural	No issues		
Soil Contamination	No issues		
Cultural	No known issues		
Planning	<ul style="list-style-type: none"> • Business – Mixed Use provides a more appropriate zoning, than Business – Light Industry to residential land uses from a reverse sensitivity perspective. 	<ul style="list-style-type: none"> • SP states that the WLR will be about 30 metres wide and “...will act as a buffer, providing physical separation between the industrial land and the residential land 	Optimal outcome would be to encourage the existing industrial to move away from existing and

	<ul style="list-style-type: none"> • A Local Centre provides greater opportunity for a community hub close to public transport and a greater variety of employment options. It can also provide some opportunity for appropriate support activities to the live zoned industrial land to the north of the State Highway. • Residential - Mixed Housing Urban better achieves the objectives and policies of the RPS relating to Urban Growth and Form. 	<p><i>uses on the other side of the road to prevent conflicts between these uses"</i>.</p> <ul style="list-style-type: none"> • Residential – Single House will not achieve optimal urban outcomes because the provisions do not encourage quality urban design outcomes to the same extent that Residential – Mixed Housing zones do. 	<p>future planned residential areas.</p> <p>Long term this would avoid reverse sensitive and less optimal urban design outcomes. The seam of existing and future industrial in this location effectively sits amongst an existing and future residential area. The industrial land is located at the valley bottom with residential land on the slopes overlooking either side.</p> <p>Most optimal outcome is reflected in the Turnstone submission.</p>
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<p>Warkworth Structure Plan</p> <p>0 250 500 1,000 Metres</p> <p>Date Printed: 27/05/2019</p>	<ul style="list-style-type: none"> New Interchange - south facing ramps only Ara Tūhono - Warkworth to Wellsford Indicative Alignment New Collector Roads with cycleways (Potential routes) Collector Roads (Upgrade existing road including cycling provision) Arterial Roads (Upgrade existing road including cycleways) New Arterial Roads with Cycleways (Potential routes) Matakana Link Road - Te Honohono ki Tai Ara Tūhono - Pūhoi to Warkworth (under construction) Rural Urban Boundary (RUB) Landscape Screening Area Potential buffering/screening area from motorway Protection areas (not for development) Existing Open space Future esplanade reserves (20m) on subdivision Indicative locations of new open space 	<ul style="list-style-type: none"> Study Area Business case for long term improvements to the Hill Street intersection Areas for further landscape protection controls Business - Heavy Industry Zone Business - Light Industry Zone Business - Local Centre Zone Business - Neighbourhood Centre Zone Area for potential increase to minimum site size Morrison's Heritage Orchard Residential - Large Lot Zone Residential - Mixed Housing Suburban Zone Residential - Mixed Housing Urban Zone Residential - Single House Zone Residential - Terrace Housing and Apartment Buildings Potential investigation of rezoning 'live' zone Indicative Greenway routes (walkways/cycleways) (Auckland Council, Rodney Local Board)
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Proposed Zoning Map

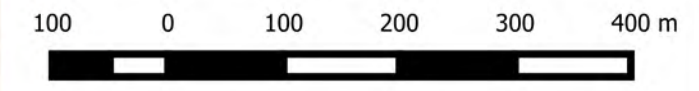


- Plan Change Extent
- Land Parcels
- Stream Classifications**
- Intermittent Stream
- Permanent Stream
- Ephemeral Stream
- Unitary Plan Zones**
- Residential - Large Lot Zone
- Residential - Single House Zone
- Residential - Mixed Housing Suburban Zone
- Residential - Mixed Housing Urban Zone
- Open Space - Conservation Zone
- Open Space - Informal Recreation Zone
- Open Space - Sport and Active Recreation Zone
- Business - Mixed Use Zone
- Business - Local Centre Zone
- Business - General Business Zone
- Business - Light Industry Zone
- Future Urban Zone
- Rural - Rural Production Zone
- Rural - Mixed Rural Zone
- Special Purpose - Healthcare Facility and Hospital Zone
- Indicative Open Space



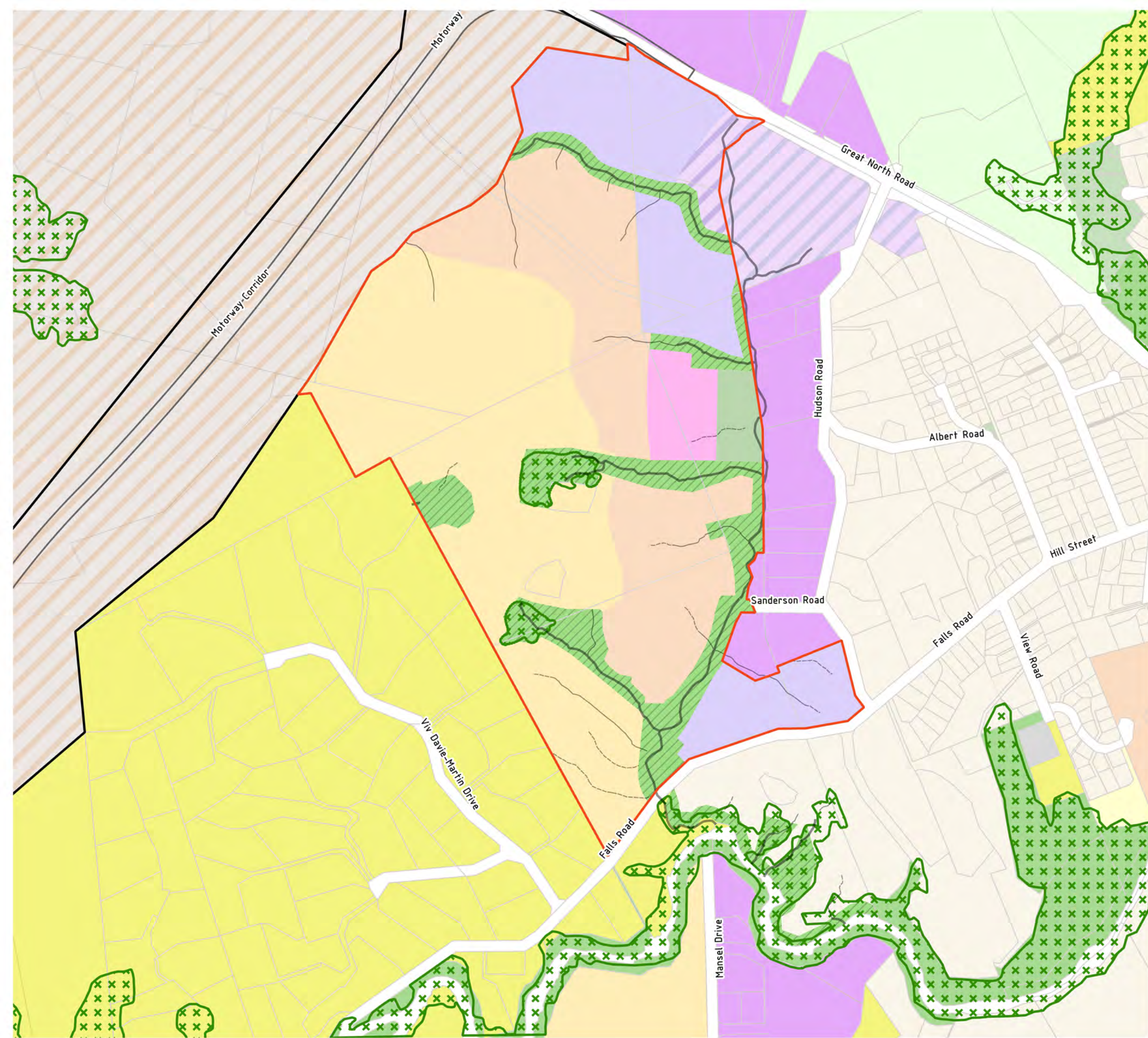
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REVISION	DATE	COMMENT	CHECK
0	9/03/2018	ORIGINAL ISSUE	NJ
1	21/05/2018	WETLANDS ADDED	NJ
2	10/10/2018	REVISE ZONES	NJ
3	15/10/2018	SEA AREAS	NJ
4	27/06/2019	REVISE ZONES	SR



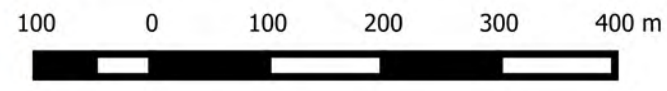
Proposed SEA Overlay Map

-  Precinct - Warkworth North
 -  Significant Ecological Area (SEA)
 -  Land Parcels
 -  Indicative Open Space
- Stream Classifications**
-  Permanent Stream
 -  Intermittent Stream
 -  Ephemeral Stream
- Unitary Plan Zones**
-  Residential - Large Lot Zone
 -  Residential - Single House Zone
 -  Residential - Mixed Housing Suburban Zone
 -  Residential - Mixed Housing Urban Zone
 -  Open Space - Conservation Zone
 -  Open Space - Informal Recreation Zone
 -  Open Space - Sport and Active Recreation Zone
 -  Business - Mixed Use Zone
 -  Business - Local Centre Zone
 -  Business - General Business Zone
 -  Business - Light Industry Zone
 -  Future Urban Zone
 -  Rural - Rural Production Zone
 -  Rural - Mixed Rural Zone
 -  Special Purpose - Healthcare Facility and Hospital Zone



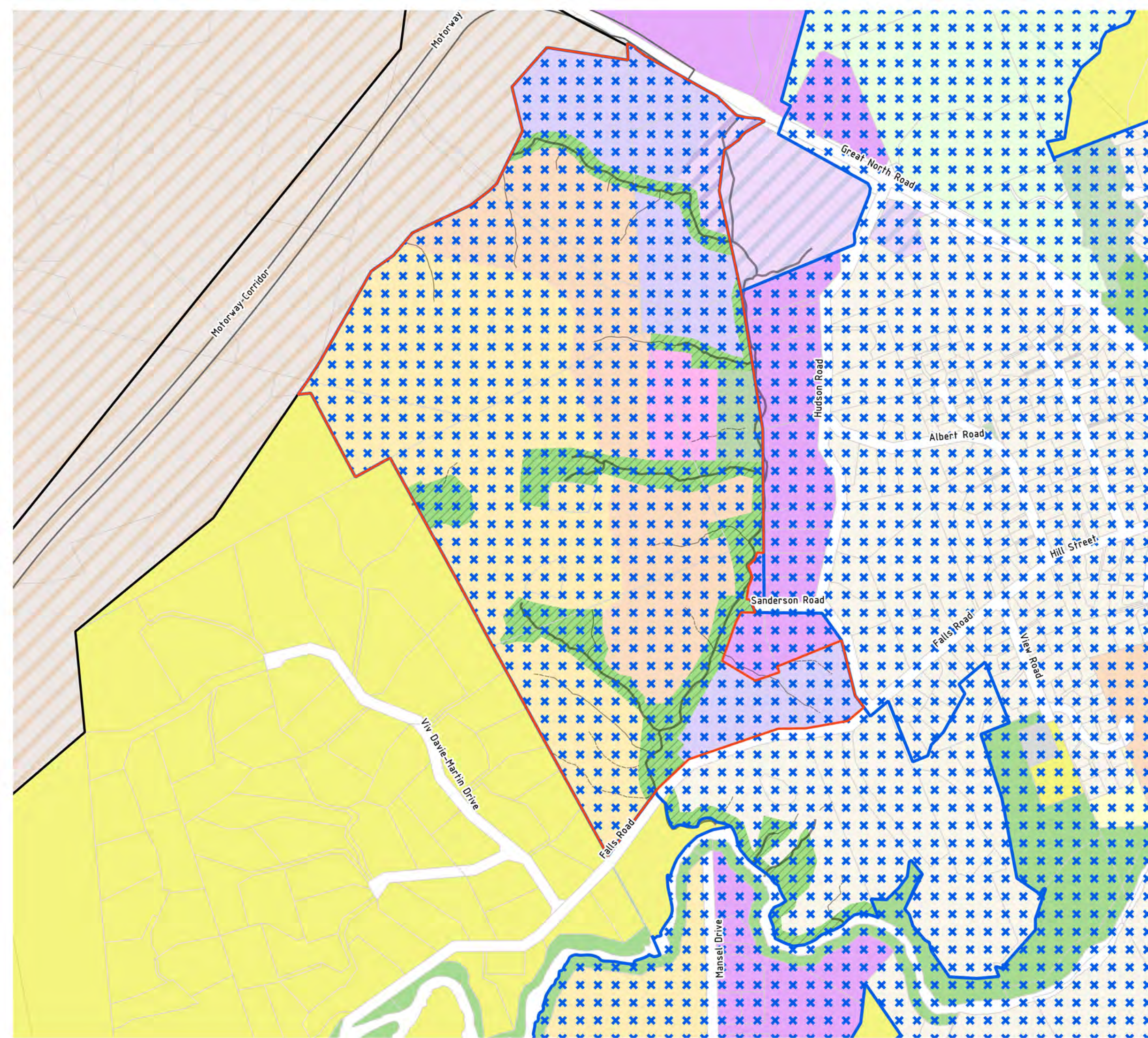
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REVISION	DATE	COMMENT	CHECK
6	11/01/2019	NEIGHBOURHOOD ZONE	NJ
7	18/01/2019	ZONE BOUNDARIES	NJ
8	22/03/2019	LEGEND	NJ
9	2/04/2019	LEGEND	NJ
10	3/07/2019	REVISE ZONES	SR



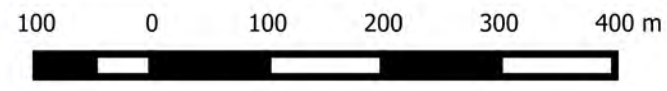
SMAF Control Map

-  Precinct - Warkworth North
 -  SMA Flow 1
 -  Land Parcels
 -  Indicative Open Space
- Stream Classifications**
-  Permanent Stream
 -  Intermittent Stream
 -  Ephemeral Stream
- Unitary Plan Zones**
-  Residential - Large Lot Zone
 -  Residential - Single House Zone
 -  Residential - Mixed Housing Suburban Zone
 -  Residential - Mixed Housing Urban Zone
 -  Open Space - Conservation Zone
 -  Open Space - Informal Recreation Zone
 -  Open Space - Sport and Active Recreation Zone
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 -  Business - Light Industry Zone
 -  Future Urban Zone
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 -  Rural - Mixed Rural Zone
 -  Special Purpose - Healthcare Facility and Hospital Zone



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9	2/04/2019	LEGEND	NJ
10	3/07/2019	REVISE ZONES	SR



WARKWORTH NORTH PRECINCT

I1. Warkworth North Precinct

I1.1. Precinct Description

The zoning of land within the Warkworth North Precinct and Stubbs Farm Development Area – Sub precinct is Residential – Mixed Housing Suburban, Residential – Mixed Housing Urban, Business – Light Industry; Business – Mixed Use, Business – General Business, Business- Local Centre and Open Space Informal Recreation zone.

The Warkworth North Precinct is located to the north of Falls Road and extends north to the motorway designation, west to the Viv Davie Martin Drive development and adjoins the existing Hudson Road Industrial area and the Business – General Business zoned land to the east. The Precinct covers approximately 95 hectares of land.

A Sub – precinct is proposed over the Stubbs Farm Development Area to secure the outcomes for watercourses including related mitigation and also to guide development of the Business – Local Centre. The Sub-precinct covers approximately 43 hectares.

All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

I1.2. Objectives [rp/dp]

- (1) To achieve high quality urban design outcomes through:
 - a. providing key road connections securing an east west link to connect with the Mansel Drive extension;
 - b. providing an integrated stormwater management solution;
 - c. minimising loss of, or reduction in ecological values, and enhancing retained ecological values to achieve overall effects on ecological values that are less than minor.
 - d. retaining and enhancing areas of open space that also assist in providing opportunities for recreation; as well as pedestrian and cycleway connectivity;
 - e. providing a Local Centre to provide frequent retail and service needs for the local community and a range of employment options;
 - f. Providing a balance of employment land and places for people to live with a choice of living types and environments.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

I1.3. Policies [rp/dp]

- (1) Residential – Mixed Housing zones are provided to achieve quality urban design outcomes and a range of living options the respond to the environmental characteristics of the area.
- (2) Locate zones to reflect opportunities for different types of living environments; higher density closer to transport routes and the Local Centre, with close proximity to walking, cycle and public transport connections; reduced density further from transport links and the proposed Neighbourhood Centre.
- (3) Provide an indicative route for the Western Link to secure this option should it be required and provide indicative connections to the wider urban area beyond the Sub-precinct and require them to be provided at the time of development to the extent these are required to service future development.
- (4) Provide an indicative network of open space areas to protect existing ecological values; provide for areas of public open space, as well as walkway and cycleway connectivity.
- (5) Provide for the retention of watercourses except where Precinct plan 1 – Warkworth North Precinct identifies that there will be stream loss and implement appropriate mitigation measures onsite to offset any adverse effects as indicated on Precinct plans 2 - Stormwater Catchment Management plans.
- (6) Enhance streams identified for enhancement using techniques such as boulder clusters; spur dikes, vanes and other rock deflectors; rock riffles; cobble or substrate; cobble floodways; root wads or large wooden debris; vegetated floodways; live siltation; erosion control blankets; living walls and culverts designed to enable fish passage.
- (7) Provide detailed design at resource consent stage for the Local Centre demonstrating how the design will:
 - a. connect to adjoining open space and riparian areas as well as the road network;
 - b. achieve a high-quality built form that engages and activates with adjoining roads and public spaces;
 - c. provide for accessible and versatile spaces; as well as demonstrating that the design is in accordance with best practise including CPTED principles.

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

11.4. Activity table [rp/dp]

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is listed in Activity Table IX.4.1 below.

Activity Table IX.4.1 specifies the activity status of regional / district land use / and activities in, on, under or over the beds of lakes, rivers, streams and wetlands; activities in the Warkworth North Precinct pursuant to section(s) 9(2) / 9(3) / 11 / 13 of the Resource Management Act 1991.

Table 10.4.1 Activity table

Activity		Activity status	
		Warkworth North Precinct	Sub-precinct A
Roading Infrastructure [dp]			
(A1)	Subdivision or development adjacent to the indicative Western Link Road, unless an alternative road alignment has been approved by resource consent and is constructed, or being constructed.	RD	RD
(A2)	Subdivision or development of land including, or adjacent to 'future road connections' indicated on the Warkworth North Precinct Plan.	RD	RD
Streams [rp]			
(A4)	Protection of streams and wetlands as indicated on the Warkworth North Precinct Plan.	P	P
(A5)	Enhancement of streams as indicated on the Warkworth North Precinct Plan and in accordance with the 'Additional Enhancement Opportunities' identified in Policy I1.3 (6).	P	P
(A6)	Stream loss other than that shown on the Warkworth North Precinct Plan.	NC	NC
Local Centre Zone [dp]			
(A7)	Subdivision or development within the Local Centre zone achieving the outcomes specified in Policy I1.3 (7)	RD	RD
(A8)	Subdivision or development within the Local Centre zone that does not achieve the outcomes specified in Policy I1.3 (7)	NC	NC

11.5. Notification

- (1) An application for resource consent for a controlled activity listed in Activity Table IX.4.1 above will be considered without public or limited notification or

the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

- (2) Any application for resource consent for the following activity / any of the following activities and/or an activity that infringes the following standard(s) will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991:
 - (a) Standard I1.6.1 Western Link Road
 - (b) Standard I1.6.3 – Local Centre
- (3) Any application for resource consent for an activity listed in Activity Table IX.4.1 and which is not listed in IX.5(1) or IX.5(2) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (4) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

I1.6. Standards

- (1) Unless specified in Standard I1.6(2) below, all relevant overlay, Auckland-wide and zone standards apply to all activities listed in Activity Table IX.4.1 above.
- (2) The following Auckland-wide standards do not apply to activities (A4), (A5), and (A6) listed in Activity Table IX.4.1 above:
 - (a) *E3 (A49) New reclamation or drainage, including filling over a piped stream.*
- (3) Activities listed in Activity Table IX.4.1 must comply with Standards IX.6.1 – IX.6.3.

I1.6.1. Standard – Western Link Road

Purpose:

- To provide road connectivity that will assist in securing an East West link for Warkworth.
- (1) The Western Link shall be constructed in accordance with the Western Link cross-section – Precinct plan 3; and shall be proportionally funded between Auckland Transport and the land developer, for the portion of land development occurring at the time of road construction.

I1.6.2. Standard – Streams

Purpose:

- To achieve stream enhancement works that improve ecological values and water quality now and into the future.
- (1) Stream enhancement shall be undertaken in accordance with the best practice guidelines including TP148 – Auckland Council Riparian Zone Management; Guidance for Water Sensitive Design (GD04) – 8.1 Riparian Buffers and Planting and Auckland Council’s Strategy for Urban Ngahere (Forest).

I1.6.3. Standards for Business - Local Centre

Purpose:

- To achieve a versatile, accessible and high-quality Local Centre that provides positively for the needs to the existing and planned local community.
- (1) A pedestrian connection shall be provided to the eastern side of the Mahurangi river tributary as indicated on the Precinct Plan.
 - (2) Pedestrian connections shall be provided to the adjoining open space areas.

I1.7. Assessment – controlled activities

There are no controlled activities in this precinct.

I1.8. Assessment – restricted discretionary activities

I1.8.1. Matters of discretion

The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlays, Auckland-wide or zones provisions:

- (1) Roading infrastructure:
 - (a) Necessity of the connection to service existing and future land uses; and
 - (b) Practical and effective connectivity to adjacent land for existing and future land uses; and
 - (c) Appropriateness of construction standard to fulfil the transport function of the road.
- (2) Local Centre:
 - (a) Quality of built development and its ability to provide versatile internal and external spaces;
 - (b) Provision of practical, safe, quality and functional connections to adjoining open space and riparian areas;
 - (c) Extent to which built development is designed to positively activate and engage with adjoining roads and public spaces.

- (d) Provision of a safe useable environment.
- (e) Landscape design.
- (f) Allocation of land uses to service the needs of the local community.

I1.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlays, Auckland-wide or zones provisions:

- (1) assessment criteria for Roding infrastructure;
 - (a) A road network shall be developed that responds to the transportation needs of Warkworth North and the wider area now and into the future which may include the preferred Western Link collector route.
 - (a) The extent to which roading connections are required and can be provided to adjacent land areas as indicated on Precinct plan 1 – Warkworth North Precinct, to ensure a connected urban environment.
- (2) assessment criteria for Business - Local Centre:
 - (a) The design of the Local Centre shall achieve an integrated and functional design that reflects a high quality of architectural design and best practise urban design principles.
 - (b) The quality of design shall provide a safe useable environment that reflects urban design best practise including CPTED principles.
 - (c) Soft landscaping and hard landscape elements shall enhance and reflect local character such as the values of the Mahurangi river, riparian corridors and the bush backdrop of the Dome hills.
 - (d) The extent to which land use activities complement adjoining land uses and assist in maintaining or enhancing connectivity and relationship to adjacent open space areas.

I1.9. Special information requirements

An application for subdivision or development in the Local Centre in accordance with Rule 10.4.1(A6) activity must be accompanied by:

- (1) An urban design assessment demonstrating how the development meets the matters stated in Policy I1.3 (7)











I1.10. Precinct plans

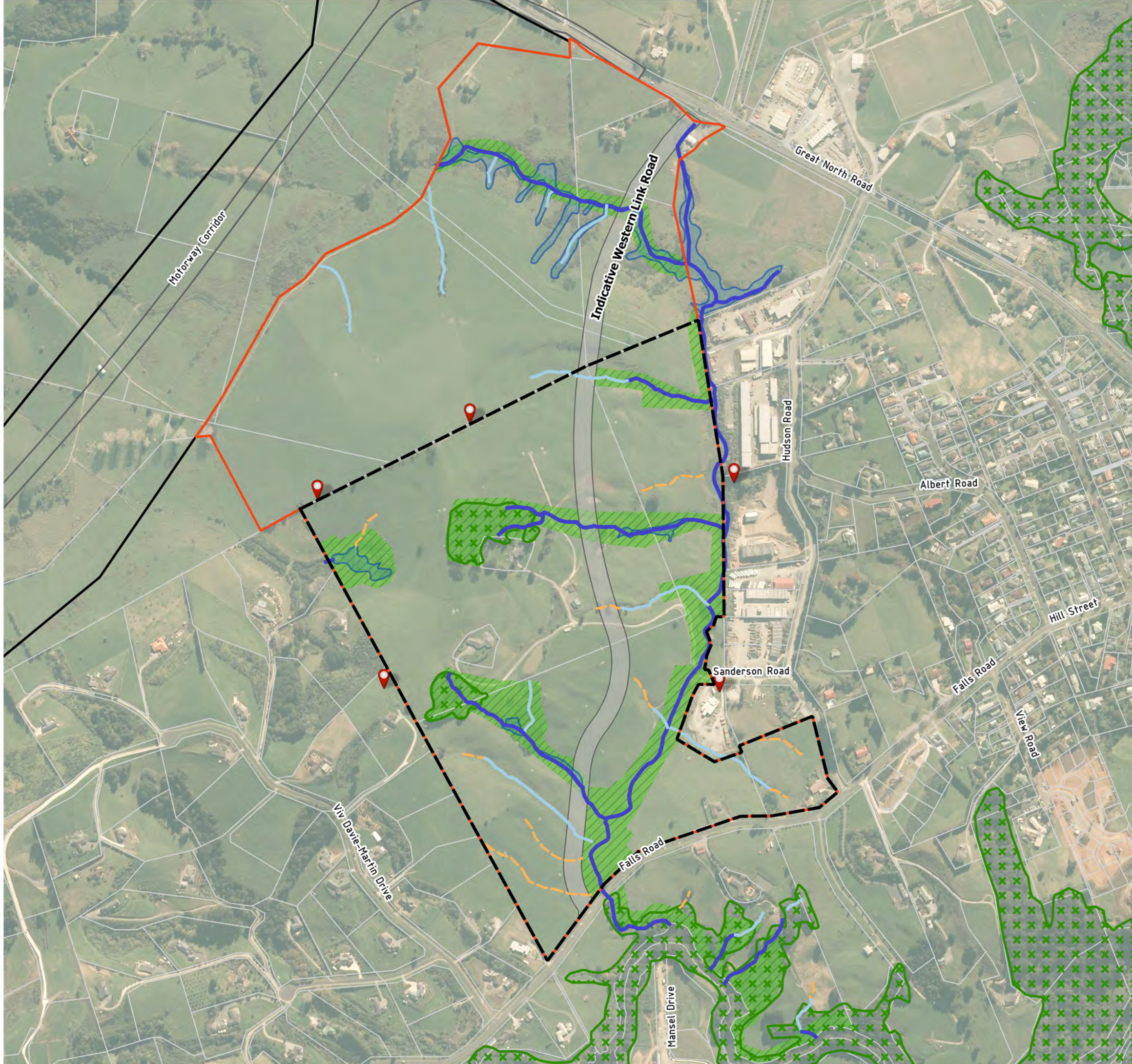
11.10.1 1 Name: Precinct plan 1 – Warkworth North Precinct Plan

11.10.2 Name: Precinct plan 2 – Warkworth North Stormwater Catchment Management Plans

11.10.3 Name: Precinct plan 3 – Western Link Cross-section

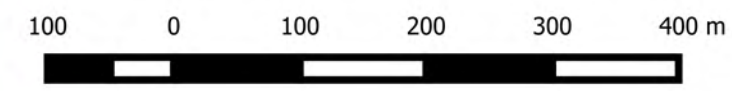
Precinct Plan 1 - Warkworth North Precinct Plan

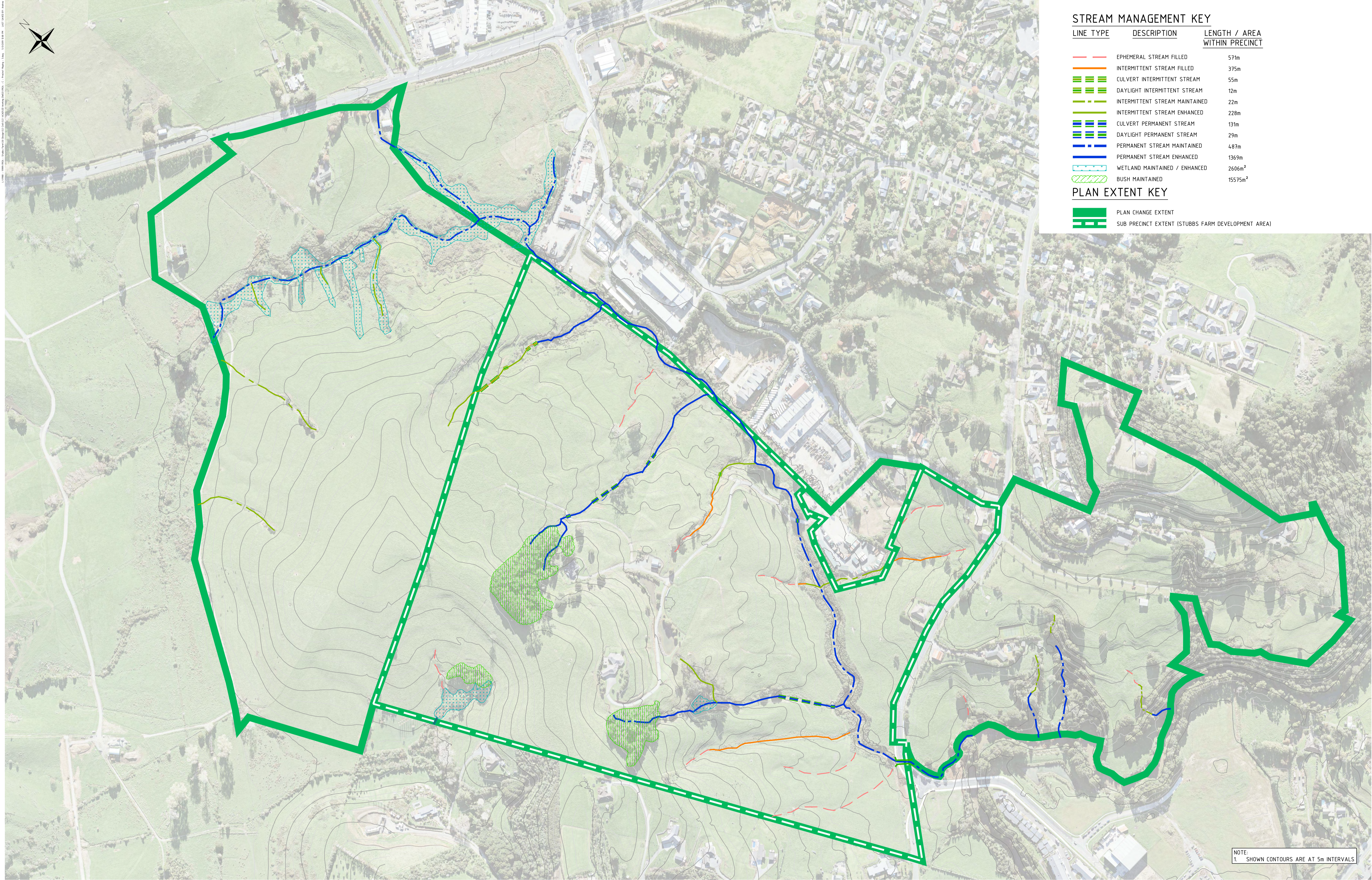
-  Precinct - Warkworth North
 -  Sub-Precinct - Stubbs Farm Development Area
 -  Potential Future Road Connection
 -  Significant Ecological Area (SEA)
 -  Land Parcels
 -  Indicative Open Space
 -  Wetlands
- Stream Classifications**
-  Permanent Stream
 -  Intermittent Stream
 -  Ephemeral Stream



CHESTER
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REVISION	DATE	COMMENT	CHECK
8	22/03/2019	LEGEND	NJ
9	2/04/2019	LEGEND	NJ
10	25/06/2019	FUTURE ROAD LAYOUT	SR
11	27/06/2019	REVISE ZONES	SR
12	4/07/2019	FUTURE ROAD LAYOUT	SR





STREAM MANAGEMENT KEY

LINE TYPE	DESCRIPTION	LENGTH / AREA WITHIN PRECINCT
	EPHEMERAL STREAM FILLED	571m
	INTERMITTENT STREAM FILLED	375m
	CULVERT INTERMITTENT STREAM	55m
	DAYLIGHT INTERMITTENT STREAM	12m
	INTERMITTENT STREAM MAINTAINED	22m
	INTERMITTENT STREAM ENHANCED	228m
	CULVERT PERMANENT STREAM	131m
	DAYLIGHT PERMANENT STREAM	29m
	PERMANENT STREAM MAINTAINED	4.87m
	PERMANENT STREAM ENHANCED	1369m
	WETLAND MAINTAINED / ENHANCED	2606m ²
	BUSH MAINTAINED	15575m ²

PLAN EXTENT KEY

	PLAN CHANGE EXTENT
	SUB-PRECINCT EXTENT (STUBBS FARM DEVELOPMENT AREA)

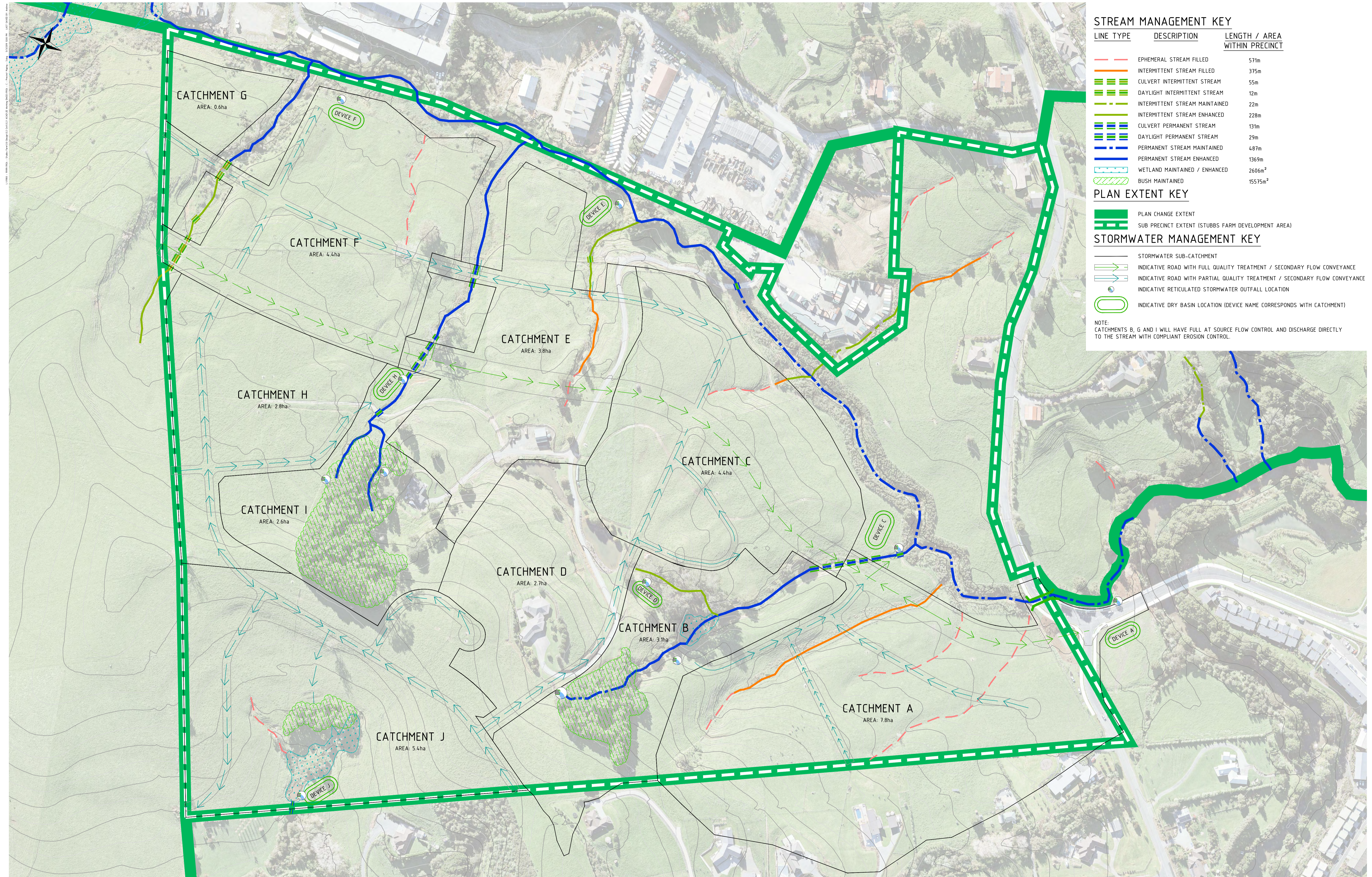
NOTE:
1. SHOWN CONTOURS ARE AT 5m INTERVALS

3	03.05.2019	BOY CHANGE (MASON)	A. SCHUNKE	Design:	NJ
2	16.01.2019	SUB-PRECINCT EXTENT	N. JULL	Date:	16.10.2018
1	16.10.2018	TITLES UPDATED	N. JULL	Check:	SR
REV	DATE	AMENDMENTS	CHECKED	Job No:	11875

Subject: PROPOSED WARKWORTH NORTH PLAN CHANGE
 Client: TURNSTONE CAPITAL LP - (WARKWORTH NORTH)
 Address: NORTH WARKWORTH
 Drawing Title: PRECINCT PLAN 2: WARKWORTH NORTH SWCMP - STREAMS

Drawing No: 402
 Revision No: 2
 Scale: 1:2500 @ A1
 Issued for: PLANNING





STREAM MANAGEMENT KEY		
LINE TYPE	DESCRIPTION	LENGTH / AREA WITHIN PRECINCT
	EPHEMERAL STREAM FILLED	571m
	INTERMITTENT STREAM FILLED	375m
	CULVERT INTERMITTENT STREAM	55m
	DAYLIGHT INTERMITTENT STREAM	12m
	INTERMITTENT STREAM MAINTAINED	22m
	INTERMITTENT STREAM ENHANCED	228m
	CULVERT PERMANENT STREAM	131m
	DAYLIGHT PERMANENT STREAM	29m
	PERMANENT STREAM MAINTAINED	487m
	PERMANENT STREAM ENHANCED	1369m
	WETLAND MAINTAINED / ENHANCED	2606m ²
	BUSH MAINTAINED	15575m ²

PLAN EXTENT KEY	
	PLAN CHANGE EXTENT
	SUB PRECINCT EXTENT (STUBBS FARM DEVELOPMENT AREA)

STORMWATER MANAGEMENT KEY	
	STORMWATER SUB-CATCHMENT
	INDICATIVE ROAD WITH FULL QUALITY TREATMENT / SECONDARY FLOW CONVEYANCE
	INDICATIVE ROAD WITH PARTIAL QUALITY TREATMENT / SECONDARY FLOW CONVEYANCE
	INDICATIVE RETICULATED STORMWATER OUTFALL LOCATION
	INDICATIVE DRY BASIN LOCATION (DEVICE NAME CORRESPONDS WITH CATCHMENT)

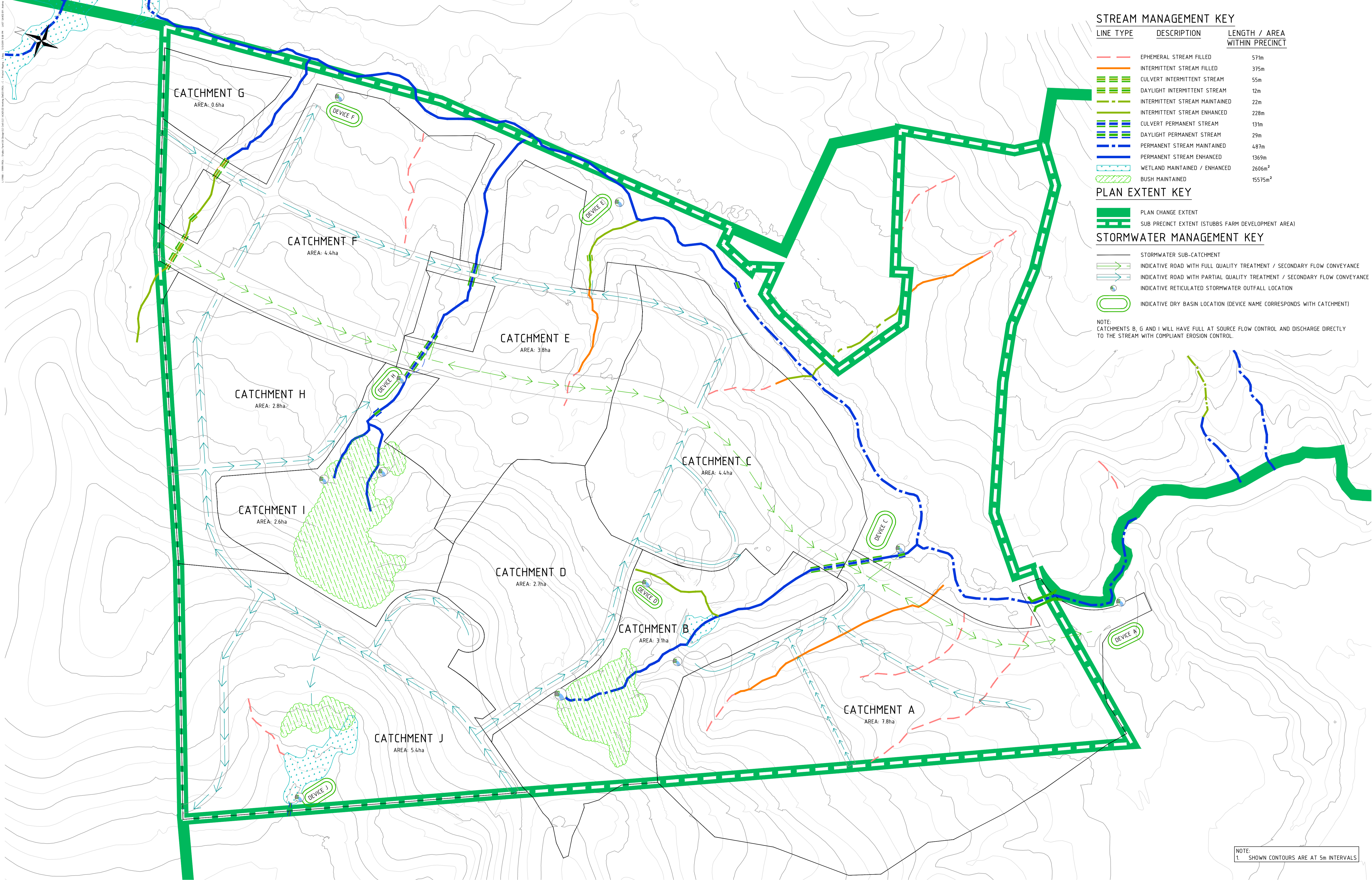
NOTE:
CATCHMENTS B, G AND I WILL HAVE FULL AT SOURCE FLOW CONTROL AND DISCHARGE DIRECTLY TO THE STREAM WITH COMPLIANT EROSION CONTROL.

3	03.05.2019	BODY CHANGE (MASON)	A. SCHUNKE	Design:	NJ
2	16.01.2019	SUB-PRECINCT EXTENT	N. JULL	Date:	16.10.2018
1	16.10.2018	TITLES UPDATED	N. JULL	Check:	SR
REV	DATE	AMENDMENTS	CHECKED	Job No:	11875

Subject: PROPOSED WARKWORTH NORTH PLAN CHANGE
 Client: TURNSTONE CAPITAL LP - (WARKWORTH NORTH)
 Address: NORTH WARKWORTH
 Drawing Title: PRECINCT PLAN 2 - WARKWORTH NORTH SWCMP - Sub-precinct A (1 OF 2)

Drawing No: 403
 Revision No: 2
 Scale: 1:1500 @ A1
 Issued for: PLANNING





STREAM MANAGEMENT KEY

LINE TYPE	DESCRIPTION	LENGTH / AREA WITHIN PRECINCT
	EPHEMERAL STREAM FILLED	571m
	INTERMITTENT STREAM FILLED	375m
	CULVERT INTERMITTENT STREAM	55m
	DAYLIGHT INTERMITTENT STREAM	12m
	INTERMITTENT STREAM MAINTAINED	22m
	INTERMITTENT STREAM ENHANCED	228m
	CULVERT PERMANENT STREAM	131m
	DAYLIGHT PERMANENT STREAM	29m
	PERMANENT STREAM MAINTAINED	4.87m
	PERMANENT STREAM ENHANCED	1369m
	WETLAND MAINTAINED / ENHANCED	2606m ²
	BUSH MAINTAINED	15575m ²

PLAN EXTENT KEY

- PLAN CHANGE EXTENT
- SUB PRECINCT EXTENT (STUBBS FARM DEVELOPMENT AREA)

STORMWATER MANAGEMENT KEY

- STORMWATER SUB-CATCHMENT
- INDICATIVE ROAD WITH FULL QUALITY TREATMENT / SECONDARY FLOW CONVEYANCE
- INDICATIVE ROAD WITH PARTIAL QUALITY TREATMENT / SECONDARY FLOW CONVEYANCE
- INDICATIVE RETICULATED STORMWATER OUTFALL LOCATION
- INDICATIVE DRY BASIN LOCATION (DEVICE NAME CORRESPONDS WITH CATCHMENT)

NOTE:
CATCHMENTS B, G AND I WILL HAVE FULL AT SOURCE FLOW CONTROL AND DISCHARGE DIRECTLY TO THE STREAM WITH COMPLIANT EROSION CONTROL.

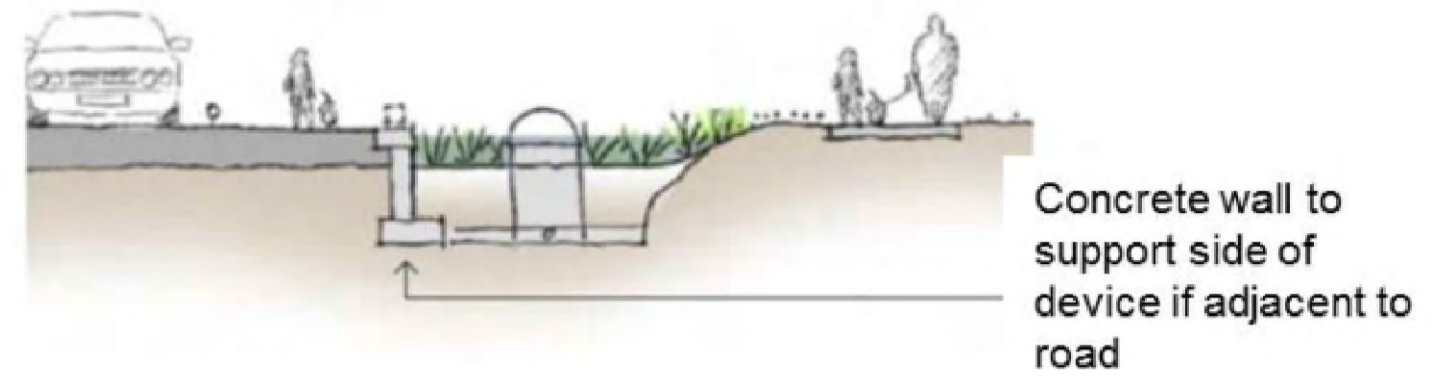
NOTE:
1. SHOWN CONTOURS ARE AT 5m INTERVALS

3	03.05.2019	BOY CHANGE (MASON)	A. SCHUNKE	Design:	NJ
2	16.01.2019	SUB-PRECINCT EXTENT	N. JULL	Date:	16.10.2018
1	16.10.2018	TITLES UPDATED	N. JULL	Check:	SR
REV	DATE	AMENDMENTS	CHECKED	Job No:	11875

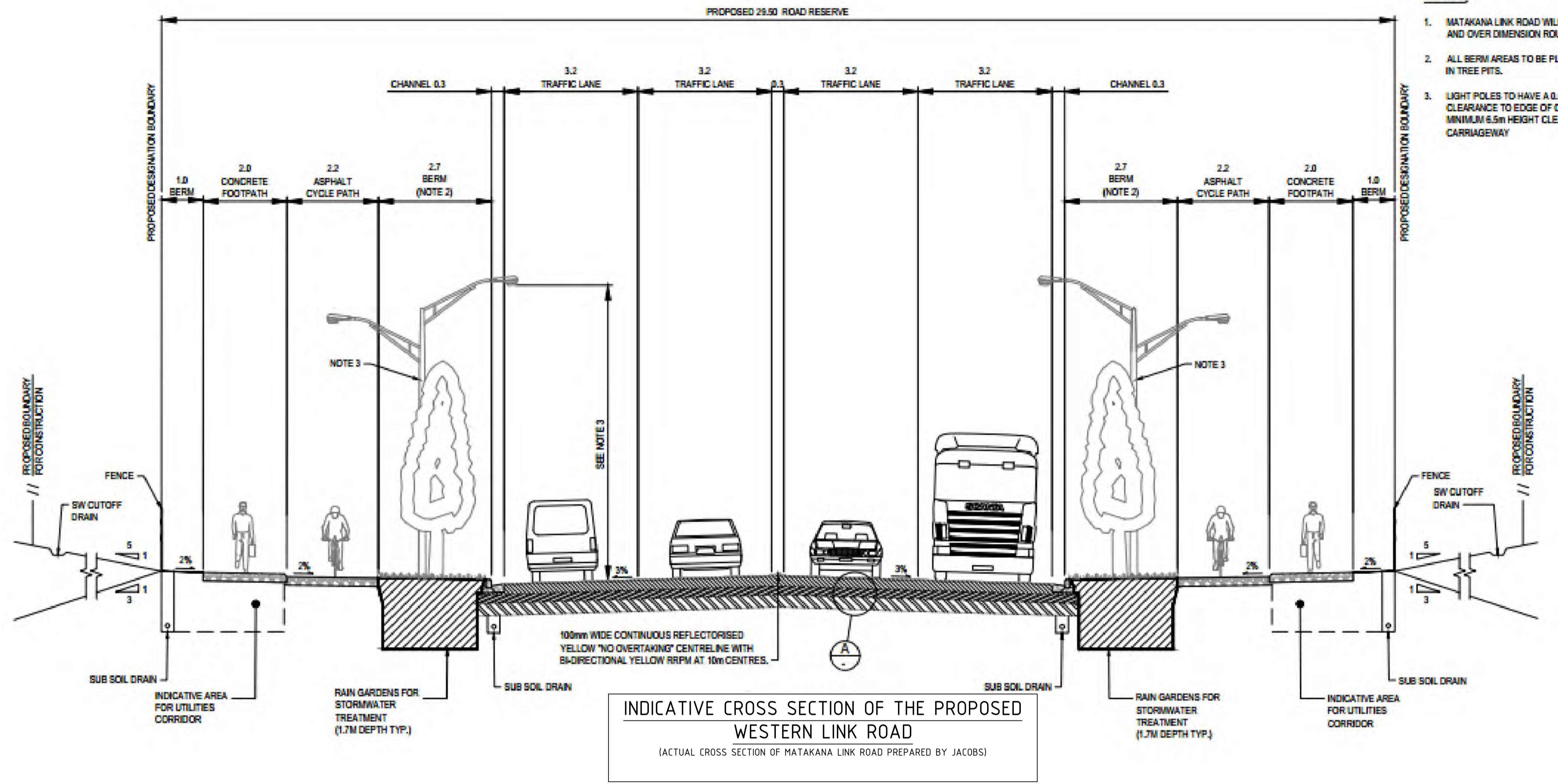
Subject: PROPOSED WARKWORTH NORTH PLAN CHANGE
 Client: TURNSTONE CAPITAL LP - (WARKWORTH NORTH)
 Address: NORTH WARKWORTH
 Drawing Title: PRECINCT PLAN 2 - WARKWORTH NORTH SWCMP - Sub-precinct A (2 OF 2)

Drawing No: 404
 Revision No: 2
 Scale: 1:1500 @ A1
 Issued for: PLANNING

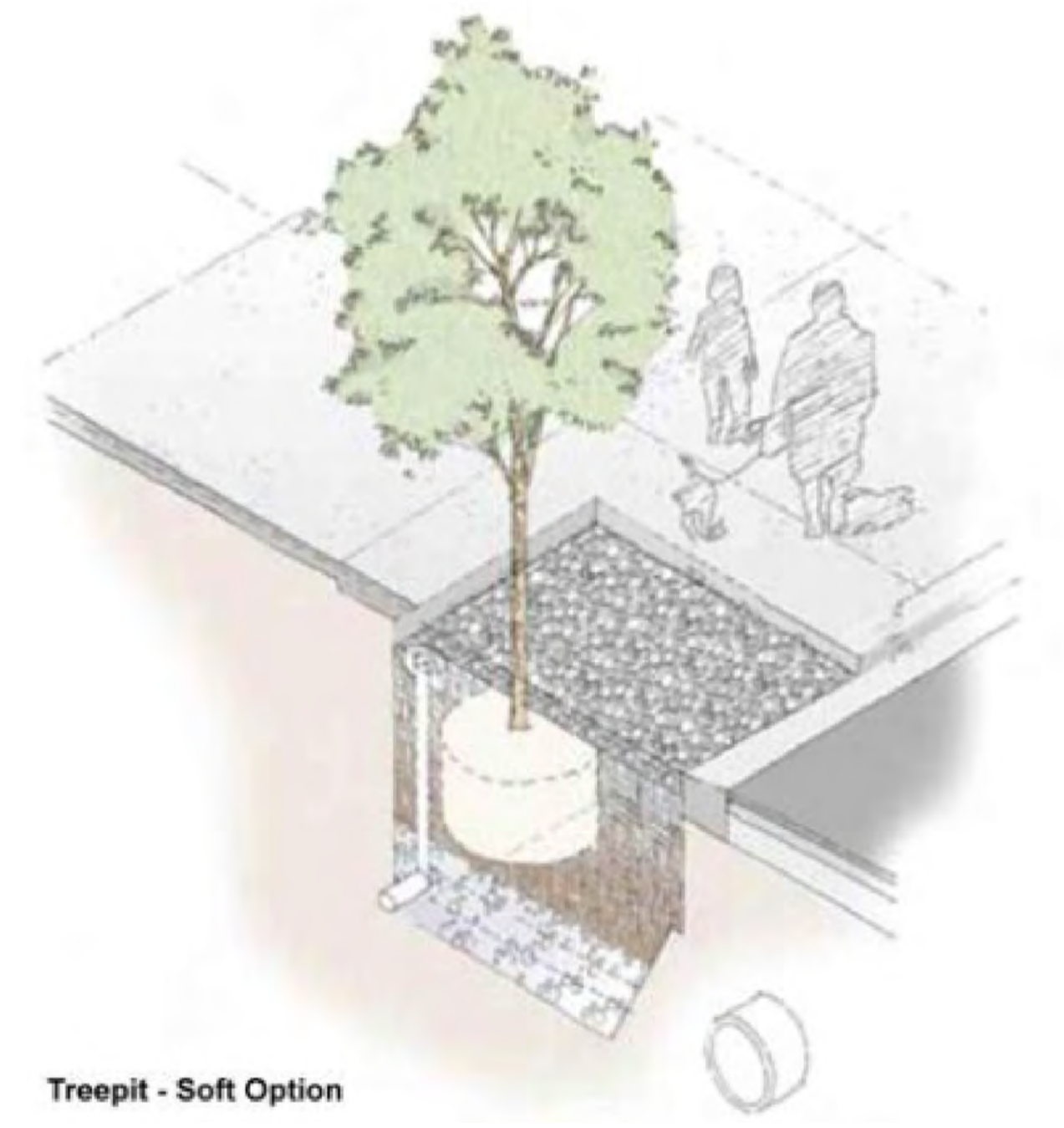
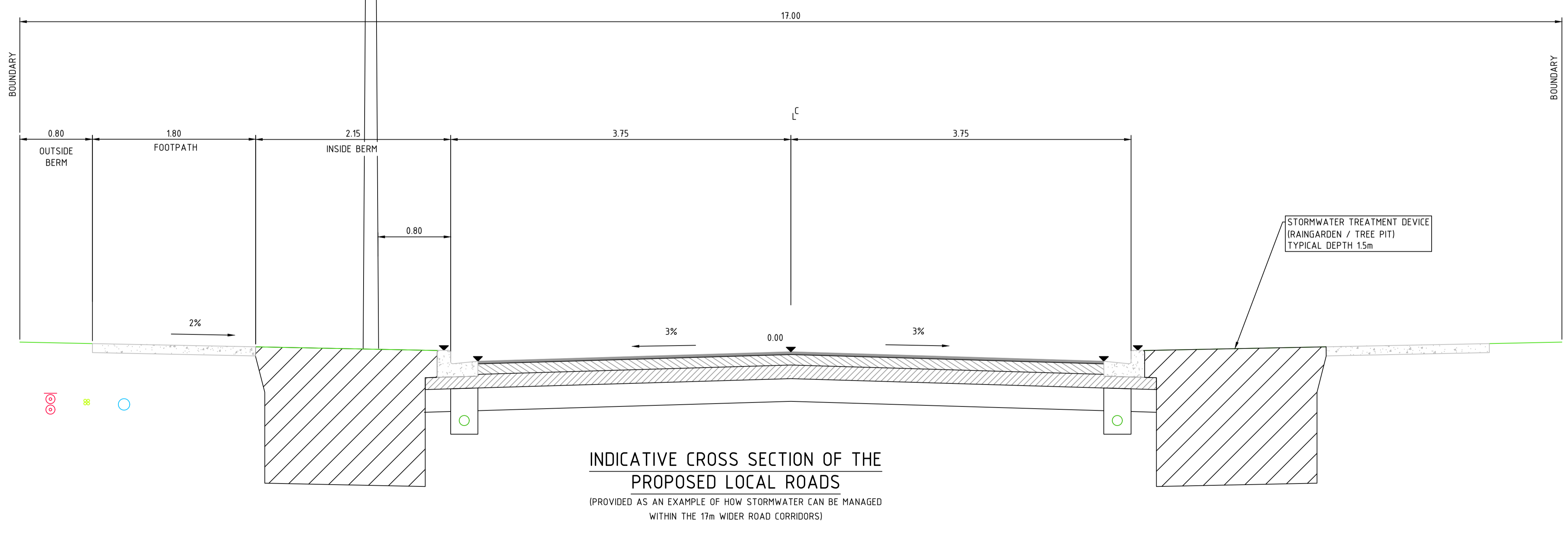




DEVICE ADJACENT TO ROAD
EXAMPLE FROM GD01



- NOTES:
1. MATAKANA LINK ROAD WILL BE AN OVERWEIGHT AND OVER DIMENSION ROUTE
 2. ALL BERM AREAS TO BE PLANTED WITH TREES IN TREE PITS.
 3. LIGHT POLES TO HAVE A 0.5m MINIMUM CLEARANCE TO EDGE OF CYCLE PATH AND MINIMUM 5.5m HEIGHT CLEARANCE TO CARRIAGEWAY



TREE PIT EXAMPLE FROM GD01

3	03.05.2019	BOY CHANGE (MASON)	A. SCHUNKE	Design:	NJ
2	16.01.2019	SUB-PRECINCT EXTENT	N. JULI	Date:	16.10.2018
1	16.10.2018	TITLES UPDATED	N. JULI	Check:	SR
REV	DATE	AMENDMENTS	CHECKED	Job No:	11875

Subject: PROPOSED WARKWORTH NORTH PLAN CHANGE
 Client: TURNSTONE CAPITAL LP - (WARKWORTH NORTH)
 Address: NORTH WARKWORTH
 Drawing Title: PRECINCT PLAN 3 - ROAD SECTIONS AND ROAD STORMWATER MANAGMENT

Drawing No: 405
 Revision No: 2
 Scale: NTS
 Issued for: PLANNING



From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
Sent: Friday, 5 July 2019 2:01 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Roger Lewis Williams
Attachments: WALG Submission PPC 25 Warkworth North 3-6-2019.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Roger Lewis Williams

Organisation name: Warkworth Area Liaison Group

Agent's full name:

Email address: ropeworth@gmail.com

Contact phone number: 09 4259127

Postal address:
65 Alnwick Street,

Warkworth 0910

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:
Traffic Modelling, Staging and Environmental considerations

Property address: Warkworth North

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Transport model used in incorrect and needs to be revised Staging will cause major traffic problems until the Western Link Road is complete PPC 25 has better environmental outcomes for the tributary of the Mahurangi and for walkways than the Warkworth Structure Plan (Adopted).

I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: See supporting documents

Submission date: 5 July 2019

Supporting documents

WALG Submission PPC 25 Warkworth North 3-6-2019.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Private Plan change 25 Warkworth North (Draft 3-6-19)

Submission by Roger Williams FENZ on behalf of the Warkworth Area Liaison Group.

Overall Comment

The submission has been well prepared and we generally support the PPC Structure Plan proposed however

1. The Intergrated Transport Assessment, as submitted, is based on suspect traffic model Saturn Model 11.4i prepared by Auckland Transport and NZTA.
2. The Western Link Road does not appear for funding for design or construction on the Regional Land Transport Fund
3. The traffic during construction has not been considered. The effect of staging will have a negative effect on the local road network until the WLR is constructed.
4. It is necessary to design for Public Transport on the WLR to service the Transport Interchange (Park and Ride), schools, sports facilities and the Warkworth CBD. Parking is already a problem in the Warkworth and we should be catering for those under 18 and over 80 and encouraging single or no car families.

24.1

Intergrated Transport Management Assessment

The model used incorrectly assesses traffic growth on -

1. A household population of 2.14 persons per household. This is unrealistic as it is based on the Statistics NZ Census of 2013 representing an aged population whereas the establishment of Warkworth as a satellite town as a new town will have a young population with 2.5 to 2.7 persons per household.
2. The traffic assessment does not adequately consider the growth of the Hinterland and in particular the growth of Matakana, Omaha, Snells Beach and Algies Bay.
3. It does not consider the changing demographics of Omaha and Snells Beach and Algies Bay which currently have a high percentage of holiday homes. With the improved roading network provided by new Puhoi to Warkworth motorway many of these homes will become permanent homes with the residents working from home or within Warkworth and coming to Warkworth for schools, shopping, business and banking, and health services and for building supplies.
4. The model is based on traffic only when the houses are complete and occupied. Development itself generates traffic approximately 5 times greater than the final residential traffic. We therefore contend that the model shows traffic growth 4 or 5 years later than will actually occur.
5. The Traffic Model has incorrectly modelled the Hill Street Intersection. It fails to model Elizabeth Street and the State Highway Intersection as a combined intersection but rather assumes a simple separate intersections with unimpeded queuing. The efficiency of the Sandspit/Matakana leg is less than 50% of the model assumption due to the presence of traffic entering and leaving Queens Street.
6. Our assessments of traffic flows are typically 40% higher than given by the Saturn 11.4i Model.

24.2

The errors in the model need to be corrected now. These may well show that the Western Collector road is needed early by traffic using the motorway connection to the north of the area being

considered rather than the State Highway 1 connection to the south of Warkworth which is unlikely to be constructed until 2030. It may show that the WLR should be completed to 4 lanes from day one rather than as a 2 lane road as proposed in the PPC Structure Plan.

Staging of the Growth Cells

The Staging of the growth is from south to north means that the Western Link Road may not be completed until the development of the PPC area itself is almost complete.

This means that the majority of development traffic and residential traffic will use Hudson Road or the Hill Street intersection during development of the area.

The PPC construction is likely to coincide with development of the Stockyards Retail Development, the Presbyterian Hall and Social complex and the industrial developments in Morrison Roads. This puts pressure on Mansell Drive as well as Hudson Road and Hill street. All these roads are very substandard and are already close to capacity. Traffic using Hill street will have to pass through the centre of the Warkworth Primary School Campus. Until the Western Link Road is complete this situation is unacceptable.

- 24.3 | Traffic predictions need to be upgraded in line with the staging.

Transport Summary

We content that the development should not proceed until the Western Link Road is completed.

- 24.4 | It would be highly desirable to build the WLR as a 4 lane road from day one to minimise the cost and disruption of widening from 2 lanes to 4 lanes.

Environmental issues.

- 24.5 | It is noted that the Warkworth Structure Plan has industrial areas on both sides of the stream leading to the Mahurangi River whereas the PPC has industrial development on one side only. PPC 25 therefore has better outcomes for the stream and its immediate environment and also allows for better development of Walkways and Cycleways than the Warkworth Structure Plan (as adopted).
- 24.6 |

The Warkworth Area Liaison Group (WALG) wishes to speak at the hearings.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
Sent: Friday, 5 July 2019 2:01 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Roger Lewis Williams
Attachments: PPC 25 Stubbs Farm Submission 4-7-19.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Roger Lewis Williams

Organisation name: Forest and Bird Warkworth Area

Agent's full name:

Email address: ropeworth@gmail.com

Contact phone number: 09 4259127

Postal address:
65 Alnwick Street

Warkworth 0910

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:

PPC 25 has better environmental outcomes for the stream and its immediate environment. It also allows for better development of Walkways and Cycleways than the Warkworth Structure Plan (as adopted).

Property address: Warkworth North

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

PPC 25 has better environmental outcomes for the stream and its immediate environment. It also allows for better development of Walkways and Cycleways than the Warkworth Structure Plan (as adopted).

25.1 | I or we seek the following decision by council: Accept the plan modification

Submission date: 5 July 2019

Supporting documents
PPC 25 Stubbs Farm Submission 4-7-19.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Forest & Bird Warkworth Area submission on

Private Plan Change 25 Stubbs Farm Warkworth July 2019.

Submitter

This submission is made by the local Warkworth Area branch of the Royal Forest and Bird Protection Society of New Zealand (Forest & Bird). The Society have a large national membership and has campaigned for over 80 years for the protection of native species, ecosystems and landforms. The Warkworth Area branch covers the area from Puhoi to Maungaturoto and has a membership of over 200.

We are concerned with the protection and enhancement of the environment. We are involved in practical work and also in making submissions on Resource Management Plans and Policy Statements and resource consent applications.

Overall Comment

The submission has been well prepared and we support the PPC 25 Structure Plan proposed.

Environmental submission.

It is noted that the Warkworth Structure Plan has industrial areas on both sides of the stream leading to the Mahurangi River whereas the PPC 25 has industrial development on one side only.

PPC 25 has better environmental outcomes for the stream and its immediate environment. It also allows for better development of Walkways and Cycleways than the Warkworth Structure Plan (as adopted).

Forest and Bird Warkworth Area wishes to speak at the hearings.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
Sent: Friday, 5 July 2019 2:31 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Aaron Rodgers
Attachments: PPC Submission.pdf; Submission - Photos.pdf; Submission - Maps.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Aaron Rodgers

Organisation name:

Agent's full name:

Email address: aaronrodgers29@hotmail.com

Contact phone number: 021428251

Postal address:
62c Viv Davie-Martin Drive
Warkworth
Auckland 0984

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:

Property address: 220 Falls Rd & 63 State Highway 1, Warkworth, 0984

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
Explained in attached documentation.

26.1 | I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: Explained in attached documentation.

Submission date: 5 July 2019

Supporting documents
PPC Submission.pdf
Submission - Photos.pdf
Submission - Maps.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

This submission has two parts; the first is to request an amendment to a small geographic area of the Proposed Private Plan Change (PPC25) Residential – Mixed Housing Suburban Zone, the second is to provide support for the proposed Business and Open Space zones.

RESIDENTIAL – MIXED HOUSING SUBURBAN ZONE

Background

PPC25 provides for the rezoning of the western area of Stubbs Farm and Civil Property into Residential – Mixed Housing Suburban Zone. A small area of this zone in the extreme western corner (shown on the attached documentation “Submission – Maps”) lies in a geographically “isolated” valley separate from the rest of Stubbs Farm. This valley lies on a northwest – southeast axis with the top of the valley to the southeast end, flowing down to the northwest. A ridge-line that runs down from the top of the northern ridge, to the southwest encloses much of the valley in a natural bowl shape. The valley is a few hundred meters in width at its widest and “points” directly to The Dome and Dome Valley. This valley is geographically “isolated” from the rest of Warkworth (including the rest of the Viv Davie-Martin Drive area and remaining area of Stubbs Farm and Civil Property) due to its topography.

Prior to the Unitary Plan change, the southern side of this valley was zoned Countryside Living, the northern side was zoned Rural. There are only three houses (62a, 62b and 62c Viv Davie-Martin Drive) on the southern side of the valley, which are all part of the Falls Road Subdivision Body Corp (annotated as the Viv Davie-Martin Drive Area in the Warkworth Structure Plan June 2019). The northern side of the valley is farmland and is made up of Stubbs Farm and Civil Property. Under the Unitary Plan change this whole valley area has been rezoned Future Urban.

Under the recent Warkworth Structure Plan it is proposed that the entire valley be future zoned as Residential – Single House Zone; however *“the structure plan adds an “Area for potential increase to minimum site size” overlay to the Viv Davie-Martin Drive area. This could increase the minimum lot size from the standard 600m² to somewhere between 1,500m² – 2,500m² (exact size to be determined at the plan change stage).”*¹

This Viv Davie-Martin area “overlay” was introduced subsequent to the Warkworth Draft Structure Plan after submissions were made by local residents. The Draft Structure Plan had proposed 600m² Residential – Single House Zone for this area. The desire by many residents to keep this area lower density was taken into account by the council.

The boundary of this “overlay” runs down the middle of the valley between Stubbs Farm/Civil Property and the Viv Davie-Martin Drive Area residents (62a, 62b, 62c Viv Davie-Martin Drive) and positioned during the adoption of the Structure Plan. The Minutes² of the Planning Committee held on the 04 June 2019, reads the following: *“The final structure plan has shown the zone boundaries in a more general way than in the draft plan. This is because the structure plan zonings are high-level and indicative only and are likely to be refined through a later (more detailed) plan change process.”* This boundary line takes no account of geographic or topographical considerations.

¹ Warkworth Structure Plan June 2019, Ch 3.3.2.2 Pg 29

² http://infocouncil.aucklandcouncil.govt.nz/Open/2019/06/PLA_20190604_AGN_6745_AT.PDF , Item 9 Adoption of Warkworth Structure Plan, Pg 82, Ch.20

Affected Properties

As PPC25 is the first stage of this valley to go through the plan change process, the outcome of this proposal will determine and limit the options available to the existing owners of the southern side of the valley (62a, 62b and 62c Viv Davie-Martin Drive). The outcome of PPC25 will directly affect the lifestyle of the existing residents and decide property values.

Two of the existing properties (62b and 62c Viv Davie-Martin) were designed and built to enjoy uninterrupted expansive rural views across the valley. Development of the northern side of the valley creates visual concerns and privacy issues for these properties, and due to the nature of the slope of the valley sides and positioning of existing houses there is little room for mitigating these effects (by planting trees, building bunds etc). Due to the shape and size of this bowl shaped valley, the path direction of the sound waves created by an urban setting will project directly across the valley onto the existing houses and probably reverberate and echo within the bowl, with little chance of attenuation or dispersion³.

Regardless of whether the Structure Plan recommendations (600m² northern side, 1500-2500m² southern side) or PPC25 is implemented, all the residents living in this future developed valley will share the same urban environment and all will be affected by the visual and noise affects of the urbanisation regardless of different property sizes on either side. The larger property sizes on the southern side will not have much higher value, given the attraction of living in a low density environment will not exist. Indeed, enforcing a lower density zone on the southern side will be pointless, and only serve to reduce the amount of housing available for Auckland growth.

It is for these reasons that this valley should be zoned the same, to provide a homogenous urban environment where all residents share the same affects of urbanisation, noise and visual outlook. And all properties within this area will enjoy the same property value effects of whatever the final zoning shall be.

Option 1

26.1

The first and preferred option is for PPC25 to be amended to allow the proposed area within this valley to be rezoned Residential – Single House Zone with a MINIMUM size of 1500m². This would result in approx 40⁴ properties on the northern side of the hill versus 150 under the PPC25 Residential – Mixed Housing Suburban Zone proposal.

These properties, lying within a homogenous and naturally contained low density environment and adjacent to the low density Viv Davie-Martin Drive area, would be worth a lot more than the 400m² properties and attract more investment from wealthier investors, possibly resulting in better quality and perhaps bespoke housing. More importantly, this lower building density environment would

³ No professional advice has been sought to confirm this statement, just an observation made based on having lived in this valley. It is my opinion that the company seeking the PPC25 should have undertaken professional acoustic testing to determine the effects of urban noise in this valley.

⁴ The following link provides a concept drawing depicting a layout of Stubbs Farm, in particular it shows about 60 dwellings placed on 600m² lots in the valley. An extrapolation of this onto the proposed Residential – Mixed Housing Suburban Zone of 400m² would result in approx 100 dwellings. Further extrapolation to include the portion of Civil Property in the valley results in approx 150 dwellings. Similarly, the same logic applied to 1500m² sections results in 40 dwellings.

provide for increased planting areas which would result in better privacy, more sound absorption and a nicer visual outlook.

26.1

This situation will allow for the easy future plan change of the southern side of the valley, keeping in line with the intention of the “overlay” in the Structure Plan and allowing the entire valley to be a single homogenous low density area.

Option 2

26.1

The second option recognises that Option 1 may not be practicable or indeed possible, but essentially achieves the aim of Option 1. An amendment to PPC25 is requested that recognises the unique localised environment of the valley and seeks to limit the amount of houses and properties to a minimum. This may be achieved by creating more green spaces and small pockets of higher density areas. The final objective is to limit the number of dwellings to around 40, provide for more tree planting to somewhat mitigate the noise and visual effects of the development, and allow for a homogenous urban environment when the southern side of the hill is eventually rezoned.

Option 3

26.1

It is recognised that the first two requests may not be approved, so the third option helps us achieve the aim of homogenous urbanisation. Due to the reasons given previously, it is essential that the final result for this valley be an urban area of equal zoning. Should PPC25 be approved, and the northern side of this valley be rezoned Residential – Mixed Housing Suburban Zone then it will be my intention to request the same zoning for the southern side of the valley during the council Plan Change. This valley is geographically isolated from the remainder of the Viv Davie-Martin Drive area and the undesirable effects of increased urban density (noise, visual effects, privacy) will not affect the other Viv Davie-Martin Drive area residents and should not attract too much objection. However, the increased vehicle traffic on Viv Davie-Martin Drive created by an increased population will be an issue for some residents, and I too would be unhappy with this situation if I were affected by it. This Option is for PPC25 to provide access to the road services that will be installed on the northern side so that there is an alternative pathway out of the valley for the southern properties. Likewise, the ability to access and connect to other services (wastewater, water supply, power, communications etc) is requested so that the future plan change for the southern side of the valley may be implemented without interrupting the lifestyle of the remainder, or attract objection of the Viv Davie-Martin area.

Further Comment

On Monday 1 July 2019 I had an onsite meeting between Burnette O’Connor of B&A Urban and Environmental, Jamie Peters of Turnstone Capital, and the owner of 62B Viv Davie-Martin Drive. This was a productive and amicable meeting, and Jamie commented that – despite the outcome – he would work with us to help mitigate some effects and retain some of the attraction of the area. A comment was made by Jamie that he believed Turnstone Capital had conducted a transparent and inclusive process, and made further comment that we had left our concerns quite late. I explained to him that I had previously spoken to Burnette but had come to conclusion that there was no reason to have an opinion until the council had finished the Structure Plan process and we knew the outcome for our area. He seemed content with this explanation.

In addition, I would like to point out that the properties (62a, 62b and 62c) were not listed as Affected Properties as part of the PPM25 process. I only just discovered this, and it will further

explain our lack of involvement and information to date. I would argue that we are among the most affected by this plan change and cannot understand why we were not included.


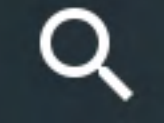

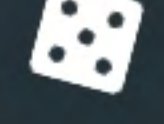
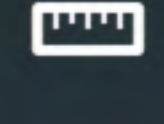


PROPOSED BUSINESS AND OPEN SPACE ZONE

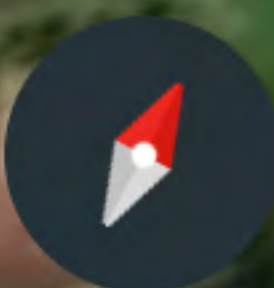
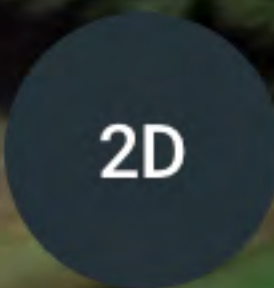
26.2

Although I think the Council conducted a transparent and inclusive Structure Plan process (I attended the workshops and had many opportunities to make submissions), I think the proposed areas of the PPC25 along the eastern and northern area of Stubbs Farm are a better use of land and infrastructure for Warkworth. In particular, the proposed Business – Mixed Use Zones and Business – Local Centre Zone will provide more work opportunities for local residents outside of the existing town centre, and allow a more distributed and even spread of employment. The idea of containing the business areas to the existing town centre is romantic, but not practicable. An area close to the motorway makes more sense.

In addition, should these areas be approved, then it makes sense that the surrounding catchment be a higher density. I support the PPC25 proposal for the rezoning of Residential – Mixed Housing Urban Zone as indicated on the Proposed Zoning Map.

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62A

Google

Warkworth
Sunset Falls

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- 📤

Woodcocks Rd
Falls Rd
Francis Pl
Viv Davie-Martin Dr
Viv Davie-Martin Dr
Viv Davie-Martin Dr

- 📍
- 🧑
- 2D
- 🧭

Google

Area: 88862 Meters² | 956502 Feet² | 21.96 Acres | 0.034 Miles² | 0.089 Km²

Perimeter: 1297 Meters | 4255 Feet | 0.806 Miles | 1.297 Km

PPC25 Area for Amendment

Map **Satellite**



Area: 149648 Meters² | 1610795 Feet² | 36.98 Acres | 0.058 Miles² | 0.150 Km²
Perimeter: 1599 Meters | 5247 Feet | 0.994 Miles | 1.599 Km

Valley Area

Map

Satellite







Rurangi

River

Left

Flow

VIV

DAVIE-MARTIN DR.

FALLS ST

HUDSON F...

ROAD

A9PR

86m

Sch

COCKS

ROAD







From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
Sent: Friday, 5 July 2019 10:16 AM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Allison and Steve Haycock

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Allison and Steve Haycock

Organisation name:

Agent's full name:

Email address: steve@stevhaycockconstruction.co.nz

Contact phone number:

Postal address:

270 Falls Rd
RD4
Warkworth
0984
Warkworth
Auckland 0984

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:

We are submitting on the zoning of the land beside the stream on the east side of the Stubbs Farm Estate. We are also submitting on the main road running through the Stubbs Farm Estate. We are submitting on the style of housing in the Estate. We are submitting on public transport.

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

- 27.1 | We submit that the land use suggested for beside the stream along the eastern boundary of the development is a very good idea. It will give good pedestrian and cycling access and be very good for stream health . The existing Hudson Rd light industry area is not ideally sited with residential properties already on the other side of Hudson Rd. There are better sites to the north and south zoned for, or already developed for light industry. It would be good to encourage these businesses to relocate to one of these eventually. We submit that the main access road through the Estate (forming a section of the Western Collector Route) should be built as soon as possible. Population growth along with the imminent NX2 opening and eventual development construction traffic will mean that traffic congestion will be a nightmare without adequate access around and across northern Warkworth. We submit that the housing mix, and the design of the community areas and Local Centre is really good and will encourage a positive atmosphere for the community. We submit that it is essential to establish a good public transport system that is coordinated with this development.
- 27.2 |
- 27.1 |
- 27.3 |

I or we seek the following decision by council: Accept the plan modification

Submission date: 5 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
Sent: Thursday, 4 July 2019 5:45 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Pieter Tuinder

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Pieter Tuinder

Organisation name: Manuhiri Kaitiaki Charitable Trust

Agent's full name:

Email address: p.tuinder@ngatimanuhiri.iwi.nz

Contact phone number: 021548474

Postal address:

Warkworth
North Auckland 0910

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:
General submission on plan change

Property address: Whole of properties subject to proposed Plan Change

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Ngati Manuhiri prepared a Cultural Values Assessment (CVA) for the plan change proposal. This assessment is included in the information provided by the applicant and is acknowledged in parts of the S.32 analysis. We understand that a number of the recommendations contained in the CVA need to be implemented once/if the plan change is approved. Many of the further engagement and design opportunities for Ngati Manuhiri will also happen once subdivision and development plans are implemented post a zoning decision. However, we request that the

- 29.1 | Council gives close consideration to the recommendations of the CVA assessment provided by Ngati Manuhiri and that full engagement and opportunities to achieve mana whenua values are integrated in the plan change provisions.
- 29.2 | We also request that Council incorporate the principles of minimal land disturbance, the protection and enhancement of native vegetation, streams and habitat areas, in order to protect and restore the mauri of the land and water. The subject zoning should result in a net increase in biodiversity and water health outcomes, despite the more intensive use of the land. Ngati Manuhiri would seek to be fully engaged with the development process including appropriate cultural monitoring and the integration of cultural elements into the design of the development.
- 29.3 |

I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: As described above.

Submission date: 4 July 2019

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
Sent: Friday, 5 July 2019 3:01 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Diana Mei
Attachments: PPC25 Submission _20190705145325.687.pdf; Submission - Maps_20190705145345.984.pdf; Submission - Photos_20190705145404.766.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Diana Mei

Organisation name:

Agent's full name:

Email address: stevendianaliang@hotmail.com

Contact phone number: 021381383

Postal address:
59 Beach Road
Castor Bay
Auckland 0620

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:

Property address: 63 Highway 1, 220 Falls Road, Warkworth 0984

Map or maps:

Other provisions:
see attach documentation

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
see attach documentation

30.1 | I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: see attach documentation

Submission date: 5 July 2019

Supporting documents

PPC25 Submission _20190705145325.687.pdf

Submission - Maps_20190705145345.984.pdf

Submission - Photos_20190705145404.766.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

I am the owner of 62a Viv Davie-Martin Drive. My submission was prepared by Aaron Rodgers, the owner of 62c Viv Davie Martin Drive after consultation with me. The views in this submission are shared by me.

This submission has two parts; the first is to request an amendment to a small geographic area of the Proposed Private Plan Change (PPC25) Residential – Mixed Housing Suburban Zone, the second is to provide support for the proposed Business and Open Space zones.

RESIDENTIAL – MIXED HOUSING SUBURBAN ZONE

Background

PPC25 provides for the rezoning of the western area of Stubbs Farm and Civil Property into Residential – Mixed Housing Suburban Zone. A small area of this zone in the extreme western corner (shown on the attached documentation “Submission – Maps”) lies in a geographically “isolated” valley separate from the rest of Stubbs Farm. This valley lies on a northwest – southeast axis with the top of the valley to the southeast end, flowing down to the northwest. A ridge-line that runs down from the top of the northern ridge, to the southwest encloses much of the valley in a natural bowl shape. The valley is a few hundred meters in width at its widest and “points” directly to The Dome and Dome Valley. This valley is geographically “isolated” from the rest of Warkworth (including the rest of the Viv Davie-Martin Drive area and remaining area of Stubbs Farm and Civil Property) due to its topography.

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Under the recent Warkworth Structure Plan it is proposed that the entire valley be future zoned as Residential – Single House Zone; however *“the structure plan adds an “Area for potential increase to minimum site size” overlay to the Viv Davie-Martin Drive area. This could increase the minimum lot size from the standard 600m² to somewhere between 1,500m² – 2,500m² (exact size to be determined at the plan change stage).”*¹

This Viv Davie-Martin area “overlay” was introduced subsequent to the Warkworth Draft Structure Plan after submissions were made by local residents. The Draft Structure Plan had proposed 600m² Residential – Single House Zone for this area. The desire by many residents to keep this area lower density was taken into account by the council.

The boundary of this “overlay” runs down the middle of the valley between Stubbs Farm/Civil Property and the Viv Davie-Martin Drive Area residents (62a, 62b, 62c Viv Davie-Martin Drive) and positioned during the adoption of the Structure Plan. The Minutes² of the Planning Committee held on the 04 June 2019, reads the following: *“The final structure plan has shown the zone boundaries in a more general way than in the draft plan. This is because the structure plan zonings are high-level and indicative only and are likely to be refined through a later (more detailed) plan change process.”* This boundary line takes no account of geographic or topographical considerations.

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Affected Properties

As PPC25 is the first stage of this valley to go through the plan change process, the outcome of this proposal will determine and limit the options available to the existing owners of the southern side of the valley (62a, 62b and 62c Viv Davie-Martin Drive). The outcome of PPC25 will directly affect the lifestyle of the existing residents and decide property values.

Two of the existing properties (62b and 62c Viv Davie-Martin) were designed and built to enjoy uninterrupted expansive rural views across the valley. Development of the northern side of the valley creates visual concerns and privacy issues for these properties, and due to the nature of the slope of the valley sides and positioning of existing houses there is little room for mitigating these effects (by planting trees, building bunds etc). Due to the shape and size of this bowl shaped valley, the path direction of the sound waves created by an urban setting will project directly across the valley onto the existing houses and probably reverberate and echo within the bowl, with little chance of attenuation or dispersion³.

Regardless of whether the Structure Plan recommendations (600m² northern side, 1500-2500m² southern side) or PPC25 is implemented, all the residents living in this future developed valley will share the same urban environment and all will be affected by the visual and noise affects of the urbanisation regardless of different property sizes on either side. The larger property sizes on the southern side will not have much higher value, given the attraction of living in a low density environment will not exist. Indeed, enforcing a lower density zone on the southern side will be pointless, and only serve to reduce the amount of housing available for Auckland growth.

It is for these reasons that this valley should be zoned the same, to provide a homogenous urban environment where all residents share the same affects of urbanisation, noise and visual outlook. And all properties within this area will enjoy the same property value effects of whatever the final zoning shall be.

Option 1

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These properties, lying within a homogenous and naturally contained low density environment and adjacent to the low density Viv Davie-Martin Drive area, would be worth a lot more than the 400m² properties and attract more investment from wealthier investors, possibly resulting in better quality and perhaps bespoke housing. More importantly, this lower building density environment would provide for increased planting areas which would result in better privacy, more sound absorption and a nicer visual outlook.

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Option 3

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Further Comment

On Monday 1 July 2019, Aaron Rodgers had an onsite meeting between Burnette O’Connor of B&A Urban and Environmental, Jamie Peters of Turnstone Capital, and the owner of 62B Viv Davie-Martin Drive. This was a productive and amicable meeting, and Jamie commented that – despite the outcome – he would work with us to help mitigate some effects and retain some of the attraction of the area. A comment was made by Jamie that he believed Turnstone Capital had conducted a transparent and inclusive process, and made further comment that we had left our concerns quite late. Aaron explained to him that he had previously spoken to Burnette but had come to conclusion that there was no reason to have an opinion until the council had finished the Structure Plan process and we knew the outcome for our area. Jamie seemed content with this explanation.

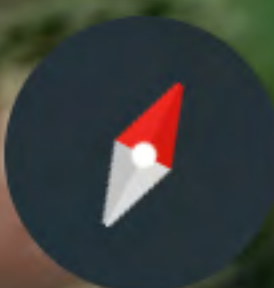
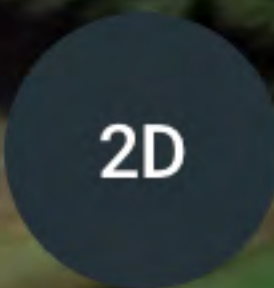
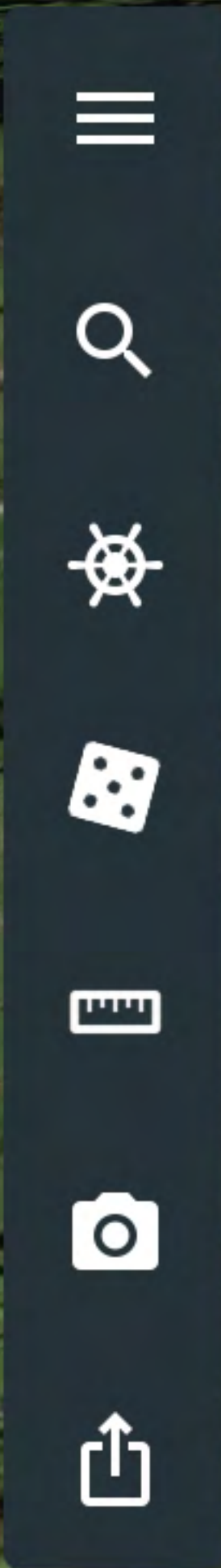
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PROPOSED BUSINESS AND OPEN SPACE ZONE

30.2

Although I think the Council conducted a transparent and inclusive Structure Plan process (I had many opportunities to make submissions), I think the proposed areas of the PPC25 along the eastern and northern area of Stubbs Farm are a better use of land and infrastructure for Warkworth. In particular, the proposed Business – Mixed Use Zones and Business – Local Centre Zone will provide more work opportunities for local residents outside of the existing town centre, and allow a more distributed and even spread of employment. The idea of containing the business areas to the existing town centre is romantic, but not practicable. An area close to the motorway makes more sense.

In addition, should these areas be approved, then it makes sense that the surrounding catchment be a higher density. I support the PPC25 proposal for the rezoning of Residential – Mixed Housing Urban Zone as indicated on the Proposed Zoning Map.



62A

Google

Warkworth
Sunset Falls

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- 🏠
- 🎲
- 📏
- 📷
- 📤

Woodcocks Rd
Falls Rd
Francis Pl
Viv Davie-Martin Dr
Viv Davie-Martin Dr
Viv Davie-Martin Dr

- 📍
- 🧑
- 2D
- 🧭

Google

Area: 88862 Meters² | 956502 Feet² | 21.96 Acres | 0.034 Miles² | 0.089 Km²

Perimeter: 1297 Meters | 4255 Feet | 0.806 Miles | 1.297 Km

PPC25 Area for Amendment

Map **Satellite**



Viv Davie-Martin Dr



Area: 149648 Meters² | 1610795 Feet² | 36.98 Acres | 0.058 Miles² | 0.150 Km²
Perimeter: 1599 Meters | 5247 Feet | 0.994 Miles | 1.599 Km

Valley Area

Map

Satellite





VIL

DAVIE MARTIN D

60



URANGI

River

Left

Flow

VIV

DAVIE-MARTIN DR.

FALLS ST

HUDSON F...

ROAD

A9PR

86m

Sch

COCKS

ROAD







From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
Sent: Friday, 5 July 2019 1:46 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Mark Bourne
Attachments: 20190705 Watercare Services Limited Submission on PC25 Warkworth North.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Mark Bourne

Organisation name: Watercare Services Limited

Agent's full name: Ilze Gotelli

Email address: ilze.gotelli@water.co.nz

Contact phone number: 021831470

Postal address:

Please copy lindsay.wilson@water.co.nz in communications about PC25

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:

Water and wastewater servicing

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Refer to attached submission

I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: Refer to submission

Submission date: 5 July 2019

Supporting documents

20190705 Watercare Services Limited Submission on PC25 Warkworth North.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

Attn.: Planning Technician

unitaryplan@aucklandcouncil.govt.nz

TO: Auckland Council

SUBMISSION ON: Plan Change 25 (Private) – Warkworth North

FROM: Watercare Services Limited

ADDRESS FOR SERVICE: ilze.gotelli@water.co.nz

DATE: 5 July 2019

Watercare could not gain an advantage in trade competition through this submission.

1 INTRODUCTION

1.1 Watercare's purpose and mission

Watercare Services Limited ("**Watercare**") is New Zealand's largest provider of water and wastewater services. Watercare is a council-controlled organisation under the Local Government Act 2002 ("**CCO**") and is wholly owned by the Auckland Council ("**Council**").

Watercare provides integrated water and wastewater services to approximately 1.4 million people in Auckland. Watercare collects, treats and distributes drinking water from 11 dams, 26 bores and springs, and four river sources. A total of 330 million litres of water is treated each day at 15 water treatment plants and distributed via 89 reservoirs and 90 pump stations to 450,000 households, hospitals, schools, commercial and industrial properties. Watercare's water distribution network includes more than 9,000 km of pipes. The wastewater network collects, treats and disposes of wastewater at 18 treatment plants and includes 7,900 km of sewers.

Watercare is required to manage its operations efficiently with a view to keeping overall costs of water supply and wastewater services to its customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of the assets. Watercare must also give effect to relevant aspects of the Council's Long Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan and the Auckland Future Urban Land Supply Strategy.¹

¹ Local Government (Auckland Council) Act 2009, s58.

2 SUBMISSION

2.1 General

This is a submission on a change proposed by Turnstone Capital Limited ("**Applicant**") to the Auckland Unitary Plan (Operative in Part) that was publicly notified on 16 May 2019 ("**Proposal**").

The Applicant proposes to rezone approximately 95 hectares of Future Urban zoned land in Warkworth North (identified in Figure 1 of the application as the Stubbs Farm Estate) to a mixture of business and residential zones with provision for future open space zoning ("**Plan Change Area**").

Watercare neither supports nor opposes the Proposal. The purpose of this submission is to address the technical feasibility of the proposed water and wastewater servicing arrangement to ensure that the effects on Watercare's existing and planned water and wastewater network are appropriately considered and managed in accordance with Resource Management Act 1991 ("**RMA**").

In making its submission, Watercare has considered the relevant provisions of the Auckland Plan 2050, Te Tahua Taungahuru Te Mahere Taungahuru 2018 – 2028/The 10-year Budget Long-term Plan 2018 – 2028, the Auckland Future Urban Land Supply Strategy 2015 and 2017, the Water Supply and Wastewater Network Bylaw 2015, the Water and Wastewater Code of Practice for Land Development and Subdivision, and the Watercare Asset Management Plan 2016 - 2036. It has also considered the relevant RMA documents including the Auckland Unitary Plan (Operative in Part) and the National Policy Statement on Urban Development Capacity 2016 which (among other matters) requires local authorities to ensure that at any one time there is sufficient housing and business development capacity which:

- (a) in the short term, is feasible, zoned and serviced with development infrastructure (including water and wastewater);
- (b) in the medium term, is feasible, zoned and either:
 - i. serviced with development infrastructure, or
 - ii. the funding for the development infrastructure required to service that development capacity must be identified in a Long Term Plan required under the Local Government Act 2002; and
- (c) in the long term, is feasible, identified in relevant plans and strategies, and the development infrastructure required to service it is identified in the relevant Infrastructure Strategy required under the Local Government Act 2002.²

2.2 Specific parts of the Proposal

The specific parts of the Proposal that this submission relates to are the proposed water and wastewater servicing arrangement and the effects of the Proposal on Watercare's existing and planned water and wastewater network.

² National Policy Statement on Urban Development Capacity 2016, policy PA1.

Watercare has reviewed the Proposal (including the relevant plans and the Land Development Report) and considers that:

- (a) the proposed water and wastewater capacity and servicing requirements have been adequately assessed as part of the Proposal;
- (b) subject to development occurring in accordance with the proposed staging conditions and infrastructure upgrades described further below:
 - i. the proposed servicing arrangement is technically feasible and consistent with the requirements of the National Policy Statement on Urban Development Capacity;
 - ii. any adverse effects of the Proposal on the Watercare's existing and planned water and wastewater infrastructure network will be appropriately managed.

2.2.1 Water Supply

2.2.1.1 Water supply infrastructure

Watercare has recently put new abstraction bores and a water treatment plant into operation at Sanderson Road. The Sanderson Road plant is designed to treat the consented abstraction limit which caters for approximately 16,000 people. This replaces the supply from the Mahurangi River which was treated at a plant off Browns Road.

2.2.1.2 Water supply servicing for the Plan Change Area

Relevantly to this submission:

- (a) The Sanderson Road plant has the capacity to service the Plan Change Area.
- (b) The Applicant will be required to construct and fund the local water supply network to service the Plan Change Area.
- (c) The Applicant has noted in the Land Development Report that the Plan Change Area can likely be serviced by a gravity network supplied from the View Road reservoir. The Plan Change Area includes areas of high elevation that may need to be boosted to meet the minimum levels of service.
- (d) Watercare is developing a Warkworth Water Supply Network Blueprint that will guide the development of the water supply network in the Future Urban Areas. This blueprint envisions a Western and Western Pumped Zone that will be supplied by a new Western Reservoir.
- (e) The Applicant's specific local network proposal may need to be modified in light of the Blueprint, however Watercare considers that can be reviewed as part of the normal development and consenting process.
- (f) Watercare will provide Fire Water Classification FW2. Any facilities requiring higher flow requirement will need to install their own measures such as water tanks and sprinkler systems. The assumption in the Land Development Report that FW6 will be provided (p. 47 Section D) is therefore incorrect.

- (g) The Land Development Report refers to the “bulk main layout”. For clarity, all of the water supply network within Warkworth is considered local network and will therefore be funded by the Applicant.

2.2.2 Wastewater

2.2.2.1 Wastewater infrastructure

Currently, the Warkworth wastewater network is at capacity. In order to cater for planned growth, Watercare has developed a wastewater servicing strategy for wider Warkworth. The strategy involves constructing the North East Wastewater Scheme to service both the existing urban area and the Future Urban Zoned area in Warkworth (“**Scheme**”). The Scheme includes:

- (a) A new wastewater transfer pipe between Warkworth and the Snells-Algies Wastewater Treatment Plant.
- (b) A new Snells-Algies Wastewater Treatment Plant adjacent to the existing treatment plant with a capacity for 18,000 people (expandable to 30,000).
- (c) A new outfall from the Snells-Algies Wastewater Treatment Plant to the Hauraki Gulf.

The Scheme has been tendered and is expected to be delivered by 2022.

The Scheme will enable the new growth areas to be diverted directly to the new infrastructure, thereby minimising the need to upgrade the existing local network. Following completion of the Scheme, Watercare will decommission the existing Warkworth Wastewater Treatment Plant.

Watercare is currently investigating options for the wastewater network configuration which will enable the Scheme to service the Auckland Council Warkworth Structure Plan area (which includes the Plan Change Area). Watercare has two preferred route options. These are:

- a new gravity main from the Warkworth Showgrounds via Great North Road to a new pump station located in Lucy Moore Memorial Park that connects to a new pump station on Sandspit Road (Pump Station 2), or
- A new pumped main from the Warkworth Showgrounds via Great North Road and Sandspit Road to the new Pump Station 2.

The route options are included as Attachment A.

The NZ Transport Agency’s work on the Ara Tuhono – Puhoi to Warkworth northern motorway extension is currently challenging Watercare’s ability to construct infrastructure in that corridor. It is possible that this will delay the ability to construct the connecting infrastructure between the Showgrounds and Pump Station 2.

To manage growth in the short term, Watercare has installed an upgrade to the Warkworth Wastewater Treatment Plant to enable growth in the interim. However, there are still constraints in the local network that limit the amount of new wastewater flows.

2.2.2.2 Wastewater servicing for the Plan Change Area

The Plan Change Area will need to connect into the Scheme at Pump Station 2 on Sandspit Road. Once the Scheme is constructed there will be sufficient wastewater treatment capacity to service the Plan Change Area.

Watercare's position is that, with the exception of Stage 1 (discussed further below), the development of the Plan Change Area must be coordinated with the delivery of the wastewater infrastructure required to service it. The timing for the connection of the Plan Change Area to Watercare's wastewater network is therefore dependent on the completion of:

- (a) the North East Wastewater Scheme – currently targeted at 2022; and
- (b) the wastewater network from the Showgrounds to Pump Station 2.

2.2.2.3 Wastewater servicing of Stage 1 – 233 Falls Road

The Applicant has requested the early servicing of Stage 1 – 233 Falls Road. Fifty dwellings are proposed in this stage.

Although there are significant constraints in the local network, Watercare has agreed to enable Stage 1. To that end, it is currently investigating the capacity in the existing downstream network and a potential upgrade pathway.

Watercare requests that the servicing strategy for Stage 1 is consistent with the longer term network solution to service the wider Plan Change Area described above.

This would require, at the cost of the Applicant, the design and construction of:

- (a) a pump station located at Falls Road; and
- (b) a rising main into an agreed point in the gravity network.

The connection point into Watercare's wastewater network will need to be agreed with Watercare.

3 Decision sought

Watercare seeks a decision that ensures that the water and wastewater capacity and servicing requirements of the Proposal will be adequately met such that the water and wastewater related effects are appropriately managed.

To enable that decision to be made, Watercare requests that:

- 31.1 (a) Wastewater disposal from the Plan Change Area is required to be connected to the public wastewater disposal and collection system (North East Wastewater Scheme). With the exception of Stage 1, the North East Wastewater Scheme is estimated to be operational and available for connection in 2022.
- 31.2 (b) The Applicant will, at its cost, design and construct:
 - i. any wastewater infrastructure required to enable the connection of Stage 1 of the Proposal to the public wastewater disposal and collection system;

- 31.2 | ii. any local network water supply infrastructure to service the Plan Change Area, in general accordance with Watercare's Warkworth Water Supply Blueprint.
- 31.3 | (c) The Applicant obtains approval from Watercare for the connection point to the local network to service Stage 1 of the Proposal.

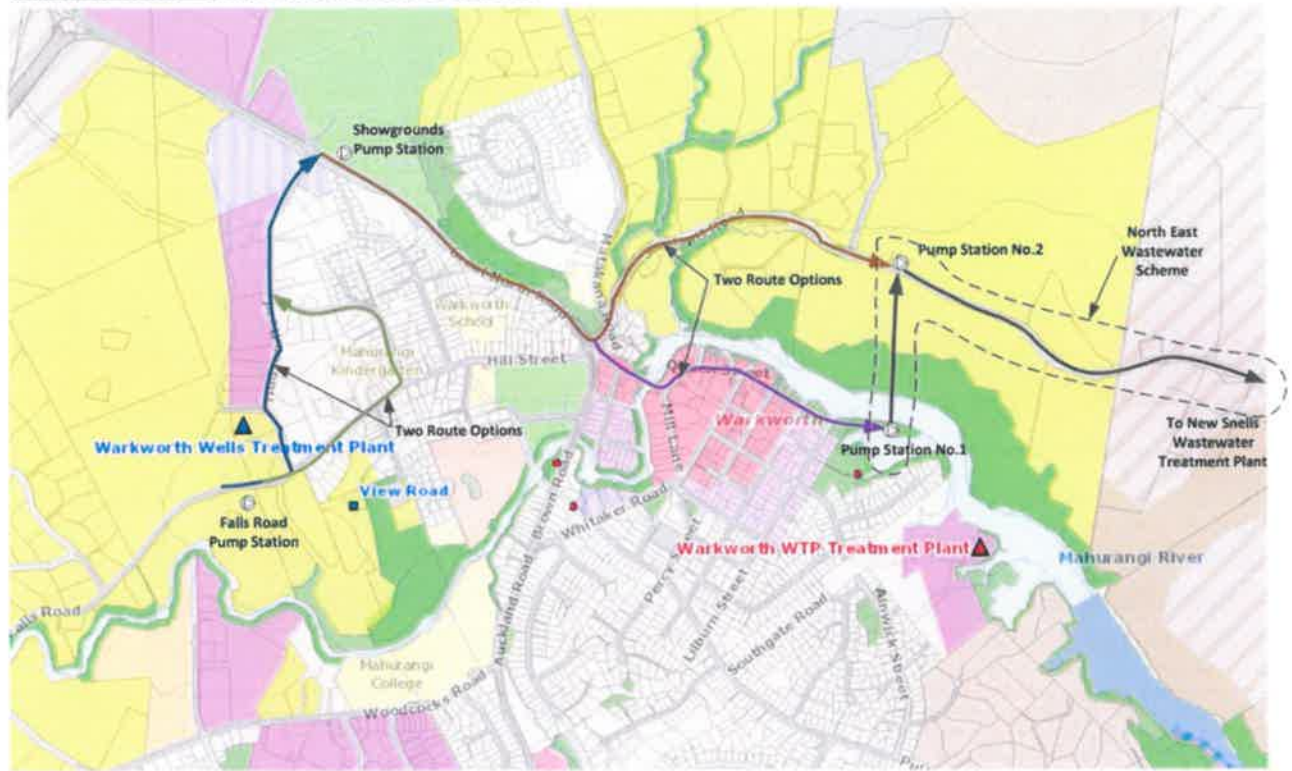
4 Hearing

Watercare wishes to be heard in support of its submission.



Mark Bourne
Head of Servicing and Consents

Attachment A – Wastewater Route Options



From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
Sent: Friday, 5 July 2019 3:46 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Terri Walkington
Attachments: PPC25 Submission _20190705153021.315.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Terri Walkington

Organisation name:

Agent's full name:

Email address: twalkington@xtra.co.nz

Contact phone number: 021682590

Postal address:
62b Viv Davie-Martin Drive
Warkworth
Auckland 0984

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:
PPC25

Property address: 62b Viv Davie-Martin Drive

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
See attached document please. Thank you.

32.1 | I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: See attached.

Submission date: 5 July 2019

Supporting documents
PPC25 Submission _20190705153021.315.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

We are owners of 62b Viv Davie-Martin Drive, Frank and Terri Walkington. Our submission was prepared by Aaron Rodgers, after much discussion and consultation. The views in this submission are shared by us, as the planned development has the same impact on all three properties at 62.

This submission has two parts; the first is to request an amendment to a small geographic area of the Proposed Private Plan Change (PPC25) Residential – Mixed Housing Suburban Zone, the second is to provide support for the proposed Business and Open Space zones.

RESIDENTIAL – MIXED HOUSING SUBURBAN ZONE

Background

PPC25 provides for the rezoning of the western area of Stubbs Farm and Civil Property into Residential – Mixed Housing Suburban Zone. A small area of this zone in the extreme western corner (shown on the attached documentation “Submission – Maps”) lies in a geographically “isolated” valley separate from the rest of Stubbs Farm. This valley lies on a northwest – southeast axis with the top of the valley to the southeast end, flowing down to the northwest. A ridge-line that runs down from the top of the northern ridge, to the southwest encloses much of the valley in a natural bowl shape. The valley is a few hundred meters in width at its widest and “points” directly to The Dome and Dome Valley. This valley is geographically “isolated” from the rest of Warkworth (including the rest of the Viv Davie-Martin Drive area and remaining area of Stubbs Farm and Civil Property) due to its topography.

Prior to the Unitary Plan change, the southern side of this valley was zoned Countryside Living, the northern side was zoned Rural. There are only three houses (62a, 62b and 62c Viv Davie-Martin Drive) on the southern side of the valley, which are all part of the Falls Road Subdivision Body Corp (annotated as the Viv Davie-Martin Drive Area in the Warkworth Structure Plan June 2019). The northern side of the valley is farmland and is made up of Stubbs Farm and Civil Property. Under the Unitary Plan change this whole valley area has been rezoned Future Urban.

Under the recent Warkworth Structure Plan it is proposed that the entire valley be future zoned as Residential – Single House Zone; however *“the structure plan adds an “Area for potential increase to minimum site size” overlay to the Viv Davie-Martin Drive area. This could increase the minimum lot size from the standard 600m² to somewhere between 1,500m² – 2,500m² (exact size to be determined at the plan change stage).”*¹

This Viv Davie-Martin area “overlay” was introduced subsequent to the Warkworth Draft Structure Plan after submissions were made by local residents. The Draft Structure Plan had proposed 600m² Residential – Single House Zone for this area. The desire by many residents to keep this area lower density was taken into account by the council.

The boundary of this “overlay” runs down the middle of the valley between Stubbs Farm/Civil Property and the Viv Davie-Martin Drive Area residents (62a, 62b, 62c Viv Davie-Martin Drive) and positioned during the adoption of the Structure Plan. The Minutes² of the Planning Committee held on the 04 June 2019, reads the following: *“The final structure plan has shown the zone boundaries in a more general way than in the draft plan. This is because the structure plan zonings are high-level and indicative only and are likely to be refined through a later (more detailed) plan change process.”* This boundary line takes no account of geographic or topographical considerations.

¹ Warkworth Structure Plan June 2019, Ch 3.3.2.2 Pg 29

² http://infocouncil.aucklandcouncil.govt.nz/Open/2019/06/PLA_20190604_AGN_6745_AT.PDF , Item 9 Adoption of Warkworth Structure Plan, Pg 82, Ch.20

Affected Properties

As PPC25 is the first stage of this valley to go through the plan change process, the outcome of this proposal will determine and limit the options available to the existing owners of the southern side of the valley (62a, 62b and 62c Viv Davie-Martin Drive). The outcome of PPC25 will directly affect the lifestyle of the existing residents and decide property values.

Two of the existing properties (62b and 62c Viv Davie-Martin) were designed and built to enjoy uninterrupted expansive rural views across the valley. Development of the northern side of the valley creates visual concerns and privacy issues for these properties, and due to the nature of the slope of the valley sides and positioning of existing houses there is little room for mitigating these effects (by planting trees, building bunds etc). Due to the shape and size of this bowl shaped valley, the path direction of the sound waves created by an urban setting will project directly across the valley onto the existing houses and probably reverberate and echo within the bowl, with little chance of attenuation or dispersion³.

Regardless of whether the Structure Plan recommendations (600m² northern side, 1500-2500m² southern side) or PPC25 is implemented, all the residents living in this future developed valley will share the same urban environment and all will be affected by the visual and noise affects of the urbanisation regardless of different property sizes on either side. The larger property sizes on the southern side will not have much higher value, given the attraction of living in a low density environment will not exist. Indeed, enforcing a lower density zone on the southern side will be pointless, and only serve to reduce the amount of housing available for Auckland growth.

It is for these reasons that this valley should be zoned the same, to provide a homogenous urban environment where all residents share the same affects of urbanisation, noise and visual outlook. And all properties within this area will enjoy the same property value effects of whatever the final zoning shall be.

Option 1

The first and preferred option is for PPC25 to be amended to allow the proposed area within this valley to be rezoned Residential – Single House Zone with a MINIMUM size of 1500m². This would result in approx 40⁴ properties on the northern side of the hill versus 150 under the PPC25 Residential – Mixed Housing Suburban Zone proposal.

32.1

These properties, lying within a homogenous and naturally contained low density environment and adjacent to the low density Viv Davie-Martin Drive area, would be worth a lot more than the 400m² properties and attract more investment from wealthier investors, possibly resulting in better quality and perhaps bespoke housing. More importantly, this lower building density environment would provide for increased planting areas which would result in better privacy, more sound absorption and a nicer visual outlook.

³ No professional advice has been sought to confirm this statement, just an observation made based on having lived in this valley. It is my opinion that the company seeking the PPC25 should have undertaken professional acoustic testing to determine the effects of urban noise in this valley.

⁴ The following link provides a concept drawing depicting a layout of Stubbs Farm, in particular it shows about 60 dwellings placed on 600m² lots in the valley. An extrapolation of this onto the proposed Residential – Mixed Housing Suburban Zone of 400m² would result in approx 100 dwellings. Further extrapolation to include the portion of Civil Property in the valley results in approx 150 dwellings. Similarly, the same logic applied to 1500m² sections results in 40 dwellings.

32.1 This situation will allow for the easy future plan change of the southern side of the valley, keeping in line with the intention of the “overlay” in the Structure Plan and allowing the entire valley to be a single homogenous low density area.

Option 2

32.1 The second option recognises that Option 1 may not be practicable or indeed possible, but essentially achieves the aim of Option 1. An amendment to PPC25 is requested that recognises the unique localised environment of the valley and seeks to limit the amount of houses and properties to a minimum. This may be achieved by creating more green spaces and small pockets of higher density areas. The final objective is to limit the number of dwellings to around 40, provide for more tree planting to somewhat mitigate the noise and visual effects of the development, and allow for a homogenous urban environment when the southern side of the hill is eventually rezoned.

Option 3

32.1 It is recognised that the first two requests may not be approved, so the third option helps us achieve the aim of homogenous urbanisation. Due to the reasons given previously, it is essential that the final result for this valley be an urban area of equal zoning. Should PPC25 be approved, and the northern side of this valley be rezoned Residential – Mixed Housing Suburban Zone then it will be my intention to request the same zoning for the southern side of the valley during the council Plan Change. This valley is geographically isolated from the remainder of the Viv Davie-Martin Drive area and the undesirable effects of increased urban density (noise, visual effects, privacy) will not affect the other Viv Davie-Martin Drive area residents and should not attract too much objection. However, the increased vehicle traffic on Viv Davie-Martin Drive created by an increased population will be an issue for some residents, and I too would be unhappy with this situation if I were affected by it. This Option is for PPC25 to provide access to the road services that will be installed on the northern side so that there is an alternative pathway out of the valley for the southern properties. Likewise, the ability to access and connect to other services (wastewater, water supply, power, communications etc) is requested so that the future plan change for the southern side of the valley may be implemented without interrupting the lifestyle of the remainder, or attract objection of the Viv Davie-Martin area.

Further Comment

On Monday 1 July 2019, Aaron Rodgers had an onsite meeting between Burnette O’Connor of B&A Urban and Environmental, Jamie Peters of Turnstone Capital, and Terri Walkington, the owner of 62B Viv Davie-Martin Drive. This was a productive and amicable meeting, and Jamie commented that – despite the outcome – he would work with us to help mitigate some effects and retain some of the attraction of the area. A comment was made by Jamie that he believed Turnstone Capital had conducted a transparent and inclusive process, and made further comment that we had left our concerns quite late. Aaron explained to him that he had previously spoken to Burnette but had come to conclusion that there was no reason to have an opinion until the council had finished the Structure Plan process and we knew the outcome for our area. Jamie seemed content with this explanation.

In addition, I would like to point out that the properties (62a, 62b and 62c) were not listed as Affected Properties as part of the PPM25 process. I only just discovered this, and it will further explain our lack of involvement and information to date. I would argue that we are among the most affected by this plan change and cannot understand why we were not included.

PROPOSED BUSINESS AND OPEN SPACE ZONE

32.2

Although I think the Council conducted a transparent and inclusive Structure Plan process (I had many opportunities to make submissions), I think the proposed areas of the PPC25 along the eastern and northern area of Stubbs Farm are a better use of land and infrastructure for Warkworth. In particular, the proposed Business – Mixed Use Zones and Business – Local Centre Zone will provide more work opportunities for local residents outside of the existing town centre, and allow a more distributed and even spread of employment. The idea of containing the business areas to the existing town centre is romantic, but not practicable. An area close to the motorway makes more sense.

In addition, should these areas be approved, then it makes sense that the surrounding catchment be a higher density. I support the PPC25 proposal for the rezoning of Residential – Mixed Housing Urban Zone as indicated on the Proposed Zoning Map.

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
Sent: Friday, 5 July 2019 3:16 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Lily Anne Rodgers
Attachments: PPC25 Submission_20190705150552.766.pdf; Submission - Photos_20190705150612.703.pdf; Submission - Maps_20190705150629.859.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Lily Anne Rodgers

Organisation name:

Agent's full name:

Email address: aaronrodgers29@hotmail.com

Contact phone number:

Postal address:
62c Viv Davie-Martin Drive
Warkworth
Auckland 0984

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:

Property address: 63 State Highway 1 & 220 Falls Rd, Warkworth, 0984

Map or maps:

Other provisions:
See attached documentation.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
See attached documentation.

33.1 | I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: See attached documentation.

Submission date: 5 July 2019

Supporting documents

PPC25 Submission_20190705150552.766.pdf

Submission - Photos_20190705150612.703.pdf

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Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

I am an owner of 62c Viv Davie-Martin Drive. My submission was prepared by Aaron Rodgers, after consultation with me. The views in this submission are shared by me.

This submission has two parts; the first is to request an amendment to a small geographic area of the Proposed Private Plan Change (PPC25) Residential – Mixed Housing Suburban Zone, the second is to provide support for the proposed Business and Open Space zones.

RESIDENTIAL – MIXED HOUSING SUBURBAN ZONE

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Under the recent Warkworth Structure Plan it is proposed that the entire valley be future zoned as Residential – Single House Zone; however *“the structure plan adds an “Area for potential increase to minimum site size” overlay to the Viv Davie-Martin Drive area. This could increase the minimum lot size from the standard 600m² to somewhere between 1,500m² – 2,500m² (exact size to be determined at the plan change stage).”*¹

This Viv Davie-Martin area “overlay” was introduced subsequent to the Warkworth Draft Structure Plan after submissions were made by local residents. The Draft Structure Plan had proposed 600m² Residential – Single House Zone for this area. The desire by many residents to keep this area lower density was taken into account by the council.

The boundary of this “overlay” runs down the middle of the valley between Stubbs Farm/Civil Property and the Viv Davie-Martin Drive Area residents (62a, 62b, 62c Viv Davie-Martin Drive) and positioned during the adoption of the Structure Plan. The Minutes² of the Planning Committee held on the 04 June 2019, reads the following: *“The final structure plan has shown the zone boundaries in a more general way than in the draft plan. This is because the structure plan zonings are high-level and indicative only and are likely to be refined through a later (more detailed) plan change process.”* This boundary line takes no account of geographic or topographical considerations.

Affected Properties

¹ Warkworth Structure Plan June 2019, Ch 3.3.2.2 Pg 29

² http://infocouncil.aucklandcouncil.govt.nz/Open/2019/06/PLA_20190604_AGN_6745_AT.PDF , Item 9 Adoption of Warkworth Structure Plan, Pg 82, Ch.20

As PPC25 is the first stage of this valley to go through the plan change process, the outcome of this proposal will determine and limit the options available to the existing owners of the southern side of the valley (62a, 62b and 62c Viv Davie-Martin Drive). The outcome of PPC25 will directly affect the lifestyle of the existing residents and decide property values.

Two of the existing properties (62b and 62c Viv Davie-Martin) were designed and built to enjoy uninterrupted expansive rural views across the valley. Development of the northern side of the valley creates visual concerns and privacy issues for these properties, and due to the nature of the slope of the valley sides and positioning of existing houses there is little room for mitigating these effects (by planting trees, building bunds etc). Due to the shape and size of this bowl shaped valley, the path direction of the sound waves created by an urban setting will project directly across the valley onto the existing houses and probably reverberate and echo within the bowl, with little chance of attenuation or dispersion³.

Regardless of whether the Structure Plan recommendations (600m² northern side, 1500-2500m² southern side) or PPC25 is implemented, all the residents living in this future developed valley will share the same urban environment and all will be affected by the visual and noise affects of the urbanisation regardless of different property sizes on either side. The larger property sizes on the southern side will not have much higher value, given the attraction of living in a low density environment will not exist. Indeed, enforcing a lower density zone on the southern side will be pointless, and only serve to reduce the amount of housing available for Auckland growth.

It is for these reasons that this valley should be zoned the same, to provide a homogenous urban environment where all residents share the same affects of urbanisation, noise and visual outlook. And all properties within this area will enjoy the same property value effects of whatever the final zoning shall be.

Option 1

The first and preferred option is for PPC25 to be amended to allow the proposed area within this valley to be rezoned Residential – Single House Zone with a MINIMUM size of 1500m². This would result in approx 40⁴ properties on the northern side of the hill versus 150 under the PPC25 Residential – Mixed Housing Suburban Zone proposal.

33.1

These properties, lying within a homogenous and naturally contained low density environment and adjacent to the low density Viv Davie-Martin Drive area, would be worth a lot more than the 400m² properties and attract more investment from wealthier investors, possibly resulting in better quality and perhaps bespoke housing. More importantly, this lower building density environment would provide for increased planting areas which would result in better privacy, more sound absorption and a nicer visual outlook.

³ No professional advice has been sought to confirm this statement, just an observation made based on having lived in this valley. It is my opinion that the company seeking the PPC25 should have undertaken professional acoustic testing to determine the effects of urban noise in this valley.

⁴ The following link provides a concept drawing depicting a layout of Stubbs Farm, in particular it shows about 60 dwellings placed on 600m² lots in the valley. An extrapolation of this onto the proposed Residential – Mixed Housing Suburban Zone of 400m² would result in approx 100 dwellings. Further extrapolation to include the portion of Civil Property in the valley results in approx 150 dwellings. Similarly, the same logic applied to 1500m² sections results in 40 dwellings.

33.1 | This situation will allow for the easy future plan change of the southern side of the valley, keeping in line with the intention of the “overlay” in the Structure Plan and allowing the entire valley to be a single homogenous low density area.

Option 2

33.1 | The second option recognises that Option 1 may not be practicable or indeed possible, but essentially achieves the aim of Option 1. An amendment to PPC25 is requested that recognises the unique localised environment of the valley and seeks to limit the amount of houses and properties to a minimum. This may be achieved by creating more green spaces and small pockets of higher density areas. The final objective is to limit the number of dwellings to around 40, provide for more tree planting to somewhat mitigate the noise and visual effects of the development, and allow for a homogenous urban environment when the southern side of the hill is eventually rezoned.

Option 3

33.1 | It is recognised that the first two requests may not be approved, so the third option helps us achieve the aim of homogenous urbanisation. Due to the reasons given previously, it is essential that the final result for this valley be an urban area of equal zoning. Should PPC25 be approved, and the northern side of this valley be rezoned Residential – Mixed Housing Suburban Zone then it will be my intention to request the same zoning for the southern side of the valley during the council Plan Change. This valley is geographically isolated from the remainder of the Viv Davie-Martin Drive area and the undesirable effects of increased urban density (noise, visual effects, privacy) will not affect the other Viv Davie-Martin Drive area residents and should not attract too much objection. However, the increased vehicle traffic on Viv Davie-Martin Drive created by an increased population will be an issue for some residents, and I too would be unhappy with this situation if I were affected by it. This Option is for PPC25 to provide access to the road services that will be installed on the northern side so that there is an alternative pathway out of the valley for the southern properties. Likewise, the ability to access and connect to other services (wastewater, water supply, power, communications etc) is requested so that the future plan change for the southern side of the valley may be implemented without interrupting the lifestyle of the remainder, or attract objection of the Viv Davie-Martin area.

Further Comment

On Monday 1 July 2019, Aaron Rodgers had an onsite meeting between Burnette O’Connor of B&A Urban and Environmental, Jamie Peters of Turnstone Capital, and the owner of 62B Viv Davie-Martin Drive. This was a productive and amicable meeting, and Jamie commented that – despite the outcome – he would work with us to help mitigate some effects and retain some of the attraction of the area. A comment was made by Jamie that he believed Turnstone Capital had conducted a transparent and inclusive process, and made further comment that we had left our concerns quite late. Aaron explained to him that he had previously spoken to Burnette but had come to conclusion that there was no reason to have an opinion until the council had finished the Structure Plan process and we knew the outcome for our area. Jamie seemed content with this explanation.

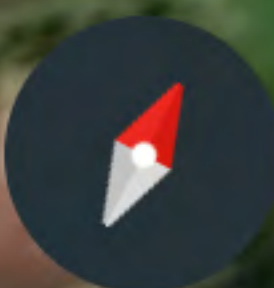
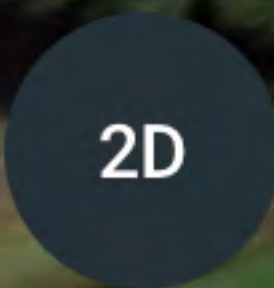
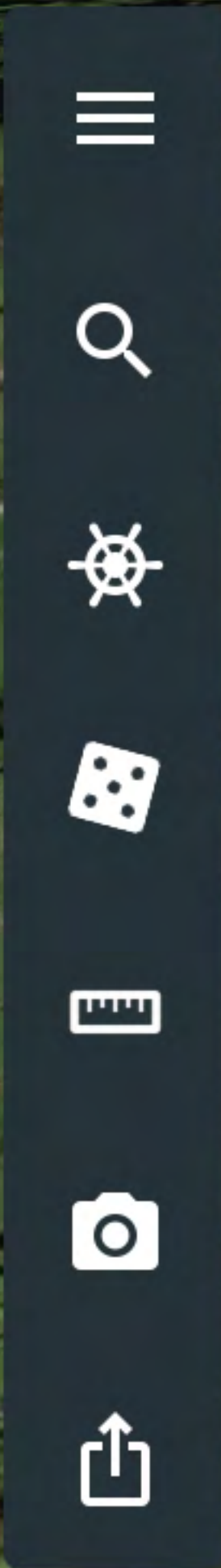
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PROPOSED BUSINESS AND OPEN SPACE ZONE

33.2

Although I think the Council conducted a transparent and inclusive Structure Plan process (I had many opportunities to make submissions), I think the proposed areas of the PPC25 along the eastern and northern area of Stubbs Farm are a better use of land and infrastructure for Warkworth. In particular, the proposed Business – Mixed Use Zones and Business – Local Centre Zone will provide more work opportunities for local residents outside of the existing town centre, and allow a more distributed and even spread of employment. The idea of containing the business areas to the existing town centre is romantic, but not practicable. An area close to the motorway makes more sense.

In addition, should these areas be approved, then it makes sense that the surrounding catchment be a higher density. I support the PPC25 proposal for the rezoning of Residential – Mixed Housing Urban Zone as indicated on the Proposed Zoning Map.



62A

Warkworth
Sunset Falls

- ☰
- 🔍
- 🏠
- 🎲
- 📏
- 📷
- 📤

Woodcocks Rd
Falls Rd
Francis Pl
Viv Davie-Martin Dr
Viv Davie-Martin Dr
Viv Davie-Martin Dr

- 📍
- 🧑
- 2D
- 🧭

Google

Area: 88862 Meters² | 956502 Feet² | 21.96 Acres | 0.034 Miles² | 0.089 Km²

Perimeter: 1297 Meters | 4255 Feet | 0.806 Miles | 1.297 Km

PPC25 Area for Amendment

Map **Satellite**



Area: 149648 Meters² | 1610795 Feet² | 36.98 Acres | 0.058 Miles² | 0.150 Km²
Perimeter: 1599 Meters | 5247 Feet | 0.994 Miles | 1.599 Km

Valley Area

Map

Satellite













From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
Sent: Friday, 5 July 2019 3:16 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Macy Anne Rodgers
Attachments: PPC25 Submission_20190705150143.718.pdf; Submission - Photos_20190705150214.593.pdf; Submission - Maps_20190705150218.640.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Macy Anne Rodgers

Organisation name:

Agent's full name:

Email address: aaronrodgers29@hotmail.com

Contact phone number:

Postal address:
62c Viv Davie-Martin Drive
Warkworth
Auckland 0984

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:
See attached documentation.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
See attached documentation.

34.1 | I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: See attached documentation.

Submission date: 5 July 2019

Supporting documents

PPC25 Submission_20190705150143.718.pdf

Submission - Photos_20190705150214.593.pdf

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Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

I am an owner of 62c Viv Davie-Martin Drive. My submission was prepared by Aaron Rodgers, after consultation with me. The views in this submission are shared by me.

This submission has two parts; the first is to request an amendment to a small geographic area of the Proposed Private Plan Change (PPC25) Residential – Mixed Housing Suburban Zone, the second is to provide support for the proposed Business and Open Space zones.

RESIDENTIAL – MIXED HOUSING SUBURBAN ZONE

Background

PPC25 provides for the rezoning of the western area of Stubbs Farm and Civil Property into Residential – Mixed Housing Suburban Zone. A small area of this zone in the extreme western corner (shown on the attached documentation “Submission – Maps”) lies in a geographically “isolated” valley separate from the rest of Stubbs Farm. This valley lies on a northwest – southeast axis with the top of the valley to the southeast end, flowing down to the northwest. A ridge-line that runs down from the top of the northern ridge, to the southwest encloses much of the valley in a natural bowl shape. The valley is a few hundred meters in width at its widest and “points” directly to The Dome and Dome Valley. This valley is geographically “isolated” from the rest of Warkworth (including the rest of the Viv Davie-Martin Drive area and remaining area of Stubbs Farm and Civil Property) due to its topography.

Prior to the Unitary Plan change, the southern side of this valley was zoned Countryside Living, the northern side was zoned Rural. There are only three houses (62a, 62b and 62c Viv Davie-Martin Drive) on the southern side of the valley, which are all part of the Falls Road Subdivision Body Corp (annotated as the Viv Davie-Martin Drive Area in the Warkworth Structure Plan June 2019). The northern side of the valley is farmland and is made up of Stubbs Farm and Civil Property. Under the Unitary Plan change this whole valley area has been rezoned Future Urban.

Under the recent Warkworth Structure Plan it is proposed that the entire valley be future zoned as Residential – Single House Zone; however *“the structure plan adds an “Area for potential increase to minimum site size” overlay to the Viv Davie-Martin Drive area. This could increase the minimum lot size from the standard 600m² to somewhere between 1,500m² – 2,500m² (exact size to be determined at the plan change stage).”*¹

This Viv Davie-Martin area “overlay” was introduced subsequent to the Warkworth Draft Structure Plan after submissions were made by local residents. The Draft Structure Plan had proposed 600m² Residential – Single House Zone for this area. The desire by many residents to keep this area lower density was taken into account by the council.

The boundary of this “overlay” runs down the middle of the valley between Stubbs Farm/Civil Property and the Viv Davie-Martin Drive Area residents (62a, 62b, 62c Viv Davie-Martin Drive) and positioned during the adoption of the Structure Plan. The Minutes² of the Planning Committee held on the 04 June 2019, reads the following: *“The final structure plan has shown the zone boundaries in a more general way than in the draft plan. This is because the structure plan zonings are high-level and indicative only and are likely to be refined through a later (more detailed) plan change process.”* This boundary line takes no account of geographic or topographical considerations.

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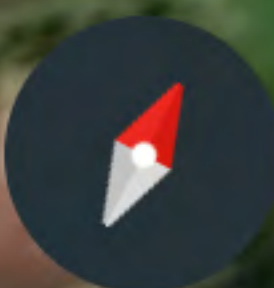
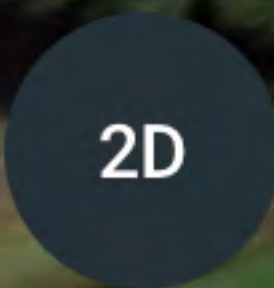
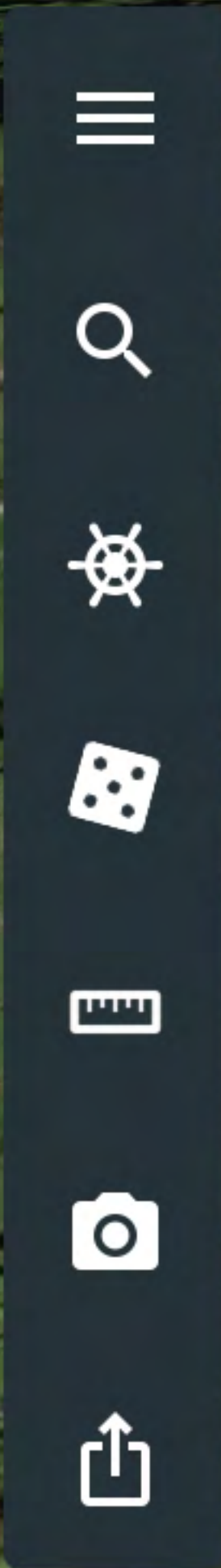
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62A

Warkworth
Sunset Falls

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- 🎲
- 📏
- 📷
- 📤

Woodcocks Rd
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- 📍
- 🧑
- 2D
- 🧭

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Valley Area

Map

Satellite













From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
Sent: Friday, 5 July 2019 3:02 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Ngahine Waimea Ira Rodgers
Attachments: PPC25 Submission.pdf; Submission - Maps_20190705145750.186.pdf; Submission - Photos_20190705145807.140.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Ngahine Waimea Ira Rodgers

Organisation name:

Agent's full name:

Email address: ngahine1@hotmail.com

Contact phone number:

Postal address:
62c Viv Davie-Martin Drive
Warkworth
Auckland 0984

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:

Property address: 63 State Highway 1 & 220 Falls Rd, Warkworth, 0984

Map or maps:

Other provisions:
See attached documentation.

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Option 3

35.1 | It is recognised that the first two requests may not be approved, so the third option helps us achieve the aim of homogenous urbanisation. Due to the reasons given previously, it is essential that the final result for this valley be an urban area of equal zoning. Should PPC25 be approved, and the northern side of this valley be rezoned Residential – Mixed Housing Suburban Zone then it will be my intention to request the same zoning for the southern side of the valley during the council Plan Change. This valley is geographically isolated from the remainder of the Viv Davie-Martin Drive area and the undesirable effects of increased urban density (noise, visual effects, privacy) will not affect the other Viv Davie-Martin Drive area residents and should not attract too much objection. However, the increased vehicle traffic on Viv Davie-Martin Drive created by an increased population will be an issue for some residents, and I too would be unhappy with this situation if I were affected by it. This Option is for PPC25 to provide access to the road services that will be installed on the northern side so that there is an alternative pathway out of the valley for the southern properties. Likewise, the ability to access and connect to other services (wastewater, water supply, power, communications etc) is requested so that the future plan change for the southern side of the valley may be implemented without interrupting the lifestyle of the remainder, or attract objection of the Viv Davie-Martin area.

Further Comment

On Monday 1 July 2019, Aaron Rodgers had an onsite meeting between Burnette O’Connor of B&A Urban and Environmental, Jamie Peters of Turnstone Capital, and the owner of 62B Viv Davie-Martin Drive. This was a productive and amicable meeting, and Jamie commented that – despite the outcome – he would work with us to help mitigate some effects and retain some of the attraction of the area. A comment was made by Jamie that he believed Turnstone Capital had conducted a transparent and inclusive process, and made further comment that we had left our concerns quite late. Aaron explained to him that he had previously spoken to Burnette but had come to conclusion that there was no reason to have an opinion until the council had finished the Structure Plan process and we knew the outcome for our area. Jamie seemed content with this explanation.

In addition, I would like to point out that the properties (62a, 62b and 62c) were not listed as Affected Properties as part of the PPM25 process. I only just discovered this, and it will further explain our lack of involvement and information to date. I would argue that we are among the most affected by this plan change and cannot understand why we were not included.

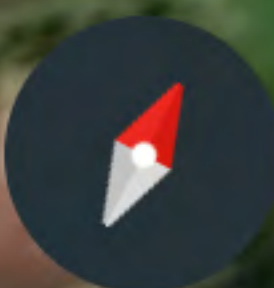
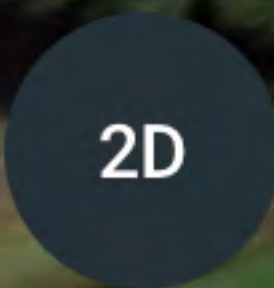
PROPOSED BUSINESS AND OPEN SPACE ZONE

35.2

Although I think the Council conducted a transparent and inclusive Structure Plan process (I had many opportunities to make submissions), I think the proposed areas of the PPC25 along the eastern and northern area of Stubbs Farm are a better use of land and infrastructure for Warkworth. In particular, the proposed Business – Mixed Use Zones and Business – Local Centre Zone will provide more work opportunities for local residents outside of the existing town centre, and allow a more distributed and even spread of employment. The idea of containing the business areas to the existing town centre is romantic, but not practicable. An area close to the motorway makes more sense.

In addition, should these areas be approved, then it makes sense that the surrounding catchment be a higher density. I support the PPC25 proposal for the rezoning of Residential – Mixed Housing Urban Zone as indicated on the Proposed Zoning Map.

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62A

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Warkworth
Sunset Falls

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Woodcocks Rd
Falls Rd
Francis Pl
Viv Davie-Martin Dr
Viv Davie-Martin Dr
Viv Davie-Martin Dr

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Google

Area: 88862 Meters² | 956502 Feet² | 21.96 Acres | 0.034 Miles² | 0.089 Km²

Perimeter: 1297 Meters | 4255 Feet | 0.806 Miles | 1.297 Km

PPC25 Area for Amendment

Map **Satellite**



Area: 149648 Meters² | 1610795 Feet² | 36.98 Acres | 0.058 Miles² | 0.150 Km²
Perimeter: 1599 Meters | 5247 Feet | 0.994 Miles | 1.599 Km

Valley Area

Map

Satellite





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FALLS

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COCKS

ROAD







From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
Sent: Friday, 5 July 2019 3:01 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - PPC 25 - Steven Liang
Attachments: PPC25 Submission .pdf; Submission - Maps_20190705144218.197.pdf; Submission - Photos_20190705144224.104.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Steven Liang

Organisation name:

Agent's full name:

Email address: Inj.steven@gmail.com

Contact phone number: 0212708090

Postal address:
77 Beach Road
Castor Bay
Auckland 0620

Submission details

This is a submission to:

Plan modification number: PPC 25

Plan modification name: Warkworth North

My submission relates to

Rule or rules:

Property address: 63 Highway 1 & 220 Falls Road, Workwarth 0984

Map or maps:

Other provisions:
See attachment documentation

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:
See attachment documentation

36.1 | I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: See attach documentation

Submission date: 5 July 2019

Supporting documents

PPC25 Submission .pdf

Submission - Maps_20190705144218.197.pdf

Submission - Photos_20190705144224.104.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

I am the owner of 62a Viv Davie-Martin Drive. My submission was prepared by Aaron Rodgers, the owner of 62c Viv Davie Martin Drive after consultation with me. The views in this submission are shared by me.

This submission has two parts; the first is to request an amendment to a small geographic area of the Proposed Private Plan Change (PPC25) Residential – Mixed Housing Suburban Zone, the second is to provide support for the proposed Business and Open Space zones.

RESIDENTIAL – MIXED HOUSING SUBURBAN ZONE

Background

PPC25 provides for the rezoning of the western area of Stubbs Farm and Civil Property into Residential – Mixed Housing Suburban Zone. A small area of this zone in the extreme western corner (shown on the attached documentation “Submission – Maps”) lies in a geographically “isolated” valley separate from the rest of Stubbs Farm. This valley lies on a northwest – southeast axis with the top of the valley to the southeast end, flowing down to the northwest. A ridge-line that runs down from the top of the northern ridge, to the southwest encloses much of the valley in a natural bowl shape. The valley is a few hundred meters in width at its widest and “points” directly to The Dome and Dome Valley. This valley is geographically “isolated” from the rest of Warkworth (including the rest of the Viv Davie-Martin Drive area and remaining area of Stubbs Farm and Civil Property) due to its topography.

Prior to the Unitary Plan change, the southern side of this valley was zoned Countryside Living, the northern side was zoned Rural. There are only three houses (62a, 62b and 62c Viv Davie-Martin Drive) on the southern side of the valley, which are all part of the Falls Road Subdivision Body Corp (annotated as the Viv Davie-Martin Drive Area in the Warkworth Structure Plan June 2019). The northern side of the valley is farmland and is made up of Stubbs Farm and Civil Property. Under the Unitary Plan change this whole valley area has been rezoned Future Urban.

Under the recent Warkworth Structure Plan it is proposed that the entire valley be future zoned as Residential – Single House Zone; however *“the structure plan adds an “Area for potential increase to minimum site size” overlay to the Viv Davie-Martin Drive area. This could increase the minimum lot size from the standard 600m² to somewhere between 1,500m² – 2,500m² (exact size to be determined at the plan change stage).”*¹

This Viv Davie-Martin area “overlay” was introduced subsequent to the Warkworth Draft Structure Plan after submissions were made by local residents. The Draft Structure Plan had proposed 600m² Residential – Single House Zone for this area. The desire by many residents to keep this area lower density was taken into account by the council.

The boundary of this “overlay” runs down the middle of the valley between Stubbs Farm/Civil Property and the Viv Davie-Martin Drive Area residents (62a, 62b, 62c Viv Davie-Martin Drive) and positioned during the adoption of the Structure Plan. The Minutes² of the Planning Committee held on the 04 June 2019, reads the following: *“The final structure plan has shown the zone boundaries in a more general way than in the draft plan. This is because the structure plan zonings are high-level and indicative only and are likely to be refined through a later (more detailed) plan change process.”* This boundary line takes no account of geographic or topographical considerations.

¹ Warkworth Structure Plan June 2019, Ch 3.3.2.2 Pg 29

² http://infocouncil.aucklandcouncil.govt.nz/Open/2019/06/PLA_20190604_AGN_6745_AT.PDF , Item 9 Adoption of Warkworth Structure Plan, Pg 82, Ch.20

Affected Properties

As PPC25 is the first stage of this valley to go through the plan change process, the outcome of this proposal will determine and limit the options available to the existing owners of the southern side of the valley (62a, 62b and 62c Viv Davie-Martin Drive). The outcome of PPC25 will directly affect the lifestyle of the existing residents and decide property values.

Two of the existing properties (62b and 62c Viv Davie-Martin) were designed and built to enjoy uninterrupted expansive rural views across the valley. Development of the northern side of the valley creates visual concerns and privacy issues for these properties, and due to the nature of the slope of the valley sides and positioning of existing houses there is little room for mitigating these effects (by planting trees, building bunds etc). Due to the shape and size of this bowl shaped valley, the path direction of the sound waves created by an urban setting will project directly across the valley onto the existing houses and probably reverberate and echo within the bowl, with little chance of attenuation or dispersion³.

Regardless of whether the Structure Plan recommendations (600m² northern side, 1500-2500m² southern side) or PPC25 is implemented, all the residents living in this future developed valley will share the same urban environment and all will be affected by the visual and noise affects of the urbanisation regardless of different property sizes on either side. The larger property sizes on the southern side will not have much higher value, given the attraction of living in a low density environment will not exist. Indeed, enforcing a lower density zone on the southern side will be pointless, and only serve to reduce the amount of housing available for Auckland growth.

It is for these reasons that this valley should be zoned the same, to provide a homogenous urban environment where all residents share the same affects of urbanisation, noise and visual outlook. And all properties within this area will enjoy the same property value effects of whatever the final zoning shall be.

Option 1

The first and preferred option is for PPC25 to be amended to allow the proposed area within this valley to be rezoned Residential – Single House Zone with a MINIMUM size of 1500m². This would result in approx 40⁴ properties on the northern side of the hill versus 150 under the PPC25 Residential – Mixed Housing Suburban Zone proposal.

36.1

These properties, lying within a homogenous and naturally contained low density environment and adjacent to the low density Viv Davie-Martin Drive area, would be worth a lot more than the 400m² properties and attract more investment from wealthier investors, possibly resulting in better quality and perhaps bespoke housing. More importantly, this lower building density environment would provide for increased planting areas which would result in better privacy, more sound absorption and a nicer visual outlook.

³ No professional advice has been sought to confirm this statement, just an observation made based on having lived in this valley. It is my opinion that the company seeking the PPC25 should have undertaken professional acoustic testing to determine the effects of urban noise in this valley.

⁴ The following link provides a concept drawing depicting a layout of Stubbs Farm, in particular it shows about 60 dwellings placed on 600m² lots in the valley. An extrapolation of this onto the proposed Residential – Mixed Housing Suburban Zone of 400m² would result in approx 100 dwellings. Further extrapolation to include the portion of Civil Property in the valley results in approx 150 dwellings. Similarly, the same logic applied to 1500m² sections results in 40 dwellings.

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Option 2

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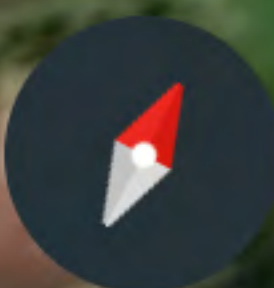
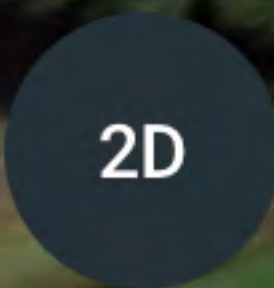
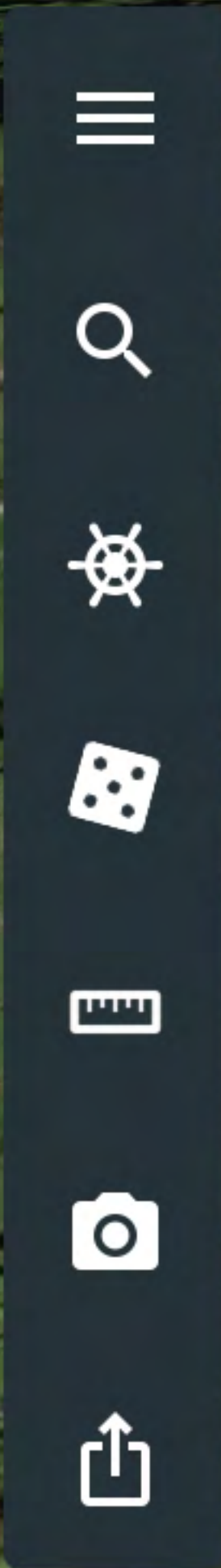
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62A

Warkworth
Sunset Falls

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Falls Rd
Francis Pl
Viv Davie-Martin Dr
Viv Davie-Martin Dr
Viv Davie-Martin Dr

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- 2D
- 🧭

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Valley Area

Map

Satellite





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FALLS ST.

HUDSON F.

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COCKS

ROAD







mahurangi action

i n c o r p o r a t e d

8 August 2019

Auckland Council
Auckland Unitary Plan
Attention: Planning Technician
unitaryplan@aucklandcouncil.govt.nz

Late submission of Mahurangi Action Incorporated to the **Proposed Private Plan Change 25 Warkworth North, Warkworth**

As of 6 August, Mahurangi Action has been apprised by Auckland Council that because developers have begun lodging applications for proposed private plan changes to property within the Warkworth Structure Plan area, it has made the decision to respond to those applications rather than adhere to its previously stated intention to initiate the plan changes itself. Accordingly, Mahurangi Action now considers that it must submit on every Warkworth proposed private plan change, including Proposed Private Plan Change 25 Warkworth North.

Given the level of community engagement and investment in the development of the structure plan, Mahurangi Action is deeply concerned that a developer-led private plan change process risks undermining the integrity of the structure plan.

Mahurangi Action Incorporated has very actively participated in the Warkworth structure-plan process, including providing extensive technical-paper feedback by the 20 April 2018 deadline, feedback on the future transport network by the 7 September deadline, and a submission on structure plan itself, by the 25 March 2019 deadline.

Mahurangi Action also initiated the Warkworth Town Hall Talk series that has run for the last three years, primarily to stimulate greater community engagement with the structure-plan process. Mahurangi Action—and the community generally—was told consistently, including at several of these town-hall talks, that the structure-plan process would be followed by council-initiated plan changes that would progressively live-zone the land in the structure plan area currently zoned future urban.

The wider community advocated for the development of the Warkworth structure plan in response to the ad-hoc and piecemeal development that was occurring in Warkworth as a result of developer-initiated private plan changes. It is difficult to see how the outcome of these current plan change applications will result in anything other than that which has materialised in the recent past—disconnected developments with little regard to their immediate and wider context. This risks setting a dangerous precedent for future development proposals, compromising, and ultimately calling into question the value of the structure plan and structure planning process.

37.1

Mahurangi Action therefore wishes to help ensure that private plan change applications do not fundamentally alter the direction of the structure plan, without robust evidence demonstrating that the proposed zoning provides an overall better outcome at local and regional levels than that defined by the structure plan.

This submission has been approved by the committee of Mahurangi Action and Mahurangi Action wishes to be heard in support of it.



Cimino Cole, secretary
Mahurangi Action Incorporated
590 Mahurangi West Road
RD 3 Warkworth 0983
secretary@mahurangi.org.nz
+64 27 462 4872

**Further Submissions on Proposed Plan Change 25 (Private): Warkworth North
to the Auckland Unitary Plan – Operative in Part**

Clause 8 of Schedule 1 to the Resource Management Act 1991

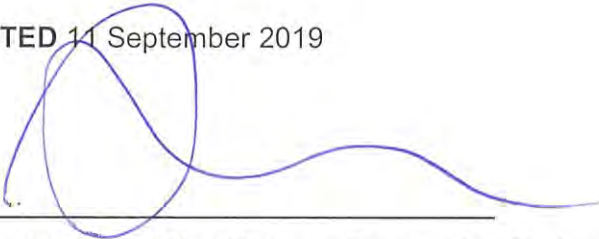
To: unitaryplan@aucklandcouncil.govt.nz
Auckland Council
Private Bag 92300
AUCKLAND 1142

Name of submitter: Warkworth Properties (2010) Limited (“WPL”)

1. WPL has lodged submission 15 (“**the WPL Submission**”) on Plan Change 25 (“**the Plan Change**”) to the Auckland Unitary Plan (Operative in Part) and has an interest in the Plan Change that is greater than the interest of the public generally.
2. WPL variously supports or opposes the original submissions to the Plan Change listed in the **attached** Schedule (“**the Primary Submissions**”) as specified in the Schedule.
3. The reasons for this further submission are:
 - (a) To the extent Primary Submissions are supported:
 - (i) They promote the sustainable management of natural and physical resources and are otherwise consistent with the purpose and principles of the Resource Management Act 1991 (“**RMA**”).
 - (ii) The relief sought in the Primary Submissions is appropriate in terms of section 32 of the RMA.
 - (b) To the extent Primary Submissions are opposed:
 - (i) They do not promote the sustainable management of natural and physical resources and are otherwise contrary to the purpose and principles of the RMA.
 - (ii) The relief sought in the Primary Submissions is not the most appropriate in terms of section 32 of the RMA.

- (iii) Rejecting the relief sought in the Primary Submissions would more fully serve the statutory purpose than would implementing that relief.
 - (c) The reasons set out in the WPL Submission.
 - (d) The additional reasons set out in the **attached** Schedule.
4. WPL asks that, for the reasons set out above, the Primary Submissions be:
- (a) Allowed to the extent they are supported; and
 - (b) Disallowed to the extent they are opposed.
5. WPL wishes to be heard in support of its further submissions.
6. If others make a similar submission, WPL will consider presenting a joint case with them at the hearing.

DATED 11 September 2019



Douglas Allan / Alex Devine - Counsel for Warkworth Properties (2010) Limited

ADDRESS FOR SERVICE: The offices of Ellis Gould, Solicitors, Level 17, Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140, DX CP22003, Auckland, Telephone: (09) 307-2172, Facsimile: (09) 358-5215. Contact: Douglas Allan. Email: dallan@ellisgould.co.nz.

Schedule of Submissions Opposed

Submission No.	Submitter name	Address for service	Support / oppose	Additional Grounds
7	Patricia Sullivan	paddysullivan@gmail.com P.O Box 193 Warkworth Warkworth Auckland 0910	Oppose to the extent the submission is inconsistent with the relief sought in the WPL Submission.	WPL is directly affected by the location of the proposed Western Link Road and generally supports the location proposed in the Plan Change. WPL recognises that the interests of adjacent landowners need to be taken account when determining the precise location of the WLR and for that reason suggests that the applicant for the Plan Change, WPL and the submitter meet prior to the Council hearing of the Plan Change to consider and, ideally, agree on the location of the Western Link Road in the vicinity of State Highway 1.
12	Auckland Council Attn: Phill Reid (Manager -- Planning)	Phill.reid@aucklandcouncil.govt.nz 135 Albert Street Private Bag 92300 Auckland 1142	Oppose to the extent the submission (and in particular subparts 12.1, 12.2, 12.4 and 12.9) is inconsistent with the relief sought in the WPL Submission.	WPL acknowledges that the provisions and in particular the zoning applying under the Plan Change to land in the immediate vicinity of WPL's property are likely to be amended through the hearing process. It wishes to ensure that the zoning applied under the Plan Change takes proper account of the interface with WPL's property and the topographical and locational characteristics of those parts of WPL's land that are subject to the Plan Change.
13.4	Middle Hill Ltd as trustee for the Tyne Trust Attn: Harrison Burnard	harrison@mhg.co.nz PO Box 37694 Parnell Auckland 1151	Oppose to the extent the submission is inconsistent with the relief sought in the WPL Submission.	Part 13.4 of the submission seeks confirmation of the alignment of the Western Link Road and specification of an access point to the submitter's land, with reference to Attachment 3. WPL supports those aspects of the submission in principle but has not been able to obtain a copy of Attachment 3. WPL recognises that the interests of adjacent landowners need to be taken account when determining the precise location of the WLR and for that reason proposes that the applicant for the Plan Change, WPL and the submitter meet prior to the Council hearing of the Plan Change to consider and, ideally, agree on the location of the Western Link Road in the vicinity of State Highway 1.

14.4	Goatley Holdings Limited (Goatley Holdings) Attn: Pamela Santos	c/- Barker & Associates pamelas@barker.co.nz PO Box 1986 Auckland 1140	Support.	Submission 14.4 supports the indicative Western Link Road alignment and, accordingly, is consistent with the WPL Submission.
16	Auckland Transport Attn: Katherine Dorofaeff	Katherine.dorofaeff@at.govt.nz Private Bag 92250 Auckland 1142	Oppose to the extent the submission (and in particular subparts 16.7 and 16.16) is inconsistent with the relief sought in the WPL Submission.	WPL acknowledges that the traffic and transportation provisions applying under the Plan Change to land in the immediate vicinity of WPL's property are likely to be amended through the hearing process. It wishes to ensure that the provisions applied under the Plan Change take proper account of the interface with WPL's property and the topographical and locational characteristics of those parts of WPL's land that are subject to the Plan Change.
20	Atlas Concrete Ltd Attn: Kaaren Rosser	c/- Haines Planning Kaaren.rosser@hainesplanning.co.nz PO Box 90842 Victoria Street West Auckland 1142	Oppose to the extent the submission is inconsistent with the relief sought in the WPL Submission.	WPL acknowledges that the provisions and in particular the zoning applying under the Plan Change to land in the immediate vicinity of WPL's property are likely to be amended through the hearing process. It recognises the particular interests of the submitter and in particular its wish to ensure an appropriate interface between its industrial activities and sensitive activities. WPL wishes to ensure that the zoning applied under the Plan Change takes proper account of the interface with WPL's property and the topographical and locational characteristics of those parts of WPL's land that are subject to the Plan Change. For those reasons it suggests that the applicant for the Plan Change, WPL and the submitter meet prior to the Council hearing of the Plan Change to consider and, ideally, agree on the zoning in the vicinity of WPL's land.
22	New Zealand Transport Agency Attn: Evan	Evan.keating@nzta.govt.nz Private Bag 106602 Auckland 1143	Oppose to the extent the submission (and in particular subparts 16.7 and 16.16) is	WPL acknowledges that the traffic and transportation provisions applying under the Plan Change to land in the immediate vicinity of WPL's property are likely to be amended through the hearing process. It wishes to ensure

	Keating		inconsistent with the relief sought in the WPL Submission.	that the provisions applied under the Plan Change take proper account of the interface with WPL's property and the topographical and locational characteristics of those parts of WPL's land that are subject to the Plan Change.
23	Turnstone Capital Ltd (Turnstone) Attn: Burnette O'Connor	burnetteO@barker.co.nz PO Box 591 Warkworth 0941	Oppose to the extent the submission is inconsistent with the relief sought in the WPL Submission.	WPL acknowledges that the provisions and in particular the zoning applying under the Plan Change to land in the immediate vicinity of WPL's property are likely to be amended through the hearing process. WPL wishes to ensure that the Plan Change takes proper account of the interface with WPL's property and the topographical and locational characteristics of those parts of WPL's land that are subject to the Plan Change. For those reasons it suggests that the applicant for the Plan Change and WPL meet prior to the Council hearing of the Plan Change to consider and, ideally, agree on the provisions applying in the vicinity of WPL's land.

12 September 2019

Plans and Places
Auckland Council
Private Bag 92300
Auckland 1142
Attn: John Duguid

Email: unitaryplan@aucklandcouncil.govt.nz

Re: Further Submission for Proposed Private Plan Change 25 - Warkworth North

Please find attached Auckland Transport's further submission to the submissions lodged on Proposed Private Plan Change 25 from Turnstone Capital Limited.

If you have any queries in relation to this further submission, please contact Katherine Dorofaeff, Principal Transport Planner, on 09 447 4547.

Yours sincerely



Tracey Berkahn
Acting Executive General Manager: Planning and Investment

Further submission by Auckland Transport on Private Plan Change 25 - Warkworth North

To: Auckland Council
Private Bag 92300
Auckland 1142

Further submission on: Submissions to Proposed Private Plan Change 25 from Turnstone Capital Limited for land at Warkworth North

From: Auckland Transport
Private Bag 92250
Auckland 1142

1. Introduction

- 1.1 Auckland Transport represents a relevant aspect of the public interest and also has an interest in the proposal that is greater than the interest that the general public has. Auckland Transport's grounds for specifying this are that it is a Council-Controlled Organisation of Auckland Council ('the Council') and Road Controlling Authority for the Auckland region.
- 1.2 Auckland Transport's legislated purpose to contribute to an "effective, efficient and safe Auckland land transport system in the public interest."
- 1.3 Auckland Transport is also part of the Supporting Growth Alliance (Te Tupu Ngātahi) ('SGA') which is a collaboration between Auckland Transport and the New Zealand Transport Agency to plan and route protect the preferred transport network in future growth areas, such as Warkworth.

2. Scope of further submission

- 2.1 The specific parts of the submissions supported or opposed, and the reasons for that support or opposition, are set out in **Attachment 1**.
- 2.2 The decisions which Auckland Transport seeks from the Council in terms of allowing or disallowing submissions are also set out in **Attachment 1**.

3. Appearance at the hearing

- 3.1 Auckland Transport wishes to be heard in support of this further submission.

- 3.2 If others make a similar submission, Auckland Transport will consider presenting a joint case with them at the hearing.



Signed for and on behalf of Auckland Transport

Tracey Berkahn
Executive General Manager, Planning and Investment

12 September 2019

Address for service of further submitter:

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Auckland 1010
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Attachment 1

#	Submitter	Summary of submission	Support or oppose	Reasons	Decision sought
2.3	Chad Ranum and Carly Ranum	Remove references to the indicative road linkages to the Viv Davie-Martin Drive area, particularly at 12 Viv Davie-Martin Drive and convert these indicative roads in the plan change area to residential cul de sacs.	Oppose	Auckland Transport supports connectivity beyond the plan change area, including to the existing road network such as at Viv Davie Martin Drive. In its submission, Auckland Transport notes that the proposed provisions in the precinct plan relating to 'future road connections' lack clarity and robustness and need to be amended. The creation of cul-de-sacs should be discouraged or restricted to support the creation of a connected road network and to support walking and cycling.	Disallow
2.4	Chad Ranum and Carly Ranum	Amend 11.4 Activity Table of 10.4.1 (A2) as follows: [Subdivision or development of land including, or adjacent] to future road connections indicative road connections to Sanderson Road, Albert Road, Hudson Road and adjacent land to the north] indicated on the Warkworth North Precinct Plan.]	Oppose	Auckland Transport supports connectivity beyond the plan change area, including to the existing road network such as at Viv Davie Martin Drive. In its submission, Auckland Transport notes that the proposed provisions in the precinct plan relating to 'future road connections' lack clarity and robustness and need to be amended.	Disallow
2.5	Chad Ranum and Carly Ranum	PPC25 is supported in so far as the land identified as a Neighbourhood Centre is zoned as Local Centre	Oppose	A supporting Integrated Transport Assessment has not been provided to assess the transport effects associated with a larger centre.	Disallow
3.2	Robert White	Remove references to the indicative road linkages to the [Viv Davie-Martin Drive] area.	Oppose	Auckland Transport supports connectivity beyond the plan change area, including to the existing road network such as at Viv Davie Martin Drive. In its submission, Auckland Transport notes that the proposed provisions in the precinct plan relating to 'future road connections' lack clarity and robustness and need to be amended.	Disallow
3.3	Robert White	Delete the indicative road linkages to the [Viv Davie-Martin Drive] area from the Warkworth North Structure Plan.	Oppose	Auckland Transport supports connectivity beyond the plan change area, including to the existing road network such as at Viv Davie Martin Drive. In its submission, Auckland Transport notes that the proposed provisions in the precinct plan relating to 'future road connections' lack clarity and robustness and need to be amended.	Disallow

#	Submitter	Summary of submission	Support or oppose	Reasons	Decision sought
3.4	Robert White	Rezone the land identified as a Neighbourhood Centre zone to a Local Centre zone	Oppose	A supporting Integrated Transport Assessment has not been provided to assess the transport effects associated with a larger centre.	Disallow
7.2	Patricia Sullivan	Accept PPC25 with amendments. Relocate the indicative Western Link Road to the eastern boundary of the property at 27 State Highway 1	Support in part	The indicative Western Link Road will need to be located to intersect with State Highway 1 opposite the proposed intersection between State Highway 1 and the Matakana Link Road.	Allow in part
8.1	Ross Brereton	Accept PPC25 with amendments: Replace all proposed connecting roads with cul de sacs that terminate at the boundary to Viv Davie-Martin Drive area	Oppose	Auckland Transport supports connectivity beyond the plan change area, including to the existing road network such as at Viv Davie Martin Drive. In its submission, Auckland Transport notes that the proposed provisions in the precinct plan relating to 'future road connections' lack clarity and robustness and need to be amended. The creation of cul-de-sacs should be discouraged or restricted to support the creation of a connected road network and to support walking and cycling.	Disallow
8.5	Ross Brereton	Confirm proposed housing density.	Oppose	The integrated Transport Assessment provided by the applicant does not include sufficient information to assess the transport effects from the proposed housing density.	Disallow
8.6	Ross Brereton	Confirm proposed location of Western Collector through the bottom of the valley.	Support in part	Subdivision and development of the plan change area needs to be integrated with the delivery of the Western Link Road. The route alignment of the Western Link Road has not yet been confirmed and will need to be consistent with the requirements of the New Zealand Transport Agency and Auckland Transport, with the Supporting Growth Alliance.	Allow in part
9.3	Dr Isobel Topham	Relocate the town centre to the north, removing vehicle access from the centre. Pedestrian only or pedestrian prioritised design.	Oppose	It is not practical to remove all vehicle access to the centre but agree that pedestrian safety should be prioritised.	Disallow
9.4	Dr Isobel Topham	Streetscape design to include, at a minimum, a grass berm between the road and footpath, trees along the berm and dedicated cycle areas.	Support in part	All roads to be vested in Council will need to comply with Auckland Transport standards. Separated cycle	Allow in part

#	Submitter	Summary of submission	Support or oppose	Reasons	Decision sought
9.6	Dr Isobel Topham	Implement measures that move toward public and active transport on the Western Link Road and reduce the number of lanes.	Support in part	<p>facilities should be provided on the Western Link Road and on any collector roads.</p> <p>The Western Link Road should provide for walking and cycling and provide opportunities for public transport. The number of lanes will be dependent on the form and function of the road.</p>	Allow in part
10.2	Barry Woolsey	Confirm Open Space- Conservation zone and proposed walkways	Support in part	Pedestrian connections need to be provided by the developer in conjunction with subdivision and development to support connectivity and active modes.	Allow in part
11.1	Robert and Maryanne Sikora	Accept PPC25 with amendments. Provide new road connections through to Viv Davie-Martin Drive on bare land and not through developed properties	Support in part	Auckland Transport supports connectivity beyond the plan change area, including to the existing road network such as at Viv Davie Martin Drive. In its submission, Auckland Transport notes that the proposed provisions in the precinct plan relating to 'future road connections' lack clarity and robustness and need to be amended.	Allow in part
12.6	Auckland Council	Reduce the size of the proposed neighbourhood centre to no more than 1,500m ² Gross Floor Area.	Support	The Integrated Transport Assessment provided by the applicant does not include sufficient information to assess the transport effects from the proposed centre.	Allow
12.8	Auckland Council	Include pedestrian connections as shown on the Warkworth Structure Plan or similar routes, with provisions stating that they will be provided by the developer.	Support	Pedestrian connections need to be provided by the developer in conjunction with subdivision and development to support connectivity and active modes.	Allow
12.9	Auckland Council	Amend the route alignment of the Western Link Road to that finally proposed by the Supporting Growth Alliance.	Support	The route alignment of the Western Link Road will need to be consistent with the requirements of the New Zealand Transport Agency and Auckland Transport, with the Supporting Growth Alliance.	Allow
12.10	Auckland Council	Ensure funding for all infrastructure (including the Western Link Road) is finalised and for bulk infrastructure (including arterial and collector roads) and Infrastructure Funding Agreement is completed, before any approval of PC25.	Support	Such matters need to be addressed prior to any approval of the proposed plan change. Subdivision and development within the plan change area also needs to be integrated with funding and provision of infrastructure	Allow
12.11	Auckland Council	Incorporate into Precinct Plan 1 an indicative road layout for the potential future road	Support	This is consistent with matters raised in Auckland Transport's submission about the lack of certainty in	Allow

#	Submitter	Summary of submission	Support or oppose	Reasons	Decision sought
		connections' including how connections will be made to the Viv-Davie-Martin Drive area.		plan change about the potential future road connections.	
12.12	Auckland Council	Amend PC25 to include a collector road as shown in the Warkworth Structure Plan which includes separated walking and cycling provision.	Support	This is consistent with matters raised in Auckland Transport's submission.	Allow
12.14	Auckland Council	Add new staging provisions to ensure development does not occur before the infrastructure required to service it is in place	Support	This is consistent with matters raised in Auckland Transport's submission.	Allow
12.15	Auckland Council	Incorporate all of the Warkworth Structure Plan Green network over PC25 area and add new provisions to ensure this is provided for.	Support in part	The green network provides opportunities to improve connectivity and support walking and cycling.	Allow in part
12.16	Auckland Council	Amend the precinct provisions to cover all of the plan change area and the precinct provisions to cover the matters set out in section 3.5.3 of the Warkworth Structure Plan including: fencing standards, interface management, separated cycle facilities, retention of mature trees / shelter belts, housing affordability, erosion and sediment controls, use of roads to increase vegetation cover and the mapping of unidentified wetlands	Support in part	The request that the precinct provisions cover all of the plan change area is consistent with matters raised in Auckland Transport's submission. Some of the matters listed are of interest to Auckland Transport, in particular separated cycle facilities.	Allow in part
12.26	Auckland Council	Delete Precinct Plan 2 [Stormwater Catchment Management Plan] (Drawing Nos. 402;403;404).	Support	This is consistent with matters raised in Auckland Transport's submission.	Allow
12.37	Auckland Council	Add new assessment criteria requiring specific assessment of roads at grades over 5% to enable rain gardens adjacent to the road corridor.	Support	Auckland Transport agrees that there are specific design matters to consider when locating rain gardens alongside steeper road carriageways.	Allow
13.1	Middle Hill Ltd as Trustee for Tyne Trust	Accept PPC25 with amendments. Rezone the land identified as Business: Light Industry zone as notified (Attachment 1) to Business: Mixed Use zone. (Attachment 2) to this submission.	Oppose	A supporting Integrated Transport Assessment has not been provided to assess the transport effects associated with the development provided for by this zoning.	Disallow
13.2	Middle Hill Ltd as Trustee for Tyne Trust	Re-zone the land identified as Business: Light Industry zone and Residential: Mixed Housing Suburban zone as shown on Attachment 1 to	Oppose	A supporting Integrated Transport Assessment has not been provided to assess the transport effects	Disallow

#	Submitter	Summary of submission	Support or oppose	Reasons	Decision sought
		Residential: Mixed Housing Urban zone as shown on Attachment 2 to this submission.		associated with the development provided for by this zoning.	
13.3	Middle Hill Ltd as Trustee for Tyne Trust	Re-zone the land identified as Residential: Single House zone as shown on Attachment 1 to Residential: Mixed Housing Suburban zone as shown on Attachment 2 to this submission.	Oppose	A supporting Integrated Transport Assessment has not been provided to assess the transport effects associated with the development provided for by this zoning.	Disallow
13.4	Middle Hill Ltd as Trustee for Tyne Trust	Confirm the alignment of the Warkworth western collector road and specify an access point to the submitter's land in general accordance with the plan included as Attachment 3 to this submission.	Oppose	The alignment of the Western Link Road cannot be confirmed at this time. It is premature to determine access arrangements to the proposed Western Link Road at this time prior to detailed design of subdivision and development. It is intended that Western Link Road be a limited access road.	Disallow
13.5	Middle Hill Ltd as Trustee for Tyne Trust	Include the submitter's land [63 State Highway 1] as part of the first stage of "live zoning" within the plan change area.	Oppose	Further information needs to be provided to demonstrate how subdivision and development of this land would be integrated with the delivery of transport infrastructure and services.	Disallow
13.7	Middle Hill Ltd as Trustee for Tyne Trust	Adoption of a comprehensive infrastructure funding and access agreement is required before development is allowed to occur in the plan change area.	Support in part	There are funding issues that need to be resolved prior to the approval of the plan change to ensure that subdivision and development is integrated with the funding and delivery of infrastructure (including transport infrastructure). It is premature to determine access arrangements at this stage.	Allow in part
14.2	Goatley Holdings Limited	Supports the applicant's submission seeking a Local Centre zone and not a Neighbourhood Centre zone	Oppose	A supporting Integrated Transport Assessment has not been provided to assess the transport effects associated with a larger centre.	Disallow
14.4	Goatley Holdings Limited	Supports the indicative road [Western Link Road]	Support in part	Subdivision and development of the plan change area needs to be integrated with the delivery of the Western Link Road. However the alignment of the road, particularly at the northern and southern ends within the plan change area has not yet been confirmed.	Allow in part
15.1	Warkworth Properties (2010) Limited	Supports PPC25 in so far as the land identified on Annexure A to this submission be altered from a mix of Light Industry and Mixed Housing - Urban to Mixed Housing - Urban. Alternatively that the proposed zoning of the	Oppose	A supporting Integrated Transport Assessment has not been provided to assess the transport effects associated with the development provided for by these zonings.	Disallow

#	Submitter	Summary of submission	Support or oppose	Reasons	Decision sought
15.2	Warkworth Properties (2010) Limited	part of the Site subject to the Plan Change be altered from a mix of Light Industry and Mixed Housing – Urban to Mixed Housing - Urban, as shown in Annexure B to this submission. Supports PPC25 in so as the precinct is amended to include a control which fixes the location of the Western Link Road within 100m of its intersections with SH1 to the north-east and Falls Road to the south-west, and which aligns with the indicative location of the Western Link Road identified in Precinct Plan 1.	Oppose	The indicative alignment of the Western Link Road at its northern end will need to match with the location of the Matakana Link Road on the northern side of SH1, once that alignment is confirmed.	Disallow
17.1	Warwick and Hueiline Massey	Accept PPC25 with amendments. Show the Western Link Road as fully extended through the site and completed before development begins	Support in part	Support to the extent that this submissions seeks that subdivision and development of the plan change area be integrated with the delivery of the Western Link Road. Auckland Transport does not support accepting the plan change with amendments unless all of the matters raised in Auckland Transport's submission are addressed	Allow in part
19.3	Summerset Villages (Warkworth) Limited	Consideration be given to the cumulative and increased traffic effects and potential mitigation measures and their limitations on Mansell Drive as a result of the development of the Western Link Road; any connections to Mansell Drive required under PPC25 and development of the Western Link Road; and arising from the development of the wider Warkworth Structure Plan area.	Support	Sufficient additional information (including traffic modelling) needs to be provided by the applicant to enable a complete assessment of transport effects, as outlined in Auckland Transport's submission.	Allow
21.1	David Oliver	Convert the indicative roads marked [precinct plan 1] to enter the Viv Davie-Martin Drive area to cul de sacs on the applicant's land and remove references to future roads.	Oppose	Auckland Transport supports connectivity beyond the plan change area, including to the existing road network such as at Viv Davie Martin Drive. In its submission, Auckland Transport notes that the proposed provisions in the precinct plan relating to 'future road connections' lack clarity and robustness and need to be amended. The creation of cul-de-sacs should be discouraged or restricted to support the creation of a connected road network and to support walking and cycling.	Disallow

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22.2	New Zealand Transport Agency	Amend the precinct plan to identify the Vehicle Access Restriction along State Highway 1 as shown in Figure 1 to this submission.	Support	A vehicle access restriction is needed to manage the establishment of vehicle accesses in close proximity to the Ara Tuhuno interchange.	Allow
22.3	New Zealand Transport Agency	Amend the precinct provisions to consistently reference the new road alignment as the 'Western Link Road'.	Support	Consistent referencing of the Western Link Road will add clarity to the precinct provisions.	Allow
22.4	New Zealand Transport Agency	Amend the precinct plans to indicate some flexibility as to the approximate location of the connections of the proposed Western Link Road to Great North Road / SH1 and Falls Road through the use of new notations (such as circles at intersections).	Support	The alignment of the Western Link Road, particularly at the northern and southern ends within the plan change area has not yet been confirmed.	Allow
22.5	New Zealand Transport Agency	Provide a revised Integrated Transport Assessment with the methodology/content being developed and agreed with both the New Zealand Transport Agency and Auckland Transport to ensure that effects on the transport system are appropriately managed and mitigated, as detailed in the submission.	Support	This is consistent with matters raised in Auckland Transport's submission	Allow
22.6	New Zealand Transport Agency	Amend Objective I1.2(1) as follows: a. providing key road connections securing the Western Link Road an east-west link to connect with the Mansell Drive extension and Great North Road/1.	Support in part	The intent of this amendment is consistent with matters raised in Auckland Transport's submission but does not address all of the concerns that submission raises about the proposed objectives.	Allow in part
22.7	New Zealand Transport Agency	Confirm Objective I1.2(1)(f) as follows: f. Providing a balance of employment land and places for people to live with a choice of living types and environments.	Support	This objective is critical for better integrating land use and transport, providing residents with more opportunities to avoid long commutes for employment and reducing transport demands.	Allow
22.8	New Zealand Transport Agency	Amend Objective I1.2 (3) as follows: Provide an indicative route for the Western Link Road to secure this option should it be required.	Support in part	The intent of this amendment is consistent with matters raised in Auckland Transport's submission but does not address all of the concerns that submission raises about the proposed objectives.	Allow in part
22.9	New Zealand Transport Agency	Amend activity table I1.4 (line A1) as follows: Subdivision or development in the Warkworth North Precinct in accordance with Standard I1.6.1 adjacent to the indicative Western Link Road, unless an alternative road alignment has	Support	This amendment is consistent with matters raised in Auckland Transport's submission about inadequacies with the wording proposed in the plan change.	Allow

#	Submitter	Summary of submission	Support or oppose	Reasons	Decision sought
		been approved by resource consent and is constructed, or being constructed.			
22.10	New Zealand Transport Agency	Add a new non-complying activity within Warkworth North Precinct and Sub Precinct A to Activity Table 14.1 as follows: (A1A) Subdivision or development in the <u>Warkworth North Precinct not meeting Standard 11.6.1</u>	Support	Subdivision and development within the plan change area needs to be integrated with the delivery of the Western Link Road. A non-complying activity category is appropriate for subdivision and development within the plan change area which is not consistent with this outcome.	Allow
22.11	New Zealand Transport Agency	Amend Activity Table 14.1 (Line A2) as follows: (A2) Subdivision or development of land with <u>access including, or adjacent to 'future road connections' indicated on the Warkworth North Precinct Plan Precinct plan 2 – Warkworth North Stormwater Catchment Management Plans.</u>	Support in part	Auckland Transport supports amendments to clarify this rule, but does not think that the stormwater catchment plan should be relied upon to show a roading layout.	Allow in part
22.12	New Zealand Transport Agency	Amend Rule 11.5 Notification as follows: (a) Standard 11.6.1 Western Link Road	Support	This is consistent with matters raised in Auckland Transport's submission.	Allow
22.13	New Zealand Transport Agency	Delete 11.5(1) Notification	Support	This is consistent with matters raised in Auckland Transport's submission.	Allow
22.14	New Zealand Transport Agency	Amend standard 11.6.1 Standard - Western Link Road as follows: Purpose: • To provide road connectivity by providing for the Western Link Road within the <u>Warkworth North Precinct. That will assist in securing an East-West link for Warkworth.</u>	Support in part	Auckland Transport supports amendments to strengthen and clarify this rule. Auckland Transport prefers the amended wording proposed in its own submission.	Allow in part
22.15	New Zealand Transport Agency	Amend 11.8.1(1) Matters of discretion as follows: (1) <u>Transport Reading infrastructure:</u> (a) <u>Safe, efficient Practical and effective connectivity to adjacent land; and</u> (b) <u>Appropriateness of design construction standard to fulfil the transport network purpose function of the road; and,</u> (c) <u>Provision for active transport modes.</u>	Support in part	The amendments sought achieve some, but not all, of the outcomes sought in Auckland Transport's submission on the matters of discretion and assessment criteria.	Allow in part
22.16	New Zealand Transport Agency	Amend 11.8.2(1) Assessment criteria as follows:	Support in part	The amendments sought achieve some, but not all, of the outcomes sought in Auckland Transport's	Allow in part

#	Submitter	Summary of submission	Support or oppose	Reasons	Decision sought
		<p>(1) assessment criteria for <u>transport Reading infrastructure</u>;</p> <p>(a) A <u>transport road-network</u> shall be developed that responds to the transportation needs of Warkworth North and the wider area now and into the future which <u>may</u> include the <u>Western Link Road, preferred Western Link collector route</u>;</p> <p>(a b) The extent to which <u>transport reading</u> connections are provided in accordance with <u>Precinct plan 2 – Warkworth North Stormwater Catchment Management Plans</u> and to adjacent land areas <u>as indicated on Precinct plan 1 – Warkworth North Precinct</u>;</p> <p>(c) the <u>provision of connected active transport modes</u>.</p>		<p>submission on the matters of discretion and assessment criteria.</p>	
23.1	Turnstone Capital Limited	<p>Replace the proposed land zones as notified and zone the land as shown in Attachment A to the submission as follows: [refer to summary of submission for details]</p>	Oppose	<p>A supporting Integrated Transport Assessment has not been provided to assess the transport effects associated with the development provided for by these zonings.</p>	Disallow
23.2	Turnstone Capital Limited	<p>Amend precinct plan 1 by deleting one of the indicative road connections through to Viv-Davie-Martin Drive as shown in Attachment G to this submission.</p>	Oppose	<p>Auckland Transport supports connectivity beyond the plan change area, including to the existing road network such as at Viv Davie Martin Drive. In its submission, Auckland Transport notes that the proposed provisions in the precinct plan relating to 'future road connections' lack clarity and robustness and need to be amended.</p>	Disallow
23.3	Turnstone Capital Limited	<p>Amend the Warkworth North Precinct Plan provisions including maps, as shown in Attachment G of the submission [Note: no changes are specifically identified in Attachment G.]</p>	Oppose	<p>A supporting Integrated Transport Assessment has not been provided to assess the transport effects associated with the development provided for by these zonings included in Attachment G.</p>	Disallow
24.1	Warkworth Area Liaison Group	<p>Accept PPC25 with amendments. Design the Western Link Road to include provision for public transport.</p>	Support in part	<p>Auckland Transport agrees with submission to the extent that the Western Link Road should be designed to provide for public transport. Auckland Transport does not support the acceptance of the plan change unless all of the concerns raised in Auckland Transport's submission are satisfactorily addressed.</p>	Allow in part

#	Submitter	Summary of submission	Support or oppose	Reasons	Decision sought
24.2	Warkworth Area Liaison Group	Amend the Integrated Transport Management Plan to correct errors and omissions.	Support in part	As raised in Auckland Transport's submission, the Integrated Transport Assessment provided by the applicant is not sufficient to assess the transport effects of the proposal. The Integrated Transport Assessment should be amended to address the concerns raised in Auckland Transport's submission.	Allow in part.
24.3	Warkworth Area Liaison Group	Amend the traffic predictions to bring them into line with the staging of future developments in Warkworth.	Support	As raised in Auckland Transport's submission, the Integrated Transport Assessment provided by the applicant is not sufficient to assess the transport effects of the proposal.	Allow
24.4	Warkworth Area Liaison Group	Development of the PPC area should not proceed until the Western Link Road is completed, preferably as a 4-lane road.	Support in part	Subdivision and development within the plan change area must be integrated with the construction of the Western Link Road. Decisions have not yet been made about whether the road needs to be two lanes or four lanes to service the wider area.	Allow in part
24.6	Warkworth Area Liaison Group	Confirm the proposed walkways and cycleways.	Support	The plan change needs to provide greater certainty about how cycling and walking will be provided for.	Allow
26.2	Aaron Rodgers	Confirm the zoning of land along the eastern and northern side of the Stubbs Farm area, particularly the Business -Mixed Use and Business- Local Centre and Residential Mixed Housing Suburban zones [as sought in the applicant's submission].	Oppose	A supporting Integrated Transport Assessment has not been provided to assess the transport effects associated with the development provided for by these zonings.	Disallow
27.2	Allison and Steve Haycock	Construct the main access road [Western Link Road] as soon as possible	Support in part	Subdivision and development within the plan change area must be integrated with the construction of the Western Link Road. How construction of this road could be best be staged with the development of the plan change area has not been determined.	Allow in part
27.3	Allison and Steve Haycock	Coordinate development with a good public transport system.	Support	Subdivision and development within the plan change area must be integrated with the delivery of transport infrastructure and services, including public transport.	Allow
30.2	Diana Mei	Confirm the zoning of land along the eastern and northern side of the Stubbs Farm area, particularly the Business -Mixed Use and Business- Local Centre and Residential Mixed	Oppose	A supporting Integrated Transport Assessment has not been provided to assess the transport effects of these zonings.	Disallow

#	Submitter	Summary of submission	Support or oppose	Reasons	Decision sought
32.2	Terri Walkington	Housing Suburban zones [as sought in the applicant's submission]. Confirm the zoning of land along the eastern and northern side of the Stubbs Farm area, particularly the Business -Mixed Use and Business- Local Centre and Residential Mixed Housing Suburban zones [as sought in the applicant's submission].	Oppose	A supporting Integrated Transport Assessment has not been provided to assess the transport effects associated with the development provided for by these zonings.	Disallow
33.2	Lily Anne Rodgers	Confirm the zoning of land along the eastern and northern side of the Stubbs Farm area, particularly the Business -Mixed Use and Business- Local Centre and Residential Mixed Housing Suburban zones [as sought in the applicant's submission].	Oppose	A supporting Integrated Transport Assessment has not been provided to assess the transport effects associated with the development provided for by these zonings.	Disallow
34.2	Macy Anne Rodgers	Confirm the zoning of land along the eastern and northern side of the Stubbs Farm area, particularly the Business -Mixed Use and Business- Local Centre and Residential Mixed Housing Suburban zones [as sought in the applicant's submission].	Oppose	A supporting Integrated Transport Assessment has not been provided to assess the transport effects associated with the development provided for by these zonings.	Disallow
35.2	Ngahine Rodgers	Confirm the zoning of land along the eastern and northern side of the Stubbs Farm area, particularly the Business -Mixed Use and Business- Local Centre and Residential Mixed Housing Suburban zones [as sought in the applicant's submission].	Oppose	A supporting Integrated Transport Assessment has not been provided to assess the transport effects associated with the development provided for by these zonings.	Disallow
36.2	Steven Liang	Confirm the zoning of land along the eastern and northern side of the Stubbs Farm area, particularly the Business -Mixed Use and Business- Local Centre and Residential Mixed Housing Suburban zones [as sought in the applicant's submission].	Oppose	A supporting Integrated Transport Assessment has not been provided to assess the transport effects associated with the development provided for by these zonings.	Disallow

Table 1: NZ Transport Agency Further Submission Proposed Plan Change 25 (Private): Warkworth North

Submitter #	Point #	Name	Email or Post Address	Relief sought	Support Oppose	Reason
2	2.3	Chad Ranum and Carly Ranum	chadranum@hotmail.com	Remove references to the indicative road linkages to the Viv Davie-Martin Drive area, particularly at 12 Viv Davie-Martin Drive and convert these indicative roads in the plan change area to residential cul de sacs.	Oppose	The provision of future linkages is required to ensure a resilient and multi-modal transport system.
2	2.4	Chad Ranum and Carly Ranum	chadranum@hotmail.com	Amend I.1.4 Activity Table of 10.4.1 (A2) as follows: [Subdivision or development of land including, or adjacent] to future road connections : <u>indicative road connections to Sanderson Road, Albert Road, Hudson Road and adjacent land to the north</u>] indicated on the <u>Warkworth North Precinct Plan.</u>]	Oppose	The provision of future linkages is required to ensure a resilient and multi-modal transport system.
2	2.5	Chad Ranum and Carly Ranum	chadranum@hotmail.com	PPC25 is supported in so far as the land identified as a Neighbourhood Centre is zoned as Local Centre	Oppose	The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.

3	3.2	Robert White	robert@subseco.co.nz	Remove references to the indicative road linkages to the [Viv Davie-Martin Drive] area.	Oppose	The provision of future linkages is required to ensure a resilient and multi-modal transport system.
3	3.3	Robert White	robert@subseco.co.nz	Delete the indicative road linkages to the [Viv Davie-Martin Drive] area from the Warkworth North Structure Plan.	Oppose	The provision of future linkages is required to ensure a resilient and multi-modal transport system.
3	3.4	Robert White	robert@subseco.co.nz	Rezone the land identified as a Neighbourhood Centre zone to a Local Centre zone	Oppose	The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.
7	7.2	Patricia Sullivan	paddysullivan@gmail.com	Accept PPC25 with amendments. Relocate the indicative Western Link Road to the eastern boundary of the property at 27 State Highway 1.	Oppose	The alignment of the Western Link Road is currently under investigation and is not yet confirmed. Until that work is completed, flexibility of alignment and connection points should be retained.
8	8.1	Ross Brereton	rbrereton@slingshot.co.nz	Accept PPC25 with amendments: Replace all proposed connecting roads with cul de sacs that terminate at the boundary to Viv Davie-Martin Drive area	Oppose	The provision of future linkages is required to ensure a resilient and multi-modal transport system.
8	8.6	Ross Brereton	rbrereton@slingshot.co.nz	Confirm proposed location of Western Collector through the bottom of the valley.	Oppose	The alignment of the Western Link Road is currently under investigation and is not yet confirmed. Until that work is completed, flexibility of alignment and connection points should be retained.
9	9.3	Dr Isobel Topham	isobel.topham@gmail.com	Relocate the town centre to the north, removing vehicle access	Oppose in part	The submission will not support the safe and efficient operation of the transport system; in

9	9.6	Dr Isobel Topham	isobel.topham@gmail.com		from the centre. Pedestrian only or pedestrian prioritised design.		particular, no assessment of effects on the transport system due to the re-location of the centre is provided.
11	11.2	Robert and Maryanne Sikora	r.sikora@xtra.co.nz		Implement measures that move toward public and active transport on the Western Link Road and reduce the number of lanes. Keep together the proposed light commercial/light industrial areas and locate either north of Warkworth or south of Woodcocks Road area.	Oppose in part	The final form of the Western Link road has not been determined and flexibility should be retained until that work is complete.
12	12.1	Auckland Council	phill.reid@aucklandcouncil.govt.nz		Amend the provisions of PPC25, including proposed zoning patterns, to reflect the Warkworth Structure Plan.	Support	The retention of the light industry areas aligns with the Warkworth Structure Plan but no information has been provided as to the locations proposed in the submission.
12	12.2	Auckland Council	phill.reid@aucklandcouncil.govt.nz		Zone the land between the proposed new Western Link Road and the Light Industry zoned land along Hudson Road down to Falls Road as Light Industry. Refer to Figure 0 of the submission	Support	The submission will support the alignment of the proposal with the recently adopted Warkworth Structure Plan.
12	12.8	Auckland Council	phill.reid@aucklandcouncil.govt.nz		Include pedestrian connections as shown on the Warkworth Structure Plan or similar routes, with provisions stating that they will be provided by the developer.	Support	The provision of pedestrian linkages will help provide for a multi-modal transport system.
12	12.10	Auckland Council	phill.reid@aucklandcouncil.govt.nz		Ensure funding for all infrastructure (including the Western Link Road) is finalised and for bulk infrastructure (including arterial and collector	Support	This submission is supported as it will ensure that transport infrastructure and its funding are coordinated with development.

12	12.11	Auckland Council	phill.reid@aucklandcouncil.govt.nz	roads) and Infrastructure Funding Agreement is completed, before any approval of PC25. Incorporate into Precinct Plan 1 an indicative road layout for the 'potential future road connections' including how connections will be made to the Viv-Davie-Martin Drive area.	Support	The provision of linkages will help provide for a resilient and multi-modal transport system.
12	12.12	Auckland Council	phill.reid@aucklandcouncil.govt.nz	Amend PC25 to include a collector road as shown in the Warkworth Structure Plan which includes separated walking and cycling provision.	Support	The provision of linkages will help provide for a resilient and multi-modal transport system.
12	12.14	Auckland Council	phill.reid@aucklandcouncil.govt.nz	Add new staging provisions to ensure development does not occur before the infrastructure required to service it is in place	Support	This submission is supported as it will ensure that transport infrastructure and its funding are coordinated with development.
12	12.15	Auckland Council	phill.reid@aucklandcouncil.govt.nz	Incorporate all of the Warkworth Structure Plan Green network over PC25 area and add new provisions to ensure this is provided for.	Support	The provision of pedestrian linkages will help provide for a multi-modal transport system
13	13.1	Middle Hill Ltd as Trustee for Tyne Trust	harrison@mhg.co.nz	Accept PPC25 with amendments. Rezone the land identified as Business: Light Industry zone as notified (Attachment 1) to Business: Mixed Use zone. (Attachment 2) to this submission.	Oppose	The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.
13	13.2	Middle Hill Ltd as Trustee for Tyne Trust	harrison@mhg.co.nz	Re-zone the land identified as Business: Light Industry zone and Residential: Mixed Housing Suburban zone as shown on Attachment 1 to Residential:	Oppose	The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of

13	13.3	Middle Hill Ltd as Trustee for Tyne Trust	harrison@mhg.co.nz	Mixed Housing Urban zone as shown on Attachment 2 to this submission. Re-zone the land identified as Residential: Single House zone as shown on Attachment 1 to Residential: Mixed Housing Suburban zone as shown on Attachment 2 to this submission.	Oppose	The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.
13	13.4	Middle Hill Ltd as Trustee for Tyne Trust	harrison@mhg.co.nz	Confirm the alignment of the Warkworth western collector road and specify an access point to the submitter's land in general accordance with the plan included as Attachment 3 to this submission.	Oppose	The alignment of the Western Link Road is currently under investigation and is not yet confirmed. Until that work is completed, flexibility of alignment and connection points should be retained.
13	13.5	Middle Hill Ltd as Trustee for Tyne Trust	harrison@mhg.co.nz	Include the submitter's land [63 State Highway 1] as part of the first stage of "live zoning" within the plan change area.	Oppose	The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.
13	13.6	Middle Hill Ltd as Trustee for Tyne Trust	harrison@mhg.co.nz	Provide for the land use zones requested above to shift slightly northwards as may be required to about the final / finished designation boundaries, or the carriageway of the NZTA Ara Tuhono Puhoi to Warkworth highway.	Oppose	The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.
13	13.7	Middle Hill Ltd as Trustee for Tyne Trust	harrison@mhg.co.nz	Adoption of a comprehensive infrastructure funding an access agreement is required before development is allowed to occur in the plan change area.	Support	This submission is supported as it will ensure that transport infrastructure and its funding are coordinated.

14	14 .1	Goatley Holdings Limited	pamelas@barker.co.nz	Opposes the Business-Light Industry Zone in PPC25	Oppose	The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.
14	14.2	Goatley Holdings Limited	pamelas@barker.co.nz	Supports the applicant's submission seeking a Local Centre zone and not a Neighbourhood Centre zone	Oppose	The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.
15	15.1	Warkworth Properties (2010) Limited	dallan@ellisgould.co.nz; adevine@ellisgould.co.nz	Supports PPC25 in so far as the land identified on Annexure A to this submission be altered from a mix of Light Industry and Mixed Housing – Urban to Mixed Housing - Urban. Alternatively that the proposed zoning of the part of the Site subject to the Plan Change be altered from a mix of Light Industry and Mixed Housing – Urban to Mixed Housing - Urban, as shown in Annexure B to this submission.	Oppose	The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.
15	15.2	Warkworth Properties (2010) Limited	dallan@ellisgould.co.nz; adevine@ellisgould.co.nz	Supports PPC25 in so as the precinct is amended to include a control which fixes the location of the WLR [Western Link Road] within 100m of its intersections with SH1 to the north-east and Falls Road to the south-west, and which aligns with the indicative location of the WLR identified in Precinct Plan 1.	Oppose	The alignment of the Western Link Road is currently under investigation and is not yet confirmed. Until that work is completed, flexibility of alignment and connection points should be retained.

16	16.1	Auckland Transport	katherine.dorofaeff@at.govt.nz	<p>Decline PPC25, unless all of the following are addressed:</p> <ul style="list-style-type: none"> •sufficient additional information (including traffic modelling) is provided, as outlined in this submission, to assess transport effects •the plan change is amended to: avoid, remedy or mitigate transport effects ensure that subdivision and development will be coordinated with the delivery of transport infrastructure and services including connections to the wider network address all matters raised in this submission •certainty is provided about how the plan change will ensure that the transport infrastructure and services required to support the rezoning, including the Western Link Road, will be provided. it is demonstrated that the lesser amount of Business zoned land, when compared with the zoning proposed in the Warkworth 	Support	This submission is supported as it will ensure that transport infrastructure and its funding are coordinated with development and that sufficient information is provided for the effects of the proposal to be understood.
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16	16.6	Auckland Transport	katherine.dorofaeff@at.govt.nz	<p>Structure Plan, will not have an adverse effect on the ability of the wider Warkworth area to be self-sufficient for employment.</p> <p>Add the following new precinct objectives :</p> <p><u>1. A safe and integrated transport system is established within the precinct including strategic road connections, a choice of travel modes, and measures which facilitate walking, cycling and use of public transport.</u></p> <p><u>2. Subdivision and development is co-ordinated with the delivery of the transport infrastructure and services required to provide for development within the precinct and connect it to the wider transport network.</u></p> <p><u>3 Subdivision and development within the precinct occurs in a manner which avoids, remedies or mitigates adverse effects on the safe and efficient operation of transport infrastructure and services.</u></p> <p><u>4. Subdivision and development recognises, protects and supports</u></p>	Support	The submission will support the safe and efficient operation of the transport system.
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16	16.7	Auckland Transport	katherine.dorofaeff@at.govt.nz	<p><u>strategic transport connections through the precinct which support growth in the wider Warkworth area.</u></p>	Support	The submission will support the safe and efficient operation of the transport system
				<p>Add the following new precinct policies:</p> <ol style="list-style-type: none"> <u>1. Require subdivision and development to be staged to align with the provision of transport infrastructure and services identified in the precinct plan.</u> <u>2. Require subdivision and development to provide transport connections within and beyond the precinct</u> <u>3. Restrict direct vehicle access onto the Western Link Road and across any cycling facility (including any shared use path) to support the safe and efficient operation of the transport network for walking, cycling and public transport.</u> 		

16		Auckland Transport	katherine.dorofaeff@at.govt.nz	<p><u>4 Recognise and protect the route for the proposed Western Link Road within the precinct as a future strategic transport route connecting with State Highway 1 to the north and with the Mansell Drive / Falls Road intersection to the south.</u></p> <p><u>5. Require the Western Link Road to be constructed to an interim standard to service subdivision and development within the precinct with provision made for upgrading to provide a strategic transport connection.'</u></p>		
16	16.12	Auckland Transport	katherine.dorofaeff@at.govt.nz	<p>Delete Rule 11.5 Notification (2)(a) which requires infringements of Standard 11. 6. 1 Western Link Road to be considered without public or limited notification or the need to obtain written approval from affected parties.</p> <p>Amend rule 11.6.3 to read:</p> <p>'11.6.3. Standards for pedestrian connections to the Neighbourhood Centre 'Purpose: •To achieve a versatile, accessible and high-quality pedestrian connection to the Neighbourhood Centre that provides positively for</p>	Support	The submission will support the safe and efficient operation of the transport system
16	16.15	Auckland Transport	katherine.dorofaeff@at.govt.nz	<p>Amend rule 11.6.3 to read:</p> <p>'11.6.3. Standards for pedestrian connections to the Neighbourhood Centre 'Purpose: •To achieve a versatile, accessible and high-quality pedestrian connection to the Neighbourhood Centre that provides positively for</p>	Support	The submission will support the safe and efficient operation of the transport system

16		Auckland Transport	katherine.dorofaeff@at.govt.nz	<p>the needs to of the local community.</p> <p>(1) A pedestrian connection shall be provided between the <u>Neighbourhood Centre and Hudson Road to the eastern side of the Mahurangi river tributary</u> as indicated on the Precinct Plan <u>1</u>.</p> <p>(2) Pedestrian connections shall be provided to the adjoining indicative open space areas.'</p> <p>Apply a non-complying status to subdivision and development which does not meet the standard for pedestrian connections to the Neighbourhood Centre.</p>	Support	The submission will support the safe and efficient operation of the transport system
16	16.17	Auckland Transport	katherine.dorofaeff@at.govt.nz	<p>Amend the precinct plan to include rules for subdivision and development which restrict vehicle crossings from directly accessing the Western Link Road and apply a non-complying status to subdivision or development which proposes direct vehicle access to the Western Link Road.</p> <p>Amend the plan change to include rules which prevent vehicle crossings and roads (other than the Western Link Road) from directly accessing State Highway</p>	Support	The submission will support the safe and efficient operation of the transport system

16	16.18	Auckland Transport	katherine.dorofaeff@at.govt.nz	1 at the northern end of the plan change area. Amend the precinct plan to identify indicative locations for collector roads and to add provisions, including rules, to require the construction of collector roads with appropriate cycle facilities and vehicle access controls as part of subdivision and development.	Support	The provision of linkages will help provide for a multi-modal and resilient transport system
16	16.19	Auckland Transport	katherine.dorofaeff@at.govt.nz	Amend the precinct plan to address options for locating the proposed interim northern bus station / park and ride within the northern part of the plan change area.	Support	The submission will support the safe and efficient operation of the transport system
16	16.21	Auckland Transport	katherine.dorofaeff@at.govt.nz	Amend 11.8 Assessment - restricted discretionary activities to provide for more robust and comprehensive assessment of subdivision and development proposals against transport outcomes.	Support	The submission will support the safe and efficient operation of the transport system
16	16.26	Auckland Transport	katherine.dorofaeff@at.govt.nz	Amend the precinct plan to include provisions to ensure that subdivision and development is integrated with the delivery of the transport infrastructure and services. Provisions may include triggers or staging, or clear assessment and consenting processes, aligned to related objectives and policies.	Support	This submission is supported as it will ensure that transport infrastructure and its funding are coordinated with development
17	17.1	Warwick and Hueline Massey	masseyw930@gmail.com	Accept PPC25 with amendments. Show the Western Link Road as	Oppose	The alignment of the Western Link Road is currently under

20	20.1	Atlas Concrete Limited	kaaren.rosser@hainesplanning.co.nz	fully extended through the site and completed before development begins	Support	investigation and is not yet confirmed. Until that work is completed, flexibility of alignment and connection points should be retained. The submission will support the alignment of the proposal with the recently adopted Warkworth Structure Plan.
21	21.1	David Oliver	warkwortholivers@gmail.com	Decline the PPC25 or replace the proposed PPC25 zoning pattern to align with the proposed land patterns shown in the Council's adopted Warkworth Structure Plan, particularly as it relates to land proximate to the Atlas landholding at 24 and 26 Hudson Road. Convert the indicative roads marked [precinct plan 1] to enter the Viv Davie-Martin Drive area to cul de sacs on the applicant's land and remove references to future roads.	Oppose	The provision of future linkages is required to ensure a resilient and multi-modal transport system.
23	23.1	Turnstone Capital Limited	burnetteO@barker.co.nz	Replace the proposed land zones as notified and zone the land as shown in Attachment A to the submission as follows: - Delete the Light Industry zone, except for the two existing sites to the south of Sanderson Road, and zone the remaining land as Business - General Business (an extension of the existing live zoning) and Business - Mixed Use zones - Delete the Business -	Oppose	The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.

			<p>Neighbourhood Centre zone (3,000m²) and zone the land as Residential - Mixed Housing Urban</p> <ul style="list-style-type: none"> - Delete part of the Residential - Mixed Housing Urban zone and zone the land as Business - Local Centre (5.7ha) and Open Space - Informal Recreation - Delete the Residential - Mixed Housing Suburban zone, along the Falls Road frontage, east of the stream, and zone the land as Business - Mixed Use - Delete the Residential- Single House zone in the north -west and zone the land as Residential - Mixed Housing Suburban - Delete the Residential - Mixed Housing Suburban zone in the north-east and south-east (in the vicinity of existing industrial sites on Hudson Road and Sanderson Road) and zone the land as Residential - Mixed Housing Urban - Change the zone 		
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23	23.2	Turnstone Capital Limited	burnetteO@barker.co.nz	boundaries of the Residential - Mixed Housing Suburban and Residential - Mixed Housing Urban Confirm the Residential - Single House zone, south of Falls Road Amend precinct plan 1 by deleting one of the indicative road connections through to Viv-Davie-Martin Drive as shown in Attachment G to this submission.	Oppose	The provision of future linkages is required to ensure a resilient and multi-modal transport system.
23	23.3	Turnstone Capital Limited	burnetteO@barker.co.nz	Amend the Warkworth North Precinct Plan provisions including maps, as shown in Attachment G of the submission [Note: no changes are specifically identified in Attachment G.]	Oppose	The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.
24	24.2	Warkworth Area Liaison Group	ropeworth@gmail.com	Amend the Integrated Transport Management Plan to correct errors and omissions.	Support in part	This submission is supported in part as errors and omissions in the ITA should be corrected. However, it is unclear if the issues identified in the submission are errors at present.
24	24.3	Warkworth Area Liaison Group	ropeworth@gmail.com	Amend the traffic predictions to bring them into line with the staging of future developments in Warkworth.	Support in part	This submission is supported in part to the extent that the ITA is updated to take into account errors and omissions.
24	24.4	Warkworth Area Liaison Group	ropeworth@gmail.com	Development of the PPC area should not proceed until the Western Link Road is completed, preferably as a 4-lane road.	Support in part	This submission is supported to the extent that growth and its transport infrastructure provision are coordinated
26	26.2	Aaron Rodgers	aaronrodgers29@hotmail.com	Confirm the zoning of land along the eastern and northern side of the Stubbs Farm area, particularly	Oppose	The submission will not support the safe and efficient operation of the transport system; in

27			Allison and Steve Haycock	steve@stevheycockconstruction.co.nz	the Business -Mixed Use and Business- Local Centre and Residential Mixed Housing Suburban zones [as sought in the applicant's submission].	Coordinate development with a good public transport system.	Support in part	This submission is supported to the extent that growth and its transport infrastructure provision are coordinated	particular, no assessment of effects on the transport system is provided.
30		30.2	Diana Mei	stevendianaliang@hotmail.com	Confirm the zoning of land along the eastern and northern side of the Stubbs Farm area, particularly the Business -Mixed Use and Business- Local Centre and Residential Mixed Housing Suburban zones [as sought in the applicant's submission].	Oppose	The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.		
32		32.2	Terri Walkington	aaronrodders29@hotmail.com	Confirm the zoning of land along the eastern and northern side of the Stubbs Farm area, particularly the Business -Mixed Use and Business- Local Centre and Residential Mixed Housing Suburban zones [as sought in the applicant's submission].	Oppose	The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.		
33		33.2	Lily Anne Rodgers	aaronrodders29@hotmail.com	Confirm the zoning of land along the eastern and northern side of the Stubbs Farm area, particularly the Business -Mixed Use and Business- Local Centre and Residential Mixed Housing Suburban zones [as sought in the applicant's submission].	Oppose	The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.		
34		34.2	Macy Anne Rodgers	aaronrodders29@hotmail.com	Confirm the zoning of land along the eastern and northern side of the Stubbs Farm area, particularly	Oppose	The submission will not support the safe and efficient operation of the transport system; in		

35	35.2	Ngahine Rodgers	ngahine1@hotmail.com	<p>the Business -Mixed Use and Business- Local Centre and Residential Mixed Housing Suburban zones [as sought in the applicant's submission].</p> <p>Confirm the zoning of land along the eastern and northern side of the Stubbs Farm area, particularly the Business -Mixed Use and Business- Local Centre and Residential Mixed Housing Suburban zones [as sought in the applicant's submission].</p>	Oppose	<p>The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.</p>
36	36.2	Steven Liang	Inj.steven@gmail.com	<p>Confirm the zoning of land along the eastern and northern side of the Stubbs Farm area, particularly the Business -Mixed Use and Business- Local Centre and Residential Mixed Housing Suburban zones [as sought in the applicant's submission].</p>	Oppose	<p>The submission will not support the safe and efficient operation of the transport system; in particular, no assessment of effects on the transport system is provided.</p>
37	37.1	Mahurangi Action Incorporated	secretary@mahurangi.org.nz	<p>Do not fundamentally alter the direction of the Warkworth Structure Plan without robust evidence demonstrating an overall better local and regional outcome is achieved.</p>	Support	<p>The submission will support the alignment of the proposal with the recently adopted Warkworth Structure Plan.</p>

**AUCKLAND UNITARY PLAN
OPERATIVE IN PART**

PRIVATE PLAN CHANGE 25:

Warkworth North

**Further Submission by
Turnstone Capital Limited**

Sub #	Sub Point	Submitter Name	Summary	Further Submission
1	1.1	Joan and Ian Civil	Rezone the area immediately adjacent to the boundary with 141 Curran Rd as open space.	Oppose.
2	2.1	Chad Ranum and Carly Ranum	Rezone the land immediately opposite 12 Viv Davie Martin Drive identified as Single House zone to Mixed Housing Suburban zone.	Support.
2	2.2	Chad Ranum and Carly Ranum	Amend Precinct Plan 1 to show a 6m width strip of indicative open space along the western boundary to the Viv Davie-Martin Drive area.	Oppose. <i>Note: As a result of consultation between representatives of the Applicant and neighbouring landowners in Viv Davie-Martin Drive, a planting strip is now proposed for approximately 350m of the south western boundary of the Stubbs Farm Estate property. That extent is illustrated on the draft indicative masterplan prepared by Pacific Environments, which is attached.</i> <i>Mike Farrow of Littoralis Landscape Architecture has advised that a 1.5m wide planting strip will provide adequate scope to create an effective vegetative screen between future homes within the plan change area and adjoining properties accessed from Viv Davie-Martin Drive. The owners of these adjacent properties have indicated that they may double the overall width of that screening belt with a 1.5m strip on their side of the shared boundary. Mr Farrow has observed that this additional vegetation would provide a useful supplement, but is not critical.</i> <i>The 1.5m width landscape strip will be provided by way of legal instruments. No requirement is required or proposed within the planning provisions.</i>
2	2.3	Chad Ranum and Carly Ranum	Remove references to the indicative road linkages to the Viv Davie-Martin Drive area, particularly at 12 Viv Davie-Martin Drive and convert these indicative roads in the plan change area to residential cul de sacs.	Support to the extent that the indicative road linkage in the vicinity of 12 Viv Davie-Martin Drive is no longer shown on the drawings proposed in the Applicant's primary submission but otherwise oppose. The remaining indicative road connection to Viv Davie-Martin Drive is consistent with the intent of the Council's Structure Plan but in a preferable location taking into account all relevant factors.
2	2.4	Chad Ranum and Carly Ranum	Amend I1.4 Activity Table of 10.4.1 (A2) as follows: [Subdivision or development of land including, or adjacent] to 'future road connections' <u>indicative road connections to Sanderson Road, Albert Road, Hudson Road and adjacent land to the north</u> indicated on the Warkworth North Precinct Plan.]	Oppose.
3	3.1	Robert White	Provide 6m or more buffer strip, along the boundary with the Viv Davie Martin Drive area and particularly 44 Viv Davie-Martin Drive. This could be achieved by zoning the land identified as Single House or Mixed Housing Suburban zones to either Residential- Large Lot or Open Space (with planting) or requiring restrictive covenants at subdivision stage.	Oppose. <i>Note: As a result of consultation between representatives of the Applicant and neighbouring landowners in Viv Davie-Martin Drive, a planting strip is now proposed for approximately 350m of the south western boundary of the Stubbs Farm Estate property. That extent is illustrated on the draft indicative masterplan prepared by Pacific Environments, which is attached.</i> <i>Mike Farrow of Littoralis Landscape Architecture has advised that a 1.5m wide planting strip will provide adequate scope to create an effective vegetative screen between future homes within the plan change area and adjoining properties accessed from Viv Davie-Martin Drive. The owners of these adjacent properties have indicated that they may double the overall width of that screening belt with a 1.5m strip on their side of the shared boundary. Mr Farrow has observed that this additional vegetation would provide a useful supplement, but is not critical.</i>

				<i>The 1.5m width landscape strip will be provided by way of legal instruments. No requirement is required or proposed within the planning provisions</i>
3	3.2	Robert White	Remove references to the indicative road linkages to the [Viv Davie-Martin Drive] area.	Support to the extent that the indicative road linkage in the vicinity of 12 Viv Davie-Martin Drive is no longer shown on the drawings proposed in the Applicant's primary submission but otherwise oppose. The remaining indicative road connection to Viv Davie-Martin Drive is consistent with the intent of the Council's Structure Plan but in a preferable location taking into account all relevant factors.
3	3.3	Robert White	Delete the indicative road linkages to the [Viv Davie-Martin Drive] area from the Warkworth North Structure Plan.	Support to the extent that the indicative road linkage in the vicinity of 12 Viv Davie-Martin Drive is no longer shown on the drawings proposed in the Applicant's primary submission but otherwise oppose. The remaining indicative road connection to Viv Davie-Martin Drive is consistent with the intent of the Council's Structure Plan but in a preferable location taking into account all relevant factors.
3	3.4	Robert White	Rezone the land identified as a Neighbourhood Centre zone to a Local Centre zone	Support.
7	7.2	Patricia Sullivan	Relocate the indicative Western Link Road to the eastern boundary of the property at 27 State Highway 1.	Support in part, oppose in part: the location of the WLR must taken into account a range of factors, including the need to join State Highway 1 in the same location as the Matakana Link Road to enable a safe and efficient intersection and operation of all roads.
8	8.1	Ross Brereton	Replace all proposed connecting roads with cul de sacs that terminate at the boundary to Viv Davie-Martin Drive area	Support to the extent that the indicative road linkage in the vicinity of 12 Viv Davie-Martin Drive is no longer shown on the drawings proposed in the Applicant's primary submission but otherwise oppose. The remaining indicative road connection to Viv Davie-Martin Drive is consistent with the intent of the Council's Structure Plan but in a preferable location taking into account all relevant factors.
8	8.4	Ross Brereton	Support additional plantings with walk/cycleways connecting to the existing A & P showgrounds and Mansel Drive.	Support in principle, as shown on the draft indicative Master Plan attached to this submission, but oppose any amendments to PPC25 on the basis that the outcome (or similar) as shown on the draft indicative Master Plan can be achieved by operation of the existing AUP provisions at the time of subdivision and/or development.
9	9.1	Dr Isobel Topham	Provide a thorough health impact assessment for the PC areas and optimise the plan to promote human health.	Oppose. A health impact assessment is not required for rezoning land in the manner proposed.
9	9.2	Dr Isobel Topham	Complete the ecological assessment including the 'North Block' area	Oppose. The appropriate level of assessment has been undertaken to confirm zoning. Further assessment will be required, if necessary, at the subsequent subdivision and/or development stage.
9	9.3	Dr Isobel Topham	Relocate the town centre to the north, removing vehicle access from the centre. Pedestrian only or pedestrian prioritised design.	Oppose. The location of the Local Centre has been carefully selected taking into account the full range of relevant matters.

Sub #	Sub Point	Submitter Name	Summary	Further Submission
9	9.4	Dr Isobel Topham	Streetscape design to include, at a minimum, a grass berm between the road and footpath, trees along the berm and dedicated cycle areas.	Oppose. Streetscape design will be in accordance with the AUP and AT standards with an emphasis on quality and amenity. Additional specific measures are not required nor justified at rezoning.
9	9.5	Dr Isobel Topham	Incorporate Sustainable Development Goals [2015 United Nations] into the proposal.	Oppose. To the extent relevant, the SDG have already been taken into account in the zoning layout and precinct provisions.
9	9.6	Dr Isobel Topham	Implement measures that move toward public and active transport on the Western Link Road and reduce the number of lanes.	Oppose. The WLR will be designed in accordance with the AUP and AT standards. Additional measures are not required nor justified at rezoning.
10	10.3	Barry Woolsey	Establish a green belt on the applicant's western boundary to the life style blocks of Viv Davie-Martin Drive.	<p>Oppose.</p> <p><i>Note: As a result of consultation between representatives of the Applicant and neighbouring landowners in Viv Davie-Martin Drive, a planting strip is now proposed for approximately 350m of the south western boundary of the Stubbs Farm Estate property. That extent is illustrated on the draft indicative masterplan prepared by Pacific Environments, which is attached.</i></p> <p><i>Mike Farrow of Littoralis Landscape Architecture has advised that a 1.5m wide planting strip will provide adequate scope to create an effective vegetative screen between future homes within the plan change area and adjoining properties accessed from Viv Davie-Martin Drive. The owners of these adjacent properties have indicated that they may double the overall width of that screening belt with a 1.5m strip on their side of the shared boundary. Mr Farrow has observed that this additional vegetation would provide a useful supplement, but is not critical.</i></p> <p><i>The 1.5m width landscape strip will be provided by way of legal instruments. No requirement is required or proposed within the planning provisions</i></p>
10	10.4	Barry Woolsey	Provide adequate off street parking for housing.	Support in principle, but oppose any amendments to PPC25 on the basis that the outcome can be achieved by operation of the existing AUP provisions at the time of subdivision and/or development.
11	11.1	Robert and Maryanne Sikora	Provide new road connections through to Viv Davie-Martin Drive on bare land and not through developed properties	Support to the extent that the indicative road linkage in the vicinity of 12 Viv Davie-Martin Drive is no longer shown on the drawings proposed in the Applicant's primary submission but otherwise oppose. The remaining indicative road connection to Viv Davie-Martin Drive is consistent with the intent of the Council's Structure Plan but in a preferable location taking into account all relevant factors.

Sub #	Sub Point	Submitter Name	Summary	Further Submission
12	12.1	Auckland Council	Amend the provisions of PPC25, including proposed zoning patterns, to reflect the Warkworth Structure Plan.	Support the slight amendments to the zoning pattern shown on the attached plan but otherwise oppose.
12	12.2	Auckland Council	Zone the land between the proposed new Western Link Road and the Light Industry zoned land along Hudson Road down to Falls Road as Light Industry. Refer to Figure 0 of the submission	Oppose.
12	12.3	Auckland Council	None of the following business zones are to be used in PC25 - General Business, Mixed Use or Business Park zones.	Support the exclusion of the Business Park zone but otherwise oppose. Of the zones available under the AUP, General Business and Mixed Use are the most appropriate zones for the areas identified on the attached plan.
12	12.4	Auckland Council	Provide separation between industrial and residential areas by using arterial roads and esplanade reserves.	Oppose. Arterial roads do not provide appropriate or adequate separation between industrial and residential zones (except in limited situations where consistent with existing environment, such as the small section along Hudson Road). As shown on the zoning pattern proposed on the attached plan, esplanade reserves and other natural features such as rivers and streams and areas of open space provide superior separation.
12	12.5	Auckland Council	Reflect the approach for the creation of esplanade reserves and the vesting of land for open spaces contained in the Warkworth Structure Plan.	Oppose. The approach for the creation of esplanade reserves and the vesting of land for open space will reflect the RMA and the AUP.
12	12.6	Auckland Council	Reduce the size of the proposed neighbourhood centre to no more than 1,500m ² Gross Floor Area.	Oppose.
12	12.7	Auckland Council	Incorporate a transitional zoning approach along the PC25 boundary with the Viv Davie-Martin Drive area, providing for larger site sizes in the future as contained in the Warkworth Structure Plan [Single House with a potential increased minimum site size of between 1,500m ² and 2,500m ²]	Oppose. A transition is better achieved by the zoning proposed by the Applicant on the attached plan.
12	12.8	Auckland Council	Include pedestrian connections as shown on the Warkworth Structure Plan or similar routes, with provisions stating that they will be provided by the developer.	Oppose. Pedestrian connections are shown on the draft indicative Master Plan attached to this submission. The outcome (or similar) as shown on the draft indicative Master Plan can be achieved by operation of the existing AUP provisions at the time of subdivision and/or development.
12	12.9	Auckland Council	Amend the route alignment of the Western Link Road to that finally proposed by the Supporting Growth Alliance.	Oppose.

Sub #	Sub Point	Submitter Name	Summary	Further Submission
12	12.10	Auckland Council	Ensure funding for all infrastructure (including the Western Link Road) is finalised and for bulk infrastructure (including arterial and collector roads) and Infrastructure Funding Agreement is completed, before any approval of PC25.	Oppose. Infrastructure funding must be agreed prior to development not prior to zoning. In any event the Applicant is working with both Auckland Transport and Watercare to ensure alignment between delivery and development.
12	12.11	Auckland Council	Incorporate into Precinct Plan 1 an indicative road layout for the 'potential future road connections' including how connections will be made to the Viv-Davie-Martin Drive area.	Support Precinct Plan 1 showing the indicative layout of collector roads through the PC25 area and connections into adjacent land, as has been done.
12	12.12	Auckland Council	Amend PC25 to include a collector road as shown in the Warkworth Structure Plan which includes separated walking and cycling provision.	Oppose. The Western Link Road is the collector road through the PC25 area. A further road, as shown on the draft indicative Master Plan, could be added as an additional collector road if considered desirable to do so. Walking and cycling linkages will be provided, but not necessarily adjacent the collector road
12	12.13	Auckland Council	Provide landscaping screening along the SH1 frontage and the motorway boundary, in the same manner as that proposed in the Warkworth Structure Plan.	Oppose, on the basis that landscaping screening would only be required if the land was zoned Light Industry (which is opposed).
12	12.14	Auckland Council	Add new staging provisions to ensure development does not occur before the infrastructure required to service it is in place	Oppose, on the basis the FULSS confirms the area will be development ready by 2022 with all necessary infrastructure in place. In any event the Applicant is working with both Auckland Transport and Watercare to ensure alignment between delivery and development.
12	12.15	Auckland Council	Incorporate all of the Warkworth Structure Plan Green network over PC25 area and add new provisions to ensure this is provided for.	Support in principle and note that the draft indicative Master Plan incorporates the green network, but oppose any changes to PC25 or the Precinct as the existing AUP provisions are adequate.
12	12.16	Auckland Council	Amend the precinct provisions to cover all of the plan change area and the precinct provisions cover the matters set out in section 3.5.3 of the Warkworth Structure Plan including: fencing standards, interface management , separated cycle facilities, retention of mature trees/shelter belts, housing affordability, erosion and sediment controls, use of roads to increase vegetation cover and the mapping of unidentified wetlands	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.
12	12.17	Auckland Council	Delete objective I1.2(c) and defer to the existing Auckland Unitary Plan policy framework.	Oppose. The precinct provisions have been carefully drafted to replace the AUP policy framework to the limited extent necessary to achieve sustainable management of the area.

Sub #	Sub Point	Submitter Name	Summary	Further Submission
12	12.18	Auckland Council	Amend policy I1.3 Policies (4) as follows. Provide an indicative network of open space areas <u>including riparian margin stream protection areas</u> to protect existing ecological values, provide for areas of public open space, <u>provide for geomorphically effective stream management solutions</u> , as well as walkway and cycleway connectivity.	Support.
12	12.19	Auckland Council	Delete policy I1.3 Policies (5) and defer to the existing Auckland Unitary Plan policy framework.	Oppose. The precinct provisions have been carefully drafted to replace the AUP policy framework to the limited extent necessary to achieve sustainable management of the area.
12	12.20	Auckland Council	Amend policy I1.3 Policies (6) as follows: Enhance streams identified for enhancement <u>to prevent stream bank erosion from new impervious surfaces</u> using techniques such as boulder clusters; spur dikes, vanes and other rock deflectors; rock riffles; cobble or substrate; cobble floodways; root wads or large wooden debris; vegetated floodways; live siltation; erosion control blankets; living walls. <u>and install</u> culverts designed to enable fish passage	Support, but acknowledge that not all existing streams will be enhanced as per the precinct provisions.
12	12.21	Auckland Council	Delete lines A3, A4 and A5 from the I1.4 Activity Table and defer to the existing Auckland Unitary Plan policy framework.	Oppose. The precinct provisions have been carefully drafted to replace the AUP policy framework to the limited extent necessary to achieve sustainable management of the area.
12	12.22	Auckland Council	Delete I6.2 Standards (2)	Oppose. The precinct provisions have been carefully drafted to replace the AUP policy framework to the limited extent necessary to achieve sustainable management of the area.
12	12.23	Auckland Council	Delete I1.6.2 Standard - Streams and replace with a standard to manage building and development within the stream protection areas	Oppose. The precinct provisions have been carefully drafted to replace the AUP policy framework to the limited extent necessary to achieve sustainable management of the area.
12	12.24	Auckland Council	Amend Precinct Plan 1 to show riparian margin protection areas for the intermittent streams as well as the permanent streams.	Oppose.

Sub #	Sub Point	Submitter Name	Summary	Further Submission
12	12.25	Auckland Council	Amend Precinct Plan 1 to show 'Indicative Open Space' only for land Council agrees will become public open space (neighbourhood park, esplanade reserve, SEA conservation reserve, streamside walkways and cycleways), and to show the riparian margins of all permanent and intermittent streams as stream protection areas.	Oppose. With the agreement of the landowner, Open Space is a legitimate zoning for private land.
12	12.26	Auckland Council	Delete Precinct Plan 2 [Stormwater Catchment Management Plan](Drawing Nos. 402;403;404).	Oppose. The precinct provisions have been carefully drafted to replace the AUP policy framework to the limited extent necessary to achieve sustainable management of the area.
12	12.27	Auckland Council	Add a new rule requiring retaining walls to be installed outside of the riparian margin.	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.
12	12.28	Auckland Council	Add a new rule requiring resource consent for structures within the riparian margin, including that they must have a functional or operational need to locate within the riparian margin e.g. a stormwater outfall device adjacent to a road.	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.
12	12.29	Auckland Council	Add a new standard relating to the suitability of the ground for infiltration that clearly refers to unstable ground to prompt future developers to make this assessment. Unstable ground would require rain-gardens to be lined.	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.
12	12.30	Auckland Council	Add a new objective and rule framework that ensures development is outside of the 1%AEP [Annual Exceedance Probability] flood plain including climate change in keeping with the Auckland Unitary Plan expectation that greenfield development avoid flood-related effects and the brownfield risk-based approach is not relied on for new development	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.
12	12.31	Auckland Council	Add a new objective and rule framework that includes a rule that the [Falls Road] bridge is upgraded by the developer prior to the establishment of new impervious surfaces.	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.
12	12.32	Auckland Council	Add a new objective and rule framework that requires a flood sensitivity analysis prior to any development applications that clearly shows the existing development 1%AEP [Annual Exceedance Probability] floodplain versus the maximum probable development scenario in the 1%AEP and specifically considers effects on the existing commercial development east of the river	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.

Sub #	Sub Point	Submitter Name	Summary	Further Submission
12	12.36	Auckland Council	Add new subdivision assessment criteria requiring assessment of the efficiency of stormwater devices that are to be vested including the full life cycle cost and consideration of the amalgamation of rain gardens, or the construction of larger rain gardens.	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.
12	12.37	Auckland Council	Add new assessment criteria requiring specific assessment of roads at grades over 5% to enable rain gardens adjacent to the road corridor.	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.
13	13.4	Middle Hill Ltd as Trustee for Tyne Trust	Confirm the alignment of the Warkworth western collector road and specify an access point to the submitter's land in general accordance with the plan included as Attachment 3 to this submission.	Support as shown on the draft indicative Master Plan attached to this submission and the further refinement to the zoning in response to submissions (as shown on the attached zoning map(. The alignment of the WLR has been moved slightly westward to provide better access to the submitter's land and to remove it from a small triangular portion of Crown owned land. Once the location is confirmed with the submitter, updated figures can be provided by the Applicant.
13	13.5	Middle Hill Ltd as Trustee for Tyne Trust	Include the submitter's land [63 State Highway 1] as part of the first stage of "live zoning" within the plan change area.	Support, as intention is for all land to be live zoned by PPC25 with timing of development linked to provision of infrastructure.
13	13.7	Middle Hill Ltd as Trustee for Tyne Trust	Adoption of a comprehensive infrastructure funding and access agreement is required before development is allowed to occur in the plan change area.	Support.
15	15.1	Warkworth Properties (2010) Limited	Supports PPC25 in so far as the land identified on Annexure A to this submission be altered from a mix of Light Industry and Mixed Housing – Urban to Mixed Housing - Urban. Alternatively that the proposed zoning of the part of the Site subject to the Plan Change be altered from a mix of Light Industry and Mixed Housing – Urban to Mixed Housing - Urban, as shown in Annexure B to this submission.	Support to the extent the submission opposes Light Industry zoning, but otherwise oppose on the basis that Business – Mixed Use is a better zoning for the identified area.
15	15.2	Warkworth Properties (2010) Limited	Supports PPC25 in so as the precinct is amended to include a control which fixes the location of the WLR [Western Link Road] within 100m of its intersections with SH1 to the north-east and Falls Road to the south-west, and which aligns with the indicative location of the WLR identified in Precinct Plan 1.	Support.
15	15.3	Warkworth Properties (2010) Limited	Supports PPC25 in so far as an assessment of the potential flooding risk for the site (north western corner of the Hudson Road SH1 intersection, legally described as Section 4 Survey Office Plan 476652) be undertaken and that to the extent necessary, provisions are incorporated into the plan change to ensure there will be no increase in flooding risk for the site as a result of the proposed rezoning .	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.

Sub #	Sub Point	Submitter Name	Summary	Further Submission
16	16.1	Auckland Transport	<p>Decline PPC25, unless all of the following are addressed:</p> <ul style="list-style-type: none"> •sufficient additional information (including traffic modelling) is provided, as outlined in this submission, to assess transport effects •the plan change is amended to: <ul style="list-style-type: none"> - avoid, remedy or mitigate transport effects - ensure that subdivision and development will be co-ordinated with the delivery of transport infrastructure and services including connections to the wider network - address all matters raised this submission •certainty is provided about how the plan change will ensure that the transport infrastructure and services required to support the rezoning, including the Western Link Road, will be provided. •it is demonstrated that the lesser amount of Business zoned land, when compared with the zoning proposed in the Warkworth Structure Plan, will not have an adverse effect on the ability of the wider Warkworth area to be self-sufficient for employment. 	Oppose.
16	16.2	Auckland Transport	Amend the Precinct to include the land south of Falls Road which is proposed to be rezoned Residential - Single House	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the land. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.
16	16.3	Auckland Transport	Amend the precinct plan provisions to require upgrading of Falls Road to an urban road standard in conjunction with subdivision and development.	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.
16	16.4	Auckland Transport	Amend the Precinct to include the land at 9 and 11 Sanderson Road, and at 76, 78 and 86 Hudson Road which is proposed to be rezoned to Business - Light Industry.	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the land. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.
16	16.5	Auckland Transport	Amend the precinct to require upgrading of Sanderson Road to an urban road standard in conjunction with subdivision and development.	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.

Sub #	Sub Point	Submitter Name	Summary	Further Submission
16	16.6	Auckland Transport	<p>Add the following new precinct objectives :</p> <p><u>1. A safe and integrated transport system is established within the precinct including strategic road connections, a choice of travel modes, and measures which facilitate walking, cycling and use of public transport.</u></p> <p><u>2. Subdivision and development is co-ordinated with the delivery of the transport infrastructure and services required to provide for development within the precinct and connect it to the wider transport network.</u></p> <p><u>3 Subdivision and development within the precinct occurs in a manner which avoids, remedies or mitigates adverse effects on the safe and efficient operation of transport infrastructure and services.</u></p> <p><u>4. Subdivision and development recognises, protects and supports strategic transport connections through the precinct which support growth in the wider Warkworth area.</u></p>	Support.
16	16.7	Auckland Transport	<p>Add the following new precinct policies:</p> <p><u>1. Require subdivision and development to be staged to align with the provision of transport infrastructure and services identified in the precinct plan.</u></p> <p><u>2. Require subdivision and development to provide transport connections within and beyond the precinct</u></p> <p><u>3. Restrict direct vehicle access onto the Western Link Road and across any cycling facility (including any shared use path) to support the safe and efficient operation of the transport network for walking, cycling and public transport.</u></p> <p><u>4 Recognise and protect the route for the proposed Western Link Road within the precinct as a future strategic transport route connecting with State Highway 1 to the north and with the Mansell Drive /Falls Road intersection to the south.</u></p> <p><u>5. Require the Western Link Road to be constructed to an interim standard to service subdivision and development within the precinct with provision made for upgrading to provide a strategic transport connection.'</u></p>	Support the inclusion of Policies 1, 3 – 5 but oppose the reference in Policy 2 to “and beyond”.
16	16.8	Auckland Transport	Delete Precinct Objective 11.2(1){a) and Policy 11 . 3(3).	Support.

Sub #	Sub Point	Submitter Name	Summary	Further Submission
16	16.9	Auckland Transport	Amend precinct Table I0.4.1 Activity Table line (A1) to use more precise wording in (A1) to clarify what is meant by 'subdivision or development adjacent to the Western Link Road' and specify a non-complying activity status for proposals that do not meet rules requiring subdivision and development to provide the 'future road connections'.	Support. The Applicant will continue to work with the submitter to prepare acceptable wording.
16	16.10	Auckland Transport	Amend precinct Table I0.4.1 Activity Table, line (A2) to use more precise wording to clarify what is meant by: 'subdivision of land including, or adjacent to 'future road connections' ' and specify a non-complying activity status for proposals that do not meet rules requiring subdivision and development to provide the 'future road connections'.	Support. The Applicant will continue to work with the submitter to prepare acceptable wording.
16	16.11	Auckland Transport	Amend or replace the activity descriptions for lines (A6) and (A7) in Table I0.4.1 Activity table with wording that is clear and precise so that plan users can easily determine the activity status of subdivision or development within the Neighbourhood Centre zone.	Support. The Applicant will continue to work with the submitter to prepare acceptable wording.
16	16.12	Auckland Transport	Delete Rule I1.5 Notification (2)(a) which requires infringements of Standard 11. 6. 1 Western Link Road to be considered without public or limited notification or the need to obtain written approval from affected parties.	Support to the extent that Auckland Transport would be considered an affected person, but otherwise oppose.
16	16.13	Auckland Transport	Delete the purpose statement at I1.6.1 Standards - Western Link Road and replace it with the following: ' <u>To provide for the transport needs of the precinct while allowing for the indicative Western Link Road to be upgraded to form part of a network serving the wider Warkworth area.</u> '	Support.
16	16.14	Auckland Transport	Amend the rule (11.6.1 Standards - Western Link Road) to require the developer, as part of consent for subdivision or development, to construct the road to an interim standard as a collector road, with appropriate design and additional land set aside to enable future upgrading to an arterial standard and apply a non-complying status to subdivision and development which does not meet the proposed new standard which sets construction and vesting requirements for the Western Link Road.	Support, on basis that financial contribution and compensation will address additional land and costs associated with arterial design.

Sub #	Sub Point	Submitter Name	Summary	Further Submission
16	16.15	Auckland Transport	<p>Amend rule I1.6.3 to read:</p> <p>'11.6.3. Standards for <u>pedestrian connections to the</u> Neighbourhood Centre 'Purpose:</p> <ul style="list-style-type: none"> •To achieve a versatile, accessible and high-quality <u>pedestrian connection to the</u> Neighbourhood Centre that provides positively for the needs to of the local community. <p>(1) A pedestrian connection shall be provided <u>between the Neighbourhood Centre and Hudson Road</u> to the eastern side of the Mahurangi river tributary as indicated on the Precinct Plan <u>1</u>.</p> <p>(2) Pedestrian connections shall be provided to the adjoining indicative open space areas.'</p> <p>Apply a non-complying status to subdivision and development which does not meet the standard for pedestrian connections to the Neighbourhood Centre.</p>	Support, except the reference to Neighbourhood Centre should be to Local Centre as per Applicant's primary submission.
16	16.16	Auckland Transport	Amend the precinct plan to include rules for subdivision and development which restrict vehicle crossings from directly accessing the Western Link Road and apply a non-complying status to subdivision or development which proposes direct vehicle access to the Western Link Road.	Support in principle but note that as a Limited Access Road no rules are required in the precinct.
16	16.17	Auckland Transport	Amend the plan change to include rules which prevent vehicle crossings and roads (other than the Western Link Road) from directly accessing State Highway 1 at the northern end of the plan change area.	Support in principle but note that as a Limited Access Road no rules are required in the precinct.
16	16.18	Auckland Transport	Amend the precinct plan to identify indicative locations for collector roads and to add provisions, including rules, to require the construction of collector roads with appropriate cycle facilities and vehicle access controls as part of subdivision and development.	Support.
16	16.19	Auckland Transport	Amend the precinct plan to address options for locating the proposed interim northern bus station / park and ride within the northern part of the plan change area.	Support in principle if there are advanced plans for an interim bus station / park and ride within the plan change area.
16	16.20	Auckland Transport	Amend the precinct plan to add provisions, including rules, which discourage or restrict creation of cul-de-sacs.	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.

Sub #	Sub Point	Submitter Name	Summary	Further Submission
16	16.21	Auckland Transport	Amend I1.8 Assessment - restricted discretionary activities to provide for more robust and comprehensive assessment of subdivision and development proposals against transport outcomes.	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.
16	16.22	Auckland Transport	Amend Precinct Plan 2 to clarify the stormwater management information as it relates to roads, particularly those roads which are not identified elsewhere in the plan change. Remove any detail which is not required or which may be misleading.	Support removal of any detail that is not required, misleading or repeats content of AUP provisions but otherwise oppose.
16	16.23	Auckland Transport	Amend Precinct Plan 3 by deleting the tree pit example, the stormwater device information, and the indicative cross-section of the proposed local roads.	Support removal of any detail that is not required, misleading or repeats content of AUP provisions but otherwise oppose.
16	16.24	Auckland Transport	Amend Precinct Plan 3 by deleting the indicative cross section of the proposed Western Link Road and replacing it with text in the precinct plan rules identifying the likely width of the road and the components it needs to contain.	Oppose.
16	16.25	Auckland Transport	Amend the precinct plan to require the upgrading of the Mansell Drive / Falls Road intersection, including signalisation (or other appropriate intersection control), as part of subdivision and development.	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.
16	16.26	Auckland Transport	Amend the precinct plan to include provisions to ensure that subdivision and development is integrated with the delivery of the transport infrastructure and services. Provisions may include triggers or staging, or clear assessment and consenting processes, aligned to related objectives and policies.	Oppose, on the basis the FULSS confirms the area will be development ready by 2022 with all necessary infrastructure in place. In any event the Applicant is working with both Auckland Transport and Watercare to ensure alignment between delivery and development.
16	16.27	Auckland Transport	Amend assessment criteria and special information requirements to ensure that the impact of heavy construction vehicles on roads is properly assessed and considered.	Oppose. The Auckland-wide, zone, overlay, regional and general rules of the AUP will apply to the PC25 area. In the event of any error or omission in the AUP rules this should be resolved by way of Council plan change.
19	19.1	Summerset Villages (Warkworth) Limited	Confirm the location of Residential – Single House and Residential – Mixed Housing Suburban zones as identified on Attachment 1 to this submission and as identified in the PPC 25 maps	Oppose on the basis that an alternative zoning pattern was put forward in the Applicant's primary submission which is preferred to that shown on the PPC25 maps as notified, and has been further refined in response to submissions and is now shown on the attached zoning map.
20	20.1	Atlas Concrete Limited	Decline the PPC25 or replace the proposed PPC25 zoning pattern to align with the proposed land patterns shown in the Council's adopted Warkworth Structure Plan, particularly as it relates to land proximate to the Atlas landholding at 24 and 26 Hudson Road.	Oppose on the basis that the alternative zoning pattern put forward in the Applicant's primary submission addresses the reverse sensitivity issues otherwise arising for the submitter in a more appropriate manner than the Council's Structure Plan, and has been further refined in response to submissions and is now shown on the attached zoning map..

Sub #	Sub Point	Submitter Name	Summary	Further Submission
21	21.1	David Oliver	Convert the indicative roads marked [precinct plan 1] to enter the Viv Davie-Martin Drive area to cul de sacs on the applicant's land and remove references to future roads.	Support to the extent that the indicative road linkage in the vicinity of 12 Viv Davie-Martin Drive is no longer shown on the drawings proposed in the Applicant's primary submission but otherwise oppose. The remaining indicative road connection to Viv Davie-Martin Drive is consistent with the intent of the Council's Structure Plan but in a preferable location taking into account all relevant factors.
22	22.2	NZ Transport Agency	Amend the precinct plan to identify the Vehicle Access Restriction along State Highway 1 as shown in Figure 1 to this submission.	Support.
22	22.3	NZ Transport Agency	Amend the precinct provisions to consistently reference the new road alignment as the 'Western Link Road'.	Support.
22	22.4	NZ Transport Agency	Amend the precinct plans to indicate some flexibility as to the approximate location of the connections of the proposed Western Link Road to Great North Road/SH1 and Falls Road through the use of new notations (such as circles at intersections).	Support.
22	22.6	NZ Transport Agency	Amend Objective I1.2(1) as follows: a. providing key road connections securing <u>the Western Link Road an east-west link to connect with the Mansell Drive extension and Great North Road/SH1.</u>	Support, with additional change of correcting spelling of Mansel Drive.
22	22.8	NZ Transport Agency	Amend Objective I1.2 (3) as follows: Provide an indicative route for the Western Link Road to secure this option should it be required.	Support.
22	22.9	NZ Transport Agency	Amend activity table I1.4 (line A1) as follows: Subdivision or development in the Warkworth North Precinct in accordance with Standard I1.6.1 adjacent to the indicative Western Link Road, unless an alternative road alignment has been approved by resource consent and is constructed, or being constructed.	As per the further submission in relation to 16.9 above, support the request to clarify the wording used to describe Activity (A1).
22	22.10	NZ Transport Agency	Add a new non-complying activity within Warkworth North Precinct and Sub Precinct A to Activity Table I4.1 as follows: <u>(A1A) Subdivision or development in the Warkworth North Precinct not meeting Standard I1.6.1</u>	Support.

Sub #	Sub Point	Submitter Name	Summary	Further Submission
22	22.11	NZ Transport Agency	Amend Activity Table I4.1 (Line A2) as follows: (A2) Subdivision or development of land <u>with access including, or adjacent to 'future road connections' indicated on the Warkworth North Precinct Plan Precinct plan 2 – Warkworth North Stormwater Catchment Management Plans.</u>	As per the further submission in relation to 16.10 above, support the request to clarify the wording used to describe Activity (A2).
22	22.12	NZ Transport Agency	Amend Rule I1.5 Notification as follows: (a) Standard I1.6.1 Western Link Road	Support to the extent that Auckland Transport would be considered an affected person, but otherwise oppose.
22	22.13	NZ Transport Agency	Delete I1.5(1) Notification	Oppose.
22	22.14	NZ Transport Agency	Amend standard I1.6.1 Standard - Western Link Road as follows: Purpose: • To provide road connectivity <u>by providing for the Western Link Road within the Warkworth North Precinct. That will assist in securing an East West link for Warkworth.</u>	Support.
22	22.15	NZ Transport Agency	Amend I1.8.1(1) Matters of discretion as follows: (1) Transport Reading infrastructure: (a) Safe, efficient Practical and effective connectivity to adjacent land; and (b) Appropriateness of design construction standard to fulfil the transport <u>network purpose function of the road; and</u> (c) <u>Provision for active transport modes.</u>	Support.
22	22.16	NZ Transport Agency	Amend I1.8.2(1) Assessment criteria as follows: (1) assessment criteria for transport Reading infrastructure; (a) A transport road network shall be developed that responds to the transportation needs of Warkworth North and the wider area now and into the future which may includes the <u>Western Link Road, preferred Western Link collector route.</u> (a b) The extent to which transport reading connections are provided in accordance with <u>Precinct plan 2 – Warkworth North Stormwater Catchment Management Plans</u> and to adjacent land areas as indicated on Precinct plan 1 – Warkworth North Precinct. (c) <u>the provision of connected active transport modes.</u>	Support.
24	24.4	Warkworth Area Liaison Group	Development of the PPC area should not proceed until the Western Link Road is completed, preferably as a 4-lane road.	Oppose.

Sub #	Sub Point	Submitter Name	Summary	Further Submission
26	26.1	Aaron Rodgers	<p>Accept PPC25 with amendments.</p> <p>Three options are proposed.</p> <p>Option 1: Rezone land in the top western corner of the plan change area identified as Residential - Mixed Housing Suburban zone to Residential - Single House Zone (as shown on the maps attached to this submission) and require a minimum lot size of 1,500m².</p> <p>Option 2, limit the number of houses and properties permitted in the northern side of the valley to 40 and provide more green spaces and small pockets of higher density area.</p> <p>Option 3 if the northern side of the valley is zoned Residential- Mixed Housing Suburban, the same zoning should apply to the southern side of the valley.</p>	Oppose.
29	29.2	Manuhiri Kaitiaki Charitable Trust	Incorporate principles of minimal land disturbance, the protection and enhancement of native vegetation, streams and habitat areas, into the plan change, resulting in a net increase in biodiversity and water health outcomes.	Oppose.
30	30.1	Diana Mei	<p>Accept PPC25 with amendments. Three options are proposed:</p> <p>Option 1: Rezone land in the top western corner of the plan change area identified as Residential - Mixed Housing Suburban zone to Residential - Single House Zone (as shown on the maps attached to this submission) and require a minimum lot size of 1,500m².</p> <p>Option 2, limit the number of houses and properties permitted in the northern side of the valley to 40 and provide more green spaces and small pockets of higher density area.</p> <p>Option 3 if the northern side of the valley is zoned Residential- Mixed Housing Suburban, the same zoning should apply to the southern side of the valley.</p>	Oppose.
31	31.1	Watercare Services Limited	Wastewater disposal from the plan change area must be connected to the public wastewater disposal and collection system (North East wastewater Scheme)	Support.
31	31.2	Watercare Services Limited	The applicant will at its cost, design and construct: i. any wastewater infrastructure required to enable the connection of Stage 1 of the proposal to the public wastewater disposal and collection system. ii.any local network water supply infrastructure to service the plan change area, in general accordance with Watercare's Warkworth Water Supply Blueprint.	Support.

Sub #	Sub Point	Submitter Name	Summary	Further Submission
31	31.3	Watercare Services Limited	Approval from Watercare must be obtained by the applicant for the connection point to the local network to service Stage 1 of the proposal.	Support.
32	32.1	Terri Walkington	<p>Accept PPC25 with amendments.</p> <p>Three options are proposed.</p> <p>Option 1: Rezone land in the top western corner of the plan change area identified as Residential - Mixed Housing Suburban zone to Residential - Single House Zone (as shown on the maps attached to this submission) and require a minimum lot size of 1,500m2.</p> <p>Option 2, limit the number of houses and properties permitted in the northern side of the valley to 40 and provide more green spaces and small pockets of higher density area.</p> <p>Option 3 if the northern side of the valley is zoned Residential- Mixed Housing Suburban, the same zoning should apply to the southern side of the valley.</p>	<p>Oppose Options 1 and 2 as the preferred zoning pattern within the plan change area is as shown on the zoning plan attached to this further submission.</p> <p>Support in principle Option 3 on the basis it represents an appropriate and efficient use of the urban land resource but note it is beyond the scope of this plan change request to rezone a wider area than sought.</p>
33	33.1	Lily Anne Rodgers	<p>Accept PPC25 with amendments.</p> <p>Three options are proposed.</p> <p>Option 1: Rezone land in the top western corner of the plan change area identified as Residential - Mixed Housing Suburban zone to Residential - Single House Zone (as shown on the maps attached to this submission) and require a minimum lot size of 1,500m2.</p> <p>Option 2, limit the number of houses and properties permitted in the northern side of the valley to 40 and provide more green spaces and small pockets of higher density area.</p> <p>Option 3 if the northern side of the valley is zoned Residential- Mixed Housing Suburban, the same zoning should apply to the southern side of the valley.</p>	<p>Oppose Options 1 and 2 as the preferred zoning pattern within the plan change area is as shown on the zoning plan attached to this further submission.</p> <p>Support in principle Option 3 on the basis it represents an appropriate and efficient use of the urban land resource but note it is beyond the scope of this plan change request to rezone a wider area than sought.</p>

Sub #	Sub Point	Submitter Name	Summary	Further Submission
34	34.1	Macy Anne Rodgers	<p>Accept PPC25 with amendments.</p> <p>Three options are proposed.</p> <p>Option 1: Rezone land in the top western corner of the plan change area identified as Residential - Mixed Housing Suburban zone to Residential - Single House Zone (as shown on the maps attached to this submission) and require a minimum lot size of 1,500m2.</p> <p>Option 2, limit the number of houses and properties permitted in the northern side of the valley to 40 and provide more green spaces and small pockets of higher density area.</p> <p>Option 3 if the northern side of the valley is zoned Residential- Mixed Housing Suburban, the same zoning should apply to the southern side of the valley.</p>	<p>Oppose Options 1 and 2 as the preferred zoning pattern within the plan change area is as shown on the zoning plan attached to this further submission.</p> <p>Support in principle Option 3 on the basis it represents an appropriate and efficient use of the urban land resource but note it is beyond the scope of this plan change request to rezone a wider area than sought.</p>
35	35.1	Ngahine Rodgers	<p>Accept PPC25 with amendments.</p> <p>Three options are proposed.</p> <p>Option 1: Rezone land in the top western corner of the plan change area identified as Residential - Mixed Housing Suburban zone to Residential - Single House Zone (as shown on the maps attached to this submission) and require a minimum lot size of 1,500m2.</p> <p>Option 2, limit the number of houses and properties permitted in the northern side of the valley to 40 and provide more green spaces and small pockets of higher density area.</p> <p>Option 3 if the northern side of the valley is zoned Residential- Mixed Housing Suburban, the same zoning should apply to the southern side of the valley.</p>	<p>Oppose Options 1 and 2 as the preferred zoning pattern within the plan change area is as shown on the zoning plan attached to this further submission.</p> <p>Support in principle Option 3 on the basis it represents an appropriate and efficient use of the urban land resource but note it is beyond the scope of this plan change request to rezone a wider area than sought.</p>

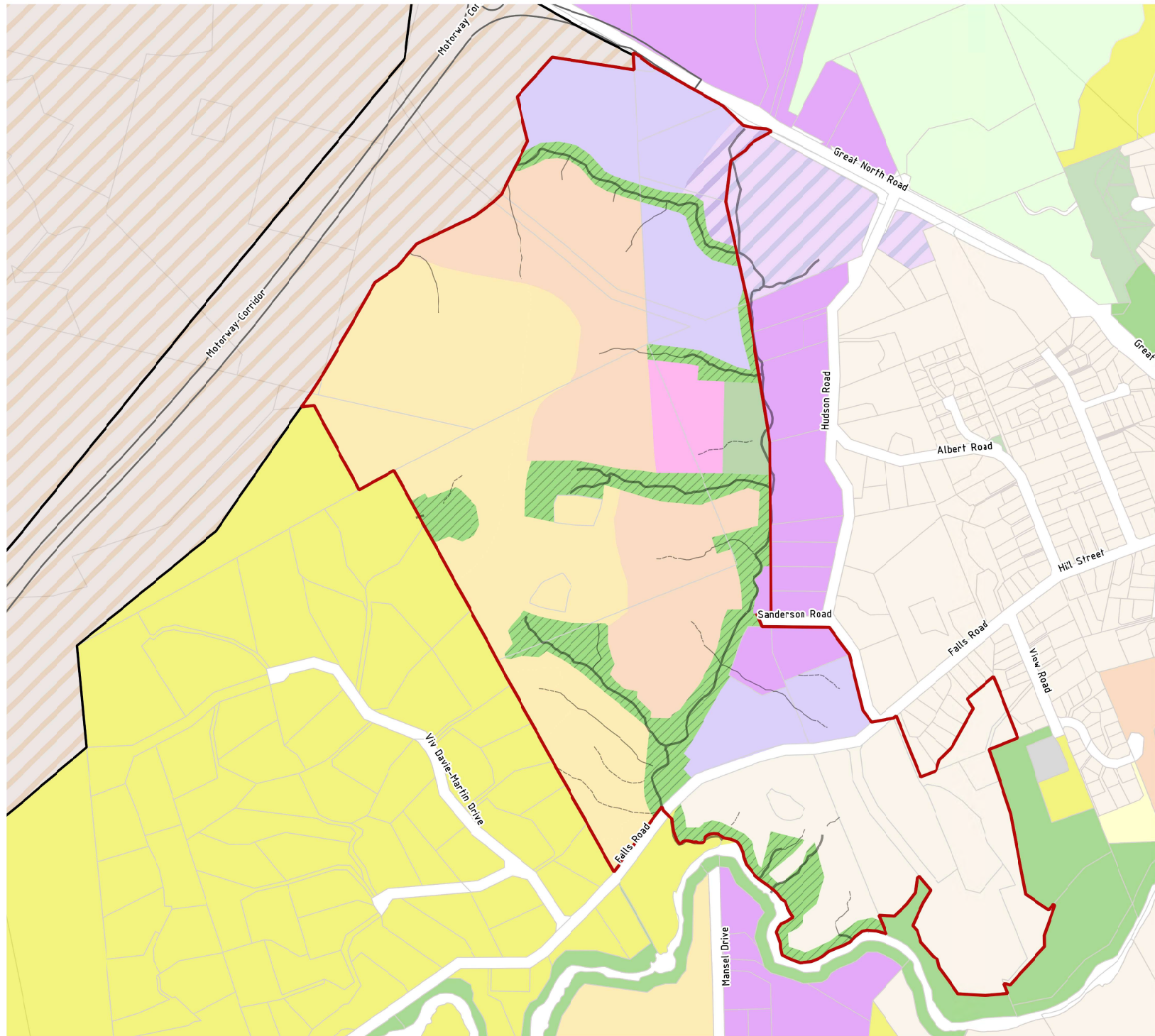
Sub #	Sub Point	Submitter Name	Summary	Further Submission
36	36.1	Steven Liang	<p>Accept PPC25 with amendments.</p> <p>Three options are proposed.</p> <p>Option 1: Rezone land in the top western corner of the plan change area identified as Residential - Mixed Housing Suburban zone to Residential - Single House Zone (as shown on the maps attached to this submission) and require a minimum lot size of 1,500m2.</p> <p>Option 2, limit the number of houses and properties permitted in the northern side of the valley to 40 and provide more green spaces and small pockets of higher density area.</p> <p>Option 3 if the northern side of the valley is zoned Residential- Mixed Housing Suburban, the same zoning should apply to the southern side of the valley.</p>	<p>Oppose Options 1 and 2 as the preferred zoning pattern within the plan change area is as shown on the zoning plan attached to this further submission.</p> <p>Support in principle Option 3 on the basis it represents an appropriate and efficient use of the urban land resource but note it is beyond the scope of this plan change request to rezone a wider area than sought.</p>


Proposed Warkworth North Plan Change

Date: 12/09/2019

Proposed Zoning Map

- Plan Change Extent
 - Land Parcels
 - Indicative Open Space
- Stream Classifications**
- Intermittent Stream
 - Permanent Stream
 - Ephemeral Stream
- Unitary Plan Zones**
- Residential - Large Lot Zone
 - Residential - Single House Zone
 - Residential - Mixed Housing Suburban Zone
 - Residential - Mixed Housing Urban Zone
 - Open Space - Conservation Zone
 - Open Space - Informal Recreation Zone
 - Open Space - Sport and Active Recreation Zone
 - Business - Mixed Use Zone
 - Business - Local Centre Zone
 - Business - General Business Zone
 - Business - Light Industry Zone
 - Future Urban Zone
 - Rural - Rural Production Zone
 - Rural - Mixed Rural Zone
 - Special Purpose - Healthcare Facility and Hospital Zone

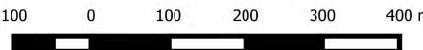




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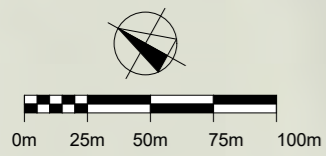
chester.co.nz | chester.com.fj

REVISION	DATE	COMMENT	CHECK
2	10/10/2018	REVISE ZONES	NJ
3	15/10/2018	SEA AREAS	NJ
4	27/06/2019	REVISE ZONES	SR
5	3/07/2019	LEGEND	SR
6	12/09/2019	REVISE ZONES	SR



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THESE DRAWINGS ARE COPYRIGHT AND REMAIN THE PROPERTY OF CHESTER CONSULTANTS LTD



KEY

	TERRACE HOUSING
	TERRACE HOUSING
	DUPLEX OR SINGLE HOUSING
	2/3 STOREY WALK UP APARTMENT
	3 STOREY LIFT APARTMENT
	STANDALONE SINGLE STOREY HOUSING
	PAVILION CAFE
	MICRO BREWERY & RESTAURANT
	COMMUNITY FACILITY / CINEMA
	RETAIL WITH APARTMENT ABOVE
	TEMPORARY OUTDOOR SCREENING & ENTERTAINMENT
	FOOD TRUCKS & OUTDOOR DINING
	PLAYGROUND & SKATEPARK

The following customer has submitted a Unitary Plan online further submission.

Contact details

Full name of person making a further submission: Robert White

Organisation name:

Full name of your agent:

Email address: robert@subseco.co.nz

Contact phone number: 0278222083

Postal address:
44 Viv Davie-Martin Drive
Warkworth
Auckland 0984

Submission details

This is a further submission to:

Plan modification number: PC 25

Plan modification name: PC 25 (Private): Warkworth North

Original submission details

Original submitters name and address:
Chad Ranum and Carly Ranum
12 Viv Davie-Martin Drive
chadranum@hotmail.com

Submission number: 2

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:

Point number 2.2

Point number 2.3

Point number 2.4

Point number 2.5

Point number 2.1

The reasons for my or our support or opposition are:

The submission aligns closely with my request that the indicative roads to Viv Davie-Martin Drive (VDMD) be removed and that there be a buffer zone between the housing on the eastern boundary of the plan change area and the lifestyle block owners on the western boundary of the VDMD subdivision.

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 12 September 2019

Attend a hearing

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:
My property abuts the plan change area and is subject to an indicative road

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online further submission.

Contact details

Full name of person making a further submission: Robert White

Organisation name:

Full name of your agent:

Email address: robert@subseco.co.nz

Contact phone number: 0278222083

Postal address:
44 Viv Davie-Martin Drive
Warkworth
Auckland 0984

Submission details

This is a further submission to:

Plan modification number: PC 25

Plan modification name: PC 25 (Private): Warkworth North

Original submission details

Original submitters name and address:

Ross D Brereton
28 Viv Davie-Martin Drive
rbrereton@slingshot.co.nz

Submission number: 8

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:
Point number 8.1

The reasons for my or our support or opposition are:

I agree with the statement in the original submission: " Not roading connection as VDM is a quiet cul-de-sac which in the existing form can handle any increase in traffic from a lot size zoning change" The proposed road linkages from the private plan change area serve no purpose as Viv Davie-Martin Drive is a completed subdivision and the proposed increased density would still be able to be accommodated by the existing road network. There is no advantage to linking with the plan change area. Furthermore I agree that consultation was about water and sewerage connections not roading connections so I feel that this connection was imposed on residents.

I or we want Auckland council to make a decision to: Allow part of original submission

Specify the parts of the original submission you want to allow or disallow:

All of it except to the extent that removing one connection might make it more likely that the indicative road connection across my property is seen as a final alternative.

Submission date: 12 September 2019

Attend a hearing

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

Declaration

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

I live at 44 Viv Davie-Martin Drive and abut the proposed plan change boundary and have an indicative road shown across my property

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

12 September 2019

Auckland Council
Private Bag 92300
Auckland 1142

Email: unitaryplan@aucklandcouncil.govt.nz

FURTHER SUBMISSION FOR PROPOSED PRIVATE PLAN CHANGE 25 – WARKWORTH NORTH

Please find attached a further submission from my client Robert White in his capacity as an adjoining landowner and occupier to the area of the private plan change proposed by Turnstone Capital Limited. The further submission relates to a number of the submissions lodged on PPPC25 including one lodged by Auckland Council.

Yours sincerely



Lisa Capes
Planning Consultant for:

Robert White

44 Viv Davie-Martin Drive
Warkworth
Auckland 0984

robert@subseco.co.nz

mobile phone: 0278 222 083

Lisa Capes Planning Consultant

P O Box 673 Warkworth 0941

Tel: 09 422 7593 Mob: 021 605172

Further submission by Robert White on Private Plan Change 25 - Warkworth North

To: Auckland Council
Private Bag 92300
Auckland 1142

Further submission on: Submissions to Proposed Private Plan change 25
from Turnstone Capital Limited for land at Warkworth North

From: Robert White
44 Viv Davie-Martin Drive
Warkworth
Auckland 0984

I have an interest in the proposal that is greater than the interest that the general public has because I own and occupy 44 Viv Davie-Martin Drive which directly abuts the western boundary of the plan change area and an indicative road is shown over my property proposing to connect Viv Davie-Martin Drive to the plan change area in the future.

I understand that I must serve a copy of my further submission on the original submitter within 5 working days after it is served on the local authority.

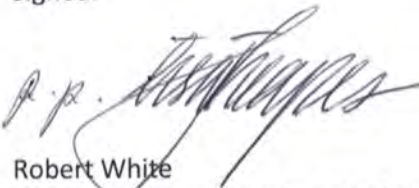
I accept that by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The specific parts of the submissions supported or opposed and the reasons for that support or opposition are set out in Table 1 below.

I wish to be heard in support of this further submission.

If others make a similar submission, I will consider presenting a joint case with them at the hearing.

Signed:



Robert White
44 Viv Davie-Martin Drive, Warkworth, Auckland 0984
Mobile: 0278222083
12 September 2019

Number	Submitter	Summary of submission	Support or Oppose	Reasons
1.1	Joan and Ian Civil	Rezone the area immediately adjacent to the property with 141 Carran Road as open space	Support	Reverse sensitivity concerns for farm and lifestyle properties adjacent to residential single house zoning in the plan change area are not well considered in either this private plan change or in the Warkworth Structure plan. There needs to be buffers of at least 4-6 metres in place some of which must be planted out. Single house zone will allow for a 1m rear yard setback which is inadequate.
2.2	Chad Ranum and Carly Ranum	Amend Precinct Plan 1 to show a 6m width strip of indicative open space along the western boundary to the Viv Davie-Martin Drive area.	Support	Reverse sensitivity concerns for farm and lifestyle properties adjacent to residential single house zoning in the plan change area are not well considered in either this private plan change or in the Warkworth Structure plan. There needs to be buffers of at least 4-6 metres in place some of which must be planted out. Single house zone will allow for a 1m rear yard setback which is inadequate.
2.3	Chad Ranum and Carly Ranum	Remove references to the indicative road linkages to the Viv Davie-Martin Drive (VDMD) area and convert these indicative roads in the plan change area to residential culs de sac	Support	Connectivity beyond the plan change area in relation to Viv Davie-Martin Drive (VDMD) is unnecessary as the subdivision is complete and has adequate connection to main routes. There is no advantage to the residents of VDMD connecting and significant disadvantage to some landowners who will host indicative road notations over their properties. My property will be severely compromised should I wish to develop my site for my retirement as planned.
8.1	Ross Brereton	Accept PPC25 with amendments: Replace all proposed	Support	Connectivity beyond the plan change area in relation to Viv Davie-Martin Drive (VDMD) is unnecessary as the subdivision is complete and has

		connecting roads with culs de sac that terminate at the boundary to Viv Davie-Martin Drive (VDMD). No proposed future roads across VDMD subdivision.		adequate connection to main routes. There is no advantage to the residents of VDMD connecting and significant disadvantage to some landowners who will host indicative road notations over their properties. Like this submitter, my property will be severely compromised should I wish to develop my site for my retirement as planned.
8.3	Ross Brereton	No more industrial buildings alongside waterways. Additional plantings instead with walk/cycle connections to A&P showgrounds and Mansel Drive	Support	Clean waterways with walk and cycle connections are preferential in my view. Industrial land should be located elsewhere and amendments to the plan change made accordingly.
8.4	Ross Brereton	Support applicant's plan to clean up the rear of existing industrial sites	Support	I support proposed efforts of TCL to clean up polluted back yards of industrial sites.
10.1	Barry Woolsey	Confirm Business-Light industry zone is not extended over the stream from Hudson Road	Support	Support and accept the plan change with amendments relating to this issue.
10.2	Barry Woolsey	Confirm Open Space -Conservation zone and proposed walkways	Support	Support and accept the plan change with amendments relating to this issue.
10.3	Barry Woolsey	Establish a green belt between the plan change area and its interface with VDMD	Support	Many residents of VDMD at this interface are lifestyle block owners and some like me run cattle and will continue to do so. Reverse sensitivity issues arise that have not been considered in this plan change process. Amend the plan change accordingly

10.4	Barry Woolsey	Provide adequate off-street parking for housing	Support	Generally support this stance.
11.1	Robert and Maryanne Sikora	Accept PPC25 with amendments. Provide new road connections through VDMD on bare land and not through developed properties	Support in part	Insofar as most of the land of VDMD is developed, including my own parcel, this submission is supported by me. It depends on what is considered bare land and what is considered developed. I have concerns that areas on developed properties like mine will be disadvantaged. For example, the best and flattest part of my site is being saved by me for future development in my retirement. It could be considered suitable for connecting roads, thus disadvantaging me and my aspirations for use and enjoyment of my property as it reduces, for example, my likelihood of successfully obtaining a resource consent for a minor household unit or subdivision.
12.5	Auckland Council	Reflect the approach for the creation of esplanade reserves and the vesting of land for open spaces contained in the Warkworth Structure Plan	Oppose in part	The basis on which land is vested for open spaces would appear too narrow and may not support for example, the creation of a buffer zone between the plan change area and the VDMD subdivision.
12.7	Auckland Council	Incorporate a transitional zoning approach along the PPC25 boundary with VDMD	Support in part	The increase of a minimum site size for VDMD in the future under the Warkworth Structure Plan is considered optimum if VDMD is allowed to continue as a self-contained subdivision accessing Falls Road and not required to connect to the proposed plan change area. If connection is mandatory then there is no advantage to the VDMD landowners in having their development potential curtailed but also suffering the imposition of connector roads and

				associated traffic and the imposition of 1 metre setbacks to large houses on newly created single house zone lots at their eastern boundary.
12.11	Auckland Council	Incorporate into Precinct Plan 1 an indicative road layout for the potential future road connections including how connections will be made to the VDMD area.	Oppose	I oppose this as it relates to VDMD for the reasons set out in my original submission.
16.6 and 16.7	Auckland Transport	Amend objectives and policies to support or justify the rules about "future road connections"	Oppose in part	There is an assumption made that there is a fundamental need for the plan change area to connect with the adjoining VDMD area based on the fact that it is zoned Future Urban and therefore to be further developed. The next assumption is that this further development will increase density to an extent that there will be an adverse impact on the existing and future road network. Unlike for greenfields sites zoned Future Urban, this may not be true due to the nature of the existing established landholding pattern within VDMD. Connection may not be necessary and indeed may not be desirable.
16.10	Auckland Transport	Amend precinct table 10.4.1 Activity Table line (A2) to clarify wording and to specify non-complying activity status for proposals that do not meet rules requiring subdivision and development to	Oppose in part	The stance taken in my original submission still stands in that the wording is unclear and it would appear that the future road connections referred to are not intended to include the indicative roads to VDMD but relate to the Western Link Road. However, if the clarification does seek to include the indicative roads to VDMD as if they were key to transportation concerns of the private plan change area then I oppose this

		provide the “future road connections”		change suggested by AT to tighten the controls.
16.20	Auckland Transport	Amend the precinct plan to add provisions, including rules, which discourage or restrict creation of cul-de sacs.	Oppose	This is vigorously opposed as a blanket policy that is imposed to prevent cul de sacs even where they may be appropriate. While it is acknowledged that there are many situations in which they should be discouraged and where connectivity is to be encouraged, there is no reason in relation to VDMD to impose such restrictions. Transport outcomes are not the only outcomes local people seek for their area.
16.21	Auckland Transport	Amend I 1.8 Assessment restricted discretionary activities to provide for more robust and comprehensive assessment of subdivision and development proposals against transport outcomes.	Oppose in Part	The opposition to this issue relates not to design of the road or the safe and efficient operation of the transport network for all modes, nor to the implementation of relevant transport upgrades to be outlined in the precinct plan nor to connectivity within the plan change area. The opposition is to the assumptions made regarding connectivity to adjacent land.
21.1	David Oliver	Convert the indicative roads marked to enter VDMD area to cul de sacs on the applicant’s land and remove references to future roads	Support	Support for the reasons set out in my original submission. There are positive outcomes for cul de sacs located well and for the right reasons.
21.2	David Oliver	Support the public use areas including food areas, bush and river walks, outdoor cinema and playgrounds	Support	The proposed plan change should be able to outline some of these matters and include them as anticipated activities within a precinct area.

22.15	NZ Transport Agency	Amend I1.8.1(1) matters of discretion	Oppose in part	Safe, efficient and effective connectivity. Connectivity to adjacent land may not be a requirement for all land adjacent to this plan change area and the suggested amendment goes on to remove the word "practical". These aspects of this part of the submission are opposed by me.
22.16	NZ Transport Agency	Amend I1.8.2(1) Assessment criteria to consider the extent to which transport connections are provided and the provision of connected active transport modes	Support in part	Supported to the extent that the assessment criteria are generally required to support an integrated transport network but opposed to the extent that specific assessment criteria wording may generally support the implementation of indicative roading connections to VDMD whether actually needed or not.
23.2 and 23.3	Turnstone Capital Limited	Amend Precinct Plan 1 by deleting one of the indicative road connections through to VDMD and amend the Warkworth North Precinct Plan provisions accordingly	Oppose in part	The amendment should include deletion of both of the indicative road connections not just one. Alternatively, if connection is deemed vital, clarify the rationale and show a connection through vacant land and update the precinct plan provisions accordingly. I oppose the indicative road shown crossing my property at 44 Viv Davie-Martin Drive.

Further Submission in support of, or opposition to, a publicly notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991
FORM 6



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only Further Submission No:
Receipt Date:

Further Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Warwick Harold Rhodes

Organisation Name (if further submission is made on behalf of Organisation)

Rhodes Trust

Address for service of Further Submitter

P.O Box 476, Warkworth 0941

Telephone:

09 425 8454

Fax/Email:

warwick@rhodesforroads.co.nz

Contact Person: (Name and designation, if applicable)

Scope of Further Submission

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

Plan Change/Variation Number	PC 25	
Plan Change/Variation Name	Warkworth North (Private)	

I support : **Oppose** (tick one) the submission of:

(Please identify the specific parts of the original submission)

(Original Submitters Name and Address)

Submission Number	Point-Number
20	20.1
12	12.1 - 12.5

Atlas Concrete Limited

Auckland Council

The reasons for my support / opposition are:

PPC25 raises significant reverse sensitivity issues for industrial zoned land and businesses within the long established Hudson Road industrial precinct.

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part (describe precisely which part) _____

of the original submission be **allowed**

disallowed

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

W.H. Rhodes
WRhodes

Signature of Further Submitter
(or person authorised to sign on behalf of further submitter)

11/9/2019
Date

PLEASE COMPLETE THE FOLLOWING SECTION

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

Owner and/or occupier of a property /business activity within the immediately adjoining Hudson Road industrial precinct.

Notes to person making submission:

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

If you are making a submission to the Environmental Protection Authority, you should use Form 16C.

The following customer has submitted a Unitary Plan online further submission.

Contact details

Full name of person making a further submission: Middle Hill Ltd as Trustee for Tyne Trust

Organisation name:

Full name of your agent: Harrison Burnard

Email address: harrison@mhg.co.nz

Contact phone number: 09 950 5106

Postal address:

PO Box 37964

Parnell

Auckland 1151

Submission details

This is a further submission to:

Plan modification number: PC 25

Plan modification name: PC 25 (Private): Warkworth North

Original submission details

Original submitters name and address:

Refer to submission attached.

Submission number: Refer to submission attached.

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:

Point number Refer to submission attached.

The reasons for my or our support or opposition are:

Refer to submission attached.

I or we want Auckland council to make a decision to: Allow part of original submission

Specify the parts of the original submission you want to allow or disallow:

Refer to submission attached.

Submission date: 12 September 2019

Supporting documents

Further Submission.pdf

Appendix 3 - Proposed Western Distributor Road Alignment.pdf

Attend a hearing

I or we wish to be heard in support of this submission: Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?
Yes

Declaration

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:
Affected property owner

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

FURTHER SUBMISSION ON PPC25 (WARKWORTH NORTH) – MIDDLE HILL LTD

Summary of submitter's responses to other submissions on PPC25

SUBMISSION	DECISION REQUESTED BY SUBMITTER	MIDDLE HILL LTD RESPONSE
1 – Joan and Ian Civil	Decline unless plan change is amended	Middle Hill Ltd supports the plan change in principle.
2 – Chad and Carly Ranum	Accept the Plan Change with amendments	We support change of zone from Single House to Mixed Housing Suburban.
3 – Robert White	Accept the plan change with amendments	We oppose the request to delete the indicative road linkages.
4 – Maxine Hatfull	Accept the plan change	Middle Hill Ltd supports the plan change in principle.
5 - Ma and Pa Commercial Limited	Accept the plan change	Middle Hill Ltd supports the plan change in principle.
7 – Patricia Sullivan	Accept the plan change with amendments	Our position remains that the Western Link Road should intersect with the Matakana Link Road.
8 – Ross Brereton	Accept the plan change with amendments	We support the proposed deletion of industrial zoned land. Our position remains that the Western Link Road should intersect with the Matakana Link Road.
9 – Dr Isobel Topham	Accept the plan change with amendments	Middle Hill Ltd supports the plan change in principle.
10 – Barry Woolsey	Accept the plan change with amendments	We support the proposed deletion of industrial zoned land.
11 – Robert and Maryanne Sikora	Accept the plan change with amendments	We oppose the request to retain the light industrial zoned land.
12 – Auckland Council	Accept the plan change with amendments	We oppose the request to not include Mixed Use zoned land in the Plan Change. We oppose the request to extend the proposed light industrial zoning. A supporting integrated Transport Assessment has not been provided to assess the transport effects associated with a

		larger zone. We support the request for the proposed Plan Change to show indicative road connections, including the proposed collector road. We support the request to add staging provision. Our position remains that the Western Link Road should intersect with the Matakana Link Road.
14 – Goatley Holdings Ltd	Accept the plan change with amendments	We support the proposed deletion of industrial zoned land. Our position remains that the Western Link Road should intersect with the Matakana Link Road.
15 – Warkworth Properties (2010) Ltd	Accept the plan change with amendments	We support the proposed deletion of industrial zoned land. Our position remains that the Western Link Road should intersect with the Matakana Link Road.
16 – Auckland Transport	Decline unless plan change is amended	Our position remains that the Western Link Road should intersect with the Matakana Link Road, although we accept some level of flexibility in the final location of this intersection.
17 – Warkwick and Hueline Massey	Accept the plan change with amendments	We support the proposed deletion of industrial zoned land. Our position remains that the Western Link Road should intersect with the Matakana Link Road.
18 – Z Energy	Accept the plan change with amendments	This submission is not considered generally relevant to our position.
19 – Summerset Villages (Warkworth) Ltd	Neutral or Unclear	We oppose the request to confirm the Single House zoning. Our position remains that the Western Link Road should intersect with the Matakana Link Road.
20 – Atlas Concrete Ltd	Opposes Plan Change	Middle Hill Ltd supports the plan change in principle.
21 – David Oliver	Accept the plan change with amendments	We oppose the request to delete the indicative

22 – NZ Transport Agency	Accept the plan change with amendments	road We oppose the request to amend the indicative western link road to allow for further flexibility. Our position remains that the Western Link Road should intersect with the Matakana Link Road.
23 – Turnstone Capital Ltd	Accept the plan change with amendments	We support the request to delete the industrial zoned land and support the request to amend to either Mixed Use or General Business (noting the submitters' preference for Mixed Use). We support the request to delete the land zoned Single House in favour of Mixed Housing Suburban.
24 – Warkworth Area Liaison Group	Accept the plan change with amendments	Our position remains that the Western Link Road should intersect with the Matakana Link Road.
25 – Forest and Bird Warkworth Area	Accept the plan change with amendments	This submission is not considered generally relevant to our position.
26 – Aaron Rodgers 30 – Diana Mei 32 – Terri Walkington 33 – Lily Anne Rodgers 34 – Macy Anne Rodgers 35 – Ngahine Rodgers 36 – Steve Liang <i>We note that the above submissions are all identical</i>	Accept the plan change with amendments	Oppose all three options proposed, although we note that they are not geographically specific.
27 – Allison and Steve Haycock	Accept the plan change with amendments	Our position remains that the Western Link Road should intersect with the Matakana Link Road.
29 – Manuhiri Kaitiaki Charitable Trust	Accept the plan change with amendments	This submission is not considered generally relevant to our position.
31 – Watercare Services Ltd	Accept the plan change with amendments	We note that Watercare have requested that the applicant pays for the supporting infrastructure.
37 – Mahurangi Action Incorporated	Neutral or Unclear	This submission is not considered generally

relevant to our position.

Further to the responses above, we would also like to expand on the following matters relating to land supply for our stance in support of Submissions 14 (Goatley Holdings) and 23 (Turnstone Capital), and our opposition to Submission 12 (Auckland Council).

Residential land

- The Warkworth North Structure Plan (“WNSP”) prepared by Auckland Council identifies that an additional 20,000 people will reside in Warkworth within 30 years. This equates to around 300 additional households/dwellings per annum.
- Achieving this rate of growth depends on several key factors:
 - Meeting demand across a range of dwelling types, sizes and price points.
 - Having a mix of residential zoned land available in each stage (1, 2 and 3) of the WNSP.
 - Supporting several large masterplanned developments that integrate and successfully sell a mix of dwelling types, sizes and prices.
 - Ensuring there is a competitive raw development land market so that new lot prices are not artificially increased.
- There is 37 hectares of undeveloped live zoned residential land (i.e. land in parcels of 5,000m² or greater). This quantity of vacant land would enable around 500 new dwellings. At the higher growth projection rate of 200-300 dwellings per annum, this indicates there is an imminent shortage and that the market would potentially tend toward land banking.
- The WNSP is zoning an additional 584ha of residential land (net).
- The majority of Stage 1 is Single House zone (78%). Only 22% of Stage 1 is higher density housing.
- Stages 2 and 3 have a higher proportion of high-density housing zones. The Structure Plan does not provide an explanation of why the higher density is delayed until the middle and later stages.

- The key to increasing the rate of construction of new dwellings in Warkworth is to enable the market to supply:
 - A range of dwelling types and sizes.
 - A range of zones that enable these dwelling types and sizes.
 - A competitive raw development land market.
 - Several large masterplanned developments that can supply higher density more affordable housing in the middle and later stages.

Industrial Land

- The WNPS and the WNPPC both identify some industrial activity on the WNPPC land. There is presently a strong supply of industrial land in Warkworth relative to the future demand, summarised as follows:
 - 113 hectares of existing zoned industrial land.
 - 35 hectares (30%) is currently utilised.
 - 79 hectares (70%) is currently vacant.
 - There has been consent granted for 4,000m² GFA of new industrial floorspace in Warkworth over the past ten years. This amount of GFA would require only 1-2 hectares of land.
 - Under the high WNPS growth projections there is demand for a further 21 hectares per decade.
 - Under the high growth scenarios there is no requirement for additional industrial land over the next 2-3 decades.

Commercial Land

- The WNPPC identifies a need for three new retail centres, however only identifies two new centres. Both of these centres are located on main roads, near the entrance points to new residential growth areas, and are surrounded by higher density residential zones (Mixed Housing Urban and Suburban). The same approach is optimal for the WNPPC area.
- The retail sector has already identified the SH1 location as optimal for a convenience retail centre (at the northern edge of the WNPPC area). In particular, there is a supermarket and several other retail stores presently being built in this location.
- The supermarket and related stores will be a catalyst for additional retail and commercial activity, and subject to any adverse effects on other centres, this is the optimal location for an additional commercial and mixed use centre.
- In turn, the optimal location for high density residential activity is around this centre. The economic and land use basis for this is generally accepted and is explicit in the AUP zoning provisions.
- Having a commercial and mixed use centre at the SH1/Pak’N Save location, rather than industrial activity, would result in a more conventional masterplan of the WNPPC land and would be complementary to the functions of the existing town centre. This would in turn support a faster dwelling construction rate in Warkworth and increase the potential for a positive return (NPV) on the significant Watercare and other infrastructure investments.
- A neighbourhood centre located as indicated in the applicant’s will be complementary to both a new commercial centre and the existing town centre

Large Master-planned Developments

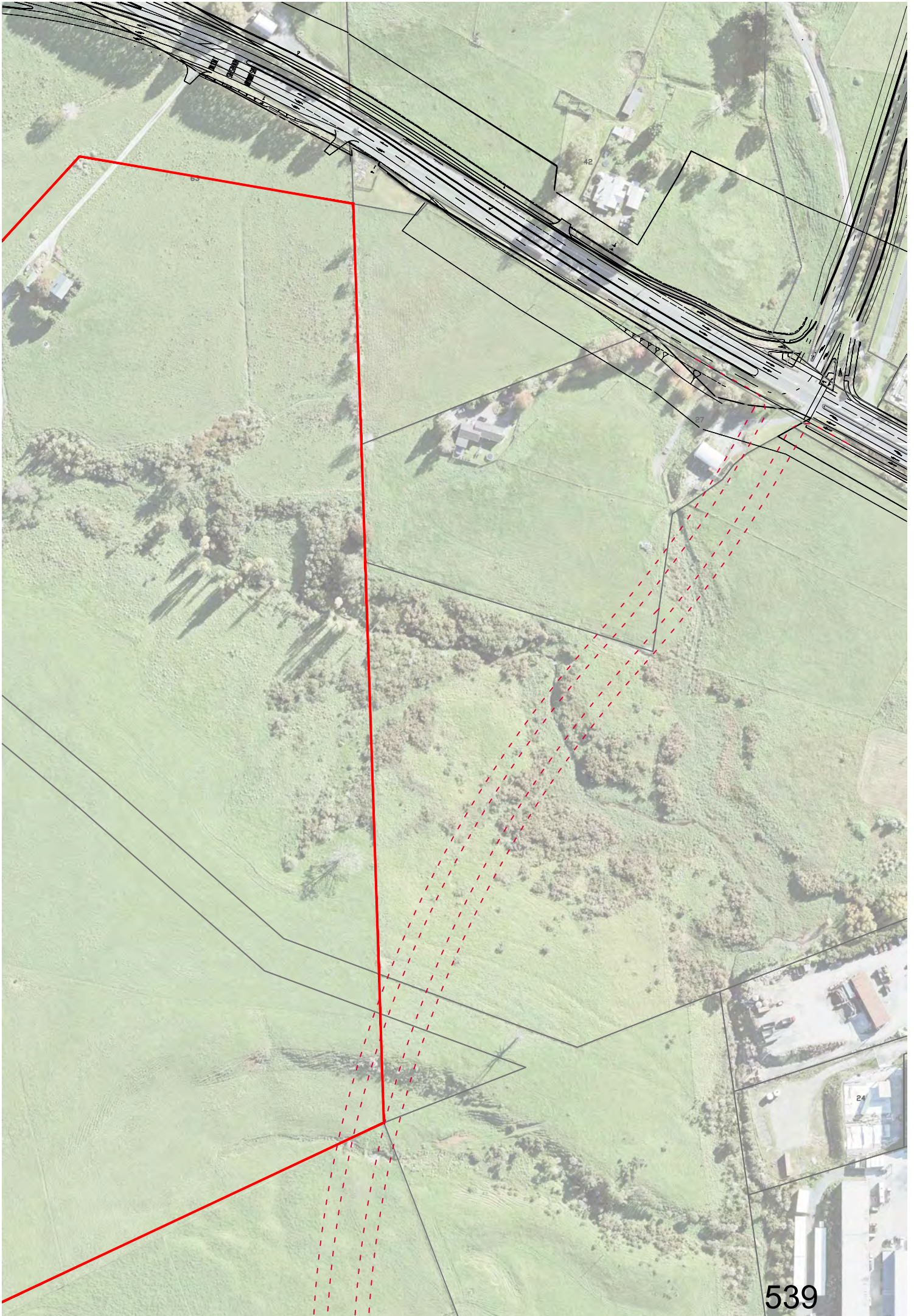
- The WNPPC is a large area of land that is mostly owned by two entities. It is an important opportunity to enable a large masterplanned development. By comparison, the Stage 2 and 3 land is comprised of small-medium sized lots, that may be subject to challenges for coordinating large tracts of lands for development in the future. A conventional master-planning approach for the WNPPC area of land would be:
 - A focus on residential and local retail/commercial rather than industrial activity.

- A commercial centre near the main entrance point at the northern SH1 edge of the site.
- Higher density housing (terrace, apartment, retirement) surrounding the retail commercial centre.

Further to the responses above, we would also like to expand on the following matters relating to urban design for our stance in support of Submissions 2 (Chad and Carly Ranum) and 23 (Turnstone Capital), and our opposition to Submission 12 (Auckland Council) and 19 (Summerset Villages).

- The northwestern part of Warkworth is likely to be a semi-permanent / long term boundary given that the newly constructed state highway will serve as a major severance that limits further expansion of the town. This is of itself supported as a means of helping keep Warkworth compact and limiting ongoing spread. But it is only an appropriate mechanism when the land within the barrier, and which can integrate well as a part of Warkworth, is used efficiently so that its capacity to provide housing and accommodate growth (over and above the specific timeframe and derived supply target of interest to the Council right now) is maximized. Failing to do this will simply result in future for unnecessary future expansion and less integrated urban forms.
- Planning for Warkworth should not be seen as an exercise of using suitable land to meet only one medium-term population projection; that will result in de-facto slow-motion sprawl. The practical inability to intensity existing suburban areas has meant much of the existing Auckland area has become locked in an inefficient and wasteful pattern that is only possible to be changed at an incremental pace. Warkworth should not become yet another example of this. Instead, the submitter believes that promoting sustainable management will be best served in green field areas by providing for the most sustainable densities that the land can support based on the carrying capacity and practicalities of the land, irrespective of the timeframe that it may take to 'fill up' (it will simply mean the land takes longer to be fully built out). Far from creating infrastructure capacity or funding problems, the submitter believes this is the most efficient and cost effective means of planning for growth because it will result in the highest densities using the least extent of piped and built infrastructure networks.

- The Single House zone is best suited to maintain the amenity and character of existing suburban areas or where there are long-term infrastructure capacity constraints. In green field areas the SHZ is less efficient and gives less housing choice because there is no option to divide an existing dwelling into two as well as provide a minor household unit (the way the zone has been justified in existing developed areas); in other words it is a much lower density zone in a green field situation than in the brown field situations that the SHZ zone and standards were primarily designed around). The Mixed Housing Suburban zone provides for a similar bulk and scale of buildings as the SHZ but provides for much greater efficiency and housing choice. In other words, MHS delivers comparable built form effects but has additional benefits, and allows densities that are comparable to the SHZ in brownfield contexts.
- There is no technical constraint or reason that would otherwise justify SHZ on the land; it is not a prominent or elevated landform, is not an outstanding or high amenity natural landscape, and has been permanently modified by the very urban state highway. The precedent for balancing amenity, efficiency and a quality compact urban form in this circumstance is best exhibited by the recent green field planning undertaken in association with SH18 for Hobsonville Village. Along that new highway edge the Council (appropriately) supported higher density zoning. In this instance the most appropriate zone, and which will deliver a built form outcome that is compatible with what the SHZ (in a brown field context) enables, will still be achieved. By enabling the highest sustainable density the land will best contribute its fair share of new infrastructure (transport in particular) costs, make best use of new infrastructure, and grow the local catchment of Warkworth centre.



FURTHER SUBMISSION ON

PROPOSED PRIVATE PLAN CHANGE 25 WARKWORTH NORTH, WARKWORTH

SUBMITTER DETAILS:

1. Name: Atlas Concrete Limited
2. Address for Service:
Postal: c/- Haines Planning
PO Box 90842
Victoria Street West
AUCKLAND 1142

Email: kaaren.rosser@hainesplanning.co.nz
3. Contact Person: Kaaren Rosser
Associate
Haines Planning
4. Date of Submission: 12 September 2019

SCOPE OF FURTHER SUBMISSION:

5. Atlas has lodged primary submission 20 ("the Atlas Submission") on proposed Private Plan Change 25 ("the Plan Change") to the Auckland Unitary Plan (Operative in Part) and has an interest in the Plan Change that is greater than the interest of the public generally.
6. Atlas supports Auckland Council's primary submission on the Plan Change and variously opposes those other primary submissions whose sought relief is contrary to the Auckland Council and Atlas primary submissions.
7. The reasons for this further submission are:
 - a) The Auckland Council primary submissions are supported because:
 - i. They promote the sustainable management of natural and physical resources and are otherwise consistent with the purpose and principles of the Resource Management Act 1992 ("RMA").

- ii. The relief sought in the primary submissions is appropriate in terms of section 32 of the RMA.
 - b) Other primary submissions which are contrary to the Auckland Council and Atlas primary submissions are opposed because:
 - i. They do not promote the sustainable management of natural and physical resources and are otherwise contrary to the purpose and principles of the RMA.
 - ii. The relief sought in the primary submissions is not the most appropriate in terms of section 32 of the RMA.
 - c) The same reasons as set out in the Auckland Council and Atlas submissions.
- 8. Atlas requests that:
 - a) The primary submission of Auckland Council be allowed; and
 - b) Other primary submissions be disallowed to the extent that they oppose the Auckland Council and Atlas submissions.
- 9. Atlas wishes to be heard in support of its further submission.
- 10. If others make a similar submission Atlas will consider presenting a joint case with them at the hearing.



**For K. Rosser, Associate
Haines Planning**

Dated: 12 September 2019

I neither oppose nor support the proposals made in Submissions 2 and 3. This submission is to clarify and correct the following statements made within the submissions, as I believe the information could be misleading and could influence the final outcome.

1. **“Zoning 1.1 While it is acknowledged that the land in Viv Davie-Martin Drive (VDMD) is proposed to be zoned Single House zone under the Warkworth Structure Plan and potentially with an overlay to allow for larger sites reflecting its already fully developed residential nature, it is also likely that it will be one of the last areas within that structure plan to be developed.**

Zoning 1.2 This assertion is in no small part due to the nature of the ownership structures within VDMD, the fact that the subdivision is fully realised and consists of an established community and also because of the covenants on the titles intended to retain the type of amenity the proposed change of zoning will inadvertently compromise.”

The staging of the Warkworth Structure Plan indicates that the Warkworth North area, including VDMD will be rezoned from 2022. The last of the zoning will occur with Warkworth North East from 2033 - 2037.¹

The ownership structure consists of the Body Corp (Falls Road Body Corp Limited) that has a very limited role, and has no authority to prevent any development by the land owners. It's constitution consists of the following Primary Objectives:

“a) ensure compliance with (C) (XIX) of Resource Consent R24931, in particular the design, installation, operation, cleaning and ongoing maintenance of the septic tanks and effluent filters for each residential lot within the subdivision as per the recommendations contained within the report from Tisley & Associates dated 22 May 1998.

b) ensure compliance with the conditions (C) (XVI) of Resource Consent R24931, in particular plant the revegetation area in accordance with the recommendations of the report prepared by Harrison Grierson Consultants Limited, reference 43.057771 dated 16 Jun 2000, including, prior to any planting, submitting a planting plan and maintenance program to the Consents Manager of Rodney District Council and receiving written approval from that Consents Manager.

c) pump farm water to each residential lot.

d) pass resolutions to advance the attainment of any of the above objects

e) do any act or thing incidental or conducive to the attainment of any of the above.”²

¹ Warkworth Structure Plan - Page 85

² See attached “Constitution of Falls Road Body Corporate Limited”

In addition, each of the individual property's Transfer Certificate states the Body Corp's role in ensuring that the covenants on said certificate are enforced. The only covenants of significance relate to minimum house size (180m²), minimum value (\$190000), building materials, no relocatable buildings, no caravans/sheds etc to be used as dwellings, and to ensure the sites are kept tidy and weed free. The remainder of the covenants relate to septic systems, including the requirement to connect to council provided system if available. These covenants will have no bearing on the ability for further development of smaller lots, and intent of the covenants will be retained. The body corp is not associated with land tenure.

- 2. Roding 2.8 VDMD as a subdivision is unlikely to ever achieve significant residential density even if redeveloped, because it is steep, has an established housing pattern, restrictive covenants and a body corporate associated with land tenure, and has geotechnical and other challenges. It's existing connection with Falls Road is considered perfectly adequate because the reality is that the increase in residents and thus traffic generation for this particular enclave is unlikely to increase dramatically. Unless there is a unanimous decision of all the landowners of the body corporate to change the rules, it will not be able to be further subdivided or become significantly more populated.**

As described previously, the Body Corp has a very limited role in the control of VDMD. According to the documents submitted, the Body Corp is not associated with land tenure in any way, and the Body Corp has no influence over the subdivision of individual properties. The subdivision rules are laid out in the Council Plan and when rezoned, owners will have the freedom to make any choice they desire under the council rules and not require any further approval from the Body Corp.

TRANSFER
Land Transfer Act 1952

T 6333507.7 Transfer

Cpy - 01/01, Pgs - 013, 03/03/05, 09:59



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If there is not enough space in any of the panels below, the two page form incorporating the Annexure Schedule should be used: no other format will be received.

Land Registration District

North Auckland

Certificates of Title No.	All or Part?	Area and legal description - insert only when part or Stratum, CT
see Schedule D		

Transferor Surnames must be underlined

Falls Road Properties Limited

Transferee Surnames must be underlined

Falls Road Properties Limited

Estate or Interest or Easement to be created: Insert e.g. Fee simple; Leasehold in Lease No...; Right of way etc.

Fee simple subject to Land Covenants (continued on page 2 annexure schedule)

Operative Clause

For the above consideration (receipt of which is acknowledged) the TRANSFEROR TRANSFERS to the TRANSFEE all the transferor's estate and interest in the land in the above Certificate(s) of Title and if an easement is described above such is granted or created

Dated this 24th day of February 2005

Attestation

 Director	Signed in my presence by the Transferor Signature of Witness
	 Witness to complete in BLOCK letters (unless typewritten or legibly stamped) Witness name Occupation JO-ANNE MARIA YOUNG LEGAL EXECUTIVE Address AUCKLAND
Signature, or common seal of Transferor	(continued on page 8 annexure schedule)

Certified correct for the purposes of the Land Transfer Act 1952

Solicitor for the Transferee

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Continuation of "Estate or interest or Easement to be created"

The Transferor is registered proprietor of the land formerly contained in certificate of title 161112 and has subdivided the land into Lots in the manner shown and defined in Deposited Plan 344380("the Deposited Plan").

WHEREAS it is the Transferor's intention to create for the benefit of the land set out in schedule A (hereinafter referred to as the "Dominant Lots") the land covenants set out in schedule B over the land set out in schedule C (hereinafter referred to as "the Servient Lots").

AND AS INCIDENTAL to the transfer of the fee simple so as to bind the Servient Lots and for the benefit of the Dominant Lots the Transferee **DOETH HEREBY COVENANT AND AGREE** in the manner set out in schedule B so that the covenants run with the Servient Lots set out in schedule C for the benefit of the respective Dominant Lots.

The Transferee **HEREBY FURTHER COVENANTS** that the Transferee will at all times hereafter save harmless and keep indemnified the Transferor from all proceedings costs claims and demands in respect of breaches implied and the Transferee **DOETH HEREBY FURTHER COVENANT** that the Transferee will not call upon the Transferor to pay for or contribute towards the cost of erection or maintenance of any boundary fence between the said land and any adjoining land of the Transferor.

SCHEDULE A

Lot no.	Certificate of title	Lot no.	Certificate of Title
10	182136	31	182154
11	182137	32	182155
12	182138	33	182156
13	182139	34	182157
14	182140	35	182158
15	182141	36	182159
16	182142	37	182160
17	182143	38	182161
18	182144	39	182162
19	182145	40	182163
20	182146	41	182164
21	182147	44	182165
22	182148	45	182166
23	182149	46	182167
24	182150	47	182168
28	182151		
29	182152		
30	182153		

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here

[Handwritten signatures and initials]

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Schedule B

1. The Transferee shall, so long as it remains an owner of the Servient Lot, become and remain a shareholder of Falls Road Body Corporate Limited ("the Company") and be bound by and perform the obligations of a shareholder as set out in the constitution of the Company, and shall participate fully and effectively in the Company so as to ensure the good management, performance and operation of the Company at all times. As such shareholder the Transferee shall prior to settling of the sale of the Transferee's Servient Lot procure the Purchaser to enter into, execute and deliver to the Company a transfer of that shareholder's share wherein the Purchaser will become contemporaneously with the transfer of the Property, and remain a shareholder and observe and perform the obligations of a shareholder as set out in the constitution of the Company. The share transfer shall be prepared by the solicitors for the Company and the selling member shall pay the reasonable legal fees and disbursements of the Company's solicitors. The Transferee shall not dispose of any share or shares otherwise than in accordance with these covenants.
2. A shareholder shall be deemed to have resigned from the Company immediately that shareholder is no longer an owner of a Servient Lot provided that such resignation shall not relieve a person of any obligation or liability arising before that person ceased to be a shareholder. Following completion and registration of the share transfer to a Purchaser the transferring shareholder shall be released from all future liability under these covenants.
3. Each owner shall immediately upon becoming an owner of a Servient Lot (and thereafter if any details change) provide the Company with the details necessary for maintenance of the register of shareholders and shall upon entry of the details into the register, become a shareholder.
4. the Transferee as the covenantor covenants for itself and its successors in title with the Company that upon becoming the owner of a Servient Lot to join as a shareholder of the Company and remain a shareholder while owning the Servient Lot and fulfil and continue to fulfil the obligations of the shareholder as set out in the constitution of the Company, including, if required by the Company, ensuring that any levies including wastewater levies (being levies made by the Company from time to time for each owner's fair and proportionate share of the cost of maintaining and repairing the Wastewater plant servicing the Property), and including any revegetation levies (being levies associated with the obligations under clause (c) (xvi) of resource consent R24931 in regard to replacement of dead plants and weeding the revegetated area referred to therein), are promptly paid to the Company
5. The Transferee shall, upon selling the Servient Lot, pay all amounts to the Company which are then owed.

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Schedule B continued

6. The Transferee shall permit the Company (or its contractors, agents or servants) at all reasonable hours to enter onto the Purchaser's land to maintain, repair or renew the septic tank and effluent filters, comply with any work which may be ordered in respect of the wastewater system by any competent local authority and ensure compliance with condition (c)(xix) of Resource Consent R24931.
7. The Transferee shall permit the Company (or its agents or servants) at all reasonable hours to enter onto the Purchaser's land to weed or replant and comply with any work which may be required in respect of the revegetated area by any competent local authority and ensure compliance with condition (c)(xvi) of Resource Consent R24931.
8. The Transferee shall promptly pay any levies including wastewater levies and any revegetation levies to the Company.
9. The Transferee shall not take any action which directly or indirectly could result in the Company being wound up or liquidated, or the decisions of the Company being frustrated, or the performance of the conditions of resource consent R24931 being breached or frustrated. Should the Company be struck off or otherwise wound up, however, the Transferee will, together with the owners of the other Servient Lots, either ensure the Company is reinstated on the register of companies or incorporate a company in substitution for the Company and adopt a constitution for the newly incorporated company which is identical to the constitution of the Company with only the necessary changes, and, in that case, the covenants herein will apply to the newly incorporated company as if it were the Company.
10. The transferee shall connect to a public wastewater system when such a system is available, complying with all relevant local authority requirements as to such connection, including as to consents, payment of fees, charges and contributions. At the time that the Transferee connects to the public wastewater system, the Transferee shall remove the Transferee's individual septic tank or have it pumped out, collapsed and covered. A building consent shall be obtained for this work.
11. The transferee shall forthwith pay to the Company any costs, fees, damages, losses or expenses incurred by the Company which are attributable to the actions or default of the Transferee.

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Schedule B continued

12. The transferee agrees that should any sum remain owing to the Company for more than 21 days, the Transferee will give and execute in favour of the Company a good and registrable Memorandum of Mortgage of the Transferee's Servient Lot to secure payment of the amount owing to the Company together with interest thereon at the rate of 10 per cent per annum.. Such mortgage shall be in a form and containing the covenants, conditions,, provisions and powers of the usual form of memorandum of mortgage commonly used by solicitors in the Auckland area.
13. The transferee shall not erect or permit to be erected on the Transferee's Servient Lot land any residential unit without first obtaining the approval of the Transferor to the plans thereof and satisfying the Transferor that the minimum floor area thereof will not be less than 180 square metres and the value thereof when erected shall be not less than the sum of \$190,000 (including GST) ("the Minimum Value") (excluding the value of the Transferee's Servient Lot) as at 1 January 2003 unless the Transferor gives prior written approval to a lesser area or value. **PROVIDED THAT** such approval shall only be given when in the opinion of the Transferor the overall appearance of the subdivision and the values of the properties therein are not compromised.
14. Unless the prior written consent of the Transferor has first been obtained:
- i) No relocatable dwellings or second hand materials shall be permitted on the land;
 - ii) The Transferee will not erect or permit or suffer to be erected or placed on the Transferee's Servient Lot any hut shed, caravan or other vehicle to be used as a dwelling or temporary dwelling; and
 - iii) The Transferee shall not use or permit or suffer to be used in any building on the Transferee's Servient Lot any corrugated iron roofing material or in respect of an exterior wall, any fibre cement planks or fibre cement sheeting (except where it is to be concrete spray rendered for architectural effect) or any other building material which in the opinion of the Vendor detracts from the quality of the subdivision and the housing standard established within the subdivision.
15. Except when building operations are in progress the Transferee shall not allow or suffer to be brought into or remain on the Transferee's Servient Lot any materials, debris, rubbish or vehicles of an unsightly nature and will keep the Transferee's Servient Lot free of long grass and weeds and shall not at any time allow or suffer to be brought on to or remain on any land which adjoins the Transferee's Servient Lot any materials, debris, rubbish or vehicles.

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16. The Transferee acknowledges that the building lots on the Transferor's subdivision are intended to be subject to a building scheme for the benefit of such lots and provisions relating to the ongoing maintenance and management of fencing, stormwater, sewage and water on the vendor's subdivision, so that the owner and occupier for the time being of each lot shall be bound by the stipulations and restrictions detailed herein **PROVIDED THAT** the Transferor may in its sole and unfettered discretion waive any or all such covenants upon such terms and conditions as it may require. The Transferee together with his successors and assigns hereby covenants with the Transferor to observe and comply with the covenants set out herein **AND** the Transferee hereby further covenants that the Transferee will take all requisite steps to ensure that such of the covenants as the Transferor may in its sole discretion require to be incorporated and registered against the title to the Property as a restrictive covenant in favour of such other land as the Transferor may direct may be so registered **AND** it is hereby acknowledged by the Transferee that:

- i) The Transferor (and its successors and assigns) shall have the right to sell lease or otherwise deal with any other lots in the subdivision of which the property forms part and which are unsold either subject to or free from all or any of the stipulations provisions, obligations or restrictions affecting or imposed in this agreement and the exercise of such right or the waiver of such right by the Transferor in relation to any lot or lots shall not release the Transferee hereunder from any of the stipulations, provisions or restrictions affecting or imposed upon the Property or give to the Transferee any right of action against the Transferor or any other person; and
- ii) Nothing herein contained shall make it obligatory for the Transferor to enforce any of the covenants contained in this agreement or in the Schedule against any other owner of land in the subdivision of which the Property forms part or on behalf of any other owner or owners.
- iii) The transferor, or any body incorporated by the transferor to discharge the transferor's obligations under the resource consent to subdivide the transferor's land, may enter on to the land being transferred hereunder for the purpose of complying with the ongoing obligations of the transferor under the said resource consent including, but not limited to, the erection and maintenance of any fence, the formation or maintenance of any stormwater disposal system, the formation or maintenance of any sewage system, the planting or maintenance of any vegetation, the eradication of any weeds and the formation and maintenance of any water supply system to the land in the transferor's subdivision.

17. The Transferee's Servient Lot shall require landscaping adjacent to any dwelling built thereon, and such landscaping shall be carried out within 10 months of the issue of a building permit for the Transferee's Servient Lot by the Transferee. Landscaping plans must be submitted to the Transferor for approval before construction commences. Approval will not be unreasonably withheld where the layout, style, materials and method of construction are in keeping with the standard of the subdivision.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

Annexure Schedule

Transfer

Dated

24th/2/2005

Page

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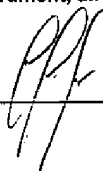
of

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18. If there is any breach or non observance of any of the covenants contained herein, and without prejudice to any other liability which the Transferee may have to the Transferor or to the Company, the Transferee shall upon written demand being made by the Transferor or by the Company:-

- (a) Pay to the Company as liquidated damages the sum of \$100.00 per day for every day that the breach of non observance continues from the date upon which written demand is made.
- (b) Forthwith remedy the breach or non observance of the covenant by removing or causing to be removed from the Transferee's Servient Lot any dwelling, garage, building or other structure erected or placed on or adjacent to the Transferee's Servient Lot, or replacing any building materials used, in breach or non observance of the foregoing covenants.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.



Annexure Schedule

Transfer

Dated

24/2/2005

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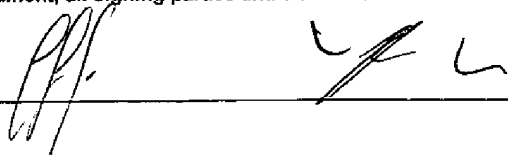
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SCHEDULE C

Lot no.	Certificate of title	Lot no.	Certificate of Title
10	182136	31	182154
11	182137	32	182155
12	182138	33	182156
13	182139	34	182157
14	182140	35	182158
15	182141	36	182159
16	182142	37	182160
17	182143	38	182161
18	182144	39	182162
19	182145	40	182163
20	182146	41	182164
21	182147	44	182165
22	182148	45	182166
23	182149	46	182167
24	182150	47	182168
28	182151		
29	182152		
30	182153		

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.



Annexure Schedule

Transfer

Dated

24th/27/2005

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of

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SCHEDULE D

Certificate of title	All or part	Certificate of title	All or part
182136	All	182152	All
182137	All	182153	All
182138	All	182154	All
182139	All	182155	All
182140	All	182156	All
182141	All	182157	All
182142	All	182158	All
182143	All	182159	All
182144	All	182160	All
182145	All	182161	All
182146	All	182162	All
182147	All	182163	All
182148	All	182164	All
182149	All	182165	All
182150	All	182166	All
182151	All	182167	All
		182168	All

Continuation of "Attestation"

Signed in my presence by the Transferee

Signature of Transferee:

[Handwritten Signature] Director

Signature of Witness:

[Handwritten Signature]

Name of Witness

Occupation:

Address:

JO-ANNE MARIA YOUNG
LEGAL EXECUTIVE
AUCKLAND

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

[Handwritten Signatures/Initials]

Annexure Schedule

Transfer

Dated

26/12/2005

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of

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Bank of New Zealand, the first mortgagee of all the land in Deposited Plan 334380 by virtue of memorandum of mortgage 5812285.3 (North Auckland Registry) consents to the within memorandum of transfer but without prejudice to its rights remedies and powers under that mortgage.

SIGNED for and on behalf of BANK OF NEW ZEALAND by its Attorneys

BANK OF NEW ZEALAND by its Attorneys:-

Damien Justin Wannenburg

[Signature]

In the presence of:

[Signature]

Bank Officer, Auckland

Noel Ronald Letford

Rachel Elizabeth Wood

Nationwide Finance Limited, the second mortgagee of all the land in Deposited Plan 334380 by virtue of memorandum of mortgage 5812285.4 (North Auckland Registry) consents to the within memorandum of transfer but without prejudice to its rights remedies and powers under that mortgage.

For Nationwide Finance Limited

Robert William HILL
Authorised Signatory

Antony James RAE
Authorised Signatory

In the presence of:
Katy Margaret McCullough
Admin Officer
AUCKLAND

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

[Signatures]



Bank of New Zealand


**CERTIFICATE OF NON-REVOCATION
OF POWER OF ATTORNEY**

We, Noel Ronald Letford and Damien Justin Wannenburg both of Auckland, Bank Officers, severally certify that:

1. By deed dated 26 October 2001 (the "Deed"), we were, by virtue of being respectively a Second Authorised Officer, and a Second Authorised Officer, appointed jointly as attorneys of Bank of New Zealand (the "Bank") on the terms and subject to the conditions set out in the Deed.
2. Copies of the Deed are deposited in the following registration districts of Land Information New Zealand as follows:

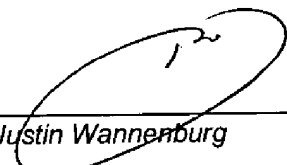
Canterbury	as No.	5110221
North Auckland	as No.	D657518.1
Otago	as No.	5110774
South Auckland	as No.	5110008
Taranaki	as No.	483763.1
Wellington	as No.	5110812
3. We have executed the instrument(s) to which this certificate relates under the powers conferred by the Deed.
4. At the date of this certificate we have not received any notice or information of the revocation of that appointment by the dissolution of the Bank or otherwise.

SIGNED at Auckland this 24th day of February 2005



Noel Ronald Letford

SIGNED at Auckland this 24th day of February 2005




Damien Justin Wannenburg

IN THE MATTER of the Land Transfer Act 1952

Correct for the
purposes of the
Land Transfer Act 1952

AND

IN THE MATTER of Memorandum of Transfer


.....
Solicitor for Registered
Proprietor

Particulars entered into the Register as shown herein
on the date and at the time endorsed below

.....
Assistant / District Land Registrar of the
District of North Auckland

**TO: THE DISTRICT LAND REGISTRAR
NORTH AUCKLAND REGISTRY**

Please note the agreement as to fencing
contained in the within Memorandum of
Transfer together with the Restrictive Land
Covenants against the Certificate of Title for
the land


.....
Solicitor for the Transferor

**ENNIE COX
SOLICITORS
AUCKLAND**

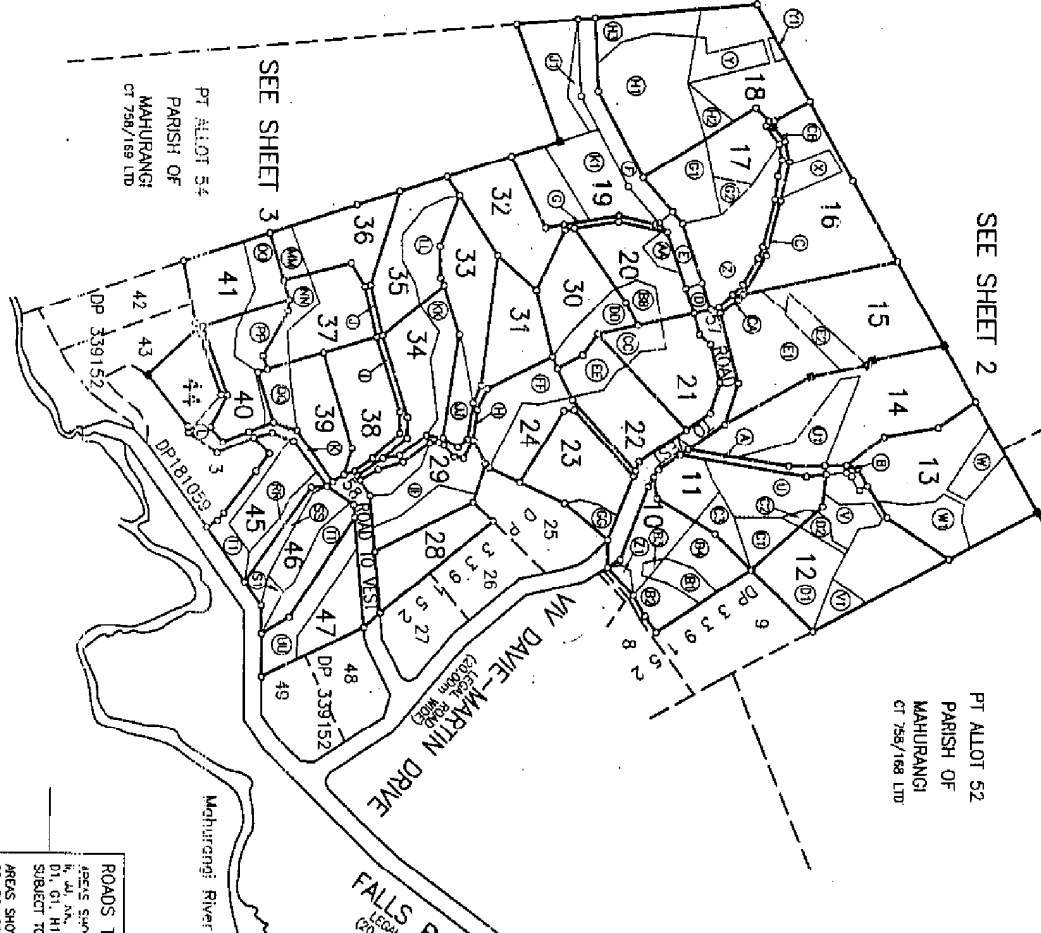
Approval
 I HEREBY CERTIFY THAT THIS PLAN WAS APPROVED BY THE RODNEY DISTRICT COUNCIL PURSUANT TO SECTION 223 OF THE RESOURCE MANAGEMENT ACT 1991 ON THE 20th DAY OF SEPTEMBER 2004 SUBJECT TO THE GRANTING OR RESERVING OF THE EASEMENTS SET OUT IN THE MEMORANDUM HEREON.

Authorised Officer
 REF: R24931

MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
(A)	LOT 12 HERERON	LOT 12 HERERON	LOTS 13, 14 HERERON
(B)	LOT 12 HERERON	LOT 12 HERERON	LOT 13 HERERON
(C)	LOT 18 HERERON	LOT 18 HERERON	LOTS 16, 17 HERERON
(D)	LOT 19 HERERON	LOT 19 HERERON	LOTS 20, 30, 32 HERERON, ALLOT 55 PARISH OF MAHURANGI
(E)	HERERON	HERERON	LOTS 20, 30, 32 HERERON, ALLOT 55 PARISH OF MAHURANGI
(F)	LOT 19 HERERON	LOT 19 HERERON	LOTS 20, 30, 32 HERERON, ALLOT 55 PARISH OF MAHURANGI
(G)	HERERON	HERERON	LOTS 19, 20, 30, 32 HERERON
(H)	LOT 31 HERERON	LOT 31 HERERON	LOT 33 HERERON
(I)	LOT 36 HERERON	LOT 36 HERERON	LOTS 34, 35, 37, 38 HERERON
(J)	LOT 36 HERERON	LOT 36 HERERON	LOTS 35, 37 HERERON
(K)	LOT 44 HERERON	LOT 44 HERERON	LOTS 40, 41, 45 HERERON
(L)	LOT 44 HERERON	LOT 44 HERERON	LOTS 40, 41 HERERON
(M)	LOT 18 HERERON	LOT 18 HERERON	LOTS 15, 16, 17 HERERON
(N)	LOT 18 HERERON	LOT 18 HERERON	LOTS 17 HERERON

For Falls Road Properties Ltd
 REGISTERED OWNER



ROADS TO WEST IN RODNEY DISTRICT COUNCIL
 ACTS 59(1), 61(1), 62(1), 63(1), 64(1), 65(1), 66(1), 67(1), 68(1), 69(1), 70(1), 71(1), 72(1), 73(1), 74(1), 75(1), 76(1), 77(1), 78(1), 79(1), 80(1), 81(1), 82(1), 83(1), 84(1), 85(1), 86(1), 87(1), 88(1), 89(1), 90(1), 91(1), 92(1), 93(1), 94(1), 95(1), 96(1), 97(1), 98(1), 99(1), 100(1).
 AREAS SHOWN AS E2, B1, B4, C1, D1, E1, G1, H1, J1, K1, R2, C2, D2, G2, H2, C3, H3, ARE TO BE SUBJECT TO RESTRICTIVE COVENANTS (BUILDING PROHIBITION)

STEVEN ROBERT MILLS
 being a person entitled to practice as a Licensed Land Surveyor, certify that: The survey to which this certified plan and certificate refer was undertaken by me or under my direction in accordance with the Land Survey Act 2002 and the Surveyor General's Rules for Land Surveying 2002/23 in accordance with the provisions of the Act and Rules.

Field Book: A
 Reference Plan: A
 Examined: Correct
 Approved as to Survey by Land Information NZ on: _____
 Deposited by Land Information NZ on: _____

DP344380
 4305777
 4305777
 NOV 2004

TERITORIAL AUTHORITY RODNEY DISTRICT COUNCIL
 Surveyed by: HARRISON GIMMERSON
 Scale 1:4000
 Date NOV 2004

LOTS 10-24, 28-41, 44-47, 57 & 58 BEING A SUBDIVISION OF LOT 56 DP339152

SHEET 1 OF 3 SHEETS
 LAND DISTRICT NORTH AUCKLAND

**CONSTITUTION
OF
FALLS ROAD BODY CORPORATE LIMITED**

Certified as the Constitution of the Company

.....

**RENNIE COX
SOLICITORS
AUCKLAND**

Companies Act 1993

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CONSTITUTION
OF
FALLS ROAD BODY CORPORATE LIMITED
PURSUANT TO THE COMPANIES ACT 1993

1. Definitions

1.1 In this constitution, unless the context otherwise requires, the following words and expressions have the meanings given to them in this clause:

"Act" means the Companies Act 1993 and its amendments.

"alternate director" means a director appointed pursuant to clause 19.7(a).

"amalgamation" means the completed act of the company and one or more other companies amalgamating pursuant to Part XIII of the Act and continuing as one company, which may be one of the amalgamating companies or may be a new company.

"annual meeting" means a meeting of shareholders held pursuant to clause 17.1.

"balance date" means the date adopted by the company as at the end of its financial year for the purpose of its annual financial statements.

"board" means the directors numbering not less than the required quorum acting as the board of directors of the company, and where one director is a quorum it means that director so acting alone.

"class" and **"class of shares"** means a class of shares having attached to them identical rights, privileges, limitations, and conditions.

"chairperson" means the chairperson of the board, elected under clause 22.1(a) or appointed under clause 22.1(c).

"Company" means Falls Road Body Corporate Limited

"constitution" means this constitution of the company and all amendments to it from time to time.

"director" means a person appointed and continuing in office for the time being, in accordance with this constitution, as a director of the company.

"distribution", in relation to shares held by a shareholder, means:

- (a) the direct or indirect transfer of money or property, other than shares, by the company to or for the benefit of that shareholder; or
- (b) the incurring of a debt by the company to or for the benefit of a shareholder,

whether by means of a purchase of property, the redemption or other acquisition of shares, a distribution of indebtedness, or by some other means.

"dividend" means a distribution by the company other than a distribution to which section 59 (acquisition of company's own shares) or section 76 (financial assistance in acquisition of company's shares) of the Act applies.

"Expense Year" means each 12 month period commencing on _____ and ending on _____ or such other 12 month period as the Company from time to time sets.

"general meeting" means any meeting of shareholders, other than an interest group meeting.

"interest group", in relation to any action or proposal affecting rights attached to shares, means a group of shareholders:

- (a) whose affected rights are identical; and
- (b) whose rights are affected by the action or proposal in the same way; and
- (c) who comprise the holders of one or more classes of shares.

For the purposes of this definition:

- (a) one or more interest groups may exist in relation to any action or proposal; and
- (b) if -
 - (i) action is taken in relation to some holders of shares in a class and not others; or
 - (ii) a proposal expressly distinguishes between some holders of shares in a class and other holders of shares of that class,

then holders of shares in the same class may fall into 2 or more interest groups.

"interests register" means a register kept by the company at its registered office as required by section 189(1)(c) of the Act.

"major transaction", in relation to the company, means:

- (a) the acquisition of, or an agreement to acquire (whether contingent or not), assets the value of which is more than half the value of the company's assets before the acquisition-, or
- (b) the disposition of, or an agreement to dispose of (whether contingent or not), assets the value of which is more than half the value of the company's assets before the disposition; or
- (c) a transaction which has or is likely to have the effect of the company acquiring rights or interests or incurring obligations or liabilities, the value of which is more than half the value of the company's assets before the transaction;

but does not include:

- (d) any transaction entered into by a receiver appointed pursuant to a security over all or substantially all of the property of the company.

Nothing in paragraph (c) of this definition applies by reason only of the company giving, or entering into an agreement to give, a floating charge secured over assets of the company the value of which is more than half the value of the company's assets for the purpose of securing the repayment of money or the performance of an obligation.

"managing director" means a director who is appointed under clause 20 as an employee of the company, with the responsibility for the management of the company (together with any other employee).

"month" means calendar month.

"Operating Expenses" means the total sum of any rates, taxes, costs and expenses of the Company properly or reasonably assessed or assessable paid or payable or otherwise incurred in respect of the operation of the Company (including, without limitation, the management expenses and management fee.

"ordinary resolution" means a resolution approved by a simple majority of the votes of those shareholders entitled to vote and voting on the question.

"ordinary share" means a share which confers on the holder:

- (a) the right to vote at meetings of shareholders and on a poll to cast one vote for each share held;
- (b) subject to the rights of any other class of shares, the right to an equal share in dividends and other distributions made by the company; and

- (c) the right to an equal share in the distribution of the surplus assets of the company on its liquidation.

"Owner" means each person regarded as a proprietor (whether individually or with others) of a residential lot.

"register" means the register of shares required by clause 5 of this constitution and section 87 of the Act to be kept.

"Registrar" means the Registrar of Companies appointed under section 357(1) of the Act.

"residential lot" means a residential property within the Falls Road subdivision (including Deposited Plan 339152 and any subsequent Deposited Plan lodged in respect of the same development) for which a certificate of title has been issued.

"section value" means, in respect of each residential lot, the government valuation, or, if that is not available, the initial price.

"securities" has the same meaning as in the Securities Act 1978.

"share" means a share in the company.

"shareholder" means a person:

- (a) registered in the register as the holder of one or more shares; or
- (b) until the person's name is entered in the register, a person named as a shareholder in the application for registration of the company at the time of registration of the company; or
- (c) until the person's name is entered in the register, a person who is entitled to have that person's name entered in the register under a registered amalgamation proposal as a shareholder in an amalgamated company. [Section 96]

"shareholder's proportion" means the proportion that the aggregate of the section values of the developed properties owned by a shareholder bears to the Total Value.

"solvency test" means an examination to be applied to the financial state of the company, which will be satisfied if:

- (a) the company is able to pay its debts as they become due in the normal course of business; and
- (b) the value of the company's assets is greater than the value of its liabilities, including contingent liabilities,

and in respect of which regard has been had to the matters referred to in section 4(2) of the Act.

For the purpose of this definition "debts" and "liabilities" have the meaning given to those terms in section 52(4) of the Act.

"special meeting" means any meeting (other than an annual meeting) of shareholders entitled to vote on an issue, called at any time by the board.

"special resolution" means a resolution of shareholders approved by a majority of 75 per cent of the votes of those shareholders entitled to vote and voting on the question.

"Total Value" means the sum total of the Section Values as at a given date.

"working day" means a day of the week other than:

- (a) Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, Labour Day, and Waitangi Day;
- (b) a day in the period commencing with the 25th day of December in any year and ending with the 2nd day of January in the following year;
- (c) if the first day of January in any year falls on a Friday, the following Monday; and
- (d) if the first day of January in any year falls on a Saturday or Sunday, the following Monday and Tuesday.

"writing" includes all modes of representing or reproducing words, figures or symbols in a visible form including reproduction by facsimile machine.

- 1.2 Words importing the singular include the plural and vice versa.
- 1.3 A reference to a person includes any firm, company or other body corporate.
- 1.4 Words importing one gender include the other genders.
- 1.5 Subject to this clause 1, expressions contained in this constitution bear the same meaning as specified in the Act at the date on which this constitution becomes binding on the company.
- 1.6 A reference to a clause means a clause of this constitution.
- 1.7 The clause headings are included for convenience only and do not affect the construction of this constitution.

2. Objects

2.1 Primary Objects

The Primary Objects of the Company are to:

- (a) ensure compliance with condition (c) (xix) of Resource Consent R24931, in particular the design, installation, operation, cleaning and on going maintenance of the septic tanks and effluent filters for each residential lot within the subdivision as per the recommendation contained within the report from Tilsley and Associates dated 22 May 1998.
- (b) ensure compliance with condition (c) (xvi) of Resource Consent R24931, in particular plant the revegetation area in accordance with the recommendations of the report prepared by Harrison Grierson Consultants Limited, reference 43.057771 dated 16 June 2000, including, prior to any planting, submitting a planting plan and maintenance programme to the Consents Manager of Rodney District Council and receiving written approval from that Consents Manager.
- (c) Pump farm water to each residential lot.
- (d) pass resolutions to advance the attainment of any of the above objects
- (e) do any act or thing incidental or conducive to the attainment of any of the above.

2.2 Excluded Objects

Notwithstanding any other provisions, the Company shall not expend money for the sole personal benefit of any shareholder.

3. Issue of shares

3.1 Board may issue shares.

- (a) **Generally:** Subject to the Act, this constitution, the terms of issue of any existing shares and approval by ordinary resolution of the members of the company, the board shall issue one share to each owner and only owners shall be share holders.
- (b) **Types of Shares:** Unless the terms of issue of any class of shares specifically otherwise provide, all shares issued by the board shall rank (as to voting or distribution rights or both) equally with existing shares.

3.2 Consideration for issue of shares.

- (a) Subject to clause 3.2(b), before the board issues shares (other than shares issued upon incorporation), it must:
 - (i) decide the consideration for which the shares will be issued and the terms on which they will be issued;

- (ii) if the shares are to be issued other than for cash, determine the reasonable present cash value of the consideration for the issue;
 - (iii) resolve that, in its opinion, the consideration for the shares and their terms of issue are fair and reasonable to the company and to all existing shareholders; and
 - (iv) if the shares are to be issued other than for cash, resolve that, in its opinion, the present cash value of that consideration is not less than the amount by which the shares would be credited as paid up.
- (b) Clause 3.2(a) does not apply to:
- (i) the issue of shares that are fully paid up from the reserves of the company to all shareholders of the same class in proportion to the number of shares held by each such shareholder; or
 - (ii) the consolidation or subdivision of shares.
- (c) The consideration for which shares are issued, or for the payment of shares already issued, may take any form and may be cash, promissory notes, contracts for future services, real or personal property, or other securities of the company.

3.3 Directors' certificate on consideration for issue.

- (a) The directors who vote in favour of a resolution under clause 3.2(a) to issue shares must sign a certificate:
- (i) stating the consideration for, and the terms of, the issue;
 - (ii) describing the consideration in sufficient detail to identify it;
 - (iii) where a present cash value has been determined in accordance with clause 3.2(a)(ii), stating that value and the basis for assessing it;
 - (iv) stating that, in their opinion, the consideration for and terms of issue are fair and reasonable to the company and to all existing shareholders; and
 - (v) if the shares are to be issued other than for cash payable on issue, stating that, in their opinion, the present cash value is not less than the amount to be credited as paid up for the issue of the shares.
- (b) A copy of the directors' certificate given under clause 3.3(a) must be filed with the Registrar within 10 working days after it is given.

3.4 Payment for shares already issued. Before shares that have already been issued are credited as fully or partly paid up other than for cash, the board must:

- (a) determine the reasonable present cash value of the consideration; and
- (b) resolve that, in its opinion, the present cash value of the consideration is:
 - (i) fair and reasonable to the company and all existing shareholders-, and
 - (ii) not less than the amount to be credited in respect of the shares.

3.5 Directors' certificate on payment for shares already issued.

(a) The directors voting in favour of a resolution under clause 3.4 regarding the consideration payable for shares previously issued, must sign a certificate:

- (i) describing the consideration in sufficient detail to identify it; and
- (ii) stating:
 - (A) the present cash value of the consideration and the basis for assessing it;
 - (B) that the present cash value of the consideration is fair and reasonable to the company and to all existing shareholders; and
 - (C) that the present cash value of the consideration is not less than the amount to be credited in respect of the shares.

(b) A copy of the directors' certificate given under clause 3.5 must be filed with the Registrar within 10 working days after it is given.

3.6 Deemed payment other than for cash. For the purposes of clauses 3.2 and 3.4, shares that are (or are to be) credited as paid up (whether wholly or partly) as part of an arrangement that involves the transfer of property or the provision of services and an exchange of cash or cheques or other negotiable instruments (whether simultaneously or not), must be treated as paid up other than in cash to the value of the property or services.

3.7 Amount owing on issue of shares. Where money or other consideration is due at a fixed time to the company on shares in accordance with their terms of issue, that amount does not comprise a call and no notice is required to be given to the shareholder (or other person liable under the terms of issue) before the company may enforce payment of the amount due.

3.8 Company paying up partly paid shares. Subject to the solvency test being satisfied after the distribution is made, and to clause 3.4, the board may

authorise the payment (from the assets of the company) of any amount unpaid on shares already issued by the company.

4. Shareholders to covenant titles

4.1 Covenant on title. A covenant shall be noted against each Owner's title in favour of the Company, whereby each Owner covenants to become and remain a shareholder so long as they continue to be an Owner and to perform the obligations of a shareholder as set out in the constitution. Each shareholder shall, prior to settling the sale of a residential lot, procure the purchaser to enter into, execute and deliver to the Company a Deed of Covenant in favour of the Company, wherein the purchaser covenants to become contemporaneously with the transfer of the residential lot and remain a shareholder so long as they continue to be an Owner and to observe and perform the obligations of a share holder as set out in this constitution. The Deed of Covenant shall be prepared by the solicitors for the Company, and the selling shareholder shall pay the reasonable legal fees and disbursements of the Company's solicitors.

4.2 On going planting. Each shareholder who is an Owner shall observe, perform and keep all and singular the Company's obligations with regard to the residential lot owned by the shareholder as provided in condition (c) (xvi) of Resource Consent R24931.

4.3 Each shareholder shall immediately upon becoming an Owner, (and thereafter as any details change) provide the Company with the details necessary for the maintenance of a register of share holders

4.4 Each shareholder shall, if required by the Company, grant to the Company and any nominee of the Company a licence to enter upon the land of the shareholder in order to carry out the obligations contained in Resource Consent R24931.

5. Transfer of shares

5.1 Entry in register. Subject to clause 5.2, shares may be transferred by entry of the name of the transferee on the register, provided however, that no shareholder shall sell, transfer, assign, give, alienate or otherwise dispose of (whether by operation of law or otherwise) to another person all or any part of, or any interest in, its shares in the Company except contemporaneously with the disposal of that shareholder's interest in a residential lot, and in that case the shareholder must transfer his or her shares to the person acquiring the shareholder's interest in the residential lot.

5.2 Signed transfer. For the purpose of transferring shares, a form of transfer signed by the present holder of the shares or the holder's personal representative must be delivered to the Company or to the agent of the Company who maintains the register.

5.3 Form of transfer.

- (a) The form of transfer may be in the form set out in the First Schedule to the Securities Transfer Act 1991 or in any usual or common form, or any other form approved by the board.
- (b) The form of transfer must be signed by the transferee.

5.4 Board's right to refuse or delay registration of transfer.

- (a) The board may, within 30 working days of the receipt of a form of transfer of shares, refuse or delay the registration of the transfer if:
 - (i) the holder of the shares has failed to pay an amount due to the company in respect of those shares;
 - (ii) the board considers that to effect the transfer would result in a breach of the law,
 - (iii) the board considers that it is not in the best interests of the company to register the transfer; or
 - (iv) clause 7.3 (transfer to be accompanied by share certificate) has not been complied with or the form of transfer has not been properly executed or does not comply with clause 5.3.
- (b) A resolution of the board to refuse or delay a transfer of shares must set out in full the reason for doing so, and a copy of the resolution must be sent to the transferor and transferee within 5 working days of the date of the resolution being passed.

5.5 Registration of transfer. Subject to clauses 5.2 and 5.3, on receipt of a duly completed form of transfer, the company must enter the name of the transferee on the register as holder of the shares, unless the board has resolved in accordance with clause 5.4 to refuse or delay the registration of the transfer of the shares.

6. Share register

6.1 Maintain register.

- (a) The company must maintain a register which records all shares issued by the company and which states:
 - (i) whether, under this constitution or the terms of issue of any shares, there are any restrictions or limitations on their transfer; and
 - (ii) For each shareholder - name, address, occupation, telephone number and facsimile number
 - (iii) Ownership - the date on which each owner became a share holder
 - (iv) Voting - where there is more than one owner of a residential lot, which of such owners is entitled to vote in accordance with clause 6.5

(v) Mortgagee - name, contact person, telephone number, facsimile number of any person who holds a mortgage over the shareholder's residential lot.

(vi) where any document that contains the restrictions or limitations may be inspected.

(b) The company may appoint an agent to maintain the register.

6.2 Contents of register. The register must state, with respect to each class of shares:

(a) the names (alphabetically arranged) and the latest known address of each person who is, and each person who has been within the last 10 years, a shareholder;

(b) the number of shares held by each shareholder within the last 10 years; and

(c) the date of any:

(i) issue of shares to;

(ii) repurchase or redemption of shares from; or

(iii) transfer of shares by or to;

each shareholder within the last 10 years; and in relation to the transfer, the name of the person to or from whom the shares were transferred.

6.3 Directors' duty to supervise register. It is the duty of each director to take reasonable steps to ensure that the register is properly kept and that the transferees' names are promptly entered on it in accordance with clause 5.5.

6.4 Register prima facie evidence. Subject to section 91 of the Act (power of Court to rectify register), the entry of the name of a person in the register as holder of a share is prima facie evidence that the legal title to the share is vested in that person.

6.5 Register evidence of rights. The company may treat the registered holder of a share as the only person entitled to:

(a) exercise the right to vote attaching to the share;

(b) receive notices in respect of the share;

(c) receive a distribution in respect of the share; and

(d) exercise the other rights and powers attaching to the share.

6.6 Trust not to be registered or recognised.

- (a) No notice of a trust, whether express, implied, or constructive, may be entered on the register.
- (b) Except as required by law, no person will be recognised by the company as holding any share upon trust or holding any interest in a share (whether equitable, contingent, future or partial) except the absolute legal right to the entirety of the share vested in the registered holder.
- (c) A personal representative of a deceased holder of shares is entitled to be entered in the register as the holder of such shares as a personal representative. The registration of a trustee, executor or administrator as a personal representative of a deceased shareholder does not constitute notice of a trust.

7. Share certificates

7.1 Application for share certificate. A shareholder may apply to the company for a certificate relating to some or all of the shareholder's shares.

7.2 Issue of share certificate.

- (a) The company must, within 20 working days after receiving an application for a share certificate under clause 7.1, send to the shareholder a certificate stating the name of the company, and the class and number of shares to which the certificate relates.
- (b) If the application relates to some but not all of the applicant's shares, the company must separate the shares shown in the register as owned by the applicant into separate parcels; one parcel being the shares to which the share certificate relates, and the other parcel being any remaining shares.

7.3 Transfer to be accompanied by share certificate. Notwithstanding clause 4 of this constitution and section 84 of the Act (transfer of shares), where a share certificate has been issued, a transfer of the shares to which it relates must not be registered by the company unless the form of transfer is accompanied by the share certificate relating to the shares (or by evidence as to its loss or destruction and, if required, an indemnity in a form required by the board).

7.4 Surrendered share certificate. Where shares to which a share certificate relates are transferred, and the share certificate has been sent to the company to enable registration of the transfer, the share certificate will be cancelled and no further share certificate will be issued except at the request of the transferee.

8. Transmission of shares

- (a) In the case of the death of a shareholder, the survivor (where the deceased was a joint holder) or the legal personal representative of the deceased (where the deceased was a sole holder) will be the only

person recognised by the company as having any title to the deceased's interest in the shares. Nothing contained in this clause 8(a) will release the estate of a deceased joint holder from any liability in respect of any share which had been jointly held by the deceased with other persons.

- (b) Notwithstanding clause 6.6 (trust not to be registered or recognised), the assignee of the property of a bankrupt shareholder is entitled to be registered as the holder of the shares held by the bankrupt.

9. Levies

- 9.1 Prior to or as soon as practical after the commencement of each Expense Year, the Company shall by written notice advise each shareholder of the Company's estimate of each shareholder's proportion of Operating Expenses for that Expense Year, plus such contingency sums as the Company shall, in its sole discretion, fix.

Subject to clause 9.2 hereof, each share holder shall on the first of each quarter in each Expense Year, pay one quarter of the Company's estimate applicable to that Expense Year. Payment shall be by each share holder in the manner set by the Company.

- 9.2 As soon as practicable after the end of each Expense Year the Company shall provide to each shareholder an itemised statement of the actual Operating Expenses for the previous Expense Year or any other period in terms of clause 9.1 hereof, as the case may be. If the shareholder's proportion of the actual Operating Expenses for the previous Expense Year or any other period is greater than the total of the quarterly payments made by the shareholder, the shareholder shall forthwith pay the difference. If the shareholder's proportion of actual Operating Expenses for the previous Expense Year or any other period is less than the total of the quarterly payments made by the shareholder, the Company shall credit the difference to that shareholder's portion of the Company's estimate for the then current Expense Year

- 9.3 If the Company has failed to advise a shareholder of the Company's estimate for an Expense Year before the date on which the first payment is due, the shareholder shall on that date and every other date on which a payment is due pay one quarter of the Company's Estimate applicable to the previous Expense Year.

On the Company's Estimate for the Expense Year being advised to that shareholder:

- (a) Clause 9.1 hereof shall apply thereafter.
- (b) If the aggregate of a shareholder's payments under this provision during the Expense Year exceeds the aggregate of the payments which should have been made under clause 9.1 hereof, the Company

shall credit the difference to that shareholder's portion of the Company's Estimate.

- (c) If the aggregate of a shareholder's payments under this provision during the Expense Year is less than the aggregate of payments which should have been made under clause 9.1, the shareholder shall immediately pay the Company the difference.

9.4 Special Levies

The Company:

- (a) shall from time to time fix any additional levy to be paid by each shareholder together with the quarterly instalments of the Company's estimate for that shareholder, to be set aside as a sinking fund to allow for and meet the costs of capital improvements.
- (b) may from time to time fix such special levies, payable by each shareholder at such times as are set by the Company, as the Company considers are necessary for it to meet its obligations under this constitution, and without limitation, such special levies may be raised in order for the Company to meet its commitments under its objectives;

provided that any levy payable by a shareholder under this clause shall be equal to that shareholder's Proportion of the total estimated cost to be provided for and met from the proceeds of the levies paid any shareholders.

9.5 Staged development.

The shareholders acknowledge that the Falls Road development is to be developed in stages, with new Owners becoming shareholders as each stage is completed.

9.6 Where in any Expense Year newly developed properties become available:

- (a) The Company shall provide to any shareholders (excluding the Owners of the new developed properties) ("Existing shareholders") an itemised statement of the actual Operating Expenses for the period from the commencement of the current Expense Year to the date the new developed properties became available ("Period"). The date the newly developed properties become available shall be determined by the Directors. If the amount of an Existing shareholder's Proportion of Operating Expenses for the Period is greater than the total of the monthly payments made or due for the Period, the Existing shareholder shall forthwith pay to the Company the difference. If the amount of an Existing member's Proportion of Operating Expenses for the Period is less than the total of the monthly payments made or due for that Period, the Company shall credit the difference to those

shareholders' portions of the Company's Estimate for the balance of the term of current Expense Year pursuant to clause 9.2.

- (b) As soon as practicable after the date the newly developed properties become available, the Company shall by written notice advise any shareholder of the Company's estimate of each shareholder's Proportion of Operating Expenses for the balance of the term of the current Expense Year.
- (c) Each shareholder shall, on the first of each month until the end of the current Expense Year, pay an equal proportion of the Company's Estimate given pursuant to clause 9.1.

9.7. Sale of residential lot

9.7 Where a shareholder ("the Seller") sells a residential lot:

- (a) Notwithstanding any other rule in this Constitution, the Seller shall remain liable for sums owed to the Company by that Seller.
- (b) The Seller shall continue to be liable as a primary and principal debtor for all indebtedness relating to the residential lot, to the Company until such time as a deed of covenant specified in clause 10.2 is received by the Company.
- (c) The buyer of the residential lot shall be liable as a shareholder for any indebtedness of the Seller to the Company in respect of the residential lot purchased and a certificate of the Company given pursuant to clause 9.2 shall be conclusive as to the sum of this indebtedness.

9.8 The Company shall on application by a shareholder, or any person authorized in writing by such shareholder, provide the shareholder or authorized person with a statement of the indebtedness of the shareholder to the Company calculated to the date specified in the application. The statement shall show:

- (a) the Company's estimate of such shareholder's Proportion of Operating Expenses for the current Expense Year;
- (b) payments made by the shareholder on account of Operating Expenses in the current Expense Year, and not paid by the shareholder;
- (c) payments due from the shareholder on account of Operating Expense in the current Expense Year, and not paid by the shareholder;
- (d) any accumulated unpaid default interest.

10. Covenants and Rules

- 10.1 Each shareholder agrees to promptly and duly comply with any rules made by the Company from time to time, and any covenants given in favour of the Company by such shareholder (whether by separate deed or covenant or as noted against each residential lot).
- 10.2 Each shareholder agrees to duly comply with all the terms of the land covenants registered against the residential lot and to enter into a deed of covenant with the shareholder as required by those land covenants.
- 10.3 Before granting any mortgage over a residential lot, a shareholder shall procure the intended mortgagee to enter into a deed with the Company (at the cost of the shareholder) covenanting to observe and perform the rules of the Constitution upon exercising any powers as mortgagee.
- 10.4 Covenants shall be noted against each residential lot in favour of the Company. The Company shall not, except by Special Resolution, agree to the alteration of the terms of the covenants as first noted against each residential lot.

11. BREACH OF OBLIGATIONS

Occupiers and Invitees consequences

- 11.1 A reference to an act or omission by any shareholder shall include any act or omission by any mortgagee in possession of that shareholder 's residential Lot or the occupiers of such shareholder 's Residential Lot, the invitees of such occupier and the invitees of such shareholder or the mortgagee in possession of that shareholder 's Residential shareholder.

Consequences

- 11.2 Upon any breach of this Constitution by a shareholder ("offending shareholder"):
 - (a) Where damaged has been caused to the waste water facilities, the offending shareholder shall make good such damage.
 - (b) If such default continues for seven days after notice is given by the Secretary to the offending shareholder to remedy the default, the Company may do anything, including paying money, necessary to remedy the default.
 - (c) The company may recover from any offending shareholder all money paid and expenses incurred by the Company (including any legal costs of the Company) in remedying, or attempting to remedy, any breach of that offending shareholder.

12. LIMITATIONS OF THE COMPANY

No Indebtedness

- 12.1 The Company shall not borrow any money other than short-term borrowing to cover any temporary shortfall in meeting the Company's obligations under this Constitution, except by Special Resolution.

No Encumbrances

- 12.2 The Company shall not mortgage, charge, encumber, transfer or otherwise deal with the wastewater facilities, except by Special Resolution.

No Investments

- 12.3 The Company shall hold all funds with a bank registered under the Reserve Bank of New Zealand Act 1989 and shall not invest those funds other than by deposit with such a bank, except by Special Resolution.

No Improper Use

- 12.4 All Communal Facilities designed for recreational purposes shall be used only for such purposes. The Company may procure the noting of a restrictive covenant to that effect against the title for such facilities for the benefit of any shareholders.

13. ENCUMBRANCE

- 13.1. Every shareholder of the Company from time to time shall encumber the land owned by that shareholder with a memorandum of encumbrance so that at all times every property will be subject to a memorandum of encumbrance in terms of these provisions
- 13.2 The memorandum of encumbrance shall be to the following effect (except as the same is varied from time to time by the Company):

14. Lien

14.1 Lien.

- (a) The company has a first and paramount lien upon every share registered in the name of a shareholder (whether solely or jointly with others) and upon the proceeds of sale of those shares. This lien is for:
- (i) all money payable (whether presently or not) in respect of shares held by the shareholder;
 - (ii) all other money presently payable by the shareholder to the company on any account whatever; and

- (iii) any amount the company may be called upon to pay under any statute or regulation in respect of shares of a deceased shareholder or other shareholder (whether or not the period for the payment, fulfilment or discharge has actually arrived).

15. Statement of shareholder rights

15.1 Issue of statement of rights to shareholder.

- (a) The company must issue to any shareholder, on request, a statement that sets out:
 - (i) the class of shares held by the shareholder, the total number of shares of that class issued by the company, and the number of shares of that class held by the shareholder;
 - (ii) the rights, privileges, conditions, and limitations, including restrictions on transfer, attaching to the shares held by the shareholder; and
 - (iii) the relationship of the shares held by the shareholder to other classes of shares.
- (b) The company is not obliged to provide a shareholder with a statement under clause 15.1(a), if:
 - (i) a statement that complies with clause 15.1(a)(i) to (iii) (inclusive) has been provided within the previous 6 months;
 - (ii) the shareholder has not acquired or disposed of shares since the previous statement was provided;
 - (iii) the rights attached to the shares have not been altered since the previous statement was provided; and
 - (iv) there are no special circumstances which would make it unreasonable for the company to refuse the request.
- (c) A statement issued pursuant to clause 15.1(a) must state in a prominent place that it is not evidence of title to the shares or of the matters set out in it.

16. Exercise of powers reserved to shareholders

16.1 Powers reserved to shareholders.

- (a) Powers reserved to shareholders of the company by the Act or by this constitution may be exercised:
 - (i) at an annual meeting or a special meeting; or

(ii) by a resolution in lieu of a meeting pursuant to clause 16.3.

(b) Unless otherwise specified in the Act or this constitution, a power reserved to shareholders may be exercised by an ordinary resolution.

16.2 Special resolutions. When shareholders exercise a power to approve any of the following, that power may only be exercised by a special resolution:

(a) an alteration to or revocation of this constitution or the adoption of a new constitution, provided that any alteration of this constitution requires the approval of the Rodney District Council;

(b) a major transaction;

(c) an amalgamation;

(d) the liquidation of the company.

Any decision made by special resolution pursuant to this clause may be rescinded only by a special resolution, provided that a resolution to put the company into liquidation cannot be rescinded.

16.3 Management review by shareholders.

(a) A shareholder may question, discuss, and comment on the management of the company at a meeting of shareholders.

(b) A meeting of shareholders may pass a resolution relating to the management of the company.

(c) Notwithstanding section 128 of the Act (management of company by board) or any other clause of this constitution, a resolution relating to the management of the company passed at a meeting of shareholders (in accordance with clause 16.3(b)) is not binding on the board.

16.4 Shareholder proposals.

(a) A shareholder may give written notice to the board of a matter the shareholder proposes to raise for discussion or resolution at the next meeting of the shareholders at which the shareholder is entitled to vote.

(b) If the notice is received by the board 20 or more working days before the last day on which notice of the relevant meeting of shareholders is required to be given by the board, the board must (at the expense of the company) give notice of the shareholder's proposal and the text of any proposed resolution to all shareholders entitled to receive notice of the meeting.

(c) If the notice is received by the board between 5 and 20 working days (inclusive) before the last day on which notice of the relevant meeting

of shareholders is required to be given by the board, the board must (at the expense of the shareholder) give notice of the shareholder's proposal and the text of any proposed resolution to all shareholders entitled to receive notice of the meeting.

- (d) If the notice is received by the board less than 5 working days before the last day on which notice of the relevant meeting of shareholders is required to be given by the board, the board may, if practicable, give notice (at the expense of the shareholder) of the shareholder's proposal and the text of any proposed resolution to all shareholders entitled to receive notice of the meeting.
- (e) If the directors intend that shareholders may vote on the proposal by proxy or by postal vote, they must give the proposing shareholder the right to include in or with the notice given by the board a statement of not more than 1000 words prepared by the proposing shareholder in support of the proposal, together with the name and address of the proposing shareholder.
- (f) The board is not required to include in or with the notice given by the board a statement prepared by a shareholder which the directors consider to be defamatory, frivolous, or vexatious.
- (g) Where the costs of giving notice of the shareholder's proposal and the text of any proposed resolution are required to be met by the proposing shareholder, the proposing shareholder must (on giving notice to the board) deposit with the company or tender to the company a sum sufficient to meet those costs.

17. Meetings of shareholders

17.1 Annual meeting.

- (a) The board must, in accordance with section 120 of the Act, call an annual meeting of shareholders to be held:
 - (i) once in each calendar year (other than in the year of the company's incorporation);
 - (ii) not later than six months after the balance date of the company; and
 - (iii) not later than 15 months after the previous annual meeting, or in respect of the first annual meeting not later than 18 months after the date of the company's incorporation.
- (b) The company must hold the annual meeting on the date on which it is called to be held.

17.2 Special meetings. A special meeting:

- (a) may be called at any time by the board; and
- (b) must be called by the board on the written request of shareholders holding not less than five per cent of the votes entitled to be cast on the issue.

17.3 Resolution in lieu of meeting.

- (a) Subject to clause 17.3(b), a resolution in writing signed by not less than 75 per cent of the shareholders who would be entitled to vote on that resolution at a meeting of shareholders, who together hold not less than 75 per cent of the votes entitled to be cast on that resolution, is as valid as if it had been passed at a meeting of those shareholders.
- (b) A resolution pursuant to section 196(2) of the Act to not appoint an auditor may be passed as provided in clause 17.3(a), provided that the resolution must be signed by all the shareholders entitled to vote on the resolution.
- (c) Within 5 working days of a resolution being passed under this clause, the company must send a copy of the resolution to every shareholder who did not sign the resolution or on whose behalf the resolution was not signed.

17.4 Chairperson of meetings of shareholders.

- (a) If the directors have elected a chairperson, and that chairperson is present at a meeting of shareholders, he or she must chair the meeting.
- (b) If no chairperson has been elected or if, at any meeting of shareholders, the chairperson is not present within 15 minutes of the time appointed for the commencement of the meeting, the shareholders present may choose one of their number to chair the meeting.

17.5 Shareholders entitled to notice of meeting.

- (a) The shareholders entitled to receive notice of a meeting of shareholders are those shareholders of the relevant class:
 - (i) if the board has fixed a date for the purpose of establishing an entitlement to receive notice of meeting, whose names are registered in the register on that date; or
 - (ii) if the board does not fix a date for purpose of establishing an entitlement to receive the notice of meeting, whose names are registered in the register at the close of business on the day immediately preceding the day on which the notice is given.
- (b) A date fixed by the board under clause 17.5(a)(i) must not precede by more than 30 working days nor less than 10 working days the date on which the meeting is to be held.

17.6 Notice of meeting. Written notice of the time and place of a meeting of shareholders must be sent to every shareholder entitled to receive notice of the meeting, and to every director and the auditor of the company, not less than 10 working days before the meeting.

17.7 Contents of notice. The notice referred to in clause 17.6 must state:

- (a) the nature of the business to be transacted at the meeting in sufficient detail to enable a shareholder to form a reasoned judgment in relation to it;
- (b) the text of any special resolution to be submitted to the meeting;
- (c) the postal address to which postal votes may be sent and the name or office of person to whom they may be sent; and
- (d) that the postal vote must be received by the person referred to in paragraph (c) at least 48 hours prior to the start of the meeting.

17.8 Irregularities in notice.

- (a) An irregularity in a notice of a meeting is waived if all the shareholders entitled to receive notice of the meeting attend the meeting and agree to the waiver.
- (b) The accidental omission to give notice of a meeting to, or a failure to receive notice of a meeting by, a shareholder does not invalidate the proceedings at that meeting.

17.9 Method of holding meeting. A meeting of shareholders may be held either:

- (a) by a number of shareholders, who constitute a quorum, being assembled together at the place, date and time appointed for the meeting; or
- (b) by means of audio, or audio and visual, communication by which all shareholders participating and constituting a quorum, can simultaneously hear each other throughout the meeting.

17.10 Adjournments. If a meeting of shareholders is adjourned for less than 30 days, it is not necessary to give notice of the time and place of the adjourned meeting other than by announcement at the meeting which is adjourned. [Clause 2 of First Schedule; subject to constitution.]

17.11 Minutes.

- (a) The board must ensure that [full and accurate] minutes are kept of all proceedings at meetings of shareholders.
- (b) Minutes which have been signed as correct by the chairperson of the meeting are prima facie evidence of the proceedings.

18. Voting at meetings

18.1 Quorum.

- (a) A quorum for a meeting of shareholders is present if those shareholders who have cast postal votes or who are present, or their proxies who are present, are between them able to exercise a majority of the votes entitled to be cast on the business to be transacted by the meeting.
- (b) Subject to clause 18.1(c), no business may be transacted at a meeting of shareholders if a quorum is not present.
- (c) If a quorum is not present within 30 minutes after the time appointed for the meeting:
 - (i) in the case of a meeting called pursuant to a requisition of shareholders under clause 18.2(b), the meeting is dissolved:
 - (ii) in the case of any other meeting, the meeting is adjourned to the same day in the following week at the same time and place, or to such other date, time and place as the directors may appoint and if at the adjourned meeting, a quorum is not present within 30 minutes after the time appointed for the meeting, the shareholders present or their proxies are a quorum.

18.2 Voting.

- (a) In the case of a meeting of shareholders held under clause 17.9(a), unless a poll is demanded, voting at the meeting shall be by whichever of the following methods is determined by the chairperson of the meeting:
 - (i) voting by voice; or
 - (ii) voting by show of hands.
- (b) In the case of a meeting of shareholders held under clause 17.9(b), unless a poll is demanded, voting at the meeting shall be by the shareholders signifying individually their assent or dissent by voice.
- (c) A declaration by the chairperson of the meeting that a resolution is carried by the requisite majority is conclusive evidence of that fact, unless a poll is demanded in accordance with clause 14.2(d).
- (d) At a meeting of shareholders, a poll may be demanded by:
 - (i) not less than 5 shareholders having the right to vote at the meeting; or

- (ii) a shareholder or shareholders representing not less than 10 per cent of the total voting rights of all shareholders having the right to vote at the meeting; or
 - (iii) a shareholder or shareholders holding shares that confer a right to vote at the meeting and on which the aggregate amount paid up is not less than 10 per cent of the total amount paid up on all shares that confer that right.
- (e) A poll may be demanded either before or after the vote is taken on a resolution.
 - (f) If a poll is taken, votes must be counted according to the votes attached to the shares of each shareholder present (in person or by proxy) and voting.
 - (g) The chairperson of a shareholders' meeting is not entitled to a casting vote.

18.3 Proxies and representatives.

- (a) A shareholder may exercise the right to vote either by being present or by proxy.
- (b) A proxy for a shareholder is entitled to attend, be heard, and vote at a meeting of shareholders as if the proxy were the shareholder.
- (c) A proxy must be appointed by notice in writing signed by the shareholder, and the notice must state whether the appointment is for a particular meeting or a specified term not exceeding 12 months.
- (d) No proxy is effective in relation to a meeting unless a copy of the notice of appointment is produced before the start of the meeting.
- (e) A body corporate which is a shareholder may appoint a representative to attend a meeting of shareholders on its behalf in the same manner as that in which it could appoint a proxy.

18.4 Postal votes.

- (a) A shareholder may exercise the right to vote at a meeting by casting a postal vote in accordance with the provisions of this clause 14.4.
- (b) The notice of a meeting at which shareholders are entitled to cast a postal vote must state the name of the person authorised by the board to receive and count postal votes at that meeting.
- (c) If no person has been authorised to receive and count postal votes at a meeting, or if no person is named as being so authorised in the notice of the meeting, every director is deemed to be so authorised.

- (d) A shareholder may cast a postal vote on all or any of the matters to be voted on at the meeting, by sending a notice of the manner in which his or her shares are to be voted to a person authorised to receive and count postal votes at that meeting. The notice must reach that person not less than 48 hours before the start of the meeting.
- (e) It is the duty of the person authorised to receive and count postal votes at a meeting:
 - (i) to collect together all postal votes received by him or her, or by any other authorised person, or by the company;
 - (ii) in relation to each resolution to be voted on at the meeting, to count:
 - (A) the number of shareholders voting in favour of the resolution and the number of votes cast by each shareholder in favour of the resolution; and
 - (B) the number of shareholders voting against the resolution, and the number of votes cast by each shareholder against the resolution;
 - (iii) to sign a certificate stating that he or she has carried out the duties set out in paragraphs (a) and (b) of this clause and which sets out the results of the counts required by paragraphs (b) of this clause; and
 - (iv) to ensure that the certificate required by paragraph (c) of this clause is presented to the chairperson of the meeting.
- (f) If a vote is taken at a meeting on a resolution on which postal votes have been cast, the chairperson of the meeting must:
 - (a) on a vote by show of hands, count each shareholder who has submitted a postal vote for or against the resolution;
 - (b) on a poll, count the votes cast by each shareholder who has submitted a postal vote for or against the resolution.
- (g) The chairperson of a meeting must call for a poll on a resolution on which the chairperson holds sufficient postal votes that if a poll were taken the result could differ from that obtained on a show of hands.
- (h) The chairperson of a meeting must ensure that a certificate of postal votes held by the chairperson is annexed to the minutes of the meeting.

18.5 Votes of joint holders. Where 2 or more persons are recorded in the register as the holder of a share, the vote of the person named first in the register and voting on a resolution will be accepted to the exclusion of the votes of the other joint holders.

18.6 Unpaid calls. If a sum due to the company in respect of a share has not been paid, that share may not be voted at a shareholders' meeting other than at a meeting of an interest group.

19. Appointment and removal

19.1 Number of directors. the number of directors may not be fewer than 1 nor more than 10.

19.2 First directors. The first directors are the persons named as the directors in the application for incorporation of the company.

19.3 Appointment and removal by notice.

(a) Subject to clauses 19.2 and 19.4, the directors are the persons appointed from time to time as directors by a notice in writing signed by the holders of the majority of the ordinary shares and who have not retired or been removed or disqualified from office under this constitution.

(b) A director may be removed from office at any time by a notice in writing signed by the holders of the majority of the ordinary shares.

(c) A notice given under clauses 19.3(a) or 19.3(b) takes effect upon receipt of it at the registered office of the company (including the receipt of a facsimile copy) unless the notice specifies a later time at which the notice will take effect. The notice may comprise one or more similar documents separately signed by the shareholders giving the notice.

(d) A director holds office until his or her retirement, disqualification or removal in accordance with this constitution.

19.4 Appointment and removal of directors by resolution.

(a) In addition to the appointment or removal of directors under clause 15.3, a director may be appointed or removed from office by an ordinary resolution.

(b) A resolution to appoint 2 or more directors may be voted on as one resolution without each appointment being voted individually. [Section 155; subject to constitution.]

(c) A notice of meeting at which the removal of a director will be considered must state that a purpose of the meeting is the removal of the director.

19.5 Disqualification and removal. A person will be disqualified from holding the office of director if he or she:

(a) is removed under clauses 19.3 or 19.4; or

- (b) resigns in writing and is not reappointed in accordance with this constitution, or
- (c) becomes disqualified from being a director pursuant to section 151 of the Act; or
- (d) is prohibited from being a director or promoter of or being concerned with or taking part in the management of a company under section 382 or section 385 of the Act; or
- (e) dies; or
- (f) becomes a protected person under the Protection of Personal and Property Rights Act 1988; or
- (g) is under 18 years of age; or
- (h) is an undischarged bankrupt; or
- (i) is prohibited by the Companies Act 1993 from being a director or would be so prohibited but for the repeal of that statute; or
- (j) shall be absent from four successive meetings of directors without prior special leave of the directors.

19.6 Shareholding qualification. A director is required to hold shares.

19.7 Alternate directors.

- (a) Every director may, by notice given in writing to the company, appoint any person (including any other director) to act as an alternate director in the director's place, either generally, or in respect of a specified meeting or meetings during the director's absence from a meeting.
- (b) At the director's discretion, by notice in writing to the company, the appointing director may remove the director's alternate director.
- (c) An alternate director may, while acting in the place of the appointing director, represent, exercise and discharge all the powers, rights, duties and privileges (but not including the right of acting as chairperson and signing board resolutions) of the appointing director. The alternate director is subject in all respects to the same terms and provisions as the appointing director, except as regards remuneration and except as regards the power to appoint an alternate director under this constitution.
- (d) For the purpose of establishing a quorum of the board, an alternate director is deemed to be the director appointing him or her, and if the

alternate director is a director he or she can count separately in both capacities.

- (e) An alternate director does not have a right to attend, speak or vote at a meeting of the board while his or her appointing director is present.
- (f) An alternate director's appointment lapses upon his or her appointing director ceasing to be a director.
- (g) The notice of appointment of an alternate director must include an address for service of notice of meetings of the board. Failure to give an address will not invalidate the appointment, but notice of meetings of the board need not be given to the alternate director until an address is provided to the company.
- (h) An alternate director shall not be the agent of his or her appointor, and shall exercise his or her duties as a director independently of his or her appointor.

20. Indemnity and insurance

20.1 Indemnity of directors and employees.

- (a) The board shall cause the company to indemnify a director or employee of the company or a related company for costs incurred by him or her in any proceeding:
 - (i) that relates to liability for any act or omission in his or her capacity as a director or employee; and
 - (ii) in which judgment is given in his or her favour or in which he or she is acquitted, or which is discontinued.
- (b) The board shall cause the company to indemnify a director or an employee of the company or a related company in respect of:
 - (i) liability to any person other than the company or a related company for any act or omission in his or her capacity as a director or employee; or
 - (ii) costs incurred by the director or employee in defending or settling any claim or proceeding relating to any liability under paragraph (a) above;

not being:

- (iii) criminal liability; or
- (iv) liability for the breach of section 131 (director's duty to act in good faith and in the best interests of the company); or

- (v) liability for breach of any fiduciary duty owed to the company or related company.

20.2 Insurance of directors and employees.

- (a) The board may, subject to section 162 of the Act, cause the company to effect insurance for directors and employees of the company or a related company in respect of:
 - (i) liability, not being criminal liability, for any act or omission in his or her capacity as a director or employee; or
 - (ii) costs incurred by such directors or employees in defending or settling any claim or proceeding relating to any such liability; or
 - (iii) costs incurred by a director or employee in defending any criminal proceedings in which he or she is acquitted.
- (b) The directors who vote in favour of authorising the effecting of insurance under clause 16.2(a) must sign a certificate stating that, in their opinion, the cost of effecting the insurance is fair to the company.
- (c) The board must ensure that particulars of any indemnity given to, or insurance effected for, any director or employee of the company or related company are forthwith entered in the interests register.

20.3 Definitions. For the purpose of this clause 20, "director" includes a former director and "employee" includes a former employee.

21. Powers and duties of the board

21.1 Powers of the board.

- (a) Subject to clause 21.1(b) and any restrictions in the Act or this constitution, the business and affairs of the company must be managed by or under the direction or supervision of the board.
- (b) The board has, and may exercise, all the powers necessary for managing, directing and supervising the management of the business and affairs of the company except to the extent that this constitution or the Act expressly requires those powers to be exercised by the shareholders or any other person.

11.2 Delegation by board.

- (a) The board may delegate to a committee of directors, a director, an employee of the company, or any other person any one or more of its powers, other than the powers referred to in the following sections of the Act:
 - (i) section 23(1)(c) (change of company name);
 - (ii) section 42 (issue of other shares);

- (iii) section 44 (shareholder approval for the issue of shares);
 - (iv) section 47 (consideration for the issue of shares);
 - (v) section 52 (distributions);
 - (vi) section 54 (shares in lieu of dividends);
 - (vii) section 55 (shareholder discounts);
 - (viii) section 60 (offers to acquire shares);
 - (ix) section 61 (special offers to acquire shares);
 - (x) section 63 (stock exchange acquisitions subject to prior notice to shareholders);
 - (xi) section 65 (stock exchange acquisitions not subject to prior notice to shareholders);
 - (xii) section 69 (redemption of shares at the option of the company);
 - (xiii) section 71 (special redemption's of shares);
 - (xiv) section 76 (provision of financial assistance);
 - (xv) section 78 (special financial assistance);
 - (xvi) section 80 (financial assistance not exceeding 5 per cent of shareholders' funds);
 - (xvii) section 84(4) (transfer of shares);
 - (xviii) section 187 (change of registered office);
 - (xix) section 193 (change of address for service);
 - (xx) section 221 (manner of approving an amalgamation proposal);
 - (xxi) section 222 (short form amalgamations);
- (b) The board is responsible for the exercise of a power by any delegate (where that power is delegated under this clause 21.2(b) as if the power had been exercised by the board, unless the board:
- (i) believed on reasonable grounds at all times before the exercise of the power that the delegate would exercise the power in conformity with the duties imposed on the directors by the Act and this Constitution. and

- (ii) has monitored, by means of reasonable methods properly used, the exercise of the power by the delegate.

21.3 Directors to act in good faith.

- (a) Subject to this clause 21.3, a director, when exercising powers or performing duties, must act in good faith and in what the director believes to be the best interests of the company.
- (b) If the company is a wholly-owned subsidiary, a director may (when exercising powers or performing duties as a director), act in a manner which he or she believes is in the best interests of the company's holding company even though it may not be in the best interests of the company.
- (c) If the company is a subsidiary (but not a wholly-owned subsidiary), a director may, when exercising powers or performing duties as a director, with the prior agreement of the shareholders (other than its holding company), act in a manner which he or she believes is in the best interests of the company's holding company even though it may not be in the best interests of the company.
- (d) If the company is incorporated to carry out a joint venture between its shareholders, the director may, when exercising powers or performing duties as a director in connection with the carrying out of the joint venture, act in a manner which he or she believes is in the best interests of a shareholder or shareholders, even though it may not be in the best interests of the company.
- (e) Nothing in this clause 21.3 limits the power of a director to make provision for the benefit of employees of the company in connection with the company ceasing to carry on the whole or part of its business.

21.4 Major transactions. The board may not procure or permit the company to enter into a major transaction unless the transaction is:

- (a) approved by a special resolution; or
- (b) made contingent on approval by a special resolution.

22. Proceedings of the board

22.1 Chairperson.

- (a) The directors may elect one of their number as chairperson of the board.
- (b) The director elected as chairperson holds that office until he or she ceases to be a director or the directors elect a chairperson in his or her place.

- (c) If no chairperson is elected, or if at a meeting of the board the chairperson is not present within 5 minutes after the time appointed for the commencement of the meeting, the directors present may choose one of their number to be chairperson of the meeting.

22.2 Notice of meeting

- (a) A director or, if requested by a director to do so, an employee of the company, may convene a meeting of the board by giving notice in accordance with this clause 22.2.
- (b) Not less than 2 days notice of a meeting of the board must be given to every director who is in New Zealand. The notice must include the date, time and place of the meeting and the matters to be discussed.
- (c) Any irregularity in the notice of a meeting is waived if all directors entitled to receive notice of the meeting attend the meeting without protest as to the irregularity.
- (d) Notice of a meeting may be given by any means, including by telephone. Notice given by a letter addressed to a director at his or her last known residential address will be deemed to have been given on the day following the day the letter is posted.
- (e) It is not necessary to give notice of a meeting of the board to any director for the time being absent from New Zealand, unless either:
 - (i) a director is resident outside New Zealand; or
 - (ii) to the knowledge of the company is temporarily absent from New Zealand;and (in each case) the director has appointed an alternate director under the provisions of this constitution, in which case notice must (subject to clause 22.7(g)) be given to the alternate director.

22.3 Method of holding meetings. A meeting of the board may be held either:

- (a) by a number of directors sufficient to form a quorum, being assembled together at the place, date, and time appointed for the meeting; or
- (b) by means of audio, or audio and visual communication, by which all the directors participating in the meeting and constituting a quorum, can simultaneously hear each other throughout the meeting.

22.4 Quorum.

- (a) A quorum for a meeting of the board is a majority of the directors.
- (b) No business may be transacted at a meeting of directors if a quorum is not present.
- (c) In accordance with clause 22.7, an alternate director present at a meeting may be included for the purpose of establishing a quorum.

22.5 Voting.

- (a) Every director has one vote.
- (b) The chairperson does not have a casting vote.
- (c) A resolution of the board is passed if it is agreed to by all directors present without dissent, or if a majority of the votes cast are in favour of it.
- (d) A director present at a meeting of the board is presumed to have agreed to, and to have voted in favour of, a resolution of the board, unless he or she expressly dissents from (or votes against) the resolution at the meeting.
- (e) A director may vote in respect of any transaction in which the director is interested and if the director does so the director's vote will be counted and the director will be counted in the quorum present at the meeting.
- (f) An alternate director may attend and vote at meetings of the board in accordance with and subject to clause 22.7(a) if the director that has appointed the alternate director is absent from the meeting.

22.6 Minutes. The board must ensure that full and accurate minutes are kept of all proceedings at meetings of the board.

22.7 Unanimous resolution.

- (a) A resolution in writing, signed or assented to by all directors then entitled to receive notice of a board meeting, is as valid and effective as if it had been passed at a meeting of the board duly convened and held.
- (b) Any such resolution may consist of several documents (including facsimile or other similar means of communication) in like form each signed or assented to by one or more directors.
- (c) A copy of any such resolution must be entered in the minute book of board proceedings.

22.8 Other proceedings. Except as provided in this clause 22 the board may regulate its own procedure.

22.9 Continuing directors. The continuing directors will continue to comprise the board notwithstanding any vacancy in the number of directors. If their number is reduced below the number fixed by or pursuant to this constitution as the minimum number of directors, the continuing directors will comprise the board only for the purpose of summoning a general meeting of the company and of increasing the number of directors to the minimum number.

22.10 Dispute between directors decided by shareholders

- (1) If any difference or dispute arises between the directors touching:-
- (a) The conduct, affairs, business, or interests of the company; or
 - (b) The construction of this constitution; or
 - (c) Any clause contained in this constitution; **and:**
if a complete or temporary deadlock in the management by the board of the affairs of the company is thereby created - then the matter in difference or dispute must be immediately referred by the board to the shareholders of the company at a special meeting to be called by the board for the purpose.

Arbitration if shareholders cannot agree

- (2) If at the special meeting there is a deadlock between the shareholders of the company, then the difference or dispute which is causing the deadlock must be referred to a single arbitrator, if the shareholders agree upon one; but....

Failure to agree on arbitrator

- (3) If they do not agree upon an arbitrator, then the arbitrator is to be nominated (on the application of any shareholder, at any time):
- (a) By (or on behalf of) the President of the New Zealand Law Society; or
 - (b) If the President declines to make the nomination, or at the option of any shareholder, then by (or on behalf of) the President of the Mediators' & Arbitrators' Institute of New Zealand Inc.

Substitute arbitrator

- (4) If the arbitrator dies, declines to act, or becomes incapable of acting, then the respective president may appoint another.

Power of arbitrator

- (5) Upon any such reference the arbitrator has power:
- (a) To take the opinion of any counsel he or she thinks fit upon any question of law that arises and to adopt (at his or her discretion) any opinion taken; and
 - (b) To obtain the assistance of any expert he or she thinks fit and to act (at his or her discretion) upon any statement of accounts, survey, valuation or other expert assistance thus obtained.

Observe arbitrator's decision

- (6) Each of the parties must do all things, and execute all instruments to give effect to the award by the Arbitrator.

23. Interested directors

23.1 Authority to remunerate directors.

- (a) The board may authorise:
- (i) the payment of remuneration (or the provision of other benefits) by the company to a director for his or her services as a director

(or in any other capacity), or by way of compensation for loss of office;

- (ii) the making of loans by the company to a director;
- (iii) the giving of guarantees by the company for debts incurred by a director; or
- (iv) the entering into of a contract to do any of the things set out in subclauses (i)-(iii) (inclusive) of this clause 23.1(a):

if the board is satisfied that to do so is fair to the company.

- (b) The payment of remuneration (or the giving of any other benefit) to a director in accordance with a contract authorised pursuant to clause 19.1(a) need not be separately authorised by the board.
- (c) The board must ensure that forthwith after authorising any payment, loan, guarantee, or contract under clause 23.1(a), particulars are entered in the interests register.
- (d) The directors who vote in favour of authorising a payment, loan, guarantee or contract under clause 23 1 (a) must sign a certificate stating that, in their opinion, the making of the payment or loan or the giving of the guarantee. or the entering into of the contract is fair to the company. Grounds for that opinion must also be stated in the certificate.

23.2 Other offices with company held by director.

- (a) Any director may act by himself or herself, or by the director's firm in a professional capacity for the company; and the director or the director's firm will be entitled to remuneration for professional services as if the director were not a director. Nothing in this clause authorises a director or the director's firm to act as auditor for the company.
- (b) A director- may hold any other office or place of profit under the company (other than the office of auditor) in conjunction with the director's office of director, for such period and on such terms (as to remuneration and otherwise) as the board may determine.
- (c) Other than as provided in clause 23.3, a director is not disqualified by virtue of his or her office from entering into any transaction with the company. Any such transaction will be valid and enforceable to the same extent if he or she were not a director and not in a fiduciary relationship with the company.

23.3 Notice of interest to be given.

- (a) A director must, forthwith after becoming aware of the fact that he or she is interested in a transaction or proposed transaction with the

company, cause to be entered in the interests register, and, if the company has more than one director, disclose to the board of the company:

- (i) if the monetary value of the director's interest is able to be quantified, the nature and monetary value of that interest; or
 - (ii) if the monetary value of the director's interest cannot be quantified, the nature and extent of that interest.
- (b) For the purposes of clause 19.3(a), a general notice entered in the interests register or disclosed to the board to the effect that a director is a shareholder, director, officer or trustee of another named company or other person and is to be regarded as interested in any transaction which may, after the date of the entry or disclosure, be entered into with that company or person, is a sufficient disclosure of interest in relation to that transaction.

24. Managing directors

24.1 Appointment and dismissal.

- (a) The board may from time to time appoint one or more of their body to the office of managing director or managing directors of the company, either for a fixed term or an indefinite term.
- (b) Every managing director is liable to be dismissed or removed by a resolution of the board. The board may enter into any agreement on behalf of the company with any person who is or is about to become a managing director with regard to the length and conditions of the managing director's employment. The remedy of any such person for any breach of the agreement will be in damages only and the managing director will not have a right or claim to continue in office as managing director contrary to the will of the board.

24.2 Termination of employment. A managing director is, subject to the terms of any contract, subject to the same provisions as regards resignation, removal and disqualification as the other directors. If the managing director ceases to hold the office of director for any reason, the managing director will immediately cease to be a managing director.

25. Liquidation

25.1 Distribution of surplus assets. Subject to the terms of issue of any shares, upon the liquidation of the company, any assets of the company remaining after payment of the debts and liabilities of the company and the costs of liquidation shall be distributed among the holders of ordinary shares in proportion to their shareholding, provided however that a holder of shares not fully paid up shall receive only a proportionate share of his or her entitlement being an amount which is in proportion to the amount paid to the company in

