

**Resource Management Act 1991****NORTH SHORE CITY DISTRICT PLAN (Part Operative) DECISIONS ON SUBMISSIONS AND FURTHER SUBMISSIONS IN RESPECT OF PLAN CHANGE 6 AND VARIATION 66: LONG BAY STRUCTURE PLAN – STAGE 2**

FILE REF PCDN – 6
VAR – 66

TOPIC: North Shore City District Plan – Proposed Plan Change 6 and Variation 66

Long Bay Structure Plan – Stage 2

HEARING DATE: 14 to 25 November and 29 November 2005

COMMISSIONERS PRESENT: Michael Savage (Chairperson), George Wood, Callum Blair, Jenny Hudson, Roger Mills

1. DECISION STRUCTURE

This decision notice sets out the Council's decision in relation to each submission and further submission received in respect of Variation 66 and Plan Change 6, the Long Bay Structure Plan – Stage 2. The decision has been made pursuant to clause 10 and clause 16 (2) of the First Schedule of the Resource Management Act 1991. **Attachment 1** of the decision notice contains revised text changes to the variation and plan change arising from the decision and associated consequential amendments. **Attachment 2** lists the late submissions granted a waiver to comply with the time limits in respect of late submissions and **Attachment 3** contains a summary of the decision responses to all submissions and further submissions by submitter number. **Attachment 4** is a schedule of submitter's names and addresses.

2. SUMMARY OF PROCESS

Proposed Variation 66 and Plan Change 6 was publicly notified on 20 May 2004,
Submissions closed on 16 July 2004,
10919 submissions were lodged, 389 were late,
The summary of submissions was publicly notified on 16 December 2004,
Further submissions closed on 25 February 2005,
Ten different parties lodged further submissions,
Independent Commissioners Michael Savage, Roger Mills and Jenny Hudson and His Worship the Mayor, George Wood and Councillor Callum Blair heard the submissions between 14 November and 29 November 2005,
Deliberations by the Committee took place between 1 to 8 December 2005 and 26 January 2006, 13 February and 6 April 2006.

3. CONSIDERATION OF LATE SUBMISSIONS

The commissioners considered the issue of whether to waive the failure to comply with the time limits in respect of late submissions. In accordance with Section 37 of the Resource Management Act 1991 a waiver was granted to 386 of the 389 submissions received before 11 September 2004, which is within the time limit specified in the Act. These submissions are listed in **Attachment 2**. The waiver was granted on the basis that they were received within the doubled time limit of the closing date of

the submissions and it was considered that the interests of any persons or the community would not be adversely affected by the waiver to comply with the time limit.

It was also resolved that submissions 10736, 10737 and 10853 be considered invalid for the reason that they were received outside of the doubled time limit of the closing of the submissions, 11 September 2004.

4. COMMISSIONERS SUMMARY

INTRODUCTION

1. A hearing was held between 14 – 29 November 2005 of the submissions and further submissions received in respect of Proposed Variation 66 and Plan Change 6 – Long Bay Structure Plan (Stage 2).
2. By way of brief background, the Long Bay Structure Plan was prepared after the Environment Court decision AO/86/96 determined that Metropolitan Urban Limits (“MUL”), set by the Auckland Regional Policy Statement, would include an area from Glenvar Road to the boundary between Long Bay and the Okura catchment as being within the MUL. The Environment Court determined that the Okura area would remain rural and that in principle the Long Bay area was suitable for urban development.
3. Objectives, policies and design guidelines for the Structure Plan (but no rules) were set by the North Shore City Proposed District Plan and notified in 1994 and revised by order of the Environment Court in March 1999. This revision resulted in the current Structure Plan “Additional Principles for Long Bay Structure Plan” (17.5.6) being included in the Proposed District Plan, and the methods of implementation (the rules). There are ten “Additional Principles” addressing matters such as the protection of habitat values, water quality and the ecological values of the Long Bay/Okura Marine Reserve; adverse landscaping and visual affects of development along the Long Bay Regional Park; incorporating esplanade reserve requirements resulting from the Council’s Coastline Survey; enhanced public access to the coast; maximising recreational opportunities of the area; utilising landscape and ecological surveys to determine the carrying capacity of the land in order to manage it in a sustainable way; protecting significant landscape and ecological values of the area; excluding areas of significant vegetation from further development; and addressing visual impacts of development through controlling location and design of housing, roading and services.

VARIATION 66 AND PLAN CHANGE 6

4. Proposed Variation 66 sets out the resource management issues, objectives, policies, rules and methods of implementation for subdivision and development in the Long Bay area. Proposed Plan Change 6 deals with the changes to the operative parts of the District Plan that affect the Long Bay area. The Structure Plan, as ratified, contains a detailed framework for managing future development in the area reflecting a number of important environmental factors and constraints and social, cultural and economic considerations.

HEARING OF SUBMISSIONS

5. During the hearing Commissioners received presentations from 25 submitters to the Structure Plan and their various witnesses. Following these presentations, Commissioners received a response from Council officers and consultants, to the cases presented by the submitters. An extensive range of issues was raised. For convenience these can be grouped as follows:
 - (a) the creation of a Great Park;
 - (b) a transition at the interface with the Okura area;
 - (c) Vaughans Road to remain a no-exit road;
 - (d) the impact of development on local ecology;
 - (e) provisions for recognition and protection of cultural heritage values in the area;
 - (f) inadequate information on terrestrial habitats;
 - (g) concerns of individual landowners regarding zoning proposals on their land holdings;

- (h) the location of the village centre;
- (i) consistency with various national and regional policies;
- (j) protection of the Marine Reserve and a minimum earthworks strategy;
- (k) Landco's alternative Structure Plan;

The creation of a Great Park

6. By far and away the largest number of submitters sought the creation of a Great Park to adjoin the Long Bay Regional Park. Varying areas of between 200 – 400 hectares were advanced as being an appropriate size for the Park. The strength of community feeling on this topic is unmistakable. Submitters did acknowledge the acquisition by Council of 38.4 hectares of land adjoining Long Bay Reserve and the nearly 6 hectares of additional land acquired by the Regional Council adjacent to the existing Regional Park. Nevertheless, the strong view was that the Council should be making further acquisitions of land and that the Structure Plan process should be deferred to enable this to occur.
7. The response from Council staff advising Commissioners was that the acquisition of 200 hectares or more is not realistic and not supported for a number of reasons:
 - It is not affordable to Council. Based on recent acquisitions in Long Bay, the cost of 200 hectares or more would be significant. The Reserves Fund is limited.
 - It would compromise the equitable provision and distribution of open space within the City. There are other growth areas in the City such as Albany. Focusing all funding in Long Bay would limit Council's ability to provide other parks in these areas such as neighbourhood parks, civic parks, coastal parks and natural environment parks.
 - It would limit Council's ability to provide for a variety of different experiences, for example, organised sports, walking, cycling, informal play etc.
 - It is considered that the Long Bay Reserve and Long Bay Regional Park are already significant destination parks.
8. Council's wider reserves strategy for the City and the funding of that strategy, is not a matter that we are able to consider in the context of this hearing. We do observe that the current reserve areas including recent acquisitions now amounts to approximately 152 hectares of land. That in itself is an extremely valuable public resource. We do not consider that in the context of the present hearing we can recommend the extension of the existing Park by rezoning of private land, particularly in the absence of present Council funding for the acquisition of that land. Neither do Commissioners consider it appropriate to defer decisions on Variation 66 and Plan Change 6. We note that it remains open to a territorial authority to designate for additional reserves, where that is considered appropriate.

Transition at the interface with the Okura area

9. Keep Okura Green and the Okura Environmental Group contend that there are inappropriate levels of density proposed at the interface with the Okura area. In particular the visual affects of the Long Bay 2B zone adjacent to Vaughans Road have caused concern. Submitters consider this to be an anomaly with the zoning across the road in the Okura area where the minimum lot sizes are 4 hectares. The Auckland Regional Council also requested that the suburban neighbourhood in proximity to Vaughans Road ridgeline be reviewed to include large lots and maintain continuity with other larger lots around the ridge line, as there would be adverse landscaping and visual effects from the Long Bay Regional Park and from Vaughans Road, and a reduction of rural amenity in the Okura catchment if the Long Bay 2B zone proceeds.
10. Land within the Structure Plan area adjoining Vaughans Road is split roughly equally between Long Bay 2B (Suburban Neighbourhood) and Long Bay 1A (Large Lot Residential 2,500m²). The former is located towards the eastern end of Vaughans Road where there is some flatter land that may be suitable for suburban development, while the large lot development is proposed for the generally steeper land to the west.

11. The Structure Plan also includes a ridge line protection corridor along the full length of Vaughans Road, allowing for planting between the development and the Okura catchment to the north. There is already some development on Vaughans Road, both within the Structure Plan area and Okura. In this context, we do not consider that there will be unacceptable effects on amenities in the Okura catchment. Also the Regional Park is some distance from the proposed Long Bay 2B zone and in our view the amenities of the Regional Park will not be affected by development in the Long Bay 2B zone on Vaughans Road.

Vaughans Road to remain a no-exit road

12. Keep Okura Green consider Vaughans Road should remain a no-exit road. The concern is that any additional traffic will impact on the remote nature of the new North Shore City Council reserve and result in increased pollution from cars using the road with possible effects on the Okura Estuary. Keep Okura Green consider that any access to the new Council reserve should be essentially pedestrian with a carpark provided at the end of Vaughans Road for the users of the reserve.
13. The traffic analysis indicates that the majority of traffic (75% or more) will travel south to Glenvar Road and Beach Road. Nevertheless, in our opinion, it is sensible to have an alternative access into the Structure Plan area from Vaughans Road. It would serve mainly local traffic from the north and provide an alternative means of access for some residents residing within the area of the Structure Plan. The lack of such a road link may also hinder the development of housing within the Long Bay 1B (Large Lot Residential) zone and the Long Bay 2B (Suburban Neighbourhood) zone. Pedestrian access to the Council reserve at the northern end of the Regional Park can still be provided. We do not consider there is any appreciable risk of pollution to the Okura catchment as a result of the provision of this road link.

The impact of development on local ecology including streams

14. Okura Environmental Group (“OEG”) considers the zoning pattern proposed in the Structure Plan will interfere with the local ecology of the lower valley because there are too many bridges across wetlands and unnecessary roading extensions and links. They also submit that there is inadequate protection and enhancement of ephemeral streams and ecological habitats.
15. The Structure Plan does provide for urban development principally in the lower catchment area. Of necessity this will involve some modification of landforms and some ephemeral streams on the northern Awaruku Ridge in particular. The Structure Plan also includes detailed provisions controlling earthworks and providing for the maintenance, enhancement or protection of local ecology including areas of bush, streams and fauna.
16. The Structure Plan provides two bridges/roads across Vaughans Stream. It is considered that those road links are both appropriate and necessary to service the extent of urban development contemplated. The proposed crossings and structures also provide ready access from the urban area south of Vaughans Stream to the village green.

Cultural heritage values – Heritage Protection Zone

17. OEG, the Auckland Conservation Board and the Department of Conservation (“DoC”) consider there should be no development in the Long Bay 7: Heritage Protection zone (HP7). On the other hand, Landco considers that the rationale behind the HP7 zone essentially “freezes” the land from any development and thus the effect of the zone is to render this privately owned land incapable of reasonable use, such that it places an unfair burden on Landco. Landco also consider that the HP7 zone essentially duplicates the role of the Historic Places Trust by “spot zoning” land to protect identified heritage resources, at the expense of allowing the reasonable use and development of that land.
18. Consequently, Landco offered an alternative approach to historic heritage comprising a “heritage overlay” concept with an underlying residential zoning and permitting subdivision and development once all the necessary Historic Places Trust approvals are obtained.

19. It is useful to describe the origins of the Heritage Protection zone. The 1994 North Shore City Proposed District Plan identified four protected historic heritage sites within the Structure Plan area. Three of these are archaeological sites (middens, pits, terraces/ditch (historic)/botanical (figs)) and one is an historic site (a pillbox). Currently these sites are protected by the provisions in Section 11: Cultural Heritage of the District Plan.
20. The current approach in the District Plan is to identify all archaeological sites on the planning maps, irrespective of their size, and show them as single small notations within an accompanying number. This notation does not mark the precise location of the site on the land. Rather it serves to “flag” the presence of the site on the property. This approach works fairly well for sites confined within the boundary of one property, although it can be unsatisfactory for a larger archaeological site, particularly where it extends over more than one property.
21. As notified, the Structure Plan provisions amend the District Plan by adding nine archaeological sites found in the Long Bay Structure Plan area since 1994. Information about those sites was derived mainly from an archaeological survey conducted by the Clough and Associates in 1999, as part of the Council’s background research on the Structure Plan.
22. Site 201 (middens (shell)/terraces/ditch (historic)/botanical (figs)) is one of the three archaeological sites originally listed in the 1994 Proposed District Plan. In the context of responding to submissions on cultural heritage, Council engaged Russell Foster and Associates to review issues relating to archeology. In addition, local Iwi also provided additional information about the cultural significance of the Long Bay area for Maori. In summary, Russell Foster confirms that Site 201 (and archaeological sites adjacent to it) is likely to be a very old, extensive and unique archaeological landscape. It could represent a large portion of the period of human occupation of New Zealand, and comprise unique survivors of pre-European usage, not only in North Shore City, but wider region. However it is not possible to make more definite statements about the nature, age, extent and heritage significance of this area without more detailed archaeological investigation than has been conducted to date.
23. As a consequence it was recommended to us that in addition to providing these sites protection under the provisions of Section 11 of the District Plan, the land in which the sites are located, along with a 30m buffer area, should be given a new Heritage Protection zoning. In addition, the officer’s report proposed that the Landscape Protection (Conservation) Area on the headland adjacent to the Regional Park be extended for the full length of the headland to provide further protection to these sites. Specific text changes are also advanced to more explicitly refer to the heritage values that exist in the area around site 201. The provisions recommended to us in the officer’s report provided for development within the Heritage Protection zone as a discretionary activity, without specification of the activity type.
24. Commissioners have considered the different approaches advanced by Landco and in the officer’s report and concluded that:
 - (a) At this stage at least, a Heritage Protection 7 zone is an appropriate recognition of the significance of site 201. The alternative approach of a residential zoning with an heritage overlay does not sufficiently address the potential significance of the archaeological site. While Historic Places Trust mechanisms relating to archaeological sites are obviously very important, that is not, in our view, a sufficient substitute for the Council including a Heritage Protection 7 zone with appropriate controls, in the District Plan.
 - (b) Discretionary status of activities is appropriate, although we consider that the zone should be limited to residential, or community type, activities.
 - (c) The extension of the Landscape Protection (Conservation) Area on the headland adjacent to the Regional Park is also appropriate.

Inadequate information on terrestrial habitats

25. Dr Keith Corbett submitted that there had been a complete failure to assess the field status or particular needs of protected reptiles in the Structure Plan area and that the omission of the Upper Glenvar Valley should be included in the Structure Plan boundary.
26. Landco submitted that the habitat analysis was flawed because it considered all areas of native habitat patches to have equal and high ecological values; that a habitat for the New Zealand pigeon is not reflected in the Structure Plan and also that a more flexible approach could be achieved by providing for protection of significant habitats identified through the resource consent stage of development.
27. The Structure Plan seeks to secure the protection of the connectivity between areas of bush and watercourses, as well as the features themselves. The Plan also includes provision enabling for additional revegetation on certain subdivisions. The maintenance and extension of these habitats may support native skinks and geckos and the various avifauna found in the area. An important point is that the protection of sites of ecological value begins at the Structure Plan stage and is not left solely to the resource consent stage.
28. Commissioners also recommend the inclusion of assessment criteria relating to habitat for fauna, to be applied at consent stage.

Concerns of individual landowners regarding zoning proposals on their land holdings

The Eastland Trust

29. The Eastland Trust is the McCulloch Family Trust. The McCulloch families reside on the Trust property at the intersection of Ralph Eagles Place and Ashley Avenue. They have owned their property for many years and have several concerns with the Structure Plan process including:
 - (a) the width of the Ashley Avenue;
 - (b) the identification of a preferred road on their land;
 - (c) restriction on the ability to remove trees;
 - (d) the mixture of zonings affecting the Trust land.
30. On the last matter, Commissioners considered that the small area of reserve zoning shown on the Eastland Trust property on Ralph Eagles Place was of a topography that made it of little use as reserve. We also agree that the mix of zonings be amended. Accordingly it is recommended that the reserve be removed and a small area of Landscape Protection (Conservation) Area, be replaced with a Long Bay 2A zoning.
31. The request to reduce the width of Ashley Avenue did not form part of the Trust's original submission and in the opinion of the Commissioners would not be appropriate in any event. Ashley Avenue will be a main distributor road when its construction is complete and the 24m width is appropriate for such a road.
32. The Structure Plan shows a preferred road on the Trust property. However the Structure Plan permits flexibility in respect of provision and location of preferred roads and Commissioners could see no need to delete it from the Structure Plan at this stage. The eventual position of any preferred road can be settled in the context of any future development proposals the Trust may bring forward.
33. The Trust also request the deletion of tree rules that relate to the cutting or pruning of trees. These rules are consistent with the tree rules in the District Plan and any changes to those rules fall outside of the scope of this Structure Plan hearing.

The Minister of Education

34. The Minister of Education had concerns regarding the preferred road indicated on the Ministry land associated with the primary school site. Concerns were also expressed in relation to the landscape protection overlays for stormwater and conservation. In the end, the Minister's

representatives accepted that the northern most proposed road parallel to Vaughans Stream was probably acceptable, as were the reserve zone and conservation overlays to the north of that road.

35. There remained concern with the preferred road leading from the end of Ralph Eagles Place and crossing Ministry land. This road reflects the preferred location of a secondary roading pattern designed to achieve a high degree of connectivity for possible future development of the area. As mentioned, the alignments are indicative and are to be provided where practicable. The actual location of the roads is recommended to be considered by way of assessment criteria, rather than rules in the Structure Plan, as originally notified. The eventual alignment of this road will be fixed when final road designs are carried out, prior to road construction.
36. In conclusion, we recommend that the northern most proposed road on the Minister's land be retained as far to the north as practicable, retaining the reserve and conservation area to the north of that road (and the landscape protection area and stormwater water management area to the south of the road).

Mr J Crowe

37. Mr Crowe is the owner of a property at 289 Glenvar Road and considers that the Large Lot Long Bay 1A zoning (2,500m²) is inappropriate for his land which should more appropriately be zoned Long Bay 2A (600m²). Commissioners consider that rezoning the property as requested, would not assist the protection of key stormwater and ecological values, or in establishing a clear transition between the upper and lower parts of the catchment.

S & L Singleton

38. The Singletons' property is located at 62 Vaughans Road. The Singletons seek the removal of the landscape protection (stormwater area) from their property and for this to be zoned Long Bay 1A (Large Lot Residential 2,500²). They also refer to the possibility of clustering options with a larger average lot size and considered that 20% building coverage would provide more design flexibility for future development of sites in the upper catchment.
39. The submission does not, however, recognise the intention of the Structure Plan to consolidate future development in the Upper Valley closer to Glenvar and Vaughans Roads, on land of easier gradient and away from both existing and proposed areas of habitat value and rehabilitation potential. The Structure Plan seeks to create a substantial ecological corridor adjacent to Vaughans Stream and the Singletons' proposal would involve locating development within that "corridor" between the main stream course and a significant forest remnant.
40. Consideration has been given to the 20% building coverage proposed by the Singletons, but it is considered that a maximum impermeable area of 500m² or 15% of the site (whichever is the greater) should be specified for the Long Bay 1 zone. This would allow larger lots some additional flexibility without compromising the objectives of the Structure Plan to preserve stream health and maintain the semi-rural character as well as opportunities for ecological and landscape enhancement intended for some parts of the zone.
41. This submission in particular prompted Commissioners to examine the rules relating to subdivision in the Landscape Protection (Ecological/Stormwater) Area and the associated replanting requirements. We have recommended a wording clarification intended to make it clear that where on subdivision a new lot incorporates a portion of land in the Ecological/Stormwater overlay area, an equivalent area of land is to be planted in native vegetation, either within the Ecological/Stormwater area, or adjoining the Landscape Protection (Conservation) Area. In other words, the intention is to ensure that any subdivision and development in what we broadly term Vaughans Stream corridor, brings with it an environmental benefit in the form of native planting that will link with existing native vegetation in the corridor.

***The location of the village centre
Various national and regional policies
Protection of the Marine Reserve and a minimum earthworks strategy
Landscape/Landform***

42. These issues are covered under the discussion relating to Landco's alternative Structure Plan. Of further note are the submissions by the Long Bay Okura Great Parks Society, Okura Environmental Group, Ian Sage (East Coast Bays Coastal Protection Society), Bernard Stanley and the Auckland Regional Council who made comments on the location of the village centre, and the Department of Conservation, Okura Environmental Group, East Coast Bays Coastal Protection Society and the Auckland Regional Council who commented on the protection of the Marine Reserve. The Auckland Regional Council also addressed the consistency of the Structure Plan in relation to National and Regional Policy Statements.

Landco's alternative Structure Plan

43. Landco is the major landowner affected by Variation 66. The Company advanced its own proposed Structure Plan as part of its original submission in July 2004. Subsequently (and after the close of submissions) Landco produced a "refined" version of its Structure Plan dated 22 September 2005. A direct comparison between the two versions is not easily made, in part because of the different zone descriptions applied in each version. We received detailed legal submissions to the effect that revised version came within the scope of the original Landco submissions. It is noted that the refined version does reduce the extent of urban development in the Upper Valley.
44. Landco's criticisms of Variation 66 are several and include:
- (a) The variation does not have sufficient regard to the Regional Policy Statement, Regional Growth Strategy or relevant management plans and strategies (for example, the North and Western Sector Agreement and the City Blueprint);
 - (b) The variation is not deliverable in its current form and as such leads to inefficiencies of land use and prevents the landowner from maximising development efficiencies in an environmentally sustainable manner.
 - (c) The variation does not deliver the best environmental outcomes in terms of geotechnical matters, ecology, landform, visual outcomes, or urban design and the relationship with the Regional Park.
45. Landco maintains that the variation is overly prescriptive and inconsistent with the enabling purpose of the Act. It extends the role of a structure plan too far and is essentially a master planning exercise carried out by the Council.
46. Landco considers that its revised structure plan is the most appropriate means of achieving the purpose of the Act by providing for:
- (a) the growth objectives as set out in the Regional Policy Statement and Regional Growth Strategy;
 - (b) greater efficiency of land use without compromising environmental outcomes;
 - (c) remediation of the geotechnical conditions to allow for a more efficient and integrated level of urban design;
 - (d) the environment values, including appropriate recognition of key visual, ecological and cultural values.
47. Reference was made to the statutory requirements applicable to preparing and evaluating a plan change or variation. These include section 31 of the Act which sets out the functions of the Council for the purpose of giving effect to the Act in its district, including establishing and implementing objectives, policies and methods to achieve integrated management of the effects of use and development of land, including the control of subdivision. Section 74 of the Act was identified by which the District Plan must have regard to:

- (a) A proposed Regional Policy Statement – which in this case includes the proposed changes to the Auckland Regional Policy Statement.
 - (b) Any management plans and strategies prepared under other Acts. These include the Auckland Regional Growth Strategy, the North Shore City Council Strategic Plan, the North Shore City Council Blueprint and the subsequent Action Plan in the Northern Western Sector Agreement.
48. Section 32 was identified which requires the Council to carry out a consideration of alternatives, benefits and costs before notification and a further evaluation before a decision is made on the valuation.
49. Landco consider that the approach advocated by Variation 66 is to start with a broad policy of protecting the environment and then attempt to put in place a Structure Plan that provides for urbanisation without interfering with any of those features considered by the Council to be worthy of protection. That approach is argued to be “irreconcilable with the purpose of the Act” and inconsistent with the Auckland Regional Policy Statement, the Growth Strategy and the City Blueprint.
50. Landco maintains that these documents all point to the fact that Long Bay is a key focus area of enabling population growth in the Auckland Region and North Shore City in particular. In other words, environmental effects need to be considered on a wider scale than just this Structure Plan area and a benefit of enabling urbanisation of Long Bay is to decrease pressure for residential development in other, more environmentally sensitive areas which are not within the MUL and which policy documents recognise as having higher environmental value (such as Okura). A fundamental criticism that Landco has is that:
- “Variation 66 does not reflect the outcome of a balancing exercise which has due regard to the two principles of ‘enabling’ and ‘managing’ as required by the Act. As such, it does not give effect to sustainable management ...”*
51. Variation 66 is more detailed than other Structure Plans that have been applied in the City. The issue is whether such an approach is warranted in the context of Long Bay and whether overall the provisions will best achieve the purpose of the Act. Long Bay is one of the last major land resources available within North Shore City for urban and residential development in particular. It is also an important area because of its location adjacent to Long Bay Regional Park, the Marine Reserve and rural Okura. Within the Structure Plan area itself there are important environmental features warranting careful management (including Vaughans Stream environment and tributaries, landscape values and the existing native bush). It is also an area that has specific geotechnical constraints, as well as archaeological and heritage features that must be appropriately addressed.
52. Commissioners have concluded that overall, Variation 66 (with the modifications recommended) does offer the best way forward in terms of urbanisation of the Long Bay Structure Plan area, recognising the specific characteristics of the area. It is our view that the Variation is consistent with the enabling purpose of the Act while ensuring appropriate environmental outcomes of Long Bay.
53. We do not consider that the recommended provisions have an undue emphasis on “avoidance” as opposed to “remedying or mitigating” environmental affects. The Structure Plan does provide for extensive urbanisation within the Structure Plan area and this will have obvious effects on the landscape and landform in some areas, for example, the Awaruku Ridge. Some of the effects, such as those associated with sediment runoff, should be avoided to the extent practicable. Other effects, the most obvious being those associated with the visual transformation from a rural to an urban area, will be remedied or mitigated. This is to be achieved through a range of measures so that the total result is to enable the creation of an attractive urban environment, appropriate to the environmental context of Long Bay.
54. Landco contend that Variation 66 is not consistent with the Regional Policy Statement or Regional Growth Strategy and would effectively require 100 hectares of land outside of the MUL to be rezoned for urban purposes to compensate for the shortfall in urban development

reasonably able to be accommodated at Long Bay. The Landco revised proposal demonstrates how this could be achieved and shows, for example, a suburban neighbourhood zoning on the Vaughans Road slopes and more extensive suburban zoning in the vicinity of and to the west of Long Bay Primary School. To achieve those densities, significant earthworks would be needed in these locations in order to achieve stable land. This approach has several practical consequences which we address below. We do not, however, consider that the extent of urban development contemplated by Variation 66 to be inconsistent with the Regional Growth Strategy or Auckland Regional Policy Statement. The Regional Planning documents are clear that growth is not to be at the expense of the environment, a fact confirmed by the Regional Council in its presentation to us.

Earthworks/Sediment/Marine Environment

55. Evidence supports the view that additional earthworks would increase risks to the marine environment, although it is not possible to draw a line as to when effects may be minor and when they are likely to be significant. Landco, in its evidence, focused primarily on the lower catchment and maintained that due to geotechnical constraints, the earthwork areas for both their revised proposal and Variation 66, would be similar. The Council officers and consultants, however are of a different view. In large part this may be due to differing opinions as to the extent of earthworks required in order to implement the large lot development on the Vaughans slopes. Landco effectively maintain that even under Variation 66, extensive earthworks would be needed in this location in order to provide stable building sites. Council's advisors essentially consider Landco has overstated the earthworks that would be needed in association with Variation 66. The Landco analysis of Variation 66 includes the filling in of valley features that Council advisors consider would be potentially left untouched in the context of large lot development.
56. There is instability within the large lot area which includes both deep seated movement and shallow seated movement within the residual soils. Development within the large lot area will involve the careful selection of sites and avoidance of areas with deep seated movement and stabilisation of residual soils using subsoil drainage and/or palisade walls to protect any development. Clearly this may result in significant areas within the Large Lot zones not being developed. On the other hand, the earthworks contemplated by the Landco proposal in order to achieve stability across the whole of the lower catchment would necessitate substantial landform modification including altering of ridgelines, filling of gullies and loss of tributaries to Vaughans Stream.
57. We have concluded that Variation 66 is likely to deliver a better environmental outcome, than is the Landco revised version in terms of retaining the main landforms, visual outcomes, ecology of Vaughans Stream and its tributaries and its relationship with the Regional Park. While the topography and geology of the Vaughans slopes will constrain the total number of large lot developments able to occur in this area, we still consider that Variation 66 offers a better balance between urbanisation of the land and recognition of environmental factors than does the Landco proposal.
58. During the hearing we received various indications as to the possible quantum of earthworks needed to be undertaken under Variation 66 and the Landco refined proposal. We anticipate that there is likely to be less earthworks associated with Variation 66, than suggested by Landco. Further, it is necessary to consider the location and nature of the earthworks, rather than simply quantity in an absolute sense. There is no doubt that the earthworks contemplated under the Landco refined proposal, including amendments suggested to us during the hearing, will have a significant impact on the existing landforms, result in the complete loss of many ephemeral streams and inevitably have an impact on the ecology of Vaughans Stream itself. Many submitters expressed strong views in relation to the importance of the landscapes and landforms at Long Bay and opposition to their modification. Commissioners have recommended a strengthening of the objectives and policies for the Natural Environment and for the large lot zones in particular.
59. We note also that Variation 66 is based on more than just seeking to minimise earthwork areas as the primary method of mitigating risk of degradation on the receiving environment. Other aspects include:

- Focusing on the catchment as a whole;
- Reducing the overall area of land earthworked to reduce the potential for decreasing the overall level of permeability in the catchment and therefore run-off;
- Recognising that the greater the level of development in the catchment, the greater the potential for increased contaminant loading to Vaughans Stream and the marine environment from urban sources;
- Visual/amenity/landform effects.

Streams and Stormwater Hydrology/Hydraulic Modelling

60. The Council has undertaken comprehensive modeling over a number of years. This information is contained in the Catchment Management Plan and supporting technical documents. Marine ecology is considered in the Kingett Mitchell report in which streams are assessed against a number of criteria under the headings of Habitat, Ecology and Landscape Value and Ranked in Importance. This has led to the Council accepting that some streams could not be protected and others needed to be protected and hence the general upper and lower catchment differentiation in Variation 66.
61. We received detailed evidence from the Auckland Regional Council supporting the importance of the stream tributaries and making the correlation between urbanisation and stream health. The earthworks associated with the Landco revised proposal will impact on streams to the west of the school and consequently the main Vaughans channel. We also accept the Regional Council's evidence to the effect that streams affected by cattle do retain importance and are capable of restoration. That is most likely to be facilitated through the provisions of Variation 66.

Ecological Areas

62. During the hearing there was some convergence of opinion with the Council, Regional Council and Landco acknowledging the importance of many of the areas of existing native bush particularly those in the lower catchment. The main differences relate to the precise value of some of the bush and extent of the areas identified. We recommend only minor changes from Variation 66 as notified in the location of Clensmore Place and the Eastland Trust property.

Landscape/Landforms

63. The Landco proposal involves subdivision of 1,000m² lots and residential development around the immediate edge of the Regional Park. Commissioners do not consider that that provides a suitable buffer around the immediate park edge. It is important to avoid development forming a hard edge with the Regional Park and adjoining lots need to be larger, with setbacks from the boundary in order to achieve this.
64. We have referred earlier to the changes that will occur to the landform on the northern Vaughans slopes under Landco's proposal. Landco's proposal involves a more conventional form of subdivision establishing on the modified landform, not dissimilar to the rest of the Bays area. In our opinion, that is not an appropriate outcome in the context of Long Bay and the better approach is that proposed in Variation 66 involving retention of main landforms, streams and bush areas, interspersed with large lot development.

Future Community

65. Landco presented detailed urban design evidence from the Company's consultants to demonstrate how it would be possible to create a quality urban environment at Long Bay. That needs to be balanced with appropriate recognition being given to the particular environmental factors applying at Long Bay. While good urban design is essential, the amenity of the future community will also be based on natural environmental qualities, being access to clean streams, bush areas and to the beach.

66. Some submitters propose relocating the village centre from the northern to the southern side of Vaughans Stream. We agree that this is desirable for several reasons including locating the centre closer to the main residential areas on the Awaruku Ridge and retaining the centre on the road to the Regional Park, which is now most likely to be located on the southern side of Vaughans Stream.
67. Related to this, we have recommended adjustments to the area's urban zoning north and south of the Stream to reflect the relocated centre. Landco and other submitters also proposed a reduction in the height limit for the Long Bay 4 zone (Urban Village) from 18m to 12.5m. We agree with that suggestion. An 18m height limit may allow potentially intrusive structures in this locality, while the new 12.5m height limit would still facilitate four storey apartment development. We have also recommended an adjustment to the maximum height within the village centre to 12.5m from the previous 10 and 12.5m height limits. The new height limit will allow development within the village centre which is of a height considered appropriate in this location. Consequent upon these changes, we recommend also a revised Long Bay 4 zone on the northern flats of Vaughans Stream which will enable a mix of terraced housing and apartments, and an additional area of Long Bay 4 zone on the southern side of the Vaughans Stream adjacent to the new village centre.
68. While moving the village centre does separate it from the village green which remains on the northern side of Vaughans Stream, on balance we do not consider this to be a significant issue. The village green is still the same distance from residential areas and is able to provide an important amenity for residents of those areas.

Overall Development Pattern set out in the Structure Plan

69. The distinction in the Structure Plan between upper and lower catchment remains important and is supported by the expert evidence, particularly from the Auckland Regional Council. Landco's proposal involves significantly more development in the upper area of the catchment, would result in the loss of streams and bush and would require additional earthworks.
70. In the lower valley it is necessary to consider the heritage issues, the relationship of development to the Regional Park and the northern slopes of the Awaruku Stream.
71. We are not persuaded that geotechnical issues warrant a more suburban landscape being established on the Vaughans slopes. There is sufficient evidence to suggest that the roading pattern proposed for the Vaughans slopes is appropriate. While landforms and the geology will dictate the extent of large lot development that can occur, those constraints do not render the Variation unworkable, or justify the approach advanced in the Landco revised proposal.
72. Also, conventional residential development on the northern slopes of the Awaruku Stream, would result in a loss of three tributaries to the stream and impact severely on the stream itself. We consider that large lot development in this location, as provided by Variation 66, will provide the better outcomes. It will enable some, albeit limited, large lot development while at the same time allowing for possible improvements in ecology of the Awaruku Stream itself.

CONCLUSION

73. During the hearing a large number of submitters argued strongly that at any Structure Plan for the Long Bay area must include provision for a Great Park. For the reasons given earlier in this report, we do not think that this is achievable by way of rezoning.
74. In large measure, the final content of District Plan provisions for the future urbanisation of Long Bay came down to a choice between Variation 66/Change 6 and the alternative refined proposal advanced by Landco.
75. The Landco case is that Variation 66/Change 6 is:
- (a) far too prescriptive and therefore lacks balance between managing and enabling development in the Structure Plan Area;

- (b) not deliverable, largely because it does not adequately address the geotechnical issues arising on Vaughans slopes and west of the schools;
 - (c) consequently it does not deliver the best outcomes (ecological, visual, urban design) for the Structure Plan area.
76. Landco maintains that its own proposal is more flexible, addresses the geotechnical issues and therefore allows a more efficient and intensive use of the land with better urban design and environmental outcomes.
77. We have considered carefully Landco's criticisms of Variation 66/Change 6 and looked closely at the Landco alternative proposal. Our conclusion following the hearing is that Variation 66 establishes the better approach for urbanisation of the Structure Plan area. Amongst other matters, it will minimise the need for major reengineering of the slopes, avoid consequent impacts on landforms, stream hydrology and ecology and on the Marine Reserves. While there are constraints on development imposed by the provisions of Variation 66, we consider that with the amendments we have recommended, those constraints are not inconsistent with the enabling purpose of the Act and are an appropriate means of ensuring good environmental outcomes and urban design outcomes for the Structure Plan area. We do not consider that the Variation is "not deliverable" as contended by Landco.
78. As mentioned earlier, we do not consider that the various planning documents necessitate the maximisation of development in the lower catchment in particular. We have concluded that the Landco refined proposal would have significant impacts on the environmental qualities of the Long Bay Structure Plan area. The modification of landforms, loss of tributaries and, in our view, enhanced risk of run-off to the streams and marine environment both during development and subsequently, mean that the refined proposal advanced by the company is not appropriate for this area.
79. We consider that Variation 66 with the amendments that we have recommended, will provide appropriately for the urbanisation of the Structure Plan area, recognising its particular environmental features and proximity to the Regional Park, Marine Reserve and rural Okura.

5. DECISION ON SUBMISSIONS

The following submissions are accepted, accepted in part or rejected as indicated, pursuant to clause 10 of the First Schedule of the Act.

For the sake of clarity, while a summary of each submission is provided, the Council's decision is in respect of the actual submission. Submissions are grouped under the following topics:

- Urban Design Vision
- Water Sensitive Urban Design/Stream Ecology
- Historic Heritage (Archaeological/Built Heritage/Waahi Tapu)
- Terrestrial Ecology
- Earthworks, Erosion and Sediment Control
- Roading and Traffic
- Other Matters

In terms of further submissions, the following shall apply:

- Where an original submission is accepted, further submissions in support are accepted, while those in opposition are rejected.
- Where an original submission is rejected, further submissions in support are rejected, while those in opposition are accepted.
- Where an original submission is accepted in part, further submissions in support or opposition are accepted in part to the extent outlined in respect of the original submission.

Where amendments to the text of the variation and plan change are set out, words that are struck through are to be deleted, while words that are underlined are to be added. A marked up version of the variation and plan change, including the amendments resulting from this decision, is included as **Attachment 1**.

Explanatory Note:

- Where this notice refers to the Structure Plan, this should read as a reference to proposed Variation 66 and Plan Change 6: Long Bay Structure Plan –Stage 2.
- Where this notice refers to the Environment Court, this should read as a reference to the Environment Court decision A086/96 on matters under appeal between The North Shore City Council and Green and McCahill Properties Limited, Durafort Investments Limited and Okura River Farm Partnership (Okura Land group) and the Auckland Regional Council.
- Where this notice refers to Regional Park this should read as a reference to the Long Bay Regional Park.
- Where this notice refers to the Council this should read as a reference to North Shore City Council.
- Where this notice refers to RMA this should read as a reference to the Resource Management Act 1991.
- Where the notice refers to the Long Bay Practice Notes this should read as a reference to the Long Bay Code of Practice.

The notice that follows is in the following format:

- Submission number, submitters name, summary of submission, further submissions by number and name, decision.
- Where text is in italics this should be read as being a direct quote from an existing document.
- Where text is quoted from the Structure Plan (Variation 66 and Plan Change 6) it is printed in italics.
- Where changes to the text in the Structure Plan are recommended these are in italics and underlined.
- Where text is quoted from the Structure Plan and is deleted this is indicated by a strikethrough line.

6. URBAN DESIGN VISION

6.1. Specific Submissions

6.1.1. Support the Variation and Plan Change or Specific Provisions of the Variation or Plan Change

1 - 1 Harry & Blanche Sangster
Support the proposed Plan Change.

2 - 1 B Vaotago
Support the proposed Plan Change.

10435 - 1 Auckland Regional Council, Hugh Jarvis
Supports approval of variation subject to amendments sought.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-1x10	Okura Environmental Group	Oppose
10435-1x565	LB-Okura Great Park Society	Oppose
10435-1x740	Landco Limited	Oppose

10463-1 Department of Conservation, Hugh Logan
The Department supports the aim of the Structure Plan to improve the water quality of stream catchment areas and the adjoining marine reserve.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10463-1x683	Royal Forest & Bird Protection Society	Support
10463-1x782	Landco Limited	Oppose

10438 - 1 Royal Forest & Bird Protection Society, J A Lewis
Supports integrated approach of the plan in particular 17B.1.2 (Design Principles), 17B.2 (Resource Management Issues), 17B.3.1(Natural Environment), Policy 2, 9A.3.3 (Landscape and Landforms) the Explanations and Reasons, 9A.3.5 (Staging Infrastructure and Development Contributions) the Explanations and Reasons and 9A.3.2 (Natural Environment), various policies and Explanation and Reasons.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10438-1x598	Landco Limited	Support in Part

10919 - 1 Lucy Marshall
Support the proposed Plan Change.

That submissions 1-1, 2-1, 10435-1(opposed by 10435-1x10, 10435-1x565, 10435-1x740), 10463-1(supported by 10463-1x683 and opposed by 10463-1x782) 10438-1 (supported in part by 10438-1x598) and 10919-1 **be accepted in part** to the extent that these submissions support the Structure Plan as notified. However the location of the Long Bay 5 zone (Village Centre) is changed and the area of the Long Bay 4 zone (Urban Village) enlarged in addition to other consequential changes as a result of the hearing. The changes have not affected the integrated approach of the Structure Plan or its precautionary approach (supported by the Department of Conservation and the Auckland Regional Council through their evidence presented at the hearing) to avoid sensitive areas and to improve water quality of stream catchment areas and the adjoining marine reserve.

10435-2 Auckland Regional Council, Hugh Jarvis
That the range of densities be retained

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-2x11	Okura Environmental Group	Oppose
10435-2x132	Royal Forest & Bird Protection Society	Oppose
10435-2x566	LB-Okura Great Park Society	Oppose
10435-2x741	Landco Limited	Oppose

10439 - 1 The National Trading Company, Vern Warren
Supports the retention of Rule 17B.4.6 (Long Bay 5 Zone: Village Centre) and 17B.6.5 (Additional Controls for Development in Long Bay 5 Zone) and the Zoning of Long Bay 5 Zone, Village Centre.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10439-1x137	Royal Forest & Bird Protection Society	Oppose

10444-2 T R Latham

Retain proposals for Long Bay 1 and 2 zones.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10444-2x79	Royal Forest & Bird Protection Society	Support

10470 - 4 Okura Estate Limited, David Hughes

Maintain the pattern of zoning and associated subdivision standards as contained in the variation along the Vaughans Road Ridge.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10470-4x9	Keep Okura Green	Oppose
10470-4x148	Royal Forest & Bird Protection Society	Oppose

That submissions 10435-2 (opposed by 10435-2x11, 10435-2x132, 10435-2x566, 10435-2x741), 10439 –1(opposed by 10439-1x137), 10444-2 (supported by 10444-2x79), 10470 –4 (opposed by 10470-4x9 and 10470-4x148) **be accepted in part** to the extent that they support the zoning provisions of the Structure Plan which have been developed in relation to the physical carrying capacity of the land and its topography. However the location of the Long Bay 5 zone (Village Centre) is changed and the area of the Long Bay 4 zone (Urban Village) enlarged in addition to other consequential changes as a result of the hearing.

6.1.2. No Further Development in the Catchment

7929 - 1 Tony & Karen Queree; 7930 - 1 Albert & Elsie Edwards; 7931 - 1 Birgitta Stratmann; 7932 - 1 Heather Hartles; 7933 - 1 Lisa Manase; 7934 - 1 Erin Wildermoth; 7935 - 1 Jan Handley, 7936 - 1 Laureen Roberts; 7937 - 1 Janene Hill; 7938 - 1 John Hartles; 7939 - 1 Jill Headifen, 7940 - 1 Katherine Williams; 7941 - 1 Marjorie Ryan ; 7942 - 1 Grace Bateman, 7943 - 1 Elizabeth Dowden 7944 - 1 Brian Gill ; 7945 - 1 Byran Koppel ; 7946 - 1 Peter Cooke, 7947 - 1 Sherry Ede 7948 - 1 Dorothy Downing 7949 - 1 Dorothea Ameu ; 7950 - 1 Carol Morris; 7951 - 1 Cathy Fenton ; 7952 - 1 Steve Ripley 7953 - 1 Katrina Rodgers ; 7954 - 1 Bev McAlpine; 7955 - 1 Brian McAlpine ; 7956 - 1 Helen Powell 7957 - 1 Brian Powell ; 7958 - 1 Jane Hodges; 7959 - 1 Cushla Dobbyn ; 7960 - 1 Paul Dobbyn 7961 - 1 Cenap Olguc ; 7962 - 1 Linda Smith; 7963 - 1 Bhima Bhana; 7964 - 1 Harold Pike; 7965 - 1 Maureen Pike, 7966 - 1 G & M Wilkinson; 7967 - 1 Peter Beguely; 7968 - 1 Leigh Keightley; 7969 - 1 Shane & Jacqueline Sampson, 7970 - 1 Rose Pyper; 7971 - 1 Ruben & Gwen Randall; 7972 - 1 Joseph McCallum; 7973 - 1 P J Lumsden, 7974 - 1 Janet Poots; 7975 - 1 E D Anstey; 7976 - 1 John Tighe; 7977 - 1 L & D Bloxham; 7978 - 1 Nicky Primrose, 7979 - 1 Karen Prusher; 7980 - 1 Shane Young; 7981 - 1 Peggy Seton; 7982 - 1 Margaret Dean; 7983 - 1 Nicole Brown; 7984 - 1 Alfred Nute; 7985 - 1 Letitia Haddon; 7986 - 1 Raewyn McIndoe; 7987 - 1 Jill James, 7988 - 1 Daniel Morris; 7989 - 1 Adam Cornhill; 7990 - 1 David Ripley; 7991 - 1 Neill McAlpine, 7992 - 1 Kelvin Ngauma; 7993 - 1 Lena Irvine ; 7994 - 1 Aimee Storey ; 7995 - 1 Carl Dobbyn; 7996 - 1 Nicole Dobbyn, 7997 - 1 Audrey Williams ; 7998 - 1 Thaddeus Cooke ; 7999 - 1 Valma Pike; 8000 - 1 Brian Munro, 8001 - 1 John Munro; 8002 - 1 Colin Munro; 8003 - 1 Alison McClellan; 8004 - 1 Joy Bradfield; 8005 - 1 Adele Cossill, 8006 - 1 Luana Smith; 8007 - 1 Petronella Noad; 8008 – 1 Mary Bateman; 8009 - 1 Rose Bolton, 8010 - 1 J V Broadhead; 8011 - 1 Vivienne Lyons; 8012 - 1 Rowan Cooke; 8013 - 1 Liz Wood; 8014 – 1 Emma Scholes, 8015 - 1 Anne Newall; 8016 - 1 J M Davies; 8017 - 1 J G & R L Motet; 8018 - 1 Ross McRae; 8019 - 1 Colleen Ashworth; 8020 - 1 Lauren Purcell; 8021 - 1 A J Ireland ; 8022 - 1 Susan Wildermoth, 8023 – 1, Patrick Wildermoth ; 10402 - 1 Mike Brassey; 10403 - 1 S A Ashworth; 10404 - 1 RJ and LM Jacobson; 10405 - 1 Roly Ferkins, 10406 - 1 T L Birss; 10407 - 1 Steve Cook; 10408 - 1 John Parker; 10409 - 1 V G Johnston, 10410 - 1 Tristan Gardiner; 10411 - 1 Tamara Ansorg; 10412 - 1 Anne Linburg; 10413 - 1 Jean Wiebelitz, 10414 - 1 Eileen Tomsen; 10415 - 1 Janet Smith, 10416 - 1 J M Felgate; 10417 - 1 Karen Crosby, 10418 - 1 P E Corrie; 10419 - 1 Susan McCulloch, 10420 - 1 Debbie McCulloch; 10421 - 1 Gordon McCulloch, 10422 - 1 James McCulloch; 10423 - 1 Richard Stephens; 10424 - 1 Jennifer Rattenbury NZ Native Forests Restoration Trust; 10425 - 1 Audrey Bulley, 10426 - 1 Hugh Munro; 10427 - 1 Adele Morris; 10428 - 1 Claude Smith, 10429 - 1 Margaret Cummins ; 10430 - 1 Bruce McGhie ; 10431 - 1 Kathleen Louttit ; 10432 - 1 Graham Parfitt Graham Parfitt & Associates; 10433 - 1 Marilyn Futter ; 10434 - 1 Mary Wilkinson

No further development or withdraw the plan

10451 - 2 J H Bromley

For Council to stop ignoring the feedback from the community on Long Bay and to carry out its wishes to keep the green spaces. Once Long Bay is gone it is gone forever.

10452 - 1 Keep Okura Green, David Johnston

Oppose the plan as it is unworkable and keep the area in its rural form.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10452-1x502	Royal Forest & Bird Protection Society	Support
10452-1x732	Landco Limited	Oppose

10454 - 1 The Eastland Trust

Oppose the Plan Change and request its withdrawal.

10455 - 1 A McCulloch

Withdraw Variation 66 and Plan Change 6.

10457 - 1 HBC Environmental Protection Society, Keith Corbett

Oppose the plan.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10457-1x579	Landco Limited	Oppose

10458 - 1 Brett Christiansen

Oppose the Structure Plan

10461-1 Linda Nunn

Oppose the plan as it is undemocratic and unwanted.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10461-1x358	LB-Okura Great Park Society	Support

10461-2 Linda Nunn

Discard the proposed Plan Change 6 and Variation 66

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10461-2x359	LB-Okura Great Park Society	Support

10461-3 Linda Nunn

NSCC commit to and acts on the vision to protect Long Bay from urban sprawl.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10461-3x360	LB-Okura Great Park Society	Support

10461-6 Linda Nunn

NSCC to seek funding and support for the Great park.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10461-6x363	LB-Okura Great Park Society	Support

10461-7 Linda Nunn

NSCC to work with Long Bay -Okura Great Park Society for the creation of the Great Park.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10461-7x364	LB-Okura Great Park Society	Support

10467-1 Okura Residents and Ratepayers (ORRA), Christina Howat

Support the concept of a Great Park to maintain the rural backdrop to the Regional Park

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10467-1x504	Royal Forest & Bird Protection Society	Support
10467-1x593	Landco Limited	Oppose

10475 - 1 Ministry of Education, Clive Huggins

That the proposed variation 66 and plan change 6 is withdrawn

10478 - 1 Colin Wells

Withdraw the plan

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10478-1x104	Royal Forest & Bird Protection Society	Support

10486-1 Landco Limited, Neil Donnelly

Oppose the variation and plan change.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-1x153	Okura Environmental Group	Oppose

10486-1x178	ECB Coastal Protection Soc Inc	Oppose
10486-1x515	LB-Okura Great Park Society	Oppose
10486-1x113	Royal Forest & Bird Protection Society	Support in Part

10502 - 1 Shirley McCulloch

Withdraw Variation 66 and Plan Change 6

10518 - 1 Dianne Gatward

Keep the area as it is and keep the urban limit to Glenvar Road.

That submissions 7929 –1 to 8023-1 and 10402-1 to 10434-1 and submissions 10451-2, 10452-1 (supported by 10452-1x502 and opposed by 10452-1x732), 10454-1, 10455-1, 10457-1 (opposed by 10457-1x579), 10458-1, 10461-1 (supported by 10461-1x358), 10461-2 (supported by 10461-2x359), 10461-3 (supported by 10461-3x360), 10461-6 (supported by 10461-6x363), 10461-7 (supported by 10461-7x364), 10467-1 (supported by 10467-1x504 and opposed by 10467-1x593), 10475-1, 10478-1 (supported by 10478-1x104), 10486-1 (opposed by 10486-1x153, 10486-1x178, 10486-1x515 and supported in part by 10486-1x113), 10502-1, 10518-1 **be rejected** on the basis that the withdrawal of the Structure Plan does not provide Long Bay with a suitable resource management framework within which future development of the area can be managed. The Long Bay area has long been identified as a growth area and regional and local policy supports development, provided that steps are taken to protect the key environmental features. Furthermore, in its 1996 decision, the Environment Court stated that if the area behind the Regional Park was to be fully protected from development then it would be appropriate for the land to be acquired, rather than attempt to achieve the same end through a restrictive zoning. This highlights the point that the “Great Park”, if it is ever to be pursued, could be achieved through purchase rather than land use zoning.

6.1.3. Parks Issues

NOTE: Due to the large number of submissions, only the submission numbers are indicated below. The names of these submitters can be found in **Attachment 3**. Where further submissions have been made this is noted against the specific submission number. Similarly the submitters name can be found in **Attachment 3**.

Oppose the Plan Change and create the Great Park.

From	To		
3-1	189-1		
190-1	Withdrawn		
191-1	261-1		
262-1	Withdrawn		
263-1	544-1		
545-1	Withdrawn		
546-1	593-1		
594-1	Withdrawn		
595-1	3839-1		
3840-1	Withdrawn		
3841-1	4483-1		
4484-1	Withdrawn		
4485-1	4651-1		
4652-1	Withdrawn		
4653-1	5218-1		
5219-1	Withdrawn		
5220-1	5973-1		
5974-1	Withdrawn		
5975-1	6484-1		
6485-1	Withdrawn		
6486-1	6536-1		
6537-1	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	6537-1x514	Shirley Squire	Support
6538-1	7188-1		

From	To	Further Submitter	Support/Oppose
7189-1	Withdrawn		
7190-1	7223-1		
7224-1	Withdrawn		
7225-1	7330-1		
7331-1	Withdrawn		
7332-1	7928-1		
10209-1	10235-1		
10236-1	Withdrawn		
10237-1	10309-1		
10310-1	Withdrawn		
10311-1	10401-1		
10441-2	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10441-2x303	LB-Okura Great Park Society	Support
	10441-2x55	Royal Forest & Bird Protection Society	Support
	10441-2x633	Landco Ltd	Oppose
10448-2	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10448-2x61	Royal Forest & Bird Protection Society	Support
	10448-2x645	Landco Ltd	Oppose
10461-4	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10461-4x361	LB-Okura Great Park Society	Support
10461-5	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10461-5x362	LB-Okura Great Park Society	Support
10479-1	10479-2		
10483-1			
10505-1			
10517-2	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10517-2x67	Royal Forest & Bird Protection Society	Support
	10517-2x735	Landco Ltd	Oppose
10529-1	10576-1		
10577-1	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10577-1x72	Royal Forest & Bird Protection Society	Support
10578-1	10757-1		

Amend the Plan to restrict suburban development so that an area of approximately 200ha of undeveloped land can be designated as reserve to form part of the Long Bay-Okura Great Park on land adjacent to the Regional Park.

From	To	Further Submitter	Support/Oppose
8024-1	8042-1		
8043-1	Withdrawn		
8044-1	Withdrawn		
8045-1	8116-1		
8117-1	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	8117-1x513	Shirley Squire	Support
8118-1	8418-1		
8419-1	Withdrawn		
8420-1	9179-1		
9181-1	9306-1		

From	To	Further Submitter	Support/Oppose
9307-1	Withdrawn		
9308-1	9998-1		
9999-1	Withdrawn		
10000-1	10114-1		
10115-1	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10115-1x14	Anglican Diocese of Auckland	Oppose
10116-1	10175-1		
10436-1	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10436-1x226	LB-Okura Great Park Society	Support
	10436-1x365	Royal Forest & Bird Protection Society	Support
	10436-1x584	Landco Ltd	Oppose
10441-1	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10441-1x302	LB-Okura Great Park Society	Support
	10441-1x54	Royal Forest & Bird Protection Society	Support
	10441-1x632	Landco Ltd	Oppose
10445-1			
10447-4			
10448-1	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10448-1x60	Royal Forest & Bird Protection Society	Support
	10448-1x644	Landco Ltd	Oppose
10449-4	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10449-4x164	Anthony Katavich	Support
	10449-4x311	LB-Okura Great Park Society	Support
	10449-4x444	Royal Forest & Bird Protection Society	Support
	10449-4x768	Landco Ltd	Oppose
10449-16	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10449-16x176	Anthony Katavich	Support
	10449-16x323	LB-Okura Great Park Society	Support
	10449-16x456	Royal Forest & Bird Protection Society	Support
	10449-16x780	Landco Ltd	Oppose
10449-17	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10449-17x177	Anthony Katavich	Support
	10449-17x324	LB-Okura Great Park Society	Support
	10449-17x457	Royal Forest & Bird Protection Society	Support
	10449-17x781	Landco Ltd	Oppose
10450-33	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10450-33x357	LB-Okura Great Park Society	Support
	10450-33x490	Royal Forest & Bird Protection Society	Support
	10450-33x682	Landco Ltd	Oppose
10451-1			
10459-1	10460-1		
10464-1	10465-1		

From	To	Further Submitter	Support/Oppose
10474-2	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10474-2x101	Royal Forest & Bird Protection Society	Support
10482-1			
10488-1			
10492-2	10493-1		
10500-1			
10507-1	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10507-1x120	Royal Forest & Bird Protection Society	Support
10516-2			
10517-1	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10517-1x66	Royal Forest & Bird Protection Society	Support
	10517-1x734	Landco Ltd	Oppose
10518-2			
10528-1			
10758-1	10894-1		
10915-1	<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
	10915-1x121	Royal Forest & Bird Protection Society	Support
10916-1	10918-1		

That the submissions (as numbered above and supported and opposed as indicated above) **be accepted in part** to the extent that the Council acknowledges there is strong community support for the retention of the land adjacent to the Regional Park for the creation of a 'great park'. There is also acknowledgment of the high value placed on the landscape that forms the backdrop to the Regional Park and the community's desire to see more open space of a sufficient size to create one very large park in North Shore City or for a coastal park to provide a coastal buffer and enhanced protection for the Long Bay marine reserve.

However it is also acknowledged that the land adjacent to the Regional Park is privately owned and the setting aside of land for a great park, or for a lesser park of the sizes defined by submitters at the hearing, would require that negotiations be entered into with the owner of the land for its purchase. Council may pursue the purchase of additional parkland in the Long Bay-Okura area that meets Council's strategic objectives. However, the acquisition of the 'great park' with a size of 200ha or larger is not supported for a number of reasons:

- Not affordable to Council – based on recent acquisitions in Long Bay, the cost of 200ha or more would be significant - the Reserves Fund is limited.
- It would compromise the equitable provision and distribution of open space within the city. There are other growth areas in the City such as Albany. Focusing all funding in Long Bay would limit Council's ability to provide other parks in these areas such as neighbourhood parks, civic parks, coastal parks and natural environment parks.
- It would limit Council's ability to provide for a variety of different experiences for example organised sports, walking, cycling, informal play.
- It is considered that the Long Bay Reserve and Long Bay Regional Park are already significant destination parks.
- Further development and enhancement of the existing parkland, including that purchased by the Council in 2002, will significantly improve recreational opportunities within the Regional Park and relieve pressure on the southern end of Long Bay.

10468-6 Harry Duncan

Include the area in the Long Bay Regional Park that presently is not shown as reserve land on all the maps included in the variation.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10468-6x97	Royal Forest & Bird Protection Society	Support

That submission 10468-6 (supported by 10468-6x97) **be rejected** for the reason that the Council has already acquired land for reserve purposes in the Long Bay Structure Plan area (the Long Bay Reserve of 38.4ha) and other parks such as neighbourhood parks and civic parks will be provided in the Long Bay area as identified in the Structure Plan. It is considered that these parks will be sufficient to cater for the population growth in the catchment. The specific area referred to by the submitter is not currently earmarked for a future park.

10489-1 Mick Martin LB-Okura Great Park Society
Support the establishment of a fund for the purchase of coastal parkland for enlarging the Long Bay-Okura Great Park reserve.

That submission 10489-1 **be accepted in part** to the extent that the Council has a fund for the purchase of coastal parkland and the strategic importance of coastal and beach reserves is acknowledged. The acquisition of parkland however needs to follow a robust acquisition process to ensure the equitable provision of these types of reserves within the City.

10519-1 Shona Fritsch
Buy more land for parkland and link large reserves for cycle ways.

That submission 10519-1 **be accepted in part** to the extent that the Council has a parks acquisition programme in place to meet the open space needs of the community and the Structure Plan proposals add to the open space network in the area. Furthermore, the Council is in the process of developing a recreational cycling plan with the aim to link key parks and reserves.

6.1.4. Policy Direction

10443 - 5 William McCandless
Amend the plan to contain a reference to the Regional Planning Statement, the Auckland Regional coastal plan, the Hauraki Gulf Marine Park forum report and the Hauraki Gulf Marine Park Act 2000.

10443 - 11 William McCandless
The proposed plan is contrary to sections 5,6,7 & 8 and the 4th schedule of the RMA.

10443-12 William McCandless
The proposed plan is contrary to the objectives and policies of the NZ Coastal Planning Statement.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10443-12x77	Royal Forest & Bird Protection Society	Support

10453-1 Sibilla Girardet
Ensure matters of national, regional, district and local importance as required by the RMA, Coastal Policy Statement, Regional plans and other legislation are fully identified.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10453-1x89	Royal Forest & Bird Protection Society	Support

10453-2 Sibilla Girardet
Identify and rank the significance and sensitivities of matters of national, regional, district and local importance.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10453-2x90	Royal Forest & Bird Protection Society	Support

10453-3 Sibilla Girardet
Identify the environmental effects of the proposed plan on matters of national, regional, district and local importance.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10453-3x91	Royal Forest & Bird Protection Society	Support

10465-2 Christina Bettany
Put Variation 66 on hold until further national, regional and local inter-sectorial policy on sustainable development and management has been developed.

10486-3 Landco Limited, Neil Donnelly

Ensure plan is consistent with Auckland Regional Policy statement, operative provisions of NSCC District Plan and the MUL.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-3x150	Royal Forest & Bird Protection Society	Oppose
10486-3x155	Okura Environmental Group	Oppose
10486-3x180	ECB Coastal Protection Soc Inc	Oppose
10486-3x517	LB-Okura Great Park Society	Oppose

10499-1 Andreas Girardet

Ensure matters of national, regional, district and local importance as required by the RMA, Coastal Policy Statement, Regional plans and other legislation are fully identified.

10499-2 Andreas Girardet

Identify and rank the significance and sensitivities of matters of national, regional, district and local importance.

10499-3 Andreas Girardet

Identify the environmental effects of the proposed plan on matters of national, regional, district and local importance.

That submissions 10443-5, 10443-11, 10443-12 (supported by 10443-12x77), 10453 –1 (supported by 10453-1x89), 10453-2 (supported by 10453-2x90), 10453-3 (supported by 10453-3x91), 10465-2, 10486-3 (opposed by 10486-3x150, 10486-3x155, 10486-3x180, 10486-3x517), 10499-1,10499-2, and 10499-3 **be accepted in part**, to the extent that the Structure Plan responds to the main issues reflected in national, regional and local policy documents and those presented by the above submitters at the hearing. The Structure Plan responds to the effects of development on environmental values identified in the Long Bay area, in particular the effects of development on landform modification, and only enables appropriate development where adverse environmental effects are avoided, remedied or mitigated. However the introductory text to Section 17B is amended to highlight the key values contained in national and regional policy as currently Section 17B.1 (Introduction) lists the relevant statutory instruments, but does not elaborate on them. Therefore the introductory text to Section 17B now includes reference to the following:

- Section 6 (f) of the RMA
- Marine Reserves Act, 1971
- the importance of providing for growth, where environmental conditions and values permit this
- overriding need for integrated management of development through a Structure Plan process
- the importance of national and regional policy on the ecological, amenity and recreational benefits of the coastal area and the need for high standards of sediment control and stormwater treatment.

The following wording will be added to :

17B.1.1 Development of Long Bay Structure Plan

.....continued.....

Important legislative and statutory planning provisions that have been taken into account in the development of the Structure Plan include:

- *Auckland Regional Policy Statement*
- *Auckland Regional Plan: Coastal*
- *Auckland Regional Plan: Air, Land and Water (Proposed)*
- *Hauraki Gulf Marine Park Act.*
- *Marine Reserves Act 1971*

.....continued.....

Particular sections of the Resource Management Act 1991 (RMA) which are fundamental to the management approach adopted in this section are as follows:

.....continued.....

⇒ *Section 6: preserving the natural character of particular features of the environment from inappropriate subdivision and development; the protection of significant indigenous vegetation and habitats; protection of historic heritage from inappropriate subdivision, use and development.*

.....continued.....

The Auckland Regional Policy Statement contains a number of policies which the Council is required not to be inconsistent with in this section of the Plan. These are as follows:

.....continued.....

- *Objectives aimed at the efficient use of land in future urban areas, subject to consideration of environmental and infrastructural issues. Any new growth areas must be subject to a structure planning process to resolve tensions between these outcomes.*

The Proposed Auckland Regional Plan: Air, Land and Water contains a number of policies on the need for greenfield urban development to attain ~~high~~ higher environmental standards than found elsewhere in the Auckland Region. The Air, Land, Water Plan refers to the need for the application of the principles of low-impact design to ensure that the adverse impacts of urban development are minimised. In the Long Bay context, changes to the pre-development hydrology and the discharge of contaminants should be minimised. This implies the need for on-site measures so that the adverse effects of stormwater runoff and associated contaminants on streams and coastal waters are avoided or mitigated.

Section 7 of the Hauraki Gulf Marine park Act recognise the national significance of the Gulf, while section 8 provides discretion for the management of the Gulf, including its catchment.

.....continued.....

The Long Bay Structure Plan is also the result of detailed investigation into:

- *the ecological values of the catchment and related distribution of habitats and native vegetation*
- *stream course and corridor values*
- *historic heritage values*

.....continued.....

6.1.5. Mix and Density of Housing

10444-1 T R Latham

Amend the plan to exclude any development provisions defined in Long Bay Zones 3,4 and 5.

Further Submission
10444-1x78

Further Submitter
Royal Forest & Bird Protection Society

Support/Oppose
Support

10468-1 Harry Duncan

Reduce dwelling densities so as to provide more space per dwelling and abandon apartment and tenement housing

Further Submission
10468-1x93

Further Submitter
Royal Forest & Bird Protection Society

Support/Oppose
Support

10468-3 Harry Duncan

Decrease dwelling numbers in the Structure Plan area.

Further Submission
10468-3x95

Further Submitter
Royal Forest & Bird Protection Society

Support/Oppose
Support

10486-5 Landco Limited, Neil Donnelly

Provide a more appropriate mix of housing type and density of development.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-5x157	Okura Environmental Group	Oppose
10486-5x182	ECB Coastal Protection Soc Inc	Oppose
10486-5x519	LB-Okura Great Park Society	Oppose
10486-5x114	Royal Forest & Bird Protection Society	Support in Part

10490 – 1 Sarah Showler

Buy more reserve land, reduce proposed housing development and put high rise apartments in Albany.

10492 – 1 Adrian Butcher

Change the zoning in the Plan Change to low density/intensity to protect the environment.

10494 – 1 Brian Collison

Revise the Plan Change to keep Long Bay predominantly undeveloped and protect the Marine Reserve.

10495 – 1 Erica Battaerd

Revise the Plan Change to expand the green area for recreational use and protection of the Marine Reserve.

10496 – 1 Susan Williams

Revise the Plan Change to increase public open space for biking riding and walking and for protection of the Marine Reserve.

10496 – 2 Susan Williams

Revise the Plan Change to reduce housing density.

10508 – 1 John Gunn

Amend the Plan Change to include a parkland behind the beach, a golf course behind this and behind the golf course a hotel complex and then finally a housing complex.

10509 – 3 Paolo Delmonte

Amend the Plan Change so that high density, high rise development is excluded from the Plan.

10510 – 3 John Baird

Amend the Plan Change to incorporate more open space in the Plan area.

10510 – 4 John Baird

Amend the Plan change to rezone the area behind Long Bay Regional Park as a rural zone.

10513 – 1 Colleen Franks

Oppose the Plan Change and rezone the area for lifestyle blocks

10516 – 1 Ruth Norman

Amend the Plan Change so that all suburban development is restricted in height, in numbers permitted and that restrictions are placed on use of colours.

10520 – 1 Quentin Blackshaw

Rezone parts of the Structure Plan area for rural use.

10524 – 1 Patsy Beverwijk

Reduce development densities, increase public open space.

10915-4 Ian Sage

Remove the notion of a pre-set target for the number of housing lots.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10915-4x122	Royal Forest & Bird Protection Society	Support

10918-5 Kurt & Carol Marquart

Place more emphasis on the growth of Torbay and Northcross shopping centres.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10918-5x130	Royal Forest & Bird Protection Society	Support

10918-8 Kurt & Carol Marquart

The plan should specify protection against further in fill housing.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10918-8x131	Royal Forest & Bird Protection Society	Support

That submissions 10441-1 (supported by 10441-1x78), 10468-1 (supported by 10468-1x93), 10468-3 (supported by 10468-3x95), 10486-5 (opposed by 10486-5x157, 10486-5x182, 10486-5x519, and supported in part by 10486-5x114), 10490-1, 10492-1, 10494-1, 10495-1, 10496-1, 10496-2, 10508-1, 10509-3, 10510-3, 10510-4, 10513-1, 10516-1, 10520-1, 10524-1, 10915-4 (supported by 10915-4x122), 10918-5 (supported by 10918-5x130), 10918-8 (supported by 10918-8x131) **be rejected** for the reason that the Structure Plan already substantially reduces development opportunities, compared to other parts of the City and cities of the Region. Urban-type development is accommodated in areas where there is the least potential to cause significant effects on the environment, and various controls are in place to manage off-site effects, especially in relation to stormwater and sediment generation. Furthermore, the mix of housing to be provided matches demographic projections as to future housing needs and fulfills the Council's commitment to the Auckland Regional Growth Strategy and Auckland Regional Policy Statement.

10443 – 1 William McCandless

Continue with current operative District Plan provision but incorporate the environmental protection measures outlined in the Plan Change.

That submission 10443-1 **be rejected** for the reason that it is not practicable in the sense that the current district plan provisions (Residential Expansion Zone) only provides for very limited development. In this case there is no need for additional environmental protection measures. The submitter is most likely seeking to retain the rural feel of the area, but with more rigorous standards for rural development. The maintenance of Long Bay as a rural area is not tenable, given the planning history of the land, the 1996 Environment Court decision and recent planning strategies.

6.1.6. Replacement Structure Plan

10486-2 Landco Limited, Neil Donnelly

Withdraw the variation and plan change and replace with alternative Structure Plan presented.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-2x149	Royal Forest & Bird Protection Society	Oppose
10486-2x154	Okura Environmental Group	Oppose
10486-2x179	ECB Coastal Protection Society Inc	Oppose
10486-2x516	LB-Okura Great Park Society	Oppose

10486-48 Landco Limited, Neil Donnelly

Replace Long Bay Plans with submitters plan.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-48x225	ECB Coastal Protection Society Inc	Oppose
10486-48x562	LB-Okura Great Park Society	Oppose
10486-48x731	Okura Environmental Group	Oppose

That submission 10486-2 (opposed by 10486-2x149, 10486-2x154, 10486-2x179, 10486-2x516) and submission 10486-48 (opposed by 10486-48x225, 10486-48x562 and 10486-48x731) **be rejected**. Certain elements of the amended Landco structure plan, dated 22 September 2005, sought relief that was outside the scope of its original submission as it would impose more restrictive provisions on land in the upper catchment not in Landco's ownership. Notwithstanding this preliminary conclusion it is considered that the replacement structure plan proposed by Landco fails to address sections 6 (a), (b), (c) and 7(b), (c), (d) and (f) of the Resource Management Act 1991 and may contravene section 6 (f) with the failure to protect the archaeological landscape and sites on the southern headland adjacent to the Regional Park. Furthermore it fails to respond to the imperatives derived from Section 17 of the North Shore City District Plan which include:

- Protection of the amenity values and character of Long Bay Regional Park.
- Protection of existing habitat values and water quality, native vegetation and cultural heritage values and areas of landscape sensitivity.
- The minimisation of earthworks and landform modification where practicable and appropriate.
- Adoption of an overall approach to development densities that reflects preferences indicated by the public of North Shore City.
- Provision of a comprehensive network of stormwater management areas, reserves, walkways and cycle ways.

In addition it is considered that given the environmental values present in Long Bay, a precautionary approach, together with a level of prescription, should be adopted for the management of environmental resources in the Long Bay area. Landco's alternative structure plan does not provide this. As stated through evidence presented by Landco at the hearing, Landco's structure plan "establishes a guide for development of Long Bay". However there is a lack of certainty of outcomes from zoning and other land use proposals in Landco's structure plan and their plan does not provide sufficient direction on environmental outcomes and urban form issues.

6.1.7. Specific Objectives, Policies and Rules

This part of the report considers submissions on specific objectives, policies and rules.

Section 9A (which covers subdivision in Long Bay) and
Section 17A (which covers activities and buildings).

The following submissions follow the order of these sections.

Section 9A Subdivision and Development –Long Bay Structure Plan

10486-10 Landco Limited, Neil Donnelly

Replacement of Section 9A (Subdivision and Development -Long Bay Structure Plan) to include changes to: 9A.2 (Subdivision and Development Issues); 9A.3 (Subdivision and Development: Objectives and Policies).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-10x187	ECB Coastal Protection Soc Inc	Oppose
10486-10x524	LB-Okura Great Park Society	Oppose
10486-10x693	Okura Environmental Group	Oppose

That submission 10486-10 (opposed by 10486-10x187, 10486-10x524 and 10486-10x693) **be rejected** for the reason that Landco's replacement text is not supported by regional policies and would result in urbanisation of the catchment, which would place insufficient weight on the protection of key natural, physical and cultural heritage resources in the area.

Landco's presentation of evidence at the hearing reiterated Landco's contention that its structure plan is more consistent with the requirements of the ARPs as it provides a greater yield of housing thereby achieving a more efficient use of land within the MUL. However the greater housing yield provided by Landco's structure plan should be considered against a range of outcomes that provide for the appropriate land use, including effects on the natural environment. The ARPS, which supports the use of land within the MUL for urban style development, also states that this should be subject to consideration of environmental constraints.

Protection of natural and cultural heritage is also important. The ARPS does not seek the complete urbanisation of Long Bay catchment (it is not within an area earmarked for intensification). Within the overall direction of containment of the urban area, the ARPS leaves the question of the mix of density and layout of development of particular areas to District Plans. This is so specific local values and resources can be taken into account. The Policy Statement supports the use of structure planning as a means to address the range of local issues.

Section 9A.2

10466 - 1 Tracey Messinger

Amend 9A.2 (Subdivision and Development Issues) to include preservation and restoration of all creeks and streams and waters that feed into the marine reserve.

That submission 10466-1 **be accepted in part** to the extent that 9A.2 (Issues) is amended to include a reference to the potential degradation of Vaughans Stream, from urbanisation, such as:

Development of all of the Long Bay area over a short period of time is likely to lead to substantial sediment generation, while urban style development across the whole of the catchment is likely to lead to the loss of a number of the tributaries of Vaughans Stream, adversely affecting the overall health of the stream.

Section 9A.3.1 Integrated Management

10486-11 Landco Limited, Neil Donnelly

Replace objectives and policies of the following with the replacement plan: 9A.3.1(Integrated and Sustainable Development), 9A.3.2 (Natural Environment), 9A.3.3 (landscape and landforms), 9A.3.4 (Urban Form and Design), 9A.3.5 (Staging and Development Contributions) and their associated policies.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-11x188	ECB Coastal Protection Soc Inc	Oppose
10486-11x525	LB-Okura Great Park Society	Oppose
10486-11x694	Okura Environmental Group	Oppose

That submission 10486-11(opposed by 10486-11x188, 10486-11x525 and 10486-11x694) **be rejected** for the reason that the suggested replacement text does not provide a suitable resource management framework for the future development of Long Bay. In particular the proposed approach contains significant risks associated with environmental protection and urban form outcomes and does not provide sufficient detail for the assessment of resource consents.

A precautionary approach to development is appropriate for the Long Bay area and the Structure Plan should provide direction on the nature of development in the catchment and how adverse effects are to be avoided and mitigated where it is reasonable and practical to do so. Landco's structure plan fails to adequately address regional policy that seeks to strengthen structure planning as a management tool, as well as provide greater detail over land use proposals to better manage adverse effects on the environment.

10438-11 Royal Forest and Bird Protection Society, J A Lewis

Reword objective 9A.3.1(Integrated and Sustainable Development) to delete comparison to other urban parts of the city and place greater emphasis on protection of the marine reserve.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10438-11x608	Landco Limited	Oppose

That submission 10438-11 (opposed by 10438-11x608) **be accepted in part** to the extent that Objective 9A.3.1 be reworded by removing reference to other parts of the City, as outlined as follows:

A new community where resources, including land and water, are used more efficiently than in other urban parts of the City, where there are less adverse effects on the environment from development and resource use and where there is an enhanced level of liveability. resources are managed in an integrated way so that the natural environment is enhanced and there is a high degree of liveability and amenity for future residents

Section 9A.3.2 Natural Environment

10438-8 Royal Forest and Bird Protection Society, J A Lewis

Amend 9A.3.2(Natural environment), Policy 14 and 9A.3.4 (Urban form and Design) policy 6 and the Explanation and Reasons to include reference to the provision of other ecological corridors linking to coastal vegetation, in addition to the spine of the Vaughans Stream,

Further Submission

10438-8x605

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10438-8 (opposed by 10438-8x605) **be rejected** for the reason that beyond the central stream corridor, there are no realistic opportunities to create new ecological corridors as proposed. Future corridors may be created as revegetation and regeneration occurs elsewhere.

10437 - 2 Ian Munro

Amend Objective 9A.3.2 (Natural Environment) by deleting words "are protected and where possible enhanced" and replace with "shall be enhanced or where enhancement is not reasonably possible, protected."

That submission 10437-2 **be accepted** for the reason that rewording the objective of 9A.3.2 will emphasise that enhancement of natural resources is a primary objective for the development of the Long Bay area. Consequently Objective 9A.3.2 is reworded so it reads:

The ecological values of the Long Bay area including the water quality of the Vaughans Stream and the Okura/Long Bay Marine Reserve and the remnant areas of terrestrial habitat are enhanced, or where enhancement is not reasonable, protected.

Note that submission 10438-12 below further amends this objective.

10438-4 Royal Forest and Bird Protection Society, J A Lewis

Amend Policy 9A.3.2 (Natural Environment) policy 11 to limit infrastructure development and its possible adverse effect on wetlands and heritage values.

Further Submission

10438-4x601

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10438-4 (opposed by 10438-4) **be accepted in part** to the extent that Policy 11 of 9A.3.2 is amended by clarifying that the only structures in the stream corridor are those that cannot be located elsewhere

Development in the 100-year flood plain is to be limited to infrastructure (including roads, water supply, wastewater, stormwater facilities and reserve) that cannot be practically located elsewhere.

10438-12 Royal Forest and Bird Protection Society, J A Lewis

Amend title of 9A.3.2 (Natural Environment) to better reflect reference to landforms, landscapes, ecological values and vegetation. Rewrite some of the policies and group them accordingly.

Further Submission

10438-12x609

Further Submitter

Landco Limited

Support/Oppose

Oppose

10438-15 Royal Forest and Bird Protection Society, J A Lewis

Delete policy 1 and 3 of 9A.3.2(Natural Environment) and in policy 4 delete word "exception" and in policy 6 and 9 include Awaruku Stream, change policy 11, rewrite policy 14 and 15 and in the Explanation and reasons delete any reference to the relationship between the Awaruku and Vaughans Streams.

Further Submission

10438-15x612

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10438-12 (opposed by 10438-12x609) and 10438-15 (opposed by 10438-15x612) **be accepted in part** to the extent that it is appropriate for the objective of 9A.3.2 (Natural Environment) to be rewritten to reflect the range of elements that contribute to both the natural environment and the perception of natural character. That the deletion of policy 1 and 3, the

rewording of policy 6 and 9 of section 9A.3.2 is inappropriate, although greater clarity regarding the type of development expected in the Vaughans and Awaruku catchments can be achieved through the rewording of policy 1,2, 4 and 15.

Objective 9A.3.2 is as follows:

The natural environmental values of the Long Bay area, including the water quality and associated ecological values of the Vaughans Stream and the Okura/Long Bay Marine Reserve, the landscapes of the coastal fringe, remnant areas of terrestrial habitat and the landforms of the upper catchment are enhanced, or where enhancement is not reasonable, protected.

Policy 1 is amended as follows:

To minimise risks to the Marine environment from excessive sediment generation from earthworks, large scale earthworks should be confined to selected areas in the lower part of the Vaughans Stream catchment. Largescale earthworks should be limited to areas that are flatter and more stable. In areas with identified geo technical issues and important landform and ecological characteristics, mitigation of these issues through large scale earthworks is to be avoided, and instead a low density of development is to be followed. limited to low densities.

Policy 2 is amended as follows:

Development in the upper part of the Vaughans Stream catchment, and the Awaruku catchment, is to be limited to large lot development, and the retirement of more land in this area for stormwater, geotechnical, ecological and landscape outcomes is to be encouraged. Urban-type development is to occur in smaller pockets where geo technical conditions allow this, and the development is adjacent to existing urban activities. For the slopes to the north of the Awaruku Stream, landform modification should be limited to necessary roading.

Policy 4 is amended as follows:

Development in the Stream Protection A area is to retain streams and watercourses in their natural state, and to provide riparian protection through a range of means including building set backs and replanting requirements. ~~except where the Structure Plan indicates that watercourses do not have sufficient qualities to warrant protection.~~ In Stream Protection B area, modification of the ephemeral tributaries is anticipated

Policy 14 of 9A.3.2 is to remain unchanged and policy 15 is reworded as follows:

15. ~~Development Native vegetation in the upper part of the catchment that is at a density greater than that associated with rural type development (less than 1lot per 2 hectares) is to protect areas of native vegetation present. Such vegetation is to be set aside from development, and covenanted from future development and is to be fenced, and weed and pests are to be controlled. made stockproof,, managed and covenanted to improve its ability to contribute to bio-diversity strategies and functions for air and water.~~

It would be appropriate to group the policies under section 9A.3.2 according to the environmental issues being addressed. Accordingly the policies under section 9A.3.2 (including the additional policies added to 9A.3.2 through other submissions) are grouped and worded as follows and the policy numbering changed as indicated. The additional policies identified through submissions 10436-11, 10437-3, 10438-4, 10436-3, 10917-2 and 10452-6, for inclusion in 9A.3.2, and their agreed wording, are also shown here to provide clarity of understanding of the grouping of policies and their sequential order.

Policies

Earthworking / Sediment Generation

1. To minimise risks to the Marine environment from excessive sediment generation from earthworks, large scale earthworks should be confined to selected areas in the lower part of the Vaughans Stream catchment. Largescale earthworks should be limited to areas that are flatter and more stable. In areas with identified geo technical issues and important landform and ecological characteristics, mitigation of these issues through large scale earthworks is to be avoided, and instead a low density of development is to be followed. limited to low densities.
2. Development in the upper part of the Vaughans Stream catchment, and the Awaruku catchment, is to be limited to large lot development, and the retirement of more land in this area for stormwater, geotechnical, ecological and landscape outcomes is to be encouraged. Urban-type development is to occur in smaller pockets where geo technical conditions allow this, and the development is adjacent to existing urban activities. For the slopes to the north of the Awaruku Stream, landform modification should be limited to necessary roading.
3. Site works associated with subdivision and development should be undertaken in such a manner as to avoid adverse effects on watercourses, areas of ecological value and neighbouring properties arising from changes to landforms and from the generation of sediments.
4. Site works/earthworks should be managed in relation to their scale, location and timing so as to minimise risks associated with sediment generation, including the risks associated with multiple earth working areas occurring in the catchment at the same time. Site control measures should be used to avoid sediment run off affecting streams and other habitats.

(Refer 10436-3)

Water Quality

5. An integrated approach is to be adopted for stormwater mitigation, with the emphasis being in the first instance on the reduction of stormwater generated from sites through reuse of stormwater and increased permeable areas, including de-compaction of soils following earthworks. Catchment-wide stormwater management facilities such as wetlands and treatment ponds shall only be used as a final form of treatment, not the primary form.
6. In the upper part of the Structure Plan area D development is to incorporate on-site stormwater mitigation techniques that manage stormwater quality and limit the quantity of stormwater run-off in the upper part of the Structure Plan area to pre-development levels, including stormwater from buildings, driveways, roads and other facilities. Mitigation of the effects of increased impervious surfaces shall address the quantity of run off (peak flow rates and average runoff volumes for a range of rainfall events), as well as quality of run off through the removal of suspended sedements.

Pre-development means the state of the catchment, from a stormwater run off perspective prevailing when the catchment comprised predominately pasture, grasses and pockets of bush.

(Refer 10437-3)

7. In the lower part of the Structure Plan area Aa high standard of mitigation of the stormwater generated from development in the lower part of the Structure Plan area is to be achieved, so as to avoid significant adverse effects on the water

quality, ecological values and aesthetic values of Vaughans Stream, the Marine Reserve and the coastal waters in general. Such mitigation is to involve a mixture of on-site and off-site measures.

8. Development is to demonstrate at the subdivision and development stage that the lots to be created are of a size and dimension that can meet (at the building stage), the on-site stormwater mitigation standards set out in Policy 5 6 and 7 above, and Section 17B of the Plan.
9. Development (including stormwater mitigation devices) is to be designed so that flows of water (both high and low flows) into and through Vaughans Stream are of sufficient quality and quantity to provide a habitat for native fish species, and the stream environment itself can continue to support fish passage and other ecological functions through appropriate riparian and stream management.
10. The quality of water in the Awaruku Stream is to be improved through improved stormwater treatment.

Streams / Watercourses

11. Development in the Stream Protection A area is to retain streams and associated tributaries in their natural state, and to provide riparian protection of them through a range of means including building set backs and replanting requirements. In the Stream Protection B area, modification of the ephemeral tributaries is anticipated.
12. Development is to identify and protect stormwater overland flow paths.
13. Development in the 100-year flood plain is to be limited to infrastructure, including roads, water supply, wastewater, stormwater facilities and reserves) that cannot practically be located elsewhere.

(Refer 10438-4)

14. Stormwater retention and treatment facilities are to be designed to retain in-stream ecological values and add additional habitat (e.g. wetlands) where ~~possible~~ practicable.
15. Development is to utilise appropriate technologies and materials for wastewater infrastructure to restrict stormwater inflow-and-infiltration into the system in order to minimise wastewater overflow events and contamination of the stream and marine receiving environments.

(Refer 10452-6)

Ecology

16. Development is to protect existing areas of native vegetation.
17. Development is to contribute to extending the areas of native bush in the Structure Plan area, including the ability of the area to support native wildlife, through the use of the Vaughans Stream as an ecological corridor linking the lower valley with the existing bush areas in the upper catchment.
18. Native vegetation in the upper catchment is to be set aside from development, made stock proof, managed and covenanted to improve its ability to contribute to biodiversity strategies and functions for air and water.

The following words struck through are to be removed from the Explanation and Reasons:

In recognition of the fact that development in the Long Bay area will inevitably have some effect on water quality in the Long Bay coastal waters, the quality of water in the Awaruku stream needs to be improved. By retrofitting various stormwater treatment devices into this catchment, an improvement to the quality of

water from this catchment will help to offset the adverse effects expected from development. ~~in the Vaughans Stream catchment.~~

In addition the Explanation and Reasons is amended to reflect the above issues addressed through the policies and the existing wording and added wording agreed to through submissions 10452-6, 10436-10, 10436-32, 10487-1 are reorganised for clarity of understanding, as follows:

Explanation and Reasons

The Long Bay / Okura Marine Reserve is the most significant natural resource in the Long Bay area, and has national and regional significance. Under the Auckland Regional Plan: Coastal, the Marine Reserve is identified as a Coastal Protection 2 Area. The Hauraki Gulf Marine Park Act gives further weight to this significance. The Hauraki Gulf is deemed by this Act to be an area of national significance.

The quality of the water and associated ecological resources in the coastal areas adjacent to Long Bay must be protected and improved. This will require careful management of the land development process, as well as the subsequent urban activities. It is recognized that complying with general guidelines regarding stormwater management is not sufficient to protect and enhance the very sensitive receiving water environments of Vaughans Stream, Awaruku Stream and the Marine Reserve. A precautionary approach has therefore been adopted, resulting in more stringent requirements (compared to those in the District Plan for other parts of the city, and the Regional Council's requirements). (Refer 10487-1)

In the upper part of the catchment, changes to hydrology (including low and high flows), increased release of sediments, the discharge of other contaminants and changes to stream banks from erosion need to be avoided. The main stream corridor and its tributaries need to be retained and enhanced. In the lower part of the catchment, the lower reaches of Vaughans Stream need to be enhanced as an amenity feature of high ecological value. Management of changes to hydrology is also important in this area.

To this end, large-scale earthworks need to be avoided in the upper part of the catchment and the streams and other natural features of the area need to be retained as part of a low impact approach to development. In the upper part of the catchment, stormwater management is to occur on-site so that hydrological neutrality is obtained.

In the lower part of the catchment more substantial earthworking is possible, but only in selected areas. This is to reduce risks to the Marine environment, as well as to help retain the landforms of the area. On-site mitigation techniques (rain tanks, rain gardens, swales) shall manage most stormwater effects so that as much of the stream system as possible can be kept in its natural state, with wetlands and ponds used as part of an integrated approach to stormwater management. These on and off-site stormwater management facilities need to be designed to a very high standard so as to avoid, as much as possible, cumulative effects on the Long Bay marine environment.

In addition to limiting areas of large scale earthworking, effective erosion and sediment control measures need to be put in place during all stages of development. The small size of soil particles typical of Auckland's geology significantly reduces the effectiveness of sediment retention ponds. The fine clays, once mobilised, take a much longer time to settle than coarser sand and silt material and can remain in suspension for a considerable period of time. Special chemicals can be used successfully to promote flocculation (clumping together) of suspended solids in the sediment retention pond to increase the particle mass and speed the rate of settlement. By this means the overall efficiencies of sediment

retention ponds can be significantly increased. Advantage needs to be taken of the greater efficiencies offered by flocculation by requiring all sediment and erosion control ponds to be flocculated. (Refer 10436-32)

In recognition of the fact that the Awaruku catchment has already been adversely affected by existing urban development the quality of water in the Awaruku stream needs to be improved. By retrofitting various stormwater treatment devices into this catchment, an improvement to the quality of water from this catchment will help to reduce the existing levels of contaminants discharging to the marine reserve. (Refer 10436-10)

The existing ecological resources of the Long Bay area are valuable and have local as well as regional significance. They need to be extended and enhanced so that they can provide greater amenity and habitat stability. Modifications to watercourses and changes to the amount of water flowing through the streams can adversely affect in-stream ecological values. The remnant stands of native bush, especially those in the upper part of the Structure Plan area need to be extended and linked together. In particular, the main Vaughans Stream corridor will form part of the Northern Green corridor identified in the Council's Open Space Strategy.

Stormwater inflow-and-infiltration into wastewater networks is a major cause of wastewater overflows resulting in contamination of stream and marine receiving environments and posing a risk to public health. Accordingly, the wastewater network needs to be constructed using appropriate technologies and materials to minimise stormwater ingress. (refer 10452-6)

Expected Environmental Results

The water quality and ecological health of the streams in the Structure Plan area and the Marine Reserve are enhanced over time. The amount of native bush will be extended and additional native fauna habitat will be created and preserved. Large scale earthworking is limited to selected areas.

:

10438-16 Royal Forest and Bird Protection Society, J A Lewis

Add to 9A.3.2 (Natural Environment) policy 17 to ensure riparian planting of degraded watercourses and policy 18 which limits adverse effects of building sites on significant landforms and views.

Further Submission

Further Submitter

Support/Oppose

10438-16x613

Landco Limited

Oppose

That submission 10438-16 (opposed by 10438-16x613) **be rejected** for the reason that there are a number of policies in section 9A.3.2 that deal with the issue of riparian protection and that the requirements proposed by the Structure Plan are adequate to achieve the objective of protection of riparian margins.

There is no need for a new policy (18) to limit adverse effects of building sites on significant landforms and views as a range of important landscapes and landforms have already been identified within the Long Bay catchment. All of the identified Significant Landscape Features are addressed through inclusion in the Landscape Protection (Conservation) Areas except for the Vaughans Road ridgeline, which has - over recent years - been subject to significant modification.

10450-18 Okura Environmental Group, Marilyn Riddell

Amend 9A.3.2 (Natural Environment) Policy 11 to ensure no development is allowed in the floodplain.

Further Submission

Further Submitter

Support/Oppose

10450-18x475

Royal Forest & Bird Protection Society

Support

10450-18x667

Landco Limited

Oppose

That submission 10450-18 (supported by 10450-18x475 and opposed by 10450-18x667) **be accepted in part** to the extent that residential development is not proposed within the 100 year flood plain, and the stormwater infrastructure proposed as an integral part of Long Bay's development, will help to attenuate peak stormwater flows and reduce flooding within the catchment.

Section 9A.3.3 Landscapes and Landforms

10438-5 Royal Forest and Bird Protection Society, J A Lewis

Add policies to 9A.3.3 (Landscape and Landforms) to limit development of any kind near areas identified as significant landforms and landscape.

Further Submission

10438-5x602

Further Submitter

Landco Limited

Support/Oppose

Oppose

That this submission 10438-5 (opposed by 10438-5x602) **be rejected** for the reason that the potential effects of development on Long Bay's Significant Landscape Features have already been recognised and taken into account in the course of preparing the Structure Plan concept and related provisions. This includes accepting that a level of modification has already occurred on and around the Vaughans Road ridgeline since the original assessment of Significant Landscape Features within Long Bay was undertaken in 1998.

10438-6 Royal Forest and Bird Protection Society, J A Lewis

Amend 9A.3.3 (Landscape and Landforms) to include in policy 1 reference to views to and from the coast.

Further Submission

10438-6x603

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10438-6 (opposed by 10438-6x603) **be rejected** for the reason that it is not appropriate to address the issue of views to and from the coast in policy 1 of 9A.3.3 as this policy focuses on where landform modification is generally appropriate.

10438-7 Royal Forest and Bird Protection Society, J A Lewis

Amend 9A.3.3 (Landscape and Landforms) Policy 4 and 17B.1.3(Land Use Strategy) to emphasise the importance of maintaining an adequate rural backdrop to the Regional Park.

Further Submission

10438-7x604

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10438-7 (opposed by 10438-7x604) **be rejected** for the reason that the issue of protecting Long Bay's rural backdrop is not feasible in totality given the manner in which Vaughans Stream and its adjoining flats are flanked on 3 sides by the Structure Plan catchment. The area around the stream corridor is also the least accessible part of the Regional Park (it is currently screened from more public parts of the Regional Park by a line of shrubs and fencing). Other key interfaces between the Regional Park and Structure Plan catchment have been partially addressed in terms of retaining a 'rural backdrop' through additional park acquisition and Landscape Protection (Conservation) zoning. Short of purchasing most of the lower catchment, the provision of a wholly rural backdrop is not achievable. Thus the Structure Plan's reference to a semi-rural backdrop (9A.3.3 Explanation and Reasons) is a fair reflection of what can practically be achieved and an appropriate interpretation of the Environment Court's decision relating to urban development in the Long Bay area.

10438-13 Royal Forest and Bird Protection Society, J A Lewis

Include under 9A.3.3 (Landscape and Landforms) reference to the Hauraki Gulf marine park and rewrite policy 1 and add a new policy relating to the coastal character of the Hauraki Gulf.

Further Submission

10438-13x610

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10438-13 (opposed by 10438-13x610) **be accepted in part** to the extent that the Explanation and Reasons for Section 9A.3.3 be modified as noted below and include reference to the Hauraki Gulf Marine Park. Policy 1 will be modified to clarify the situations in which landform modification is appropriate. In addition the sequence of policies is rearranged so that a more logical order is achieved. The amendments are as follows:

Policy 1 will be changed to Policy 2

2. Landform modification in the lower part of the Structure Plan area is to be limited to those areas where urban-type development is justified on the basis can avoid areas of land instability, proximity to existing development and integration with other urban activities can be achieved, infrastructure is available and there is the ability to manage-mitigate the adverse effects of landform modification (in particular sediment generation) on Vaughans Stream and Awaruku Streams and the Marine Reserve. On the south side of Vaughans Stream landform changes associated with urban type development is anticipated. To the north of Vaughans Stream, landform modification is to be confined to areas on the upper and lower slopes, with mid slopes devoted to large lot development. For the slopes to the north of the Awaruku Stream landform modification is to be limited to large lot development and the necessary roading.

Explanation and Reasons

The objective and policies promote retention of main landforms and landscape characteristics associated with the Long Bay area, including the headland between the Vaughans and Awaruku Stream. This is because of the significance of their relationship in forming a backdrop to the Regional Park and the contribution of the landforms and landscapes to the Hauraki Gulf Marine Park. The Environment Court decision on the development of the Long Bay area also noted the importance of maintaining the rural backdrop to the Regional Park and the need to integrate the development of the Long Bay area with the rural qualities of the Okura area.

10438-14 Royal Forest and Bird Protection Society, J A Lewis

Amend the Explanations and reasons of 9A.3.3. (Landscape and Landforms) and Expected Environmental results to change any reference to semi rural to rural, delete reference to mitigation of landform modification.

Further Submission
10438-14x611

Further Submitter
Landco Limited

Support/Oppose
Oppose

10450-19 Okura Environmental Group, Marilyn Riddell

Amend 9A.3.3 (Landscapes and Landforms) to provide a definition of 'significant' and the significant landforms and landscapes mapped.

Further Submission
10450-19x476
10450-19x668

Further Submitter
Royal Forest & Bird Protection Society
Landco Limited

Support/Oppose
Support
Oppose

That submission 10438-14 (opposed by 10438-14x611) **be rejected** on the basis that the backdrop to the Regional Park will be altered to a certain extent by development in the area and the reference to a semi-rural backdrop in section 9A.3.3 is a fair reflection of what can be achieved in this area. Submission 10450-19 (supported by 10450-19x476 and opposed by 10450-19x668) **be accepted in part** to the extent that all of the identified Significant Landscape Features are protected through inclusion in the Landscape Protection (Conservation) areas, except for the Vaughans Road ridgeline and these are mapped on the Structure Plan maps. The basis for defining "Significant Landscapes" is described in the Significant Landscape Features study being undertaken by Council for all land on the North Shore. In addition there is a definition of 'Significant Landform' in section 21 of the District Plan.

10450-20 Okura Environmental Group, Marilyn Riddell

Amend Policy 1, 2 and 4 of 9A.3.3 (Landscapes and Landforms) to ensure the natural character of the landscape is preserved and there is no landscape modification on the headlands..

Further Submission
10450-20x477
10450-20x669

Further Submitter
Royal Forest & Bird Protection Society
Landco Limited

Support/Oppose
Support
Oppose

That submission 10450-20 (supported by 10450-20x477 and opposed by 10450-20x669) **be accepted in part** to the extent that there is not a strong imperative for inclusion of "Natural Character" as a factor dictating the location and distribution of development within most of the Long Bay catchment. This is because nearly all of the Structure Plan catchment would either be regarded as

'compromised' (by existing modification) or outside the bounds of the coastal environment, apart from the thin line of ridge slopes flanking Grannies Bay. Therefore, policy 1 (now 2) limits landform modification to areas where urban-type development is justified on the basis of land stability to integration with other urban activities and the subsequent policies (2 - 5) (now 1, 3 and 4) embrace a wider range of landscape and amenity considerations.

Greater clarity could be provided on the extent to which landform modification is expected to occur within the Structure Plan area by amending Objective 9A.3.3 and by modifying Policy 2 and 4 (in addition to the amendments to policy 1 (now 2) above in submission 10438-13) and the Explanation and Reasons to clarify what modification and development is appropriate in the backdrop to the Regional Park. Accordingly the wording of the objective and policies are amended as follows.

Objective

The main landform and landscape characteristics of the Okura / Long Bay area are retained, with modification of landforms and landscapes limited to areas where adverse effects can be managed and the overall integrity of landscapes are is not compromised.

Policy 4 is placed as Policy 1.

- 1 Landform modification and development on the headlands associated with the Awaruku and Vaughans Streams is to be managed so as to create a sensitive transition between the Regional Park and development. In particular development on the headland between the Awaruku and Vaughans Streams, that is visible from the Regional Park, is to be avoided, should be carried out in a manner which avoids adverse effects to the visual amenity and recreation values of the Regional Park. To the north of Vaughans Stream, large lot development should occur adjacent to the Park boundary.

Policy 2 (now 3) is to read as follows:

- 3 Lot sizes and development intensity in the upper part of the Structure Plan area is to be limited so as to retain existing landforms and landscapes in their current state. Landform modification associated with urban-type development shall be limited to small pockets of land that are close to existing services and activities.

Policy 3 is placed as Policy 4 and policy 2 is placed as policy 3 thereby keeping all the policies relating to landform modification together.

By the addition of the following to the Explanation and Reasons:

The addition of a new paragraph 2:

The policies also recognise the value of the current landforms in the middle part of the valley in terms of their relationship with the back drop to the Regional Park, as well as their contribution to the amenity values of the area. The policies signal the need to retain the integrity of these landforms.

And:

....Development on these headlands would be very visually obtrusive, and consequently the policies indicate that development should only occur behind the roll-over of the top of this headland, where it would not be visible from prominent when viewed from the Regional Park.

Much of the land in the Long Bay area is steep and prone to instability. Traditional methods of subdivision would seek to maximise the number of building sites and to overcome instability problems through substantial earthworks. However such large-scale earthworks have the potential to adversely affect water quality, as well as to result in a heavily modified landscape that would be contrary to the environmental and amenity values of the area and principles of sustainable management of resources.

Therefore section 9A.3.3 Landscape and Landforms is to read as follows:

9A.3.3 Landscape and Landforms

Objectives

The main landform and landscape characteristics of the Okura / Long Bay area are retained, with modification of landforms and landscapes limited to areas where adverse effects can be managed and the overall integrity of landscapes is not compromised.

Policies

1. Landform modification and development on the headlands associated with the Awaruku and Vaughans Streams is to be restricted so as to create a sensitive transition between the Regional Park and development. In particular development on the headland between the Awaruku and Vaughans Streams, that is visible from the Regional Park should be carried out in a manner which avoids adverse effects to the visual amenity and recreation values of the Regional Park. is to be avoided. To the north of Vaughans Stream, large lot development should occur adjacent to the Park boundary.
2. Landform modification in the lower part of the Structure Plan area is to be limited to those areas where urban-type development can avoid areas of land instability, proximity to existing development and integration with other urban activities can be achieved, infrastructure is available and there is the ability to mitigate the adverse effects of landform modification (in particular sediment generation) on Vaughans and Awaruku Streams and the Marine Reserve. On the south side of Vaughans Stream, landform changes associated with urban type development is anticipated. To the north of Vaughans Stream, landform modification is to be confined to areas to on the upper and lower slopes, with mid slopes devoted to large lot development. For the slopes to the north of the Awaruku Stream landform modification is to be limited to large lot development and the necessary roading.
3. Lot sizes and development intensity in the upper part of the Structure Plan area is to be limited so as to retain existing landforms and landscapes in their current state. Landform modification associated with urban-type development shall be limited to small pockets of land that are close to existing services and activities.
4. Roading alignments that minimise the need for earthworks are to be selected.

10450-21 Okura Environmental Group, Marilyn Riddell

Amend 9A.3.3 (Landscapes and Landforms) Explanation and Reasons to clarify meaning of "semi-rural".

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-21x478	Royal Forest & Bird Protection Society	Support
10450-21x670	Landco Limited	Oppose

That submission 10450-21 (supported by 10450-21x478 and opposed by 10450-21x670) **be rejected** for the reason that the reference to "semi-rural" in 9A.3.3 be retained as it reflects the reality that some development will be visible from the Park, given the characteristics of the land.

Section 9A.3.4 Urban Form and Design

10435-15 Auckland Regional Council, Hugh Jarvis

The ARC supports policies 3, 12 and 16 of 9A.3.4. (Urban Form and Design).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-15x12	Okura Environmental Group	Oppose
10435-15x133	Royal Forest & Bird Protection Society	Oppose
10435-15x567	LB-Okura Great Park Society	Oppose
10435-15x754	Landco Limited	Oppose

10435-18 Auckland Regional Council, Hugh Jarvis

That policies 6 and 14 of 9A.3.4 (Urban Form and Design) and 17B1.2 (Design Principles) be retained.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-18x135	Royal Forest & Bird Protection Society	Oppose
10435-18x757	Landco Limited	Oppose

That submissions 10435-15 (opposed by 10435-15x12, 10435-15x133, 10435-15x567 and 10435-15x754) and 10435-18 (opposed 10435-18x135 and 10435-18x757) **be accepted** for the reason that the policies which the submissions support have an important role to play in ensuring quality urban form and design outcomes.

10435-22 Auckland Regional Council, Hugh Jarvis

That policy 16, 9A.3.4(Urban Form and Design) be amended as follows: A pedestrian and cycle network which safely and directly links schools, reserves, the commercial centre and passenger transport routes with living areas, and the main entry points of the Regional Park as identified in the Operative Regional Parks management plan, or Concept Design Plan is to be provided by the development.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-22x136	Royal Forest & Bird Protection Society	Oppose
10435-22x761	Landco Limited	Oppose

That submission 10435 –22 (opposed by 10435-22x136 and 10435-22x761) **be accepted in part** for the reason that the wording changes proposed by the ARC are useful, and should be adopted, provided that the Regional Parks Management Plan is not directly referred to in the Policy. This is so the Policy does not need to be updated should the Management Plan change in the future. The revised policy is to read as follows:

A pedestrian and cycle network is to be provided which safely and directly links schools, reserves, the commercial centre and passenger transport routes with living areas ~~is to be provided~~ and the main entry points of the Regional Park.

10438-17 Royal Forest and Bird Protection Society, J A Lewis

Amend 9A.3.4 (Urban Form and Design) policy 1-4 to refer to environmental conditions relative to lot size and recognition of open space spines.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10438-17x614	Landco Limited	Oppose

That submission 10438-17 (opposed by 10438-17x614) **be rejected** for the reason that the rules for each zone make it clear what environmental 'standards' and 'conditions' are expected. In relation to "open space spines", just one continuous sequence of open space, reserves and conservation areas is defined in the Structure Plan, to which subsidiary areas of bush, stream corridors and reserves would be connected and they are both located and configured so as to enhance all of the catchment's urban and suburban environs.

10449-7 LB-Okura Great Park Society, David Gatward

Support 9A.3.4 objective (Urban Form and Design) once the area for the Great Park has been provided.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10449-7x167	Katavich, Anthony	Support
10449-7x314	LB-Okura Great Park Society	Support
10449-7x447	Royal Forest & Bird Protection Society	Support
10449-7x771	Landco Limited	Oppose

10449-8 LB-Okura Great Park Society, David Gatward

Rewrite Policies 6 -10 of 9A.3.4 (Urban Form and Design) to embrace the concept of the Great Park and to ensure protection of heritage sites.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10449-8x168	Katavich, Anthony	Support
10449-8x315	LB-Okura Great Park Society	Support
10449-8x448	Royal Forest & Bird Protection Society	Support
10449-8x772	Landco Limited	Oppose

That submissions 10449-7 (supported by 10449-7x167, 10449-7x314, 10449-7x447 and opposed by 10449-7x771) and 10449-8 (supported by 10449-8x168, 10449-8x315, 10449-8x448 and opposed by 10449-8x772) **be rejected** for the reason that the Structure Plan cannot address the idea of a Great

Park through zoning provisions, as discussed under submission 10518 and others requesting no further development in the Long Bay catchment.

10450-23 Okura Environmental Group, Marilyn Riddell

Amend 9A.3.4 (Urban Form and Design) Policy 6 so that public open space is not restricted to the spine of the Vaughans Stream only.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-23x480	Royal Forest & Bird Protection Society	Support
10450-23x672	Landco Limited	Oppose

That submission 10450-23 (supported by 10450-23x480 and opposed by 10450-23x672) **be accepted in part** to the extent that there is no statement or implication in Policy 6 that public access and / or reserves would be solely limited to the Vaughans Stream 'spine'. Indeed, the Structure Plan shows a much wider network of reserves and public walkways that would provide a high level of connectivity between areas of residential occupation and local schools, the village green, other reserves, the Regional Park and other areas of development. However it would be appropriate to combine policy 5 from section 9A.3.4 with policy 6 in section 9A.3.4 (9A.3.5) and to provide one policy to incorporate the issues identified in each. Policy 5 in section 9A.3.3 is deleted and the reworded policy is located in section 9A.3.4 (9A.3.5, Urban Form and Design) and reads as follows:

Policy 6 of 9A.3.4 (9A.3.5)

Development is to ~~assist~~facilitate with the creation of a main open space 'spine' through the middle of the Structure Plan area, mostly following Vaughans Stream, linking the Regional Park with the rest of the future reserve network within the Structure Plan area. Extending the recreational opportunities available to people using the Regional Park as well as the local network and providing access from and between the future urban area and the Regional Park. The design and management of these reserve areas should be integrated as much as possible to provide a seamless experience for residents and visitors

10450-24 Okura Environmental Group, Marilyn Riddell

Oppose the proposed location of the village centre and urban residential areas in 9A.3.4 (Urban Form and Design) (Explanation and Reasons).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-24x481	Royal Forest & Bird Protection Society	Support
10450-24x673	Landco Limited	Oppose

That submission 10450-24 (supported by 10450-24x481 and opposed by 10450-24x673) **be rejected** for the reason that the coordinated location of the Village Centre, Urban Village - in conjunction with the village green and the concentration of higher density residential development in the Urban Neighbourhood zones around the periphery of both will establish an area of communal activity in and around the village green that provides a strong focus and area of congregation for the new residential community at Long Bay. This would be enhanced by a comprehensive system of walkways and cycle ways, and the confluence of the primary roading network in this same area - to create a strong social, as well as physical, hub for the area.

10436-15 ECB Coastal Protection Society Inc, Robert White

Amend policies 2 and 3 (Lot Sizes and Dimensions) of 9A.3.4 (Urban Form and Design) to justify the housing densities stated. Also a figure for the target number of dwellings and inhabitants in the Structure Plan should be given.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-15x379	Royal Forest & Bird Protection Society	Support
10436-15x796	Landco Limited	Oppose

10438-3 Royal Forest and Bird Protection Society, J A Lewis

Amend 9A.3.4 (Urban Form and Design), Policies 1 -4 to more appropriately reflect densities that are sensitive to the environmental and landscape conditions in the area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10438-3x600	Landco Limited	Oppose

10450-22 Okura Environmental Group, Marilyn Riddell

Amend 9A.3.4 (Urban Form and Design) Policy 1, 2 and 3 to provide justification for lot sizes.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-22x479	Royal Forest & Bird Protection Society	Support
10450-22x671	Landco Limited	Oppose

10480-1 Olaf & Regina Jones

Amend section 9A.3.4 (Urban Form and Design) to exclude all forms of higher density housing.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10480-1x1	Keep Okura Green	Support
10480-1x108	Royal Forest & Bird Protection Society	Support

10480-2 Olaf & Regina Jones

Amend 9A.3.4 (Urban Form and Design) to remove the proposed village centre from the plan.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10480-2x2	Keep Okura Green	Support
10480-2x109	Royal Forest & Bird Protection Society	Support

That submissions 10436-15 (supported by 10436-15x379 and opposed by 10436-15x796), 10438-3 (opposed by 10438-3x600), 10450-22 (supported by 10450-22x479 and opposed by 10450-22x671), 10480-1 (supported by 10480-1x1, 10480-1x108) and 10480-2(supported by 10480-2x2 and 10480-2x109) **be accepted in part** to the extent that Policy 1 should be amended to clearly reflect the type of development expected in the Structure Plan area and for this to reflect that environmental and landscape characteristics of the area are an important consideration in the development of the area. However it is appropriate for the Structure Plan to provide for more intensive forms of housing. This is in response to the projected future housing needs of the City, as well as the point that more intensive forms of development can be accommodated without significant harm to the environment.

Accordingly Policy 1 of section 9A.3.4 (9A.3.5) Urban Form and Design is amended as follows:

Policies

Lot Sizes and Dimensions

1. The density of development should reflect the environmental and landscape conditions present in the area:
 - *In the Structure Plan area where there is Large lot development (Long Bay 1 zone) should occur on the steeper, more unstable land in the Structure Plan area and where there are also areas of native vegetation are present, large lot development (Long Bay 1 zone) should occur. Development should not exceed a density of 4one lot per 5000m² on land with recognised geotechnical, landscape and ecological issues associated with it. Development to a density of 4one lot per 2500m² is possible on land with fewer constraints, provided in both cases other relevant policies can be complied with.*
 - *In the lower part of the Structure Plan area suburban type development (600 to 1000 m² lot sizes) should occur mostly, In the lower part of the Structure Plan area with larger lots sizes used (1000m²) to be used where the majority of stormwater is to be managed on-site (Stream Protection A areas).*
 - *More intensive development should be confined to areas in the lower part of the Structure Plan area that are adjacent to the main stream corridor, the proposed village centre and bus routes.*

10466 - 3 Tracey Messinger

Amend 9A.3.4 (Urban Form and Design) policies 6-10, relating to open space and 17B.1.1(Development of Long Bay Structure Plan) to provide for additional land adjacent to the existing park in order to preserve the backdrop to the park.

That submission 10466-3 **be rejected**, for the reason that the Structure Plan has taken reasonable steps to protect the Regional Park back drop, while the Auckland Regional Council has purchased land that has a prominent visual role in terms of the immediate Regional Park back drop.

10467-8 Okura Residents and Ratepayers Association, Christina Howat

Amend 9A.3.4 (Urban Form and Design) Policy 6 so that development is not used to assist with the creation of the main open space spine.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10467-8x511	Royal Forest & Bird Protection Society	Support
10467-8x640	Landco Limited	Oppose

That submission 10467-8 (supported by 10467-8x511 and opposed by 10467-8x640) **be accepted in part** to the extent that the use of the word development in Policy 6 of 9A.3.4 is meant in a positive rather than negative sense. When development in the area proceeds it will assist with the creation of the open space 'spine' as land will be contributed either in the form of money or land which will be used towards the creation of the open space spine.

Section 9A.3.5 Staging, Infrastructure and Development Contributions

10491 - 1 W A Anderson

Ensure any development that is allowed is not so dense and that at least half the land is reserved as a developers contribution.

That submission 10491-1 **be accepted in part** to the extent that the Structure Plan provides a density of development that reflects the environmental and landscape conditions present in the area and in response to the communities preference for mixed densities. It is also accepted that developers should contribute to the provision of reserve land in the area. This has been provided for in the Structure Plan in section 9A.3.5 whereby reserves will be formed through contributions from developers made at the time of subdivision or development in accordance with Councils Development Contributions policy as set out in Councils Long Term Council Community Plan.

Section 9A.4 Rules Site Works and Subdivision

10486-14 Landco Limited, Neil Donnelly

Amend 9A.4.6.1 to 9A.4.6.4. (Specific Subdivision Standards) to include 4 zones; Long Bay 1 Zone with the minimum net site area for 1A of 600m² and 1B zone of 1000m²; Long Bay 2 Zone with a minimum net site area of 220m² and a maximum of 350m² with the average between 240 to 300m² (excluding any lots of 1500m² or greater); Long Bay 3 Zone with a minimum net site area of 160m² and a maximum of 250m² and average net site area of 180m² to 220m² (excluding any lots of 1500m² or greater). (Inclusion of Long Bay 4 Zone: Neighbourhood Centre).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-14x191	ECB Coastal Protection Soc Inc	Oppose
10486-14x528	LB-Okura Great Park Society	Oppose
10486-14x697	Okura Environmental Group	Oppose

That submission 10486-14 (opposed by 10486-14x191, 10486-14x528, 10486-14x697) **be accepted in part** to the extent that it is appropriate to include an area of Long Bay 2A zone adjacent to an existing area of this zone to the west of Ashley Reserve and adjacent to the proposed Valley Road and to link with the area of Long Bay 2A zone on the northern boundary of the Ashley Reserve. However the extensive changes to minimum lot sizes sought in the Landco submission are not justified by any detailed analysis of environmental values and sensitivities for different parts of the catchment. Also the zoning pattern in Landco's plan will result in a more homogenous form of development which is contrary to the mixed development strategy incorporated in Councils Structure Plan and which is set in response to community expectations for development in the area.

In relation to the 1A and 1B zone proposal this zoning potentially raises a range of issues in relation to stormwater and sediment management, terrestrial and aquatic habitats, the avoidance of geotechnical 'hazards, the creation of transition into the adjoining rural zones, retention of a rural buffer against parts of Long Bay Regional Park, and the retention of high levels of amenity and landscape value.

The proposed average density of 540-580m² for the Long Bay 2A zone would impose a conventional development regime on parts of the upper valley, Awaruku catchment and valley slopes south of Vaughans Road that have been identified as being unable to sustain such densities. The other residential densities proposed appear to ignore key social, community and urban design objectives for Long Bay. Instead, the Landco proposal would repeat the pattern of past subdivision along the East

Coast Bays, but at considerably higher densities and with only limited provision for both on and off site amenities.

10514-1 Kit Howden

Clarify the role and purpose of local parks within the Plan Change

That submission 10514-1 **be accepted** for the reason that more explanation in the Structure Plan about the role and purpose of local parks would provide better clarity of understanding of their purpose. Section 9A.3.4 (9A.3.5) Urban Form and Design includes a short description of the role of the local parks, in the Explanation and Reasons as follows:

The proposed neighbourhood parks are designed to provide a focus for their immediate residential communities and are designed to link - via both walkways and roads - with local schools, the village green / Vaughans Stream corridor, Regional Park and Village Centre. They are located so as to offer viewpoints up and down, or over the valley, as well as to both the Regional Park and Hauraki Gulf. They would incorporate playground facilities for children, and areas for sitting and picnicking.

10486-15 Landco Limited, Neil Donnelly

Delete 9A.4.6.6 (Long Bay 5 Zone: Village Centre) and 9A.4.6.7 (Long Bay 6 Zone: Stormwater Management Zone). Delete 9A.6. (Rules relative to information requirements and planting plan).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-15x192	ECB Coastal Protection Soc Inc	Oppose
10486-15x529	LB-Okura Great Park Society	Oppose
10486-15x698	Okura Environmental Group	Oppose

That submission 10489-15 (opposed by 10486-15x192, 10486-15x529 and 10486-15x698) **be rejected** for the reason that sections 9A.4.6.6 and 9A.4.6.7 provide direction on the qualities of particular zones and therefore should be retained. Section 9A.6 provides useful information for developers and its removal is likely to add to the transaction costs involved in preparing and submitting resource consents for development.

10443 - 6 William McCandless

Amend 9A.4.6.2; (LB Zone 1) 9A.4.6.3 (LB Zone2) and 9A.4.6.4 (LB Zone 3) to reflect a minimum lot size of 4ha

That submission 10443-6 **be rejected**, for the reason that a 4ha minimum lot size in the Long Bay area is not justifiable and would remove rights from existing landowners.

10449-10 LB-Okura Great Park Society, David Gatward

Amend 9A.4.1 (Classification of Activities) to ensure no urban development activities are permitted within the proposed boundaries of the Great Park.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10449-10x170	Katavich, Anthony	Support
10449-10x317	LB-Okura Great Park Society	Support
10449-10x450	Royal Forest & Bird Protection Society	Support
10449-10x774	Landco Limited	Oppose

10449-11 LB-Okura Great Park Society, David Gatward

Strongly support restrictions described for conservation areas in 9A.4.5.8 (Landscape Protection Area) but this area should be extended to include the proposed Great Park area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10449-11x171	Katavich, Anthony	Support
10449-11x318	LB-Okura Great Park Society	Support
10449-11x451	Royal Forest & Bird Protection Society	Support
10449-11x775	Landco Limited	Oppose

That submissions 10449-10 (supported by 10449-10x170, 10449-10x317 and 10449-10x450 and opposed by 10449-10x774) and 10449-11 (supported by 10449-11x171, 10449-11x318, 10449-11x451 and opposed by 10449-11x775) **be rejected** for the reason that the Structure Plan should not identify land for a Great Park.

10486-17 Landco Limited : Neil Donnelly

Include a new section 9A.6. (Long Bay Subdivision Guide)

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-17x194	ECB Coastal Protection Soc Inc	Oppose
10486-17x531	LB-Okura Great Park Society	Oppose
10486-17x700	Okura Environmental Group	Oppose

That submission 10486-17 (opposed by 10486-17x194, 10486-17x531 and 10486-17x700) **be accepted in part** to the extent that Sections Section 9A.4.5.3 to 9A.4.5.6 and paragraph b) of Section 9A.4.6.4 be redrafted as assessment criteria and moved to the appropriate place within Section 9A.7. The proposed minor modifications to the rules/guidelines are not supported, as they would undermine the council's ability to ensure good urban design outcomes within the Structure Plan area. (Refer to 10486-13 for details of the changes).

Section 9A.7 Assessment Criteria

Section 9A.7 sets out the assessment criteria that apply to subdivision and development applications.

10486-16 Landco Limited, Neil Donnelly

Delete 9A.7. (Assessment Criteria) and insert replacement text.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-16x193	ECB Coastal Protection Soc Inc	Oppose
10486-16x530	LB-Okura Great Park Society	Oppose
10486-16x699	Okura Environmental Group	Oppose

That submission 10486-16 (opposed by 10486-16x193, 10486-16x530 and 10486-16x699) **be rejected**, on the basis that the replacement criteria provide little guidance on the particular environmental values and development constraints present in the Long Bay area.

10450-27 Okura Environmental Group, Marilyn Riddell

Amend 9A.7.2.1(Assessment Criteria: Overall Urban Form, Layout and Design) parts (d) and (e) to clarify the density expectation.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-27x484	Royal Forest & Bird Protection Society	Support
10450-27x676	Landco Limited	Oppose

That submission 10450-27 (supported by 10450-27x484 and opposed by 10450-27x676) **be rejected** for the reason that the criteria play a useful role in helping to judge the effects of development proposals that depart from the provisions of the Structure Plan and that further clarification is not needed.

Section 17B Long Bay Structure Plan

10486-18 Landco Limited, Neil Donnelly

Delete sections 17B (Long Bay Structure Plan) which includes the land use strategies, design principles and resource management issues for development of Long Bay) 17B.3 (Objectives and Policies) and insert replacement text.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-18x195	ECB Coastal Protection Soc Inc	Oppose
10486-18x532	LB-Okura Great Park Society	Oppose
10486-18x701	Okura Environmental Group	Oppose

That submission 10468-18 (opposed by 10486-18x195, 10486-18x532 and 10486-18x701) **be rejected** for the reason that Landco's replacement text does not provide sufficient weight to matters of national, regional and local significance, leaving open to the development stage how many resource management issues are to be managed. In addition, the effect of providing insufficient guidance on the outcomes of development on the natural, physical and cultural heritage values evident in the area, is the risk that development will not be sufficiently assessed at the resource consent stage of the development process in order to ensure that adverse effects are avoided and mitigated in accordance with the values identified in the area.

Section 17B.1.1 Development of Long Bay Structure Plan

10449-12 LB-Okura Great Park Society, David Gatward

Amend 17B.1.1 (Development of Long Bay Structure Plan) to recognise the local, regional, national and international significance of the Long Bay - Okura peninsula and the concept of a Great Park of about 400ha.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10449-12x172	Katavich, Anthony	Support
10449-12x319	LB-Okura Great Park Society	Support
10449-12x452	Royal Forest & Bird Protection Society	Support
10449-12x776	Landco Limited	Oppose

That submission 10449-12 (supported by 10449-12x172, 10449-12x319 and 10449-12x452 and opposed by 10449-12x776) **be rejected** for the reason that it is not justifiable for the Structure Plan to zone most of the areas as "Great Park. If the Council's objective is to extend reserve land in the area, then this should be done through land purchase, not through restrictive zoning.

10450-1 Okura Environmental Group, Marilyn Riddell

Amend 17B.1.1 (Development of Long Bay Structure Plan) to ensure better implementation of S6 of RMA and apply 'precautionary' approach of the ARPS to whole Plan Change.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-1x458	Royal Forest & Bird Protection Society	Support
10450-1x650	Landco Limited	Oppose

That submission 10450-1 (supported by 10450-1x458 and opposed by 10450-1x650) **be accepted in part** to the extent that in relation to Section 6 (f) – heritage protection amendments are needed, as outlined in the section on Cultural Heritage, otherwise the Structure Plan already takes steps to protect, where necessary, the particular features identified in Section 6 of the RMA and relevant Regional Policies.

Marine Reserves Act

10450-2 Okura Environmental Group, Marilyn Riddell

Amend 17B.1.1(Development of Long Bay Structure Plan) to include reference to the Marine Reserves Act or Court Decision on Additional Principles 30/10/97.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-2x459	Royal Forest & Bird Protection Society	Support
10450-2x651	Landco Limited	Oppose

10436-2 ECB Coastal Protection Society Inc, Robert White

Amend 17B.1.1(Development of Long Bay Structure Plan) to Include reference to Marine Reserves Act and note this requires controlling the deposition of harmful substances (including sediments and pollutants generated during and post development) in the marine reserve.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-2x366	Royal Forest & Bird Protection Society	Support
10436-2x585	Landco Limited	Oppose

10452-9 Keep Okura Green, David Johnston

Amend 17B.1.1(Development of Long Bay) to include reference to the Marine Reserve Act.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10452-9x497	Royal Forest & Bird Protection Society	Support
10452-9x574	Landco Limited	Oppose

10436-37 ECB Coastal Protection Society Inc, Robert White

Include in paragraph 3 of 17B.1.1(Development of Long Bay Structure Plan) the Marines Reserves Act and refer to the 2003 Environment Court decision which have implications for the Long Bay area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-37x401	Royal Forest & Bird Protection Society	Support
10436-37x818	Landco Limited	Oppose

That submissions 10450-2 (supported by 10450-2x459 and opposed by 10450-2x651), 10436-2 (supported by 10436-2x366 and opposed by 10436-2x585) 10452-9 (supported by 10452-9x497 and opposed by 10452-9x574) and 10436-37 (supported by 10436-37x401 and opposed by 10436-

37x818) **be accepted in part**, to the extent that the Marines Reserves Act 1971, should be added to the list of relevant legislation. However there is no need to refer to the 2003 Environment Court decision (A117/03) relating to the Okura area.

10436-36 ECB Coastal Protection Society Inc, Robert White

Clarify in 17B.1.1 (Development of Long Bay Structure Plan) what is meant by the "lessons learnt" from recent subdivisions and development activities.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-36x400	Royal Forest & Bird Protection Society	Support
10436-36x817	Landco Limited	Oppose

That submission 10436-36 (supported by 10436-36x400 and opposed by 10436-36x817) **be accepted in part** to the extent that 17B.1.1 is amended along the following lines:

The Structure Plan contains a set of rules and activity controls that have been tailored to the particular environmental conditions of the area. ~~As well as responding to the lessons learned from recent subdivision evident in~~ The Structure Plan also responds to the experience of implementing the Albany and Greenhithe Structure Plans, where generalised statements about outcomes in these Structure Plans have lead to significant debate at later stages in the development process as to what was intended by the Structure Plans. The Long Bay Structure Plan is also the result of extensive public consultation and signals a significant change in the way the District Plan manages development.

10436-38 ECB Coastal Protection Society Inc, Robert White

Amend paragraph 4 of 17B.1.1 (Development of Long Bay Structure Plan) to more accurately reflect section 6 and 7 of the RMA.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-38x402	Royal Forest & Bird Protection Society	Support
10436-38x819	Landco Limited	Oppose

That submission 10436-38 (supported by 10436-38x402 and opposed by 10436-38x819) **be accepted in part** to the extent that it is appropriate that 17B.1.1 be amended in addition to section 9A.3.1 to include references to the:

- importance of providing for growth, where environmental conditions and values permit this
- overriding need for integrated management of development through a structure plans process
- importance of national and regional policy on the ecological, amenity and recreational benefits of the coastal area and the need for high standards of sediment control and stormwater treatment.

Through the addition of Policy 4 to Section 9A.3.1 and an additional sentence in the Methods as follows:

4. Where multiple agencies are involved in the management of natural and physical resources, then the Council shall work with these agencies to ensure that the management of these resources is undertaken in an integrated way, including the Auckland Regional Council in relation to stormwater management and other issues covered by Regional Plans and Policies, including the relationship with the Regional Park; the Historic Places Trust in relation to heritage and the Department of Conservation in relation to the Marine Reserve.

Methods

Policy 4 will be implemented by Council in liaison with other parties.

And an additional paragraph in the Explanations and Reasons of section 9A.3.1 as follows:

Where consents for the use of resources are required from multiple agencies, then the Council will work these agencies, as well as applicants, to ensure that resource management issues are addressed in an integrated way. This may involve joint hearings, as well as making consent holders

aware of their responsibilities under other plans and Acts to obtain necessary consents, such as in relation to heritage resources.

Add a sentence to Expected Environmental Results as follows:

Development of the Structure Plan area occurs in an integrated way. The natural environment is protected and a liveable, high quality urban area is developed. The various organisations involved work together to ensure integrated outcomes are achieved.

Through an additional bullet point in paragraph 5 in section 17B.1.1 (refer also to submissions 10443-5, 10443-11 and others)

- Objectives aimed at the efficient use of land in future urban areas, subject to consideration of environmental and infrastructural issues. Any new growth areas must be subject to a structure planning process to resolve tensions between these outcomes.

10436-39 ECB Coastal Protection Society Inc, Robert White

Include in section 17B.1.1 (Development of Long Bay Structure Plan) more details on the relevant matters of the Marine Reserves Act in relation to Long Bay with particular reference to sediment deposition and the discharge of contaminants.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-39x403	Royal Forest & Bird Protection Society	Support
10436-39x820	Landco Limited	Oppose
10436-39x36	Department Of Conservation	Support in Part

That submission 10436-39 (supported by 10436-39x403 and opposed by 10436-39x820 and supported in part by 10436-39x36) **be accepted** for the reason that it is appropriate to list the Marine Reserves Act as a relevant piece of legislation when considering the provisions of the Structure Plan and to provide a reference to relevant matters in relation to the discharge of contaminants..

Paragraph 7 of 17B.1.1 is amended as follows:

Section 7 of the Hauraki Gulf Marine Park Act recognises the national significance of the Gulf, while Section 8 provides direction for the management of the Gulf, including its catchment. The Marine Park Act stresses the need to protect the ecological values of the Marine Reserve area and not subject it to unlawful discharges of contaminants and pollutants.

Section 17B1.2 Design Principles

10438-26 Royal Forest and Bird Protection Society, J A Lewis

In 17B.1.2 (Design Principles) delete the following: concept of a "trade off"; delete "to provide a central focus"; delete to support a new main entry to the Regional Park."

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10438-26x623	Landco Limited	Oppose

That submission 10438-26 (opposed by 10438-26x623) **be accepted in part** for the reason that the deletion of the use of the term "trade off" in the Structure Plan will reduce the confusion of understanding around the concept used by the Structure Plan to concentrate development where it can be accommodated with fewer adverse effects in terms of a wide range of environmental values and sensitivities. However the deletion of a new main entry to the Long Bay Regional Park is not supported because this reflects the Auckland Regional Council's desire to spread the load of vehicles and parking away from just Beach Road and this entry will help to support the proposed village centre located near this entrance. The stream should be a central focus.

The following sections containing the word "trade off" are amended:

Section 17B.1.2 Design Principles Bullet Point 2; Section 17B.1.3 Land Use Strategy – Upper Valley Bullet Point 4; Section 17B.2 Resource Management Issues Bullet Point 4; Section 17B.4.4 Long Bay 3 Zone Explanation and Reasons.

10445-3 B G Stanley

Amend 17B.1.2 (Design Principles) to provide more justification for the inappropriate location of high rise buildings in the rural backdrop area to the Regional Park.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10445-3x81	Royal Forest & Bird Protection Society	Support

That submission 10445-3 (supported by 10445-3x81) **be accepted in part** to the extent that 6 storeys or a maximum height of 18 metres is inappropriate for buildings in the Long Bay 4 zone (Urban Village) and this is reduced to 12.5 metres. (Refer to 10437-11 and 10437-18 for changes to Structure Plan text). However the location of the higher rise development is appropriately located against the backdrop of a major ridgeline and its location in close proximity to the village green and village centre is considered to be appropriate and in accordance with the principles of good urban design.

10449-13 LB-Okura Great Park Society, David Gatward

Amend 17B.1.2 (Design Principles) bullet point 8 to delete the word "immediate" and replace with words that define Councils commitment to include the ridge/escarpment backdrop to the Regional Park.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10449-13x173	Katavich, Anthony	Support
10449-13x320	LB-Okura Great Park Society	Support
10449-13x453	Royal Forest & Bird Protection Society	Support
10449-13x777	Landco Limited	Oppose

That submission 10449-13 (supported by 10449-13x173, 10449-13x320, 10449-13x453 and opposed by 10449-13x777) **be rejected** for the reason that it is considered that provisions stated in 17B.1.2. bullet point 8 are considered appropriate in trying to maintain Long Bay Regional Park's integrity. This includes applying a Landscape Protection Area to the area below the 30m contour line and the ARC's acquisition of additional reserve land in the backdrop area.

10450-3 Okura Environmental Group, Marilyn Riddell

Amend 17B.1.2 (Design Principles) BP1 to clarify what is meant by 'sustainable urban design'.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-3x460	Royal Forest & Bird Protection Society	Support
10450-3x652	Landco Limited	Oppose

That submission 10450-3 (supported by 10450-3x460 and opposed by 10450-3x652) **be accepted in part** to the extent that the reference to sustainable urban design principles is very broad brush and will be hard to interpret within the context of a particular development. The bullet point is reworded as follows:

- *The integration of the natural and built environment to achieve the sustainable development of the area. In particular the integration of low impact stormwater design with ~~sustainable urban design principles~~ urban design-based development approaches that seek to provide more liveable communities and enhanced environments for future residents.*

10450-4 Okura Environmental Group, Marilyn Riddell

Acknowledgement of the sensitive nature of the environment in stream B area and justify in 17B.1.2 (Design Principles) BP2 , 3,4 and 6, why higher densities must be accepted as a "trade off" in this area and to remove the Vaughans Stream area as the central focus for residential development.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-4x461	Royal Forest & Bird Protection Society	Support
10450-4x653	Landco Limited	Oppose

That submission 10450-4 (supported by 10450-4x461 and opposed by 10450-4x653) **be accepted in part**, to the extent that the words trade-off be removed from Section 17B.1.2 Design Principles, and the explanation focus on the need for development to protect key environmental resources. However the reference to Vaughans Stream valley being a central focus for residential development is not removed as this reference is used in the sense that the stream provides a strong landscape element within the catchment and that through the proposed walkway and reserve development, the lower and upper parts of the catchment will be linked. Development should respond to this central focus as this will help to ensure that the stream corridor is retained and maintained as a high quality area.

Section 17B.1.2 Design Principles is amended as follows:

- *the concentration of higher development densities in areas that are more capable of sustaining this and where the adverse effects of landform modification can be mitigated, with much lower densities in more environmentally sensitive and physically 'fragile' parts of the Structure Plan area where there is a need to protect key environmental resources, such as the streams and native bush areas.*

10450-5 Okura Environmental Group, Marilyn Riddell

Clarify 17B.1.2 (Design Principles) BP9 what is meant by 'other measures'.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-5x462	Royal Forest & Bird Protection Society	Support
10450-5x654	Landco Limited	Oppose

10467-4 Okura Residents and Ratepayers Association (ORRA), Christina Howat

Amend 17B.1.2, (Design Principles) BP9, to provide additional explanation on "other measure" to protect the interface between urban Long Bay and rural Okura.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10467-4x507	Royal Forest & Bird Protection Society	Support
10467-4x596	Landco Limited	Oppose

That submissions 10450-5 (supported by 10450-5x462 and opposed by 10450-5x654) and 10467-4 (supported by 10467-4x507 and opposed by 10467-4x596) **be accepted** for the reason that the reference to "other measures" is unclear and is amended as follows:

- *The use of tree planting, building set backs and zoning to create a soft interface between an urban Long Bay and rural Okura.*

10467-9 Okura Residents and Ratepayers Association (ORRA), Christina Howat

Amend 17B.1.2 (Design Principle) so that the Vaughans Stream valley does not provide a central focus for residential development. No development should be allowed in this stream corridor.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10467-9x512	Royal Forest & Bird Protection Society	Support
10467-9x641	Landco Limited	Oppose

That submission 10467-9 (supported by 10467-9x512 and opposed by 10467-9x641) **be rejected** for the reason that the Vaughans Stream together with the village green should act as a visual focus for development in the lower valley and that no residential development will be located in the 100 year flood plain.

Section 17B.1.3 Land Use Strategy

10435-21 Auckland Regional Council, Hugh Jarvis

That the cul-de-sac in the southeastern area currently zoned urban neighbourhood be amended to a large lot residential zone, to maintain consistency with the proposed larger lots located adjacent to the park (see ARC attached plan).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-21x50	Royal Forest & Bird Protection Society	Support
10435-21x760	Landco Limited	Oppose

That submission 10435-21 (supported by 10435-21x50 and opposed by 10435-21x760) **be accepted in part** to the extent that in this part of the Structure Plan catchment, the urban zoning includes a Heritage Protection (Long Bay 7) zone to protect the archaeological sites within it. This change will assist in achieving the sort of landscape transition sought by the Auckland Regional Council.

10435-24 Auckland Regional Council, Hugh Jarvis

That the Suburban Neighbourhood 2 zone, in proximity to Vaughans Road ridgeline be reviewed to include larger lots, to achieve a less intensive vista and maintain continuity with the other large lots around the ridgeline.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-24x52	Royal Forest & Bird Protection Society	Support
10435-24x763	Landco Limited	Oppose

That submission 10435-24 (supported by 10435-24x52 and opposed by 10435-24x763) **be rejected** for the reason that it is appropriate to utilise the physical capacity of the land in close proximity to

Vaughans Road ridgeline for the Long Bay 2B (Suburban Neighbourhood) zone rather than zoning the land for larger lots as this land is physically suitable for such development. The Long Bay 2B zone does provide for larger suburban sections than are found within the Long Bay 2A (Suburban Neighbourhood) zone (that is 1000m² rather than 600m²), which are located on the flatter land near the ridge. This creates a clear demarcation between the rural area of Okura and the more urban area of Long Bay. The Structure Plan provides for a building setback and large scale ridgeline tree planting for all sites that adjoin Vaughans Road in this zone. These controls are designed to provide a transition into rural Okura and minimise the dominance of the ridgeline by houses when viewed from the Regional Park.

10438-2 Royal Forest and Bird Protection Society, J A Lewis

Object to the location and design of intensive development in the lower catchment which is at variance with 17B.1.1 (Development of Long Bay Structure Plan) and 17B.1.2 (Design Principles) and policy 16 of 9A.3.2 (Natural Environment) and section 6 and 7 of the RMA.

Further Submission

10438-2x599

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10438-2 (opposed by 10438-2x599) **be rejected** for the reason that the concentration of development to be located within the lower catchment is justified as its location and design is in keeping with the key design principles for the Long Bay Structure Plan, as outlined in section 17 of the North Shore City District Plan, and Sections 6 & 7 of the Resource Management Act. The focus for development and proposed residential densities is generally to remain as proposed by the notified Structure Plan. However, the pattern of zoning in the lower catchment has been modified to accommodate protection of the archaeological sites recently defined. Also the Long Bay 4 zone (Urban Village) has been increased in area in response to the relocation of the Village Centre (Long Bay 5) zone to south of the Vaughans Stream.

10438-27 Royal Forest and Bird Protection Society, J A Lewis

Amend 17B.1.3 (Land Use Strategy) so that reference to intensive development abutting Vaughans Road is deleted and the creation of ecological corridors is included.

Further Submission

10438-27x624

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10438-27 (opposed by 10438-27x624) **be rejected** for the reason that such zoning is appropriate and will assist in the achievement of the overall design vision for the Structure Plan and that such development would not impact on the area. The provision of ecological corridors is implicit in the distribution of Landscape Protection Areas that follow existing stream courses and stands of native bush in the area.

10438-28 Royal Forest and Bird Protection Society, J A Lewis

Delete any reference to a village green /commercial centre on the Vaughans Flats, and from the section 'Below Long Bay College' deletion of reference to intensive terraced housing on edges of Vaughans stream, increase the limit of encroachment of residential development to be further back than the 30 metre contour line, and delete requirement for 3 primary roads to run through this area.

Further Submission

10438-28x625

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10438-28 (opposed by 10438-28x625) **be rejected** for the reason that the references to intensive terraced housing on the edges of the Vaughans Stream, together with the primary roading requirements should be retained. The 'intensive terrace housing is appropriately located, would not impact on the area and would support the village centre. The proposed range of environmental protection and enhancement mechanisms is appropriate. The primary roads have been identified by Council's traffic engineers as being necessary and are an integral part of the development and as such cannot be readily relocated without sound justification. The delineation of the Long Bay 7 (Heritage Protection) zone on the southern headlands adjacent to the Regional Park and the extension of the Landscape Protection (Conservation) Area along the full length of the park boundary next to the headlands effectively increases the limit of encroachment of development in this area. This zone and the Protection Area will limit the adverse effects of any development in this area on the Regional Park.

10441-4 Residents Action Movement(RAM), Elaine West

Revise plan so that no urban development occurs on Long Bay or Vaughan ridges or the eastern side of the Structure Plan area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10441-4x57	Royal Forest & Bird Protection Society	Support
10441-4x305	LB-Okura Great Park Society	Support
10441-4x635	Landco Limited	Oppose

That submission 10441-4 (supported by 10441-4x57, 10441-4x305 and opposed by 10441-4x635) **be rejected** for the reason that the revision of the Structure Plan to limit urban development in the Long Bay area would be contrary to the Environment Court's 1996 decision to provide for urban development in this area and it is contrary to the fundamental approach to development adopted in the Structure Plan area.

10444-4 T R Latham

Amend the plan to increase the area of the Long Bay Regional Park to include the "backdrop area" and exclude any building in this area.

That submission 10444-4 **be accepted in part** to the extent that any adverse effects from development in the backdrop area to the Regional Park should be minimised and therefore the objective under section 17B.3.1, Natural Environment is amended to clarify that any landform modification shall be confined to areas where adverse effects on the Regional Park backdrop and on the environment are avoided and a policy is added to the section clarifying what is expected from development adjacent to the Regional Park boundary. However it is not within the powers of the Structure Plan process to expand the area of Regional Park. The recent purchase of an additional area of land behind Long Bay Beach and current protection mechanisms for the 'backdrop area', including the application of a Landscape Protection Area along the full length of the park boundary on the southern headland is considered appropriate in trying to maintain Long Bay Regional Park's integrity.

The amended wording is as follows:

17B.3.1 Natural Environment (including landscapes and land forms)

Objective

~~To ensure that~~ *The natural environment, including the water quality of the coastal areas, the ecological values of streams and water courses and terrestrial habitats is to be protected from the adverse effects of development and enhanced where possible. Landscape and landform modification is minimised-confined to areas where adverse visual effects on the Regional Park backdrop and on the environment, are avoided.*

Policies

- Development adjacent to the Regional Park boundary shall be designed and located to avoid, remedy or mitigate adverse effects on the visual, amenity and recreation values of the Regional Park. Housing is to be located so that it is set back from the boundary with gaps between structures to allow for trees and vegetation to establish and to avoid the creation of a line of housing along the park interface.*

10445-5 B G Stanley

Amend 17B.1.3 (Land Use Strategy) to locate any high rise and medium to high density housing (zones 4 and 5) west of and below the Long Bay College Ridgeline.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10445-5x83	Royal Forest & Bird Protection Society	Support

That submission 10445-5 (supported by 10445-5x83) **be accepted in part** to the extent that as a result of matters raised at the hearing, it is considered that the location of the Long Bay 5 zone: Village Centre would be more appropriate on the south side of Vaughans Road, to the west of Beach Road extension, in conjunction with an additional area of higher density apartment dwellings (Long Bay 4 zone: Urban Village) in close proximity to it. It is not considered appropriate to locate the Long Bay 5 zone: Village Centre or Long Bay 4 zone: Urban Village development further to the west near

Ashley Avenue as the Village Centre has an important role servicing the needs of those visiting the Regional Park and living at Long Bay. The location of the Village Centre to the south side of the Vaughans Stream has been made for the following reasons:

- The Village Centre is within a 400 metre and 800 metre walking radius to the majority of the main urban density residential development in the area and is still accessible to the village green.
- The centre will have a northerly aspect.
- Access to the Regional Park can be achieved without having to cross the Vaughans Stream, ensuring that this access and the centre are kept together.
- In order to ensure the Long Bay 5 zone:Village Centre is supported by intensive residential development that will assist in achieving the overall outcomes sought for Long Bay, further amendment to the zoning of the land are made, as follows:
 1. The addition of an area of Long Bay 4 zone :Urban Village, with a maximum height limit of 12,5 metres, with direct proximity to the Village Centre to ensure a concentration of development around the centre.
 2. Extension of the existing Long Bay 4 zone; Urban Village, with a reduced maximum height limit to 12.5metres (reduced from 18 metres) on the north side of Vaughans Stream, to include the area released by the relocation of the Village Centre and to include an additional area to the north, taking in a portion of the Landscape Protection (enhancement) Area. This will provide additional housing development on land that is more suitable for this type of development and will provide density support in close walking distance to the Village Centre. The reduced height in addition to the backdrop of a major ridgeline, will lessen the visual intrusiveness of this housing in this area.
 3. As the amount of land in the Long Bay 4 zone is increased there may not be sufficient demand for apartment living in the Structure Plan area. Therefore it is considered that terraced housing be allowed in the Long Bay 4 zone; Urban Village, north of the Vaughans Stream but not adjacent to the village centre. For the village centre to be a success a reasonably high density of housing needs to be located immediately next to it and for this reason a distinction has been made between the Long Bay 4 zones on the northern and southern sides of the Vaughans Stream. Thus the Long Bay 4 zone north of the Vaughans Stream will allow terraced housing on lots that do not exceed 35 metres in depth. In such cases the Long Bay 3 rules shall apply rather than the Long Bay 4 zone rules.

Accordingly the following sections of the Structure Plan are amended.

1. Those relating to the Long Bay 5 Zone: Village Centre are as follows:

Policy 3 of section 9A.3.4 (9A.3.5) Urban Form and Design:

2. *The development of a small village centre with some small-scale workplaces associated with it, and a basic passenger transport service, is to be supported by ensuring that the lower catchment achieves an average density of 15 dwellings per hectare by zoning of areas for medium density development adjacent to the centre.*

Amend 9A.4.6.6 to delete point b) Landscape Protection Area and the last paragraph in the Explanation and Reasons as reference to the Landscape Protection Area is no longer relevant with the relocation of the Long Bay 5 Zone: Village Centre to the south side of Vaughans Stream.

Bullet point 7 of section 17B.1.2 (Design Principles):

- *The creation of a flexible urban structure: ~~the~~ location of the village centre and village green in close proximity to each other, together with a concentration of higher density residential development around the periphery of both (to create and 'amphitheatre') to establish an area of communal activity in and around the village green that provides a strong focus and area of congregation for the new residential community at Long Bay*

Section 17B.1.3 (Land Use Strategy)

Amendment of Bullet point 2 and 3 of : *The Lower Valley (Vaughans Flats)*

- ~~In conjunction with the proposed commercial centre and the 'village green', would will~~ also afford a focus for social and community activities and interaction. ~~It would~~They will become the core of the newly developed Long Bay catchment
- ~~At the same time, it would be a major~~ the village centre ~~would will be on the route~~ for both visitor and local trips to the Regional Park, reinforcing physical links, as well as the 'spinal' nature of the combined regional and local parkland within Long Bay's central valley system

Amendment of bullet point 1 of section 17B.1.3: *The Slopes below Long Bay College and Awaruku Catchment*

- *There is to be a concentration of conventional to medium density housing on most of the ridge crest and recontoured slopes directly below Long Bay College and an area for a local commercial centre (village centre) facing northwards – towards Vaughans Stream, and around the 'village green' with the intensive terraced, town house and apartment development concentrated around the edges of Vaughans Stream, the village centre and the 'village green'*

Policy 6 of 17B.3.2 (17B.3.3) Building Design and Development :

6. *In the Long Bay 5 zone, residential development is to be above the ground on the main street frontage floor. Commercial and business activities should be compatible with the neighbourhood location function of the centre.*

Policy 3 of 17B.4.6 Long Bay 5 Zone: Villlage Centre

3. A range of compatible activities, including apartments (except at ground floor level) ~~fronting the main street~~ and small scale workplaces, are to be encouraged to locate in the centre so that a mixed use focal point for the community is created.

Amendment to 17B.6.5.4

17B.6.5.4 Residential Development

~~a) Each ground floor residential unit shall be provided with a private outdoor living space which:~~

- ~~i) Is not less than 40m² in area;~~
- ~~ii) Is able to contain a circle with a 6 metre diameter; and~~
- ~~iii) Is directly accessible from the principal living room.~~

~~b) a) Each upper floor residential unit shall be provided with a balcony which:~~

-----continued-----

Explanation Reasons

It is expected that any residential units proposed within the Long Bay 5 zone will form part of a mixed use development. The units should generally be established at first floor or above, however some provision has been made for ground floor units where they do not front a street. Due to similarities in the nature of residential development envisaged within the zone (i.e. apartments as opposed to detached or terraced houses), the standards required in terms of outdoor living space are similar to those for the Long Bay 4 zone.

Deletion of part d) of section 17B.7.3.6 (17B.7.3.7) Development in the Long Bay 5 Zone: Village Centre

2. Those relating to the Long Bay 4 Zone: Urban Village are as follows:

Section 9A.4.6.5 Long Bay 4 Zone: Urban Village

Explanations and Reasons

The Long Bay 4 zone is generally intended for multistorey apartment buildings, generally of three to six four storeys. It is expected that the housing within this area will be developed comprehensively. The subdivision standards therefore reflect the need to create sites of a sufficient size to allow for innovative design solutions.

Objective and Policy 1 and Explanation and Reasons of 17B.4.5 Long Bay 4 Zone: Urban Village

Objective

To provide the opportunity for ~~apartment style living~~ well designed higher density housing ~~in a location where taller buildings can fit into the landscape and be in close proximity to the village centre and open space areas.~~

Policies

1. This zone is to allow for ~~apartment development~~ higher density housing of up to ~~six four~~ storeys in height for apartment buildings. Terraced housing should only occur to the north of Vaughans Stream, and only on sites that ensure each residential unit fronts a public street. The average density of development should be around one unit per 150 m². Where terraced housing is proposed the policies in respect of the Long Bay 3 zone shall apply in place of the policies below.

Explanation and Reasons

The Urban Village zone recognises that there is a sector of the market which desires to live in ~~apartment type homes~~ higher density housing. The location of the zone has been carefully selected so that it offers a high quality living environment in close proximity to the Village Centre and Village Green, while ensuring that development in the zone will not disrupt other residential areas, nor dominate the landscape. Design controls and revegetation controls are imposed to ensure that the development achieves these outcomes.

The zone has been applied to two discrete areas on either side of Vaughans Stream. To the south of Vaughans Stream, apartment buildings should be established rather than terraced housing to maximise intensity in close proximity to the Village Centre. Terraced housing may be established to the north of Vaughans Stream, but only on sites that enable each residential unit to front a public street. Experience in other parts of the City has shown that terraced houses that do not front directly onto public streets typically produce poor outcomes in design and amenity terms, with houses looking into the backs of other houses or failing to provide a good interface with the street.

Table 17B.1 Long Bay Structure Plan Activities

Housing					
Residential Units not exceeding one per site in the Stream Protection A area	C	C	C	NA	<u>NA</u>
Residential Units not exceeding one per site in the Stream Protection B area	C	P	C	NC	<u>D</u>
Residential Units – two or more per site except in the Urban Neighbourhood zone	NC	NC	NA	LD	
Residential Units – five or more per site in the Long Bay 3 zone: Urban Neighbourhood and Long Bay 4 zone: Urban Village where the net site area of the parent site is greater than 1500m ²	NA	NA	LD	NA <u>LD</u>	<u>NA</u>

Add to Section 17B.6.1.1 Compliance

b) Where terraced housing is proposed in the Long Bay 4 zone north of Vaughans Stream the controls and associated explanations and reasons in respect of the Long Bay 3 zone shall apply in place of those in respect of the Long Bay 4 zone.

Section 17B.6.1.3 Height in Relation to Boundary

Explanation and Reasons

.....With respect to the Long Bay 4 and 5 zones, the form of development sought within these areas is generally more intensive than the detached and terraced houses anticipated within the other Structure Plan zones.....

Section 17B.6.3

17B.6.3 Additional Controls for Residential Units in the Long Bay 3 Zone: Urban Neighbourhood and Terraced Housing in the Long Bay 4 Zone: Urban Village (North of Vaughans Stream)

Section 17B.6.4

17B.6.4 Additional Controls for Residential Units in the Long Bay 4 Zone: Urban Village (Excluding Terraced Housing)

Section 17B.7.3.5 (17B.7.3.6)

17B.7.3.5 Residential Units in the Long Bay 4 Zone: Urban Village (South of the Vaughans Stream)

Addition of a new Section 17B.7.3.7

17B.7.3.7 Residential Units in the Long Bay 4 Zone: Urban Village (North of Vaughans Stream)

- a) Sites which are greater than 35 metres in depth should be developed with apartment buildings rather than terraced housing. In this situation the criteria of 17B.7.3.6 shall apply. As an exception, developments on sites greater than 35 metres may be developed with terraced housing if each residential unit within the development is able to front a public street.
- b) Sites which are 35 metres or less in depth may be developed with terraced housing. In this situation, the criteria of section 17B.7.3.5 shall apply.

Amendment to 17B.6.1.2 Maximum Height

The amendments in the Structure Plan relating to changes to maximum height limits in Long Bay 4 and 5 zones are detailed under submission numbers 10437-11 and 10450-15.

10445-6 B G Stanley

Amend 17B.1.3 (Land Use Strategy) - Lower Valley (Vaughans Flats) to leave this area free of development.

Further Submission
10445-6x84

Further Submitter
Royal Forest & Bird Protection Society

Support/Oppose
Support

That submission 10445-6 (supported by 10445-6x84) **be accepted in part** to the extent that residential development is not proposed within the 100 year flood plain, apart from necessary infrastructure that cannot be located elsewhere, such as bridges, roads, water and wastewater facilities and reserve and a combination of off-line detention and retention ponds proposed as an integral part of Long Bay's development, to help attenuate peak stormwater flows and reduce flooding within the catchment.

10445-7 B G Stanley

Amend 17B.1.3 (Land Use Strategy) - Slopes below Long Bay College and Awaruku catchment - to remove the proposal to concentrate conventional to medium density housing in this area. Any development should be kept below the Awaruku ridgeline when viewed from Beach Road.

Further Submission
10445-7x85

Further Submitter
Royal Forest & Bird Protection Society

Support/Oppose
Support

That submission 10445-7 (supported by 10445-7x85) **be rejected** for the reason that both the Awaruku ridge and slopes below Long Bay College and the eastern part of the catchment are generally more suitable for urban development than the physically much more sensitive 'upper valley'

area. In addition, proximity to the existing schools, Regional Park, and roads, together with a range of geotechnical considerations, confirm that the 'lower valley' (including its associated ridges) has greater capacity to accommodate a range of residential densities and development.

10446-1 Torbay Historical Society Inc, Barbara Ellis

Amend the Plan Change to exclude any housing between Long Bay College and Vaughans Stream and protect the lower catchment by giving it a high stream classification.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10446-1x73	Royal Forest & Bird Protection Society	Support
10446-1x642	Landco Limited	Oppose

That submission 10446-1 (supported by 10446-1x73 and opposed by 10446-1x642) **be rejected** for the reason that any revision of Vaughans Stream classification would have little effect in terms of the nature and pattern of zoning proposed between Long Bay College and Vaughans Stream as this area and the eastern part of the catchment are generally more suitable for urban development than the physically much more sensitive 'upper valley' area. In addition, proximity to the existing schools, Regional Park, and roads, together with a range of geotechnical considerations, confirm that the 'lower valley' (including its associated ridges) has greater capacity to accommodate a range of residential densities and development.

10447-2 Barbara Scrivens

Amend the plan to ensure no development occurs in the valleys and flats of the Vaughans stream and the ridges between the Awaruku and Vaughans streams, including the area between the ridge and Long Bay College.

10447-3 Barbara Scrivens

Amend the plan to include the Vaughans stream and flats and the ridge area between the Awaruku stream and Vaughans flats as areas worthy of protection.

10448-4 Residents Action Movement(RAM), J V Bell

Revise plan so that no urban development occurs on Long Bay or Vaughan ridges or the eastern side of the Structure Plan area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10448-4x63	Royal Forest & Bird Protection Society	Support
10448-4x647	Landco Limited	Oppose

10449-14 LB-Okura Great Park Society, David Gatward

Amend 17B.1.3 (Land use Strategy) to ensure that the majority of land in the lower Vaughans valley and slopes be left free of urban development and for this land to be included within the Great Park.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10449-14x174	Katavich, Anthony	Support
10449-14x321	LB-Okura Great Park Society	Support
10449-14x454	Royal Forest & Bird Protection Society	Support
10449-14x778	Landco Limited	Oppose

That submissions 10447-2, 10447-3,10448-4 (supported by 10448-4x63 and opposed by 10448-4x647) and 10449-14 (supported by 10449-14x174, 10449-14x321, 10449-14x454 and opposed by 10449-14x778) **be rejected** for the reason that development between Awaruku ridge and Vaughans Stream and on the slopes below Long Bay College and the eastern part of the catchment are generally more suitable for urban development than the physically much more sensitive 'upper valley' area. In addition, proximity to the existing schools, Regional Park, and roads, together with a range of geotechnical considerations, confirm that the 'lower valley' (including its associated ridges) has greater capacity to accommodate a range of residential densities and development. No residential development is proposed within the 100 year flood plain of the Vaughans Flats.

10450-6 Okura Environmental Group, Marilyn Riddell

Amend 17B.1.3 (Land Use Strategy) to provide a clearer identification of constraints in relation to particular sites.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-6x463	Royal Forest & Bird Protection Society	Support
10450-6x655	Landco Limited	Oppose

That submission 10450-6 (supported by 10450-6x463 and opposed by 10450-6x655) **be rejected** for the reason that the Structure Plan already provides sufficient detail on the range of constraints present in the catchment.

10450-8 Okura Environmental Group, Marilyn Riddell

Oppose BP5 of 17B.1.3(Land Use Strategy) Lower Valley, regarding intensive development and the apartment type development provided for in the Vaughans Flats.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-8x465	Royal Forest & Bird Protection Society	Support
10450-8x657	Landco Limited	Oppose

That submission 10450-8 (supported by 10450-8x465 and opposed by 10450-8x657) **be accepted in part** to the extent that it is appropriate to relocate the Village Centre (Long Bay 5 Zone) to the south side of the Vaughans Stream where it is within walking distance to the majority of the main urban density residential development in the area. An area of Long Bay 4 zone will also be added adjacent to the relocated Village Centre, to ensure a concentration of development around the centre. The access to the Regional Park will also move to the south side to ensure that this access and the centre are kept together.

The apartment type development provided for in the Long Bay 4 zone (Urban Village) should remain as this location is suitable for more intensive development, and the zone extended to take in the area previously zoned for the Village Centre (Long Bay 5 Zone). However it is considered appropriate that the maximum height in the Long Bay 4 zone be reduced from 18metres to 12.5 metres.

10450-9 Okura Environmental Group, Marilyn Riddell

Relook at BP6 of 17B.1.3(Land Use Strategy) Lower Valley, and the adequacy of the provision of revegetation as a mitigation measure.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-9x466	Royal Forest & Bird Protection Society	Support
10450-9x658	Landco Limited	Oppose

That submission 10450-9 (supported by 10450-9x466 and opposed by 10450-9x658) **be rejected** for the reason that the bullet point referred to is relatively brief but when read in conjunction with the Structure Plan maps it can be seen that the provision for revegetation in the Lower Valley south of Vaughans Road is substantial and extends across both the steep ridge face behind the Long Bay 4 Zone (Urban Village) and the stream corridors between Vaughans Flats and the areas of Long Bay 2 (Suburban Neighbourhood) development off Vaughans Road. Consequently no change to the Structure Plan is necessary in response to this submission.

10450-11 Okura Environmental Group, Marilyn Riddell

Amend 17B.1.3 (Land Use Strategy) BP 1 and 3,(The Slopes below Long Bay College) to reassess the provision for intensive housing and the 30m contour limit.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-11x468	Royal Forest & Bird Protection Society	Support
10450-11x660	Landco Limited	Oppose

That submission 10450-11 (supported by 10450-11x468 and opposed by 10450-11x660) **be accepted in part** to the extent that in relation to bullet point 3 the current protection mechanism outlined for the 'backdrop area', that is, the application of a Landscape Protection (Conservation) Area to the area below the 30m contour line (the point of effective 'roll over' on the ridge crest) is extended the full extent of the 30m line along the southern headland to provide a greater area of protection for the Regional Park and the archaeological sites recently identified on the southern headlands. However, provisions to control subdivision and development in this area should recognise the need to recognise the relationship of the southern headland area to the significant visual, amenity and recreational values of the adjacent Regional Park.

Accordingly bullet point 3 under section 17B.1.3 Land Use Strategy – The Slopes Below Long Bay College and Awaruku Catchment is reworded and an additional bullet point added as follows:

Bullet point 3:

- *on the coastal escarpment at the back of Long Bay, a combination of reserve acquisition by the ARC (up to the 20 metre contour) and restrictive development covenants above this level - to the point of 'roll-over' from escarpment into ridge crest (roughly at the 30 metre contour line) – is to be used to limit the encroachment of residential development on the Regional Park and on the archaeological sites on the southern headlands adjacent to the Regional Park.*
- *Development opportunities will be limited in the area where significant historic heritage sites are located on the southern headlands behind the Regional Park and will be sensitive to heritage values and the adjacent Regional Park.*

In relation to bullet point 1 the Structure Plan provides adequate protection of the Vaughans Stream from the proposed development concentrated around its edges through the provision of reserve buffers, supplemented by the creation of off-stream stormwater ponds with vegetative enhancement further up the valley system (within the Landscape Protection Areas) therefore any change to bullet point 1 is not accepted.

10452-2 Keep Okura Green, David Johnston

Amend the plan to create a transition zone on the south side of Vaughans Road with minimum lot sizes of 5000m² and road frontages of not less than 70 m and all buildings setback a minimum of 30m and building height not to exceed 4.5m.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10452-2x503	Royal Forest & Bird Protection Society	Support
10452-2x733	Landco Limited	Oppose

That submission 10452-2 (supported by 10452-2x503 and opposed by 10452-2x733) **be rejected** for the reason that the Structure Plan provisions strike a reasonable balance between the preservation of key environmental features and the provision for both Large Lot Residential and Suburban Neighbourhood housing in areas that are already affected by established development. The lot size in the Long Bay 2B zone adjacent to Vaughans Road is appropriate as it provides for sustainable residential development in the Long Bay area while having regard to the environmental constraints. Furthermore road planting along the ridgeline and the required building set back of 7.5m will assist with mitigating the visual impact of development in this area.

10467-5 Okura Residents and Ratepayers Association (ORRA), Christina Howat

Amend the plan to relocate zones 4 and 5 south of Vaughans Stream.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10467-5x508	Royal Forest & Bird Protection Society	Support
10467-5x597	Landco Limited	Oppose

That submission 10467-5 (supported by 10467-5x508 and opposed by 10467-5x597) **be accepted in part** to the extent that the proposed Long Bay 4 (Urban Village) Zone has been located to sit against the backdrop of a major ridge feature that rises up sharply from the western terminus of the Vaughans Flats and to provide a concentration of development on land that is suitable for such development. However the Long Bay 5 (Village Centre) zone is located to the south of the Vaughans Stream together with an additional area of Long Bay 4 (Urban Village) zone adjacent to the village centre to provide a concentration of higher density development near the village centre.

10468-2 Harry Duncan

Increase the size of reserve and protected areas.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10468-2x94	Royal Forest & Bird Protection Society	Support

That submission 10468-2 (supported by 10468-2x94) **be rejected** for the reason that any additional zoning of reserves or Landscape Protection Areas would reflect conditions that are different to those which have consistently provided the basis for the current zoning pattern in the Structure Plan. As such, they would be difficult to justify and the financial burden of more reserve land may already exceed the ability of the current level of residential development to provide for it through development contributions.

10482-3 J Dye

Amend the plan to remove any high rise intensive development that is visible from the beach.

That submission 10482-3 **be rejected** for the reason that the more intensive development proposed is critical to the creation of a village focal-point for Long Bay and the accommodation of a wide range of lifestyle aspirations. The higher rise development at the western end of the Vaughans Flats would be set against the backdrop of a major ridgeline and its location beyond the intervening 'village green' would reduce its viewing effects from the Regional Park. Also it would fit in with the residential development visible from the Vaughans Flats area and this would make it difficult to see from the vicinity of Long Bay Beach.

10452-5 Keep Okura Green, David Johnston

Enhance all the waterways and rezone Long Bay catchment as an effective coastal protection zone.

Further Submission

10452-5x493

10452-5x570

Further Submitter

Royal Forest & Bird Protection Society

Landco Limited

Support/Oppose

Support

Oppose

10482-4 J Dye

Rezone the area visible from the beach as "Special Coastal protection"

10488-3 Nicholas File

Revise the Structure Plan to ensure no urban development occurs in the visual backdrop of Long Bay beach

That submissions 10452-5 (supported by 10452-5x493 and opposed by 10452-5x570) and 10482-4 and 10488-3 **be rejected** for the reason that they effectively seek to overturn the Environment Court 1996 decision by creating a de facto reserve that embraces all of the land visible from the beach. The Council is not in a position where it either could or should change the fundamental approach to development of the Long Bay catchment - based on the Court's decision. The Structure Plan introduces a variety of water sensitive urban design methods to protect the Vaughans Stream and Marine Reserve. Also as a result of other submissions, reference will be made to the Marine Reserves Act 1971 in section 17B.1.1 of the Structure Plan.

10488-4 Nicholas File

Revise the Structure Plan so that no urban development takes place on the eastern side of the Plan area and to take account of the environmental, aesthetic and geotechnical sensitivity of this area.

That submission 10488-4 **be rejected** for the reason that both the Awaruku ridge and slopes below Long Bay College and the eastern part of the catchment are generally more suitable for urban development than the physically much more sensitive 'upper valley' area. In addition, proximity to the existing schools, Regional Park, and roads, together with a range of geotechnical considerations, confirm that the 'lower valley' (including its associated ridges) has greater capacity to accommodate a range of residential densities and development.

10497-1 W B Rodgers

Amend the plan Change to ensure that any development is not located too close to the reserve or towering over it.

That submission 10497-1 **be accepted in part** to the extent that the extended Landscape Protection Area atop the Long Bay escarpment - extending to the 30m contour and point of 'roll over' on it - is designed to reduce the effects of urbanisation on the Regional Park. The zoning of land containing archaeological sites of historic and cultural significance on the headlands overlooking the Regional Park, that is the Long Bay 7(Heritage Protection) zone, together with the ARC's recent purchase of additional area on the Long Bay escarpment and the large lot development on the margins of the Awaruku catchment should further assist in this respect.

10506-1 Yvonne Hamilton

Do not permit any housing development on the slopes above the reserve.

That submission 10506-1 **be rejected** for the reason that it effectively seeks to overturn the Environment Court 1996 decision in relation to Long Bay. Also development between Awaruku ridge

and Vaughans Stream and on the slopes below Long Bay College and the eastern part of the catchment are generally more suitable for urban development than the physically much more sensitive 'upper valley' area.

10517-4 Residents Action Movement(RAM), Fiona Angus

Revise plan so that no urban development occurs on Long Bay or Vaughan ridges or the eastern side of the Structure Plan area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10517-4x69	Royal Forest & Bird Protection Society	Support
10517-4x737	Landco Limited	Oppose

That submission 10517-4 (supported by 10517-4x69 and opposed by 10517-4x737) be **rejected** for the reason that the Council is not in a position where it either could or should change the fundamental approach to development of the Long Bay catchment - based on the Environment Court's 1996 decision. Also development between Awaruku ridge and Vaughans Stream and on the slopes below Long Bay College and the eastern part of the catchment is generally more suitable for urban development than the physically much more sensitive 'upper valley' area because of a range of geotechnical considerations and its proximity to existing schools, Regional Park and roads.

10519-2 Shona Fritsch

No development to be seen from the beach.

10520-2 Quentin Blackshaw

Incorporate the rural land into the Long Bay Regional Park to maintain a rural backdrop to the Park.

10521-1 Ron Cossins

Maintain a green belt west of the Regional Park as a backdrop to the Park

That submissions 10519-2, 10520-2 and 10521-1 **be rejected** for the reason that Council is not in a position where it either could or should create a de facto reserve that embraces all of the land visible from the beach. This would go against the fundamental approach to development of the Long Bay catchment - based on the Environment Court's 1996 decision. Also development in the eastern part of the catchment is generally more suitable for urban development than the physically much more sensitive 'upper valley' area because of a range of geotechnical considerations and its proximity to existing schools, Regional Park and roads.

10522-1 David Freeman

Oppose the location of Zone 2 and 3 and replace these zones adjacent to the Regional Park with land to be added to the Regional Park.

10523-1 Jacques Hopkins

Maintain the rural backdrop to the Park so that no housing is visible from the Regional Park.

That submissions 10522-1 and 10523-1 **be rejected** for the reason that they effectively seek to overturn the Environment Court 1996 decision in relation to Long Bay, something which the Council cannot support. Also development between Awaruku ridge and Vaughans Stream and on the slopes below Long Bay College and the eastern part of the catchment are generally more suitable for urban development than the physically much more sensitive 'upper valley' area

10524-2 Patsy Beverwijk

Do not permit any development on the ridgelines or valleys and protect the marine reserve.

That submission 10524-2 **be rejected** for the reason that the submitters request to permit no development on the ridgelines or valleys cannot be supported as this is contrary to the Environment Court's 1996 decision in relation to Long Bay. Council is ensuring that the water quality of the Marine Reserve is protected through the stormwater management provisions proposed in the Structure Plan.

10525-1 Margaret Hopkins

Provide height restrictions so that no building or part of a building is visible from any part of the Regional Park.

10526-1 Andrew Green & Pauline Leclercq

Amend the Structure Plan to extend the coastal conservation area up to the extension of Beach Road.

10918-2 Kurt & Carol Marquart

Amend the plan to relocate the Long Bay zones 1, 2 and 3 further west.

That submissions 10525-1, 10526-1 and 10918-2 **be rejected** for the reason that they effectively seek to overturn the Environment Court 1996 decision in relation to Long Bay, which Council can not support. Development between Awaruku ridge and Vaughans Stream, and on the slopes below Long Bay College and the eastern part of the catchment are generally more suitable for urban development than the physically more sensitive 'upper valley' area. Also it is not anticipated that housing development will be that visible from the Regional Park as the ARC's recent purchase of additional area on the Long Bay escarpment, together with the extended Landscape Protection Area atop that escarpment - extending to the 30m contour and point of 'roll over' on it - are designed to reduce the effects of urbanisation on the Regional Park. In addition the maximum height limit of the Long Bay 4 (Urban Village) zone is reduced from 18metres to 12,5 metres. Large lot development on the margins of the Awaruku catchment and on the slopes to the south of Vaughans Road should further assist in this respect.

10529-2 John Chapple

Integrate this new park with other ecological features such as bush, streams and wetlands.

That submission 10529-2 **be accepted in part** to the extent that the proposed reserve network, combined with the Landscape Protection Area, integrate - both physically and visually - most all of the significant habitats, stream courses, wetlands, stands of bush, and landscape features identified within the Long Bay catchment. The necklace of reserves, open space and stormwater management areas following and straddling the Vaughans Stream would be a unifying link within the valley for these features. However it is not within the scope of the Structure Plan to accommodate a 400ha 'great park'.

10915-3 Ian Sage

Increase the size of residential lots in Zone 3 to at least 350m² or 400m² and remove the misleading mention of averages.

That submission 10915-3 **be rejected** for the reason that the Long Bay 3 Urban Neighbourhood zone is specifically designed to cater for town house and terrace house development. The related averaging of lot sizes accommodates both the variable physical conditions found in different parts of the catchment and individual sites, together with the opportunity to develop more intensively on some part or parts of a site while, in parallel, providing more open space and amenity within other parts of the same site. This flexibility is viewed as being critical to more integrated and comprehensive development of the kind that could well occur within the Long Bay 3 zone.

10916-2 Mark Hampson

Amend the Long Bay 2 zone to the south side of Vaughans Road to provide for lots of 5000m² and road frontages of not less than 70 metres and building set backs of 30 m and building heights of 4.5m.

Further Submission

10916-2x125

Further Submitter

Royal Forest & Bird Protection Society

Support/Oppose

Support

That submission 10916-2 (supported by 10916-2x125) **be rejected** for the reason that the Structure Plan provisions strike a reasonable balance between the preservation of key environmental features and the provision for both Large Lot Residential and Suburban Neighbourhood housing in areas that are already affected by established development. The lot size in the Long Bay 2B zone adjacent to Vaughans Road is appropriate as it provides for sustainable residential development in the Long Bay area while having regard to the environmental constraints. Also that the proposal for road planting along the ridgeline and the required building set back of 7.5m will assist with mitigating the visual impact of development in this area.

10916-3 Mark Hampson

Amend the plan to ensure that buildings to the south of Vaughans Road have minimal visual impact from all points of the Okura catchment.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10916-3x126	Royal Forest & Bird Protection Society	Support

That submission 10916-3 (supported by 10916-3x126) **be rejected** for the reason that the Ridgeline Protection Corridor is designed to strike a balance between the fact that substantial houses already line much of the southern margins of Vaughans Road's and the objective of promoting transition into a rural Okura. This is to be supplemented by a major tree planting programme on the Vaughans Road ridge and building setbacks to a minimum of 7.5m from the common boundary with the road reserve. Given that the shallower slopes and plateaux directly below Vaughans Road offer the potential for significant residential development without compromising other values, it is considered that the current measures are adequate to achieve a degree of transition.

Section 17B.2 Resource Management Issues

10436-40 ECB Coastal Protection Society Inc, Robert White

Amend 17B.2 (Design Principles) to provide more justification for the plan proposals, including high density, as the best way to achieve the "efficient use and development of natural and physical resources" of the Long Bay area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-40x404	Royal Forest & Bird Protection Society	Support
10436-40x821	Landco Limited	Oppose

That submission 10436-40 (supported by 10436-40x404 and opposed 10436-40x821) **be rejected** for the reason that the Structure Plan contains sufficient provisions to avoid, remedy or mitigate any of the adverse effects of more intensive development on the environment. The reference in 17B.2 to efficient use of resources in relation to high density development reflects the point that where environmental constraints allow, urban-type development is a reasonable use of land in the Long Bay area, and that there are advantages to the wider environment of the City and people's economic and social well being from the more intensive use of suitable land in the area. In the lower parts of the Long Bay valley the adverse effects of urban style development can be avoided or mitigated, and as such it promotes efficient use of the available land resource.

10449-15 LB-Okura Great Park Society, David Gatward

Review 17B.2 (Resource Management Issues) to ensure the Council is honouring its obligations under the RMA.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10449-15x175	Katavich, Anthony	Support
10449-15x322	LB-Okura Great Park Society	Support
10449-15x455	Royal Forest & Bird Protection Society	Support
10449-15x779	Landco Limited	Oppose

That submission 10449-15 (supported by 10449-15x175, 10449-15x322 and 10449-15x455 and opposed by 10449-15x779) **be rejected** for the reason that no review is considered necessary. The resource management issues set out in the Structure Plan stem from the Council's obligations under the RMA, and cover the significant resource management issues identified in the background work that supported the development of the Structure Plan.

10450-12 Okura Environmental Group, Marilyn Riddell

Revision of the Structure Plan and in particular 17B.2 (Resource Management Issues) so greater cognisance is taken of the need to restore the Vaughans Stream and the proximity of the Okura -Long Bay Marine Reserve and the Regional Park.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-12x469	Royal Forest & Bird Protection Society	Support
10450-12x661	Landco Limited	Oppose

That submission 10450-12 (supported by 10450-12x469 and opposed by 10450-12x661) **be rejected** for the reason that the urban design approach adopted in the Structure Plan and detailed in other policies in 17B.3.1 provide protection for the amenity values and character of the natural and physical resources of the Long Bay area. This approach has taken into account the need to protect the rural character of rural Okura to the north. Protection of existing habitats, native vegetation and revegetation through the use of Landscape Protection Areas (Conservation, Enhancement and

Ecological/Stormwater) will enhance the landscape, extend ecological linkages and reduce the dominance of buildings in the landscape. Also the use of innovative techniques for managing stormwater, based on a treatment train approach, will enhance water quality of the Vaughans Stream and ensure an enhancement of water quality within the adjoining Long Bay Marine Reserve.

Section 17B.3.2 Building Design and Development

10436-47 ECB Coastal Protection Society Inc, Robert White

In 17B.3.2 (Building Design and Development), policy 5 should give examples of what is envisaged by small scale workplaces.

Further Submission

10436-47x411
10436-47x828

Further Submitter

Royal Forest & Bird Protection Society
Landco Limited

Support/Oppose

Support
Oppose

That submission 10436-47 (supported by 10436-47x411 and opposed by 10436-47x828) **be accepted** for the reason that amending policy 5 of 17B.3.2 (17B.3.3) would provide clarity as to the type of small scale workplace activities that would be appropriate in the village centre. The policy is amended as follows:

Non-residential activities in the residential areas should be limited to those ~~with a residential function~~ which are compatible with a residential living environment. Small-scale workplaces for commercial, service and other office-based activities are considered appropriate on the ground floor of the apartment-type development possible in the urban village centre (Long Bay 4 zone).

10437 - 10 Ian Munro

Amend 17B.3.2 (Building Design and Development), Policy 2 by replacing the word 'reasonable' in first sentence with 'high'.

That submission 10437-10 **be accepted**, for the reason that the replacement of the word 'reasonable' with the word 'high' in Policy 2 of 17B.3.2 (17B.3.3) provides a more stringent test as to whether the on-site design standards should be departed from. The following wording is used:

Development is to provide a reasonable high level of on-site amenity (including space for landscaping and outdoor recreation) through the provision of on-site open space and limitations on maximum building coverage.

Section 17B.3.3 Housing Choice and Efficient Use of Land Resources

10438-30 Royal Forest and Bird Protection Society, J A Lewis

Amend 17B.3.3 (Housing Choice and Efficient use of Land Resources) to reflect housing densities that respond to the physical nature of the land and not development pressures.

Further Submission

10438-30x627

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10438-30 (opposed by 10438-30x627) **be rejected** for the reason that the proposed zones do not reflect pressure for additional homes but rather the proposed zones respond to a wide range of factors that has resulted in a concentration of development in areas that are more capable of sustaining such development, that is the lower catchment, while lower densities are proposed in the more environmentally sensitive and physically fragile parts of the catchment. The approach to the proposed zoning has been supported by the physical diversity of the catchment and its topography, its varied geotechnical structure, a sizeable number of remnant habitats in the upper part of the Vaughans Stream valley and the interface with Long Bay Regional Park, Okura and the rural 2 zone and a desire to accommodate a wide range of lifestyle opportunities at Long Bay in response to public preference for a varied pattern of development and distribution of uses.

10450-13 Okura Environmental Group, Marilyn Riddell

Amend Policy 1 and 2 of 17B.3.3 (Housing Choice) to justify the projected population to be accommodated and density targets to be achieved.

Further Submission

10450-13x470
10450-13x662

Further Submitter

Royal Forest & Bird Protection Society
Landco Limited

Support/Oppose

Support
Oppose

That submission 10450-13 (supported by 10450-13x470 and opposed by 10450-13x662) **be accepted in part** to the extent that Policy 1 of 17B 3.3 will be modified to note that a range of housing options will also be provided. In addition Objective 17B.3.4 is amended to note that environmental

constraints will be taken into account when providing for housing opportunities. Policy 2 usefully directs more dense development to the lower part of the catchment, and is aimed at ensuring that, where environmental conditions allow, efficient use should be made of land. This policy is modified to ensure greater clarity of understanding of the issues.

Modification of Section 17B.3.3 (17B 3.4) Housing Choice and Efficient Use of Land Resources, is as follows:

Objective

To ensure a diverse range of housing opportunities are available within the Structure Plan area, and efficient use is made of the limited amount of land that is suitable for urban-type development, taking into account the environmental constraints present.

Policies

1. *A range of ~~living environments are to be provided, ensuring that zones is created enabling a range of housing options to be provided so that the Structure Plan area can accommodate a reasonable proportion of projected city-wide growth pressures, with the Structure Plan area ultimately accommodating, at build out, a population of approximately 4,500 to 5,000 people.~~*

Policy 2 is modified as follows:

2. *Development in ~~areas identified for medium to high intensity development zones should achieve average densities that reflect the need to accommodate sufficient homes in these areas to reduce pressure for additional homes in areas identified for lower density development zones, as well as~~ Development should also to generate the types of densities needed to support bus-based passenger transport services and the viability of the a viable village centre. A target of an average of 15 dwellings per hectare gross is to be achieved across the Long Bay 2,3 and 4 zones in the lower part of the catchment. To achieve this, development in the Long Bay 3 zone therefore should is to achieve average densities of between one unit per 250m² and one unit per 350m² or average lot sizes between 240 and 280 m² per unit.*

In addition Policy 1 in section 17B.4.4 is amended to clarify the expected densities and lot sizes in the Long Bay 3 Zone as follows:

17B.4.4 Long Bay 3 Zone: Urban Neighbourhood

Policies

1. *This zone is to allow for terraced housing and some stand alone houses on small lots. The average density of housing within the zone should be between one unit per 250m² and 350m² or average lot sizes between 240m² and 280m².*

10450-14 Okura Environmental Group, Marilyn Riddell

In 17B.3.3 (Housing Choice and Efficient use of land Resources), Explanation and Reasons provide justification for why the bulk of the population will be accommodated in the lower catchment.

Further Submission

10450-14x471
10450-14x663

Further Submitter

Royal Forest & Bird Protection Society
Landco Limited

Support/Oppose

Support
Oppose

That submission 10450-14 (supported by 10450-14x471 and opposed by 10450-14x663) **be accepted in part** to the extent that a revised Explanation and Reasons of section 17B.3.3 should also contain more explicit reference to the way in which the overall yield and configuration proposed responds to environmental qualities and sensitivities. The following text is added:

There is no target population figure for the Structure Plan area. It is expected that the zoning pattern proposed by the Structure Plan will accommodate a population in the order of 4,500 to 5,000 people when the area is fully developed. There is need to plan for a range of housing types, both to ensure that Long Bay can contribute, in a modest way, to accommodating city-wide growth pressures, and to ensure that different types of households have the opportunity to live in the future Long Bay community. The development of Long Bay is based on a principle of accommodating the bulk of future population in the lower part of the catchment, where environmental conditions permit this. This means the important

ecological features of the upper part of the catchment can be protected. To achieve this balance, a range of living environments need to be provided in the lower part of the catchment. The target of an average of 15 dwellings per ha across the Long Bay 2, 3 and 4 zones is designed to achieve this mix.

Section 17B.4 Zoning Framework

10486-19 Landco Limited, Neil Donnelly

Delete 17B.4 (Zoning Framework) and replace the objectives and policies with the replacement text.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-19x196	ECB Coastal Protection Soc Inc	Oppose
10486-19x533	LB-Okura Great Park Society	Oppose
10486-19x702	Okura Environmental Group	Oppose

That submission 10486-19 (opposed by 10486-19x196,10486-19x533 and 10486-19x702) **be rejected** for the reason that Landco's replacement text included as part of their submission does not provide sufficient guidance on urban design outcomes.

10438-31 Royal Forest and Bird Protection Society, J A Lewis

Amend 17B.4.3 (Long Bay 2 Zone) to include a policy statement on landform issues relative to lot size.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10438-31x628	Landco Limited	Oppose

That submission 10438-31 (opposed by 10438-31x628) **be rejected** for the reason that there is no need for a policy statement as requested. A wide range of factors have contributed to the distribution of residential zones and densities: landform is but one of them. In addition, large parts of the Long Bay 2 zone apply to locations where significant earthworks are likely to be required to create platforms for roading and residential development. This has been accepted as part of the identification of areas appropriate for such zoning. Consequently, any such policy would substantially address 'artificial' landforms.

10438-32 Royal Forest and Bird Protection Society, J A Lewis

Amend 17B.4.4 (Long Bay 3 Zone) to locate this density of development elsewhere and for comprehensive development to be a discretionary activity.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10438-32x629	Landco Limited	Oppose

That submission 10438-32 (opposed by 10438-32x629) **be rejected** for the reason that the proposed location of the Long Bay 3 zone (urban neighbourhood) responds to the physical capacity of the land to accommodate such development. The concentration of potential residential development closer to the lower end of the valley catchment, around Long Bay College and Primary School, and close to (but not generally abutting) the margins of the Regional Park is designed to provide the impetus for development of a community focal-point next to the 'village green' and Vaughans Flats. Comprehensive development, including terrace and town house development is regarded as appropriate development in this zone, as is the limited discretionary status of such activity in this zone.

10437 - 13 Ian Munro

Amend 17B.4.5 (Long Bay 4 Zone) policy 2, to remove the inappropriate use of term 'high quality' and replace with "such as small workplaces and other non-residential activities designed to a particularly high and sensitive standard".

That submission 10437-13 **be accepted in part** to the extent that an amendment to the wording of policy 2 to clarify that the intention of the policy is for non residential activities to be compatible with the residential activities on the site, not that the non-residential development has to be highly priced or designed to a high standard. Policy 2 of 17B.4.5 is amended as follows:

A mixture of compatible unobtrusive non-residential activities is acceptable on the ground floor of the apartment buildings, such as small workplaces. ~~and other high quality non-residential activities.~~

10437 - 14 Ian Munro

Amend 17B.4.5(Long Bay 4 Zone) policy 3, to read as follows

"Surface car parking areas are to occur either to the side or rear of the development, or below ground level, in a manner that avoids the concentration of parking spaces into large masses. Developments should be designed to rely on more than just landscaping to break up any parking space mass. This is required to ensure that parking areas do not visually dominate a site or development".

That submission 10437-14 **be accepted in part** to the extent that the suggested wording adds further detail to the policy which will ensure the visual effects of surface car parking are more strictly controlled. The wording of policy 3 of 17B.4.5 reads as follows:

Development is to be subject to design controls to ensure that development is attractive and well landscaped. The street-façade of ~~the~~ apartments should be appropriately modulated, and architectural interest provided through the careful design and placement of doors, windows and balconies. Surface car parking areas are to occur either to the side or rear of the development, or below ground level ~~so that they~~ in a manner that avoids expansive car parking areas. Developments should be designed to rely on more than just landscaping to break up any parking space mass. This is required to ensure that parking areas do not visually dominate ~~the~~ a site or development,

10450-17 Okura Environmental Group, Marilyn Riddell

Amend 17B.4.7 (Long Bay 6 Zone; Stormwater Management) Policy 2 to ensure no ecologically sensitive areas are affected by development.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-17x474	Royal Forest & Bird Protection Society	Support
10450-17x666	Landco Limited	Oppose

That submission 10450-17 (supported by 10450-17x474 and opposed by 10450-17x666) **be accepted** for the reason that it is appropriate to clarify in policy 2 of 17B.4.7 that infrastructure be positioned and built in a way that avoids adverse effects on significant ecological features.

Policy 2 is reworded as follows:

Development in the zone is to be avoided. Only that infrastructure identified on the ~~unless the Plan maps, which includes identify that access, roads and stormwater treatment facilities and their associated development, water, wastewater, roads and their associated bridges and accessways is are appropriate. and~~ These facilities are to be placed where areas of ecological significance are avoided. ~~where mitigation measures are proposed.~~

Section 17B.6 Rules: Development Controls

10918-6 Kurt & Carol Marquart

Amend the plan to review the maximum height requirement of the Village centre.

10915-5 Ian Sage

Amend 17B.6.1.2 (Maximum Height) so that the maximum permitted height in Zone 4 is no more than 2 storeys.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10915-5x123	Royal Forest & Bird Protection Society	Support

10437 - 11 Ian Munro

Amend 17B.4.5 (Long Bay 4 Zone) policy 1, by deleting reference to six storey/18m height and replace with five storey/15m limits throughout the Plan Change.

10437 - 17 Ian Munro

Amend Rule 17B.6.1.2 (Maximum Height) of the Long Bay 4 Zone to 15m. Also amend the Explanations and Reasons accordingly.

That submissions 10918-6, 10915-5 (supported by 10915-5x123), 10437-11 and 10437-17 **be accepted in part** to the extent that the maximum height limit of 18 metres proposed for the Long Bay 4 (Urban Village) and Long Bay 5 (Village Centre) zones is reduced to 12.5metres for the reason that the height limit is inappropriate when viewed from the Regional Park. As a result of other submissions, provisions of the Long Bay 4 zone and Long Bay 5 zone, and their location, are

amended in a way which will encourage the establishment of a vibrant mixed use hub in the village centre and provide for a range of housing opportunities

Accordingly Section 9A.4.6.5 Explanation and Reasons and section 17B.4.5 and section 17B.6.1.2 is amended as follows:

9A.4.6.5 Long Bay 4 Zone: Urban Village

Explanations and Reasons

The Long Bay 4 zone is intended for ~~multi-storey~~ apartment buildings, generally of three to ~~six~~ four storeys. It is expected that the housing within this area will be developed comprehensively. The subdivision standards therefore reflect the need to create sites of a sufficient size to allow for innovative design solutions.

Section 17B.4.5 Long Bay 4 Zone: Urban Village

Policies

3. This zone is to allow for ~~apartment development~~ higher density housing of up to six four storeys in height for apartment buildings. The average density of development should be around one unit per 150m² in the case of apartment buildings. Terraced housing should only occur to the north of the Vaughans Stream, and only on sites that ensure each residential unit fronts a public street. Where terraced housing is proposed the policies in respect of the Long Bay 3 zone shall apply in place of the policies below.
4. Development on the north side of Vaughans Stream should contribute to the revegetation of the slopes immediately behind the zone. This is so the buildings will sit within a vegetated backdrop. ~~as viewed from the road.~~

17B.6.1.2 Maximum Height

Development shall comply with the maximum permitted heights set out in Table 17B.2:

Table 17B.2	
Zone	Maximum Permitted Height
Long Bay 1 zone	8 metres
Long Bay 2 zone	8 metres
Long Bay 3 zone	9 metres
Long Bay 4 zone	18 <u>12.5 metres</u>
Long Bay 5 zone	10 metres within Area A (refer Appendix 17B/A) 12 metres within Area B (refer Appendix 17B/A) <u>12.5 metres</u>
Long Bay 6 zone	N/A

Explanation and Reasons

Long Bay 4 Zone: ~~The 18 12.5 metre height limit in the Long Bay 4 zone allows for the establishment of five to six four storey apartment buildings. in recognition of the location of the zone at one of the lowest points in the Long Bay Structure Plan area. The zone is set against a steep hillside opposite a substantial reserve area and the proposed village centre. The potential for taller buildings to create adverse visual effects is therefore significantly lower than in other parts of the Structure Plan area. The amenity of neighbouring sites is protected through alternative controls, for example required separation distances between neighbouring buildings. The increased development potential in this zone has also been provided to compensate~~

~~for restricting development on steeply sloping land immediately adjacent to the zone. The zone has been applied to two distinct parts of the lower valley, one to the south of Vaughans Stream, adjacent to the Village Centre zone, and one to the north. Both areas are considered to be at the core of the Structure Plan area. The height limit allows for the establishment of apartment buildings as an alternative to terraced and detached housing provided for elsewhere in the Structure Plan area. The principal reason for this is to encourage a range of housing options for those wishing to live in the area. Buildings exceeding 12.5 metres could potentially have adverse effects on the visual backdrop to the Regional Park and the amenity of other parts of the Structure Plan area.~~

~~**Long Bay 5 Zone:** Two height limits have been applied to the Long Bay 5 zone, both of which allow for the establishment of apartments above businesses. The height limit within Area A allows for a transition from the scale of development anticipated within the Urban Village zone to the smaller scale of development sought in closer proximity to the Regional Park. The height limit within Area B seeks to ensure that development within the zone has a 'village character' and prevents development of a more visually intrusive nature establishing in close proximity to the Regional Park.~~

~~The 12.5 metre height limit allows for the establishment of apartments above ground floor level at the core of the Structure Plan area. As with the Long Bay 4 zone, the height limit assists in providing a range of housing opportunities and encourages the establishment of a vibrant mixed-use hub in close proximity to the proposed village green and main routes into and out of the Regional Park. Buildings exceeding 12.5 metres could potentially have adverse effects on the visual backdrop to the Regional Park and the amenity of other parts of the Structure Plan area.~~

10435-25 Auckland Regional Council, Hugh Jarvis

That 17B.6.1.6 (Special Setbacks) be amended to include a definition of "ridgeline" as being at ground level rather than including vegetation and that the presence of protected vegetation be taken into account when evaluating development proposals.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-25x53	Royal Forest & Bird Protection Society	Support
10435-25x764	Landco Limited	Oppose

That submission 10435-25 (supported by 10435-25x53 and opposed by 10435-25x764) **be rejected** for the reason that the 'Ridgeline Protection Corridor' is based on a horizontal measurement unaffected by the presence of vegetation, and that the effects of development proposals on protected vegetation in this area are already addressed through the Structure Plan.

10467-3 Okura Residents and Ratepayers Association, Christina Howat

Amend 17B.6.1.6 part b) (Special Setbacks) as the provision for the Ridgeline Protection Corridor is inadequate.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10467-3x506	Royal Forest & Bird Protection Society	Support
10467-3x595	Landco Limited	Oppose

That submission 10467-3 (supported by 10467-3x506 and opposed by 10467-3x595) **be rejected** for the reason that the provisions for the Ridgeline Protection Corridor are designed to strike a balance between the fact that substantial houses already line much of the southern margins of Vaughans Road and the objective of promoting transition into a rural Okura. A major tree planting programme on the Vaughans Road ridge will supplement the building setbacks to a minimum of 7.5m from the common boundary with the road reserve. Given that the shallower slopes and plateaux directly below Vaughans Road offer the potential for significant residential development without compromising other values, it is considered that the current measures are adequate to achieve a degree of transition.

10486-28 Landco Limited Neil Donnelly

Delete 17B.6.1.12. (Activities within the Landscape Protection Area).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-28x205	ECB Coastal Protection Soc Inc	Oppose
10486-28x542	LB-Okura Great Park Society	Oppose
10486-28x711	Okura Environmental Group	Oppose

That submission 10486-28 (opposed by 10486-28x205, 10486-28x542 and 10486-28x711) **be rejected** for the reason that section 17B.6.1.12 (17B.6.1.13) is essential to achieve the objectives of the Structure Plan, which are to minimise building development, earthworks and human activities so as to sustain existing habitats and promote revegetation. The Landscape Protection Areas have been specifically identified on the basis of detailed analysis of environmental values, sensitivities, and potential effects and their function is related to stormwater management, protection of habitats and key landscape features, protection of the backdrop to Long Bay Regional Park and amenity enhancement - in turn related to sections 6(a), (b), (c) and 7(c) of the Resource Management Act.

10918 - 7 Kurt & Carol Marquart

Review the plan rules relating to high rise buildings to include an appropriate amount of passive parkland reserve in proportion to the floor space of the building.

That submission 10918-7 **be rejected** for the reason that the Structure Plan already identifies substantial open spaces in the vicinity of possible apartment developments, while each unit within the proposed developments will contribute to the setting aside and development of these green spaces through the development contributions provisions of the Local Government Act.

Section 17B.7 Assessment Criteria

10486-40 Landco Limited Neil Donnelly

Delete 17B.7.3.2. (Landscape and Planting in the Landscape Protection Area).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-40x217	ECB Coastal Protection Soc Inc	Oppose
10486-40x554	LB-Okura Great Park Society	Oppose
10486-40x723	Okura Environmental Group	Oppose

That submission 10486-40 (opposed by 10486-40x217, 10486-40x554 and 10486-40x723) **be rejected** for the reason that planting of areas within the Landscape Protection areas will generally help to enhance amenity and landscape values within the Long Bay catchment, with the more direct function within those areas identified as Landscape Protection (Ecological/Stormwater) being stormwater management, a critical feature of upper valley management in particular. Although water quality is a core issue for the entire catchment, within the upper valley control of stormwater volumes and related velocities - which can create damaging stream bank scouring and vegetation loss (not to mention habitat disruption and loss) - is also essential. The proposed planting requirement reflects the importance of this strategy and its direct relationship with the levels of residential development being promoted closer to the upper valley periphery.

10486-41 Landco Limited, Neil Donnelly

Amend 17B.7.3.3 (Residential Units in the Long Bay 3 Zone), 17B.7.3.4 (Residential Units in the Long Bay 3 Zone).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-41x218	ECB Coastal Protection Soc Inc	Oppose
10486-41x555	LB-Okura Great Park Society	Oppose
10486-41x724	Okura Environmental Group	Oppose

10486-42 Landco Limited, Neil Donnelly

Delete 17B.7.3.5 (Residential Units in the Long Bay 4 Zone) and 17B.7.3.6 (Development in the Long Bay 5 Zone) and include replacement text..

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-42x219	ECB Coastal Protection Soc Inc	Oppose
10486-42x556	LB-Okura Great Park Society	Oppose
10486-42x725	Okura Environmental Group	Oppose

That submissions 10486-41 (opposed by 10486-41x218, 10486-41x555 and 10486-41x724) and 10486-42 (opposed by 10486-42x219, 10486-42x556 and 10486-42x725) **be rejected** for the reason that the proposed alternative assessment criteria only cover the design of development, and do not sufficiently cover important layout and access issues associated with comprehensive developments.

10486-44 Landco Limited, Neil Donnelly

Delete 17B.7.4.3 (Buildings within the Ridgeline Protection Corridor).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-44x221	ECB Coastal Protection Soc Inc	Oppose
10486-44x558	LB-Okura Great Park Society	Oppose
10486-44x727	Okura Environmental Group	Oppose

That submission 10486-44 (opposed by 10486-44x221, 10486-44x558 and 10486-44x727) **be rejected** for the reason that the assessment criteria proposed for the Ridgeline Protection Corridor reflect three long standing concerns:

- The need to provide a 'rural backdrop' to Long Bay Regional Park, as far as is practicable;
- The desire to provide a feeling of transition from an urban Long Bay into a rural Okura catchment; and
- The visual prominence of the eastern end of the Vaughans Road ridgeline.

Consequently, in trying to address these issues the relevant assessment criteria offer a pragmatic guide to the type and scale of development that is appropriate within the Ridgeline Protection Corridor.

10486-45 Landco Limited Attention: Neil Donnelly

Deletion of 17B.7.5.2. Activities in the Landscape Protection (Stormwater) and (Enhancement) Area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-45x222	ECB Coastal Protection Soc Inc	Oppose
10486-45x559	LB-Okura Great Park Society	Oppose
10486-45x728	Okura Environmental Group	Oppose

That submission 10486-45 opposed by 10486-45x222, 10486-45x559 and 10486-45x728) **be rejected** for the reason that that any development proposals within the Landscape Protection Areas are to be fully tested to ensure that their effects are truly minor and not in conflict with the primary focus upon protection, conservation, rehabilitation and - related to all of these - stormwater management.

Commercial Centre

10481 - 1 Torbay Business Association, Robyn Pringle

Remove/delete the proposed Village Centre and remove 17B.7.3.6 (Development in the Long Bay 5 Zone: Village Centre) and Appendix 17B/A (Long Bay 5 Zone: Village Centre Concept plan).

10444 - 3 T R Latham

Remove provision for commercial development within the plan area

That submissions 10481-1 and 10444-3 **be rejected** for the reason that the size of the proposed commercial centre (limited by the small area of land zoned for commercial activities) will never be able to reach a size where it would undermine the Torbay centre. It is appropriate to plan for the future needs of residents (and visitors to the Regional Park) to access local services in their area. Without some local shops in the catchment, residents will be faced with a 2 to 3km drive to the shops in Torbay.

10445-4 B G Stanley

Amend 17B.1.3(Land Use Strategy) - Lower Valley (south of Vaughans Road) to provide justification for a commercial centre in Long Bay and if justified to locate this in the Ashley Ave area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10445-4x82	Royal Forest & Bird Protection Society	Support

That submission 10445-4 (supported by 10445-4) **be accepted in part** to the extent that a location close to the Regional Park entrance and close to more intensive housing is appropriate for the local neighbourhood commercial centre to ensure that the centre is integrated with and supports surrounding development.

As a result of matters raised at the hearing it is considered that the location of the Village Centre (local neighbourhood commercial centre) (Long Bay 5 zone), is more appropriate on the south side of Vaughans Road, to the west of Beach Road extension, in conjunction with an additional area of higher density apartment dwellings (Long Bay 4 zone: Urban Village) in close proximity to it. It is not considered appropriate to locate the Village Centre or Urban Village development further to the west near Ashley Avenue as the Village Centre has an important role servicing the needs of those visiting the Regional Park and living at Long Bay. The location of the Long Bay 5 (Village Centre) zone on the south side adjacent to Beach Road extension will ensure that access to the Regional Park and the centre are kept together. The location to the south side of the Vaughans Stream has been made for the following reasons:

- The Village Centre will be within a 400 metre and 800 metre walking radius to the majority of the main urban density residential development in the area and still be accessible to the village green.
- The centre will have a northerly aspect.
- Access to the Regional Park can be achieved without having to cross the Vaughans Stream, ensuring that this access and the centre are kept together.
- In order to ensure the Long Bay 5 (Village Centre) zone is supported by intensive residential development that will assist in achieving the overall outcomes sought for Long Bay, further amendment to the zoning of land are made, as follows:
 1. The addition of an area of Long Bay 4 zone (Urban Village) with a maximum height limit of 12,5 metres, with direct proximity to the Village Centre to ensure a concentration of development around the centre.
 2. Extension of the Long Bay 4 zone, with a reduced maximum height limit to 12.5metres (reduced from 18 metres) on the north side of Vaughans Stream, to include the area released by the relocation of the Village Centre and to include an additional area to the north, taking in a portion of the Landscape Protection (enhancement) Area. This will provide additional housing development on land that is more suitable for this type of development and will provide density support in close walking distance to the Village Centre. The reduced height in addition to the backdrop of a major ridgeline, will lessen the visual intrusiveness of this housing in this area.
 3. As the amount of land in the Long Bay 4 zone is increased there may not be sufficient demand for apartment living in the Structure Plan area. Therefore it is considered that terraced housing be allowed in the Long Bay 4 zone: Urban Village, north of the Vaughans Stream but not adjacent to the village centre. For the village centre to be a success a reasonably high density of housing needs to be located immediately next to it and for this reason a distinction has been made between the Long Bay 4 zones on the northern and southern sides of the Vaughans Stream. Thus the Long Bay 4 zone north of the Vaughans Stream will allow terraced housing on lots that do not exceed 35 metres in depth. In such cases the Long Bay 3 rules shall apply rather than the Long Bay 4 zone rules.

Accordingly bullet point 7 of section 17B.1.2 (Design Principles) is amended to read as follows:

- *The creation of a flexible urban structure: ~~the~~ location of the village centre and village green in close proximity to each other, together with a concentration of higher density residential development around the periphery of both (to create an ‘amphitheatre’) to establish an area of communal activity in and around the village green that provides a strong focus and area of congregation for the new residential community at Long Bay*

Accordingly Section 17B.1.3 (Land Use Strategy) is amended as follows: Amendment of Bullet point 2 and 3 of : *The Lower Valley (Vaughans Flats)*

- *~~In conjunction with the proposed commercial centre and the ‘village green’, would will~~ also afford a focus for social and community activities and interaction. ~~They# would will~~ become the core of the newly developed Long Bay catchment*

- *At the same time the village centre and village green ~~would~~ will be major on the route for both visitor and local trips to the Regional Park, reinforcing physical links, as well as the 'spinal' nature of the combined regional and local parkland within Long Bay's central valley system*

Amendment of bullet point 1 of section 17B.1.3: *The Slopes below Long Bay College and Awaruku Catchment*

- *There is to be a concentration of conventional to medium density housing on most of the ridge crest and recontoured slopes directly below Long Bay College and an area for a local commercial centre (village centre), facing northwards – towards Vaughans Stream, and around the 'village green' with the intensive terraced, town house and apartment development concentrated around the edges of Vaughans Stream, the village centre and the 'village green'*

For other amendments see submission 10445-5

10436-56 ECB Coastal Protection Society Inc, Robert White

Explain in more detail in the Explanation and Reasons section of 17B.4.6 (Long Bay 5 Zone), how the village centre will complement the experience offered by the Regional Park.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-56x420	Royal Forest & Bird Protection Society	Support
10436-56x837	Landco Limited	Oppose

That submission 10436-56 (supported by 10436-56x420 and opposed by 10436-56x837) **be accepted** for the reason that additional explanation will add clarity to the reason why the village centre will compliment the experience offered by the Regional Park.

The explanation is reworded as follows:

A small neighbourhood centre will add to the liveability of the wider suburban area. It is also likely to be used by visitors to the adjacent Regional Park and this will # will also complement the experience offered by the adjacent Regional Park.

10450-15 Okura Environmental Group, Marilyn Riddell

Oppose 17B.4.5 (Long Bay 4 Zone: Urban Village) Policy 1 for inappropriate location of urban village.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-15x472	Royal Forest & Bird Protection Society	Support
10450-15x664	Landco Limited	Oppose

That submission 10450-15 (supported by 10450-15x472 and opposed by 10450-15x664) **be accepted in part** to the extent that it is appropriate to locate an area of Urban Village (Long Bay 4) in close proximity to the relocated village centre on the southern side of Vaughans Stream as this will provide a strong focus and area of congregation for the new residential community at Long Bay. However the existing location of the Urban Village (Long Bay 4 zone) is considered appropriate as this development would be set against the backdrop of a major ridgeline and the intervening village green further reduces its visual effects. Furthermore it is considered that the 18 metre height limit in the Long Bay 4 zone is inappropriate and have reduced the maximum height limit in this zone to 12.5metres. Accordingly section 17B.4.5 and section 17B.6.1.2 are amended as follows:

Section 17B.4.5 Long Bay 4 Zone: Urban Village is amended as follows:

17B.4.5 Long Bay 4 Zone: Urban Village

Objective

To provide the opportunity for ~~apartment style living~~ well designed higher density housing in a location where taller buildings can fit into the landscape and be in close proximity to the village centre and open space areas.

Policies

1. *This zone is to allow for ~~apartment development~~ higher density housing of up to ~~six~~ four storeys in height for apartment buildings. The average density of development should be around one unit per 150m² in the case of apartment buildings. Terraced housing should only occur to the north of Vaughans Stream, and only on sites that ensure each residential unit fronts a public street. Where terraced housing is proposed the policies in respect of the Long Bay 3 zone shall apply in place of the policies below.*
4. *Development on the north side of Vaughans Stream should contribute to the revegetation of the slopes immediately behind the zone. This is so the buildings will sit within a vegetated backdrop. ~~as viewed from the road.~~*

Section 17B.6.1.2 shall read as noted in submission 10918-6, 10915-5, 10437-11 and 10437-17

10450-16 Okura Environmental Group, Marilyn Riddell

Oppose 17B.4.6 (Long Bay 5 Zone: Village Centre) Explanation and Reasons statement, which says the village centre will complement the Regional Park.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-16x473	Royal Forest & Bird Protection Society	Support
10450-16x665	Landco Limited	Oppose

That submission 10450-16 (supported by 10450-16x473 and opposed by 10450-16x665) **be rejected** for the reason the emphasis in Section 17B 4.6 is upon the experience offered to both future residents of Long Bay and those visiting the locality, in particular, the complementary use of the Regional Park and the small commercial centre (Village Centre) proposed - not "closely packed accommodation", as cited. The proposed café, restaurant, dairy, and community facilities will be located next to a new major point of entry to Long Bay Regional Park and will be in close proximity to the area of more intensive residential development flanking the village green and the village centre. Consequently, the Village Centre has an important role servicing the needs of those visiting the Regional Park and living at Long Bay: it also acts as a point of focus for the local community and complements the village green nearby. The Centre's residential function would be secondary to both this function and its local servicing role.

10452-13 Keep Okura Green, David Johnston

Delete the village centre and village green from the Plan Change.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10452-13x501	Royal Forest & Bird Protection Society	Support
10452-13x578	Landco Limited	Oppose

That submission 10452-13 (supported by 10452-13x501 and opposed by 10452-13x578) **be rejected** for the reason that the creation of a village structure with a commercial centre and village green, together with concentration of higher density residential development around the periphery of both will establish an area of communal activity in and around the village green that provides a strong focus and area of congregation for the new residential community at Long Bay. It is not considered appropriate to exclude this key component from the Structure Plan provisions. However it is acknowledged that as a result of matters raised at the hearing that the location of the village centre would be more appropriate on the south side of Vaughans Stream as it would be within a 400 metre and 800 metre walking radius to the majority of the main urban density residential development in the area.

10504-4 David Johnston

Delete the village and service centre north of Vaughans Stream and locate to the south.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10504-4x119	Royal Forest & Bird Protection Society	Support

10521-3 Ron Cossins

Oppose the location of the Village Centre and Village Green and the maximum heights of the buildings permitted here.

That submission 10504-4 (supported by 10504-4x119) and 10521-3 **be accepted in part** to the extent that as a result of matters raised at the hearing, it is considered that the location of the Long

Bay 5 zone: Village Centre would be more appropriate on the south side of Vaughans Road, to the west of Beach Road extension, in conjunction with an additional area of higher density apartment dwellings (Long Bay 4 zone: Urban Village) in close proximity to it. It is not considered appropriate to locate the Long Bay 5 zone: Village Centre or Long Bay 4 zone: Urban Village development further to the west near Ashley Avenue as the Village Centre has an important role servicing the needs of those visiting the Regional Park and living at Long Bay. The location of the Village Centre to the south side of the Vaughans Stream has been made for the following reasons:

- The Village Centre is within a 400 metre and 800 metre walking radius to the majority of the main urban density residential development in the area and is still accessible to the village green.
- The centre will have a northerly aspect.
- Access to the Regional Park can be achieved without having to cross the Vaughans Stream, ensuring that this access and the centre are kept together.
- In order to ensure the Long Bay 5 zone: Village Centre is supported by intensive residential development that will assist in achieving the overall outcomes sought for Long Bay, further amendment to the zoning of the land are made, as follows:
 1. The addition of an area of Long Bay 4 zone: Urban Village, with a maximum height limit of 12,5 metres, with direct proximity to the Village Centre to ensure a concentration of development around the centre.
 2. Extension of the existing Long Bay 4 zone; Urban Village, with a reduced maximum height limit to 12.5metres (reduced from 18 metres) on the north side of Vaughans Stream, to include the area released by the relocation of the Village Centre and to include an additional area to the north, taking in a portion of the Landscape Protection (enhancement) Area. This will provide additional housing development on land that is more suitable for this type of development and will provide density support in close walking distance to the Village Centre. The reduced height in addition to the backdrop of a major ridgeline, will lessen the visual intrusiveness of this housing in this area.
 3. As the amount of land in the Long Bay 4 zone is increased there may not be sufficient demand for apartment living in the Structure Plan area. Therefore it is considered that terraced housing be allowed in the Long Bay 4 zone; Urban Village, north of the Vaughans Stream but not adjacent to the village centre. For the village centre to be a success a reasonably high density of housing needs to be located immediately next to it and for this reason a distinction has been made between the Long Bay 4 zones on the northern and southern sides of the Vaughans Stream. Thus the Long Bay 4 zone north of the Vaughans Stream will allow terraced housing on lots that do not exceed 35 metres in depth. In such cases the Long Bay 3 rules shall apply rather than the Long Bay 4 zone rules.

10918-3 Kurt & Carol Marquart

Relocate the Village centre to the west of Long Bay College and North of the Long Bay Primary School.

Further Submission

10918-3x128

Further Submitter

Royal Forest & Bird Protection Society

Support/Oppose

Support

That submission 10918-3 (supported by10918-3x128) **be accepted in part** to the extent that as a result of matters raised at the hearing the location of the village centre would be more appropriate on the south side of Vaughans Stream to the west of Beach Road extension. It is not considered appropriate to locate it further to the west and below the Long Bay College ridgeline as the village centre has an important role servicing the needs of those visiting the Regional Park and living at Long Bay. The proposed location will be within a 400 metre and 800 metre walking radius to the majority of the main urban density residential development in the area. Also the proposed location on the south side adjacent to Beach Road extension will ensure that access to the Regional Park and the centre are kept together.

Zoning Issues Relative to Individual Properties

10440-1 Richard Brabant (Rick Woodroffe – 272 Okura River Road)

Generally supports zoning , conservation and stormwater overlays and allocation of Long Bay 1A and 1B (Large lot Residential) identified on submitters property.

That submission 10440-1 **be accepted** for the reason that it supports the zoning provisions of the Structure Plan.

10440-2 Richard Brabant (Rick Woodroffe – 272 Okura River Road)

Generally supports objectives, policies, strategies, design principles and methods that affect the development and use of the submitter’s property.

That submission 10440-2 **be accepted** for the reason that it supports the provisions of the Structure Plan.

10440-4 Richard Brabant (Rick Woodroffe – 272 Okura River Road)

Opposes any changes to the Structure Plan provisions that diminish development opportunities applying to his land.

That submission 10440-4 **be accepted** for the reason that it supports the zoning provisions of the Structure Plan.

10442-1 S B & L A Singleton (62 Vaughans Road)

Amend the landscape protection zones so that such areas are used as overlays that do not impinge on the underlying development rights provided by the zone.

10442-2 S B & L A Singleton (62 Vaughans Road)

Remove the landscape protection (stormwater) area from this property and replace with Long Bay 1A zone over the whole property

10442-3 S B & L A Singleton

Amend the minimum zone density in Long Bay 1A to enable sites of 1000m² to be created and allow development to be clustered on usable parts of properties.

That submissions 10442-1, 10442-2 and 10442-3 **be rejected** for the reason that the Singleton’s submission to zone the whole of their property to Long Bay 1A zone, remove or amend the landscape protection areas and their proposition that clustered development could be established on lots as small as 1000m² - is contrary to the Structure Plan strategy. This does not recognise the wider sensitivities of the locality, including those related to the long term character of the upper valley, nor would it assist with protection of key stormwater and ecological values, and the creation of a feeling of transition from an ‘urban’ Long Bay into the adjoining rural zones.

10454-2 The Eastland Trust (3, 7, 15 Ashley Avenue)

Remove the reserve designation and Landscape (Conservation) area on this property.

Further Submission

10454-2x138

Further Submitter

Royal Forest & Bird Protection Society

Support/Oppose

Oppose

That submission 10454-2 (opposed by 10454-2x138) **be accepted in part** to the extent that the reserve zoning should be removed from this property as its size seems unreasonable and it does not appear to be a suitable location for a neighbourhood reserve. However the Landscape Protection (Conservation) Area should be retained but the area amended so as to exclude the area currently occupied by the house and the cleared area around the house in this location on the site.

10454-3 The Eastland Trust (3, 7, 15 Ashley Avenue)

Replace the reserve area and overlay area with Long Bay 2A zoning.

That submission 10454-3 **be accepted** for the reason that the land released through the removal of the reserve zoning and through the amendment of the area covered by the Landscape Protection (Conservation) Area be replaced with Long Bay 2A zoning which is the zoning adjacent to these areas .

10454-4 The Eastland Trust (3, 7, 15 Ashley Avenue)

Delete all sections relating to cutting or pruning of trees, except those nominated as notable trees.

Further Submission

10454-4x139

Further Submitter

Royal Forest & Bird Protection Society

Support/Oppose

Oppose

That submission 10454-4 (opposed by 10454-4x139) **be rejected** for the reason that the sections addressing the pruning and cutting down of trees are consistent with the General Tree Protection provisions of Section 8 of the North Shore City District Plan which became operative in June 2003. These provisions resulted from an Environment Court decision on Variation 51 in 2002.

10498-1 Campbell McCulloch (3 Ashley Avenue)

Remove the reserve designation, landscape Protection (Conservation) Area from 3 Ashley Avenue and replace with Long Bay 2A Zone (Suburban Neighbourhood)

10501-1 Jaimee McCulloch

Remove the reserve designation, landscape Protection (Conservation) Area from 3 Ashley Avenue and replace with Long Bay 2A Zone (Suburban Neighbourhood)

10503-1 Sarah McCulloch

Remove the reserve designation, landscape Protection (Conservation) Area from 3 Ashley Avenue and replace with Long Bay 2A Zone (Suburban Neighbourhood)

That submissions 10498-1, 10501-1 and 10503-1 **be accepted in part** to the extent that the reserve zoning should be removed from this property as its size seems unreasonable and it does not appear to be a suitable location for a neighbourhood reserve. However the Landscape Protection (Conservation) Area should be retained but the area amended so as to exclude the area currently occupied by the house and the cleared area around the house in this location on the site. Accordingly the land released through the removal of the reserve zoning and through the amendment of the area covered by the Landscape Protection (Conservation) Area be replaced with the Long Bay 2A zoning.

10498-2 Campbell McCulloch (3 Ashley Avenue)

Delete all tree controls from the Plan Change.

10501-2 Jaimee McCulloch

Delete all tree controls from the Plan Change.

10503-2 Sarah McCulloch

Delete all tree controls from the Plan Change.

That submissions 10498-2, 10501-2 and 10503-2 **be rejected** for the reason that the sections addressing the pruning and cutting down of trees are consistent with the General Tree Protection provisions of Section 8 of the North Shore City District Plan which became operative in June 2003. These provisions resulted from a recent Environment Court decision on Variation 51 in 2002. Therefore there is no justification to remove the tree controls.

10456-1 Primecare NZ Ltd, Brian Putt (50 and 68 Ashley Avenue)

Rezone the site so that the whole is entirely within Zone 3 (urban Neighbourhood)

Further Submission

10456-1x140

Further Submitter

Royal Forest & Bird Protection Society

Support/Oppose

Oppose

That submission 10456-1 (opposed by 10456-1x140) **be accepted in part** for the reason that there is scope to include more of the lower part of the site within the Long Bay 3 Zone, away from the school edge but close to the stream corridor. This is partly to reflect the proposals to reduce the density of development further to the east, where significant archaeological sites are present. The retention of Long Bay 2 (Suburban Neighbourhood) zoning on the upper slopes of the site reflects two factors:

- A desire to minimise intensification on more elevated parts of the catchment around Long Bay College, so as to retain a substantially suburban - as opposed to more intensely urban - character close to the ridge crest and the existing urban edge near Glenvar and Beach Roads.
- Provision for a variety of housing, property and lifestyle choices and options.

Those factors are still considered appropriate in looking at the overall distribution of different residential types across the catchment. However in response to other submissions a small portion of the lower part of the site is to be rezoned Long Bay 4 zone to compliment the location of the urban village to the south side of the Vaughans Stream.

10456-2 Primecare NZ Ltd, Brian Putt (50 and 68 Ashley Avenue)

Remove all proposed and preferred road notations from the site.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10456-2x141	Royal Forest & Bird Protection Society	Oppose

That submission 10456-2 (opposed by 10456-2x141) **be rejected** for the reason that the proposed primary roading connections through and around the site are the result of detailed traffic engineering analysis by Council's consultants. The secondary roading across the site reflects likely patterns of residential development across the site, running with the site's natural contours, and making the most of both its northerly aspect and views towards the village green. The roading network across 50 and 68 Ashley Avenue is integrated with the wider distribution of roading and cannot be readily modified without reference to the wider effects of such changes. Any proposal involving modification of the roading network, in particular, would need detailed evaluation and justification. This has not been provided to date.

The Structure Plan provides assessment criteria for subdivision proposals that propose different roading alignments to that shown on the Structure Plan. While still seeking a connected roading network, these provisions mean that there is flexibility over alignments for preferred roads.

10456-3 Primecare NZ Ltd, Brian Putt (50 and 68 Ashley Avenue)

Remove the proposed reserve designation from the site.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10456-3x142	Royal Forest & Bird Protection Society	Oppose

That submission 10456-3 (opposed by 10456-3x142) **be rejected** for the reason that the proposed reserve on part of 50 and 68 Ashley Avenue is one of a sequence of neighbourhood parks that are located within the Structure Plan proposed residential zones. Each of these parks is to cover at least 0.2ha in order to be useable and should be located so as to interface with both roading and the local walkway network. Although Ashley Reserve is located within walking distance of the proposed reserve on 50 and 68 Ashley Avenue, it functions as a facility for active recreation and has a much wider catchment of users. It is considered that the proposed neighbourhood park would provide a focus for the more immediate residential community and is appropriately located with reference to the wider distribution of reserves. It is also linked, by both walkway and roads, to Long Bay College and the village green and Vaughans Stream, enhancing its contribution to the wider pedestrian network.

It is also noted that there is some flexibility within the Structure Plan rules over the location of the reserve, to fit in with final development concept earthwork and road alignments.

10470-1 Okura Estate Limited, David Hughes

Deletion of Long Bay 1B Zone for part of Lot 26 within the Tir Conaill Country Estate and the substitution with Long Bay 2B zone.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10470-1x6	Keep Okura Green	Oppose
10470-1x146	Royal Forest & Bird Protection Society	Oppose
10470-1x563	Gatward David	Oppose

That submission 10470-1 (opposed by 10470-1x6, 10470-1x146, 10470-1x563) **be rejected** for the reason that the subject property directly abuts and overlooks Grannies Bay, a large basin within the northern half of Long Bay Regional Park. Development on this linear block of land should therefore retain a fundamentally rural character, as part of the backdrop to one of the more natural and directly coastal parts of the Regional Park. More conventional residential development - Suburban Neighbourhood or otherwise - would compromise the natural and rural character of a key part of the park and would inevitably also have an impact on the natural character of the coastal environment. Additionally, the Council have been advised that stormwater from future properties on the subject land would drain directly into Grannies Bay, without any realistic opportunities for 'soft' or natural attenuation. Consequently there is no change to the Long Bay 1B zoning of the submitters property.

10470-2 Okura Estate Limited, David Hughes

Removal of the proposed reserve notation from part lot 26 within the Tir Connail Country Estate, (203-303 Vaughans Road).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10470-2x7	Keep Okura Green	Oppose
10470-2x147	Royal Forest & Bird Protection Society	Oppose
10470-2x564	Gatward David	Oppose

That submission 10470-2 (opposed by 10470-2x7, 10470-2x147, 10470-2x564) **be rejected** for the reason that the subject knoll and ridge crest sit at the physical divide between the Long Bay and Okura catchments, and fall physically towards both. Given the highly strategic location of the proposed reserve and the fact that it is perhaps even more prominent in relation to the rural Okura catchment than Long Bay, It is considered that any 'development' on the subject property should retain a distinctly rural character. It should not merge - physically or visually - with the suburban margins of the Long Bay catchment. There is no change to the reserve notation on the submitters property.

10475-3 Ministry of Education, Clive Huggins (Designation 27)

Remove/delete the landscape protection (stormwater management) zoning from the school site.

That submission 10475-3 **be rejected** for the reason that the Ministry of Education site (designation 27) borders an area of considerable environmental and ecological sensitivity (the junction of the upper and lower valley of the Vaughans Stream). The zones on the property have been applied in response to the need to protect local stream courses, the nature of local terrain, slope angles and geotechnical instability and the current distribution of vegetation in the catchment. Consequently, it would be inappropriate to lift or modify the proposed zoning.

The Landscape Protection (Ecological/Stormwater) areas are intended to protect land against development. These areas have been identified as suitable for planting of vegetation to assist in the onsite mitigation of stormwater. However building platforms can be established as a discretionary activity in such areas so long as there is no net reduction in the total amount of land identified for this purpose. The Landscape Protection (Conservation) area is an overlay area identified in areas where areas of vegetation have been identified as worthy of protection for landscape, ecological, stormwater and land suitability purposes. Upon subdivision the land is required to be protected in perpetuity and remain free of development.

It is noted that the Ministry of Education land is designated for a school. The ecological/stormwater management overlay does not preclude development on the land even though it identifies the environmental values which the Structure Plan provisions seek to protect to the extent practicable. Therefore these controls will have minimal effect on the Ministry of Education's ability to develop the site

10475-4 Ministry of Education, Clive Huggins (Designation 27)

Remove /delete the Conservation overlay zone from the school site.

That submission 10475-4 **be rejected** for the reason that the Landscape Protection (Ecological/Stormwater and Conservation) overlays are applied to a stream corridor that is, in part, flanked by a significant stand of kahikatea and puriri, manuka and other species. This forest remnant has been identified as a Significant Landscape Feature in the City-wide assessment of such features, and the stream course and stand of trees therefore have some landscape, as well as ecological, significance. Through evidence presented at the hearing the Ministry of Education supported the setting aside of land to the north of the site for conservation purposes (if located as far north as practicable) as this would not unduly affect the Ministry's ability to develop the site.

10475-5 Ministry of Education, Clive Huggins (Designation 27)

Remove /delete the proposed reserve zoning from the school site.

That submission 10475-5 **be rejected** for the reason that the Reserve Zone is applied to a pocket of land separated from the current primary school by a proposed road. The zones on the property have been applied in response to the need to protect local stream courses, the nature of local terrain, slope angles and geotechnical instability and the current distribution of vegetation in the catchment. Consequently, it would be inappropriate to lift or modify the proposed zoning. Through evidence

presented at the hearing the Ministry of Education supported the setting aside of land to the north of the site for conservation purposes as a Council reserve (if located as far north as practicable) as this would not unduly affect the Ministry's ability to develop the site.

10476-1 Andrew & Christine Segar (148 Vaughans Road)

Rezone the area zoned for 1000m² lots (Zone 2B) along Vaughans Road for larger lots of 2500m² or 5000m².

Further Submission

10476-1x102

Further Submitter

Royal Forest & Bird Protection Society

Support/Oppose

Support

That submission 10476-1 (supported by 10476-1x102) **be rejected** for the reason that the Structure Plan zoning strikes a reasonable balance between the preservation of key environmental features and the provision for both Large Lot Residential and Suburban Neighbourhood housing in areas that are already affected by established development. A reduction of densities across the board near Vaughans and Okura River Roads would increase pressure for increased development on the steeper slopes between Vaughans Road and Vaughans Flats, together with greatly increased earthworks in that sector and reduced protection of local stream corridors. This cannot be justified in terms of the current character and nature of development in the vicinity of Vaughans Road.

10476-2 Andrew & Christine Segar (148 Vaughans Road)

Relocate the designated reserve in this area to a more appropriate area, which contains a spring and or geographical constraints and create a walkway and track to Long Bay via the reserve link.

Further Submission

10476-2x103

Further Submitter

Royal Forest & Bird Protection Society

Support/Oppose

Support

That submission 10476-2 (supported by 10476-2x103) **be rejected** for the reason that the location of the reserve proposed in the Structure Plan was carefully selected so that a combination of reserve and adjoining road corridor would open up a significant viewshaft to the Hauraki Gulf and Long Bay Regional Park for those using Vaughans Road. The reserve would also be subject to surveillance from two roads and readily accessible from the local road network. This combination of factors still weighs in favour of the current location.

10477-1 J Crowe (289 Glenvar Road)

Rezone 289 Glenvar Road as Long Bay 2A or 2B (Suburban Neighbourhood).

That submission 10477-1 **be rejected** for the reason that this submission fails to recognise the wider sensitivities of the locality, including those related to the long term character of the upper valley. Although a site visit confirmed the land is not as steep as other land in the upper valley, other environmental issues are relevant to the zoning of the land. These include protection of key stormwater and ecological values, and the creation of a feeling of transition from an 'urban' Long Bay into the adjoining rural zones. Also rezoning this property would not create a coherent zoning pattern in the area to the west of the proposed road connecting Glenvar Road and Ashley Road, and that the submission was not supported by any information that demonstrated that an alternative zoning was warranted.

10478-4 Colin Wells (241 Glenvar Road)

Provide more explanation for inconsistencies of zoning for adjoining areas of land with similar topography, drainage etc.

Further Submission

10478-4x107

Further Submitter

Royal Forest & Bird Protection Society

Support/Oppose

Support

That submission 10478-4 (supported by 10478-4x107) **be accepted in part** to the extent that a number of amendments have been made to objectives, policies and explanations to clarify the matters raised in the submission. It is recognised that it is not easy from a lay perspective to interpret the changes in zoning proposed in the Structure Plan. Any apparent inconsistencies are derived from careful analysis of the physical characteristics, sensitivities and values of the upper valley. In particular the identification of geotechnical constraints, analysis of slope angles, geological structure and related constraints and assessment of landscape character and features have all contributed to the design and planning process.

10480-4 Olaf & Regina Jones (231 Glenvar Road)
Change the zoning of 231 Glenvar Road from 1B to 1A

Further Submission

10480-4x110
10480-4x897

Further Submitter

Royal Forest & Bird Protection Society
Keep Okura Green

Support/Oppose

Support
Support

10509-4 Paolo Delmonte (277 Glenvar Road)
To rezone 277 Glenvar Road from Zone 1B to Zone 1A

That submission 10480-4 (supported by 10480-4x110 and 10480-4x897) and submission 10509-4 **be rejected** for the reason that additional subdivision potential that would be provided by the rezoning would put at risk the environmental values present and result in significant landform modification to address existing site constraints. The submission was not supported by any information that demonstrated that an alternative zoning for the site was warranted.

10528-2 Lynn Violich & Alan Grantham

Provide stormwater and enhancement overlay landscape protection areas on the land directly to the north of 21 Clensmore Place.

That submission 10528-2 **be accepted** for the reason that it is appropriate to protect the existing bushy ravine abutting 21 Clensmore Place on its northern boundary for stormwater management purposes and to minimise the potential for any adverse effects on land instability. The Structure Plan is amended to include a Landscape Protection (Conservation) Area to the North of Clensmore Place.

7. WATER SENSITIVE URBAN DESIGN / STREAM ECOLOGY

7.1. Specific Submissions

7.1.1. Specific Policies

Section 9A Subdivision and Development – Long Bay Structure Plan Area

Section 9A.3.2 Natural Environment

10435-3 Auckland Regional Council, Hugh Jarvis

That restoration is undertaken by NSCC of the floodplain area within Vaughans Stream and Awaruku Stream as wetland or swamp forest to link with riparian restoration work underway on Regional Parkland in Vaughans Stream with reference to ARC TP148.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-3x27	Department Of Conservation	Support
10435-3x37	Royal Forest & Bird Protection Society	Support
10435-3x742	Landco Limited	Oppose

10435-13 Auckland Regional Council, Hugh Jarvis

That priority be given to riparian and wetland restoration in the lower reaches of the Vaughans Stream.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-13x46	Royal Forest & Bird Protection Society	Support
10435-13x752	Landco Limited	Oppose

That submissions 10435-3 (supported by 10435-3x27 and 10435-3x37 and opposed by 10435-3x742) and 10435-13 (supported by 10435-13x46 and opposed by 10435-3x752) **be rejected** for the reason that the Structure Plan makes adequate provision, as part of stormwater mitigation planting for subdivision or development applications, for the prioritisation of riparian planting throughout the catchment wherever Landscape Protection (Stormwater) areas have been identified. Requiring NSCC to undertake further restoration of the floodplain area is outside the scope of the Structure Plan.

The Statement of Evidence presented by the submitter has been considered with respect to the restoration of ecological linkages and riparian planting. Developers cannot reasonably be expected to rehabilitate a degraded environment at their expense beyond what is required as mitigation for any adverse environmental effects generated by their development. The Structure Plan makes adequate provision for the restoration of ecological linkages and riparian planting as mitigation for the effects of development without being unduly onerous on developers. Although it is beyond the scope of the Structure Plan, Council has made provision in the Long Term Council Community Plan for the upgrading and rehabilitation of streams throughout the city, including sections of the Vaughans, in accordance with the Council's priorities and budgetary constraints.

10435 - 4 Auckland Regional Council, Hugh Jarvis

That there are sufficient policies and rules in section 9A (Subdivision and Development) to ensure that enhancement planting is undertaken to an adequate standard before subdivision consent is granted.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-4x38	Royal Forest & Bird Protection Society	Support
10435-4x743	Landco Limited	Oppose

That submission 10435-4 (supported by 10435-4x38 and opposed by 10435-4x743) **be rejected** for the reason that the Structure Plan has sufficient policies and rules in section 9A, Subdivision and Development, which will enable such planting to achieve an adequate standard before subdivision consent is granted and no amendments to the Structure Plan are necessary..

10435-11 Auckland Regional Council, Hugh Jarvis

Include in the variation the classification for all Category 1 streams.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-11x44	Royal Forest & Bird Protection Society	Support
10435-11x750	Landco Limited	Oppose

That submission 10435-11 (supported by 10435-11x44 and opposed by 10435-11x750) **be rejected**, for the reason that it is not appropriate to include the classification for all Category 1 streams in the Structure Plan itself. This information is provided in background reports to the Structure Plan and can be made available on request.

10436 - 7 ECB Coastal Protection Society Inc, Robert White

Include provisions for protection of riparian margins especially where stock is present.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-7x371	Royal Forest & Bird Protection Society	Support
10436-7x590	Landco Limited	Support

That submission 10436-7 (supported by 10436-7x371 and 10436-7x590) **be rejected** for the reason that the Structure Plan already provides for protection of riparian margins through proposed objectives, policies and rules and through Rule 9A.6.2, which requires a planting plan be prepared for every application for subdivision or development containing Landscape Protection (Enhancement and Stormwater) areas, and which ensures that riparian areas be planted and details be provided of any stock proof methods proposed for protection of planting. Consequently no amendment to the Structure Plan is necessary as a result of this submission.

10436-10 ECB Coastal Protection Society Inc, Robert White

Overall the plan needs to be more transparent in terms of methods to be used or required and expected outcomes in accordance with the following: Amend objective 9A.3.2 (Natural Environment) to define more clearly what is meant by water quality and how this will be enhanced. Explain contradictory statements relating to enhanced water quality in the Marine Reserve in paragraph 5 of the 'Explanation and Reasons' and on page 8 of 'Expected Environmental Results'.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-10x374	Royal Forest & Bird Protection Society	Support
10436-10x791	Landco Limited	Oppose

The Statements of Evidence presented by Dr Robert White of the East Coast Bays Coastal Protection Society, Peter Cochrane on behalf of Landco and Earl Shaver of the ARC with respect to water quality management have been considered in conjunction with this submission.

This aspect of stormwater management is discussed extensively in the ARC technical publication TP 10 which concludes that the most practical water quality objective for stormwater treatment devices is to remove 75% of total suspended sediments on a long-term average basis. This level of sediment removal was found to be the optimum compromise between cost and efficiency of devices. Removal of sediment from stormwater runoff removes many of the contaminants of concern, including; particulate trace metals, particulate nutrients, oil and grease on sediments and bacteria on sediments. To set target concentrations for individual contaminants is not practical given the current state of the information. The concentration of contaminants in stormwater varies during a storm, from storm to storm, and from catchment to catchment. When comparing pollutant concentrations with water quality criteria, individual random samples may exceed the average pollutant concentration during a storm by a large factor but this does not necessarily lead to adverse effects on the environment.

Contrary to paragraph 87 of Dr White's evidence, the Long Bay Catchment Management Plan (CMP), August 2003, contains a detailed analysis of stormwater contaminants and pollutants in the Long Bay catchment and the measures proposed to mitigate any adverse effects. These measures form the basis for the appropriate policies and rules in the Structure Plan. Also the ARC objective for water quality, viz. the removal of 75% of total suspended sediments on a long-term average basis, which has been adopted by the Structure Plan, is appropriate.

Furthermore the Practice Notes are intended to be succinct "how-to" guides and are not intended to duplicate the CMP and other detailed background reports to the Structure Plan.

That submission 10436-10 (supported by 10436-10x374 and opposed by 10436-10x791) **be accepted in part** to the extent that clarity is needed on certain apparent contradictions regarding the water quality objectives of the Structure Plan and the reasons for retrofitting stormwater treatment devices into the Awaruku catchment. Section 9A.3.2, Explanation and Reasons, paragraph 5, is reworded as follows to better reflect the intentions of the Structure Plan:

In recognition of the fact that the Awaruku catchment has already been adversely affected by existing urban development development in the Long Bay area will inevitably have some effect on water quality in the Long Bay coastal waters, the quality of water in the Awaruku stream needs to be improved. By retrofitting various stormwater devices into this catchment, an improvement to the quality of water from this catchment will help to reduce the existing levels of contaminants discharging to the marine reserve. ~~offset the adverse effects expected from development in the Vaughans Stream catchment.~~

10436-13 ECB Coastal Protection Society Inc, Robert White

Requests reference to some source, or document like the Code of Practice which sets out standards to clarify what is meant by a “high standard” of mitigation in Policy 6, 9A.3.2 Natural Environment.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-13x794	Landco Limited	Oppose
10436-13x377	Royal Forest & Bird Protection Society	Support

That submission 10436-13 (supported by 10436-13x377 and opposed by 10436-13x794) **be rejected** for the reason that there is already sufficient guidance provided in the Structure Plan and Long Bay Practice Notes as to the standard of stormwater mitigation required in the lower part of the Structure Plan area.

10436-12 ECB Coastal Protection Society Inc, Robert White

Clarify Policy 5 of 9A.3.2 (Natural Environment) on the meaning of 'limiting stormwater run-off to pre-development levels'

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-12x376	Royal Forest & Bird Protection Society	Support
10436-12x793	Landco Limited	Oppose

10437-3 Ian Munro

Add to Objective 9A.3.2 (Natural Environment) Policy 5, the following: Note: For the purposes of stormwater mitigation in the Long Bay Structure Plan, "Pre Development" levels refer to the quantity and quality of stormwater runoff as at the time of adoption of the Plan Change".

10436-66 ECB Coastal Protection Society Inc, Robert White

Clarify part 2 d) of 17B.6.1.9. (On Site Stormwater Management) which refers to pre-development levels of water quality of stormwater runoff particularly if it relates to pre-development levels where the area is now under pasture, which is a bad source of sediment and farm pollutant loaded runoff.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-66x430	Royal Forest & Bird Protection Society	Support
10436-66x847	Landco Limited	Oppose

Further to the above submission points and the Statement of Evidence presented by Dr Robert White of the East Coast Bays Coastal Protection Society the definition of “pre-development”, in the context of the Long Bay Structure Plan, relates only to stormwater quantity. Accordingly, it is not necessary for the definition to include any reference to agricultural chemicals, urban pollutants or other contaminants, which are associated with water quality considerations. The water quality objectives of the Structure Plan are based on the ARC TP 10 approach of the removal of a minimum of 75% of total suspended sediment on a long-term average basis. This approach is not dependant on any definition of “pre-development”.

However the range of rainfall events to be managed by on-site stormwater management practices needs to be specified to provide greater clarity. Also that the words “pervious” rather than “permeable” and “impervious” rather than “impermeable” should be used consistently throughout the Structure Plan, as these are the terms used by the ARC in all its documentation.

That submission 10437-3, submission 10436-12 (supported by 10436-12x376 and opposed by 10436-12x793) and submission 10436-66 (supported by 10436-66x430 and opposed by 10436-66x847) **be accepted in part** to the extent of clarifying the on-site stormwater management requirements including the use of the term “pre-development levels” relating to stormwater quantity and quality effects. All references in the Structure Plan to “permeable” or “impermeable” is replaced

by the words "pervious" or "impervious" as appropriate to facilitate internal consistency. In addition 17B.6.1.9 (17B.6.1.10) 2 d) is amended to read:

- d) In the Long Bay 1 zone, not less than 100% of the total constructed impervious area on the site is required to be fully mitigated by on-site stormwater management techniques, including the use of rain tanks required by a) and b), as well as other on-site techniques such as pervious paving, rain gardens and revegetation. A mix of on-site techniques shall be used.

Likewise, 17B.6.1.9. (17B.6.1.10) 2 e) is amended as follows:

- e) *In the Long Bay 2 and 3 zones within the Stream Protection A area, all stormwater run off from not less than 80% of the total constructed impervious area on the site is required to be fully mitigated by on-site stormwater management techniques, including the use of rain tanks required by a) and b), as well as other on-site techniques such as pervious paving, rain gardens and revegetation. A mix of rain tanks and other on-site techniques shall be used.*

Note:- "Fully mitigated" means mitigation of the effects of increased impervious surfaces by managing stormwater quantity and quality. Quantity shall be managed by ensuring that post-development peak flow rates are limited as far as practicable to pre-development peak flow rates for rainfall up to the 10% Annual Exceedance Probability (AEP) event and average runoff volumes are limited as far as practicable to pre-development volumes by the use of rainwater reuse and revegetation. Quality shall be managed by removing a minimum of 75% of total suspended sediment on a long-term average basis.

In addition the following is added to 17B.6.1.9 (17B.6.1.10) as point g) and k) as follows:

g) In the Stream Protection A areas, a mix of on-site techniques shall be used. Rain tanks cannot be the sole form of mitigation.

k) The best practicable option (as defined in section 2.1 of the RMA) shall be applied in the choice of stormwater management techniques to be used.

The different parts of the section 'Design of On-site Mitigation' will be re-ordered for greater clarity of understanding as follows:

- g) The best practicable option (as defined in section 2.1 of the Resource Management Act) shall be applied in the choice of stormwater management techniques to be used.*
- h) All proposed on-site stormwater management techniques shall be subject to the approval of Council.*
- i) All proposed on-site stormwater management techniques shall be in place prior to impervious surfaces being formed on the site. Runoff from roof areas shall not be discharged directly on to the ground at any stage, including during construction, but shall be directed to the approved stormwater outfall or a temporary alternative outfall approved by Council.*
- j) No direct discharge of stormwater from impervious surfaces (including driveways) to the street will be allowed.*
- k) In the Stream Protection A areas, a mix of on-site techniques shall be used. Raintanks cannot be the sole form of mitigation.*
- l) Where the site is identified in the Designations and Special Provisions maps as containing Landscape Protection (Ecological/Stormwater) area, priority shall be given to planting in this area as ~~the primary stormwater mitigation method~~. when designing on site stormwater measures. A planting plan shall be provided in accordance with Rule 9A.6.2.*
- m) A covenant capable of registration under the Land Transfer Act 1952 and approved by Council shall be registered against the title of every site required to undertake on-site stormwater mitigation in b), c), d) or e) of this rule, to ensure the efficient future functioning and ongoing maintenance of the onsite stormwater management system.*

To further clarify the on-site stormwater management requirements and use of the pre-development terminology, the following amendments is made:

Add the following policy to 9A.3.2,

Amend policy 5 and include as policy 6 of 9A.3.2 to read

In the upper part of the Structure Plan area development is to incorporate on-site stormwater mitigation techniques that manage stormwater quality and limit the quantity of stormwater run-off in the upper part of the Structure Plan area to pre-development levels (in terms of quantity and quality), including stormwater from buildings, driveways, roads and other facilities. Mitigation of the effects of increased impervious surfaces shall address the quantity of run-off (peak flow rates and average run-off volumes for a range of rainfall events) as well as quality of run-off through the removal of suspended sediments.

.Note: "Pre-development" means the state of the catchment, from a stormwater runoff perspective, prevailing when the catchment comprised predominantly pasture, grasses and pockets of bush.

10449-1 Long Bay – Okura Great Park Society, David Gatward

Amend 9A.2(Subdivision and Development Issues) bullet 1: to afford the Awaruku Stream the same level of restoration and care as the Vaughans Stream by including the following words... " the Awaruku Stream" be included after the " Vaughans Stream" and include a commitment from Council to oversee the restoration of the habitat quality in the Awaruku Stream before any earthworks are permitted in the Vaughans Stream catchment.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10449-1x161	Katavich, Anthony	Support
10449-1x308	LB-Okura Great Park Society	Support
10449-1x441	Royal Forest & Bird Protection Society	Support
10449-1x765	Landco Limited	Oppose

10449-2 Long Bay – Okura Great Park Society, David Gatward

Amend 9A.3.2 (Natural Environment), Objectives, Policies and Methods by inserting the words "the Awaruku Stream" where relevant.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10449-2x162	Katavich, Anthony	Support
10449-2x309	LB-Okura Great Park Society	Support
10449-2x442	Royal Forest & Bird Protection Society	Support
10449-2x766	Landco Limited	Oppose

That submission 10449-1 (supported by 10449-1x161, 10449-1x308 and 10449-1x441 and opposed by 10449-1x765) and submission 10449-2 (supported by 10449-2x162, 10449-2x309 and 10449-2x442 and opposed by 10449-2x766) **be rejected** for the reason that the Awaruku catchment comprises mainly existing residential development unlike the undeveloped nature of the Vaughans Stream catchment. The opportunities for stormwater management of the two catchments are, therefore, very different. Stormwater management of the Awaruku catchment is governed by the District Plan and further elaborated upon in the Awaruku Catchment Management Plan. A stormwater quality pond is planned in the portion of the Awaruku catchment falling within the Structure Plan area and has been included in the City's Long Term Council Community Plan.

10449-3 Long Bay – Okura Great Park Society, David Gatward

Amend 9A.3.2 (Natural Environment), Policy 1 to replace with the following: "Urban type development is to be prohibited within 150metres of stream banks".

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10449-3x163	Katavich, Anthony	Support
10449-3x310	LB-Okura Great Park Society	Support
10449-3x443	Royal Forest & Bird Protection Society	Support
10449-3x767	Landco Limited	Oppose

That submission 10449-3 (supported by 10449-3x163, 10449-3x310, 10449-3x443 and opposed by 10449-3x767) **be rejected** for the reason that such a policy would preclude virtually all development within Long Bay, thus rendering the 1996 Environment Court decision unworkable.

10452-12 Keep Okura Green, David Johnston

Define the riparian margins of Vaughans Stream in the Structure Plan.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10452-12x500	Royal Forest & Bird Protection Society	Support
10452-12x577	Landco Limited	Oppose

That submission 10452-12 (supported by 10452-12x500 and opposed by 10452-12x577) **be accepted in part** to the extent that whilst the riparian margins of the Vaughans Stream are defined by areas proposed for reserve land and by Landscape Protection (Conservation and Stormwater) Areas additional protection should be provided to the streams in the Structure Plan area. Currently rule 9A.4.1.4.a) i) provides for works within 20 metres of the centre line of any stream as a discretionary activity. This rule is at variance with the intention of the Landscape Protection Areas, in particular the Conservation Areas, which in many cases form the riparian margins of streams and the stormwater areas. Many of these areas are located along the riparian margins of the main streams and where the intention is for planting to occur as a priority. Also, as the rule is written, structures are not excluded from being located in the riparian areas of streams which could have an impact on streams through shading and inhibiting vegetation growth.

Therefore 9A.4.1.4 is amended as follows:

- a) *Site works involving:*
 - i) Works within 20 metres of the centre-line of any stream, except where the stream is within a Landscape Protection Area shown on the Structure Plan maps.
- b) Site works on land identified as Long Bay 6: Stormwater Management Zone, Landscape Protection (Conservation) or Landscape Protection (Ecological/Stormwater) Area, provided that they are more than 20metres from the centre line of a stream
- c) Site works within 20m of the centreline of a stream that is within a Landscape Protection Area shown on the Structure Plan maps for the purposes only of installing or maintaining infrastructure shown on the Structure Plan maps.

Section 17B.6.1.12 (17B.6.1.13) is amended as follows:

17B.6.1.12(13) Activities within the Landscape Protection Area

- a. *No activity shall be permitted on land shown as Landscape Protection (Conservation) Area in the Plan maps unless permitted in Section 9A of the Plan.*
- b. *All activities in the Landscape Protection (Enhancement) and (Ecological/Stormwater) Area and not within 20 metres of the centreline of a stream shall be a Discretionary Activity.*
- c. No activity shall be permitted within 20 metres of the centreline of a stream that is within a Landscape Protection Area.

10487-38 North Shore City Council, Trevor Mackie

Amend the variation and plan change to step up the requirements to plant within riparian areas at the subdivision and building development phase.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-38x895	Landco Limited	Oppose

That submission 10487-38 (opposed by 10487-38x895) **be accepted in part** to the extent that additional assessment criteria for planting in riparian areas are necessary to ensure that the intention for planting to occur as a priority is achievable. Consequently the following criteria are to be added to section 9A.7.2.3 (9A.7.2.7) part 2 for land within Landscape Protection (Ecological/Stormwater) Areas. Also a reference is made in 17B.6.1.9 (17B.6.1.10) to the requirement for a planting plan to be provided when planting is used in the design of on-site stormwater measures.

Section 9A.7.2.3 (9A.7.2.7) is amended as follows:

2. **Planting of Landscape Protection (Enhancement) and (Ecological/Stormwater) Areas**

In addition to the criteria above, any subdivision or development of lots (including site works) identified in the Plan maps as either containing or being linked with land identified as Landscape Protection (Enhancement) or Landscape Protection (Ecological/Stormwater), the following assessment criteria shall apply:

- a) *Revegetation of the area of Landscape Protection (Enhancement) area should provide a landscaped backdrop to the adjacent zone to which it has been linked.*
- b) *All riparian areas that are within areas identified as Landscape Protection (Ecological/Stormwater) Area should be planted to protect and enhance the stream environment and fenced to a stockproof standard (unless the Council approves an alternative proposal which effectively excludes all livestock from the area).*
- c) *A planting plan should be provided containing the information required in Rule 9A.6.2.*
- d) *Species selected should be consistent with the planting guide provided in the Auckland Regional Council Riparian Zone Management (Technical Publication 148) and 'eco-sourced' from the local area within the Tamaki Ecological District where possible.*
- e) *Planting should be appropriately spaced to ensure rapid shade cover and to protect against ongoing weed problems.*
- f) *The proposed planting and maintenance programme should seek to ensure plant survival and should make provision for replacement planting where necessary*
- g) *The pest and weed management programme for the area should protect the planting against damage.*
- h) *Planting should be undertaken in the planting season immediately following the issuing of the subdivision consent.*
- i) *The subdivision should provide for the ongoing ownership, management and maintenance of land within the Landscape Protection (Stormwater) area by methods approved by Council.*
- j) *Appropriate ownership mechanisms should be set up which ensure the ongoing protection and maintenance of the Landscape Protection (Enhancement) area, as approved by Council.*

Through the amendments as follows to Section 17B.6.1.9 (17B.6.1.10) On-site Stormwater Management

Design of On-site Mitigation

- h) *Where the site is identified in the Designations and Special Provisions maps as containing Landscape Protection (Ecological/Stormwater) area, priority shall be given to planting in this area ~~as a primary stormwater mitigation method.~~when designing on-site stormwater measures. A planting plan shall be provided in accordance with Rule 9A.6.2.*

10500-2 Patricia Cheel

Ensure that all streams, wetlands and tributaries are bordered by at least 20 metres of natural vegetation.

That submission 10500-2 **be rejected**, for the reason that minimum riparian margin widths of 15m have been defined based on expert advice from the ARC. Wider margins have been defined in a number of locations where the presence of existing native habitat or particular stormwater management requirements has made it necessary.

Section 9A.4.5 General Subdivision Standards

10436-27 ECB Coastal Protection Society Inc, Robert White

Amend 9A.4.5.2 (Proposed Roads) to clarify and quantify the meaning of "majority of stormwater" or provide a reference of this and how pollutants will be dealt with.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-27x391	Royal Forest & Bird Protection Society	Support
10436-27x808	Landco Limited	Oppose

That submission 10436-27 (supported by 10436-27x391 and opposed by 10436-27x808) **be accepted in part** to the extent that 9A.4.5.2 b) vii), 9A.7.3.2 (9A.7.2.2) and 9A.4.5.3 (9A.7.2.3) are amended to clarify the intent of these clauses. However, it is not appropriate to detail the specific treatment measures in the rules stated in section 9A.4.5.2 or 9A.4.5.3, as the appropriate solution is dependent on final design locations and grades of the roads. It is appropriate to include the amendments in sections 9A.7.2.2 and 9A.7.2.3, now redrafted as assessment criteria through other submissions, and to reword 9A.4.5.2.

Section 9A.4.5.2. b) vii) is amended as follows:

Stormwater quality treatment devices shall be provided ~~to mitigate~~ within the road reserve ~~the majority of~~ to treat stormwater runoff generated by the road.

9A.7.2.2 d) is amended to read:

Stormwater treatment devices, utilising the best practicable option should be provided to mitigate within the road reserve, the majority of stormwater generated by the road. The best practicable option should include the following:

- i rain gardens, biofiltration trenches and pervious paving for shallow grades less than 5% parallel to the roadway.*
- ii Inclusion of check dams and other flow control methods with rain gardens, biofiltration trenches and pervious paving for grades between 5% and 8%.*
- iii Offline treatment for grades greater than 8%.*

Likewise, 9A.4.5.3 (9A.7.2.3) b) vii) is amended to read:

Stormwater treatment devices, utilising the best practicable option should be provided to mitigate within the road reserve, the majority of stormwater generated by the road. The best practicable option should include of the following:

- 1. rain gardens, biofiltration trenches and pervious paving for shallow grades less than 5% parallel to the roadway.*
- 2. Inclusion of check dams and other flow control methods with rain gardens, biofiltration trenches and pervious paving for grades between 5% and 8%.*
- 3. Offline treatment for grades greater than 8%.*

Note: The "Best Practicable Option" is as defined in s2.1 RMA,

10436-29 ECB Coastal Protection Society Inc, Robert White

Clarify in 9A.4.5.7 (Stormwater Management), the quantity of mitigation required. Clarify and quantify the term 'majority of stormwater'.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-29x393	Royal Forest & Bird Protection Society	Support
10436-29x810	Landco Limited	Oppose

That submission 10436-29 (supported by 10436-29x393 and opposed by 10436-29x810) **be rejected** for the reason that the detail of on-site stormwater management requirements is correctly found in sections 17B.3.1 and 17B.6.1.9 of the Structure Plan and does not need to be repeated in section 9A.4.5.7 which deals with more general subdivision and development issues.

10438-21 Royal Forest and Bird Protection Society, J A Lewis

Amend 9A.4.5.7(Stormwater Management) to include a reference to a need for wider riparian margins in some instances

Further Submission

10438-21x618

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10438-21 (opposed by 10438-21x618) **be rejected**, for the reason that minimum riparian margin widths of 15m have been defined based on the ARC "Riparian Zone Management Strategy" (ARC 2001). Wider margins have been defined in a number of locations where the presence of existing native habitat or particular stormwater management requirements has made it necessary.

10445 - 9 B G Stanley

Amend the plan to explain to what extent surrounding infrastructure will be affected by projected additional population in Long Bay.

Further Submission

10445-9x87

Further Submitter

Royal Forest & Bird Protection Society

Support/Oppose

Support

That submission 10445-9 (supported by 10445-9x87) **be rejected** for the reason that existing infrastructure has been considered in the planning for the additional population expected to live in the Long Bay Structure Plan area. The Councils Long Term Council Community Plan provides for any required upgrading of existing and new infrastructure required in Long Bay and its surrounding area.

Section 17B Long Bay Structure Plan

Section 17B.1.1 Development of Long Bay Structure Plan

10438-25 Royal Forest and Bird Protection Society, J A Lewis

Amend 17B.1.1 (Development of Long Bay Structure plan) to stress the quality of character of Vaughans Stream and need to limit inappropriate development in the lower sections.

Further Submission

10438-25x31

10438-25x622

Further Submitter

Department Of Conservation

Landco Limited

Support/Oppose

Support

Oppose

Therefore it is recommended that submission 10438-25 (supported by 10438-25x31 and opposed by 10438-25x622) **be accepted** for the reason that it is appropriate to emphasise the natural character of the Vaughans Stream. It is suggested that the first paragraph of Section 17B.1.1 is amended as follows:

Vaughans Stream is one of only a few streams left in North Shore City's urban area that have the potential to be significantly upgraded and improved. Long Bay is also a coastal area where there is the opportunity to develop a new community that will be marked by high standards of urban design and the integration of the natural and built environment. As one of the few remaining catchments within North Shore City with minimal urban development, Vaughans Stream has retained natural characteristics of riparian vegetation, stream substrate and natural flows. The upper stream reaches in particular retain high ecological values, largely resulting from the intact regenerating native bush and fewer impacts from pastoral land use. The lower catchment, on the other hand, exhibits modifications resulting from the pastoral land use including little native riparian vegetation, increased bank erosion and a streambed of fine sediments. However these lower sections have the potential to be significantly upgraded and improved. A number of wetland areas exist within the catchment, particularly in the main stem of the lower reaches. The lower sections are of particular importance as they are the last remnant of lowland tidally inundated waterway and also support large inanga populations as well as being an important inanga spawning site for the region. Long Bay is also a coastal area in which inappropriate development can be avoided and a new community developed that will be marked by high standards of urban design and the integration of the significant natural environment with the built environment.

Section 17B.3.1 Natural Environment

10436-41 ECB Coastal Protection Society Inc, Robert White

Amend 17B.3.1 (Natural Environment, including landscapes and land forms) Policies 1-4 and the explanation in Type A Stream Protection Area to provide more quantitative information on issues relating to 'high water quality', acceptable levels of contamination of stormwater, the affect on water quality where 20% of untreated runoff is permitted in other zones.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-41x405	Royal Forest & Bird Protection Society	Support
10436-41x822	Landco Limited	Oppose

10436-42 ECB Coastal Protection Society Inc, Robert White

Explain in 17B.3.1 (Natural Environment, including landscapes and land forms) why stormwater quantity is a secondary consideration in the Type B Stream Protection area. Define what quantity of stormwater is expected in this area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-42x406	Royal Forest & Bird Protection Society	Support
10436-42x823	Landco Limited	Oppose

10438-29 Royal Forest and Bird Protection Society, J A Lewis

Amend 17B.3.1(Natural Environment) to change the classification of streams into Areas A and B.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10438-29x626	Landco Limited	Oppose

10452-10 Keep Okura Green, David Johnston

Rezone the boundaries of Zone A and B so that Zone A includes all land to the west of Vaughans Stream.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10452-10x498	Royal Forest & Bird Protection Society	Support
10452-10x575	Landco Limited	Oppose

10504-1 David Johnston

Amend 17B.3.1 (Natural Environment) so that all streams are included in the Stream Type A category.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10504-1x116	Royal Forest & Bird Protection Society	Support
10504-1x25	Department Of Conservation	Support in Part

10443-8 William McCandless

Provide additional background information to support the stormwater runoff mechanisms proposed by the plan.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10443-8x76	Royal Forest & Bird Protection Society	Support

10443-10 William McCandless

Provide evidence that the stormwater mechanisms proposed by the plan will create only minor effects on the marine environment, especially during periods of heavy rainfall.

10452-4 Keep Okura Green, David Johnston

Oppose all present provisions on stormwater and sediment control. Provide more information on this.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10452-4x492	Royal Forest & Bird Protection Society	Support
10452-4x569	Landco Limited	Support in Part

That submission 10436-41 (supported by 10436-41x405 and opposed by 10436-41x822), submission 10436-42 (supported by 10436-42x406 and opposed by 10436-42x823), submission 10438-29 (opposed by 10438-29x626) submission 10452-10 (supported by 10452-10x498 and opposed by 10452-10x575), submission 10504-1 (supported by 10504-1x116 and supported in part by 10504-1x25), submission 10443-8 (supported by 10443-8x76), submission 10443-10, and submission 10452-4 (supported by 10452-4x492 and supported in part by 10452-4x569) **be accepted in part** to the extent that the following amendments to Policies of 17B.3.1 will assist in clarifying the on-site stormwater management requirements in the Structure Plan area:

1. The streams and their associated catchments are classified as being Type A and or B, depending upon their ecological values and sensitivity to the effects of development:

Type A Stream Protection Area

These are streams and tributaries which are required to be protected due to their existing high values or potential for restoration. The primary focus in the Type A stream protection area is to maintain and where practical, enhance the health of the natural stream ecosystems. This will in turn help protect, and enhance the water quality of the Marine Reserve. Land use activities in the Type A stream protection area will be controlled to ensure that all stormwater discharges into these streams will be managed in terms of quantity and quality. Quality should be managed by removing a minimum of 75% of total suspended sediment on a long-term average basis. Quantity should be managed by ensuring that be of a high quality and that the quantities of stormwater discharge are reduced post-development peak flow rates and average run off volumes are limited to pre-development peak flow rates for a range of rainfall events

Pre-development means the state of the catchment, from a stormwater run off perspective prevailing when the catchment comprised predominantly pasture, grasses and pockets of bush.

Type B Stream Protection Area

~~These are streams which, while having ecological value, have less potential for restoration than Type A streams, or are impractical to maintain given the proposed development approach. They are mostly ephemeral streams and can be structurally modified, piped or earthworked. The primary focus of stormwater control in the Type B stream protection area is to maintain the water quality of the main Vaughans Stream and the Marine Reserve. Stormwater quantity is a secondary consideration in the Type B stream protection area. This area includes the stream mouth, Inanga spawning areas, the wetland area and the lower Vaughans Stream tributaries including a number of ephemeral streams. The tributaries discharge into the low gradient, low flow velocity region of the Vaughans Stream that is less susceptible to erosion. Accordingly, stormwater quantity is a secondary consideration in this area and the primary focus of stormwater management is to sustain the water quality of the main Vaughans Stream and the Marine Reserve. This stormwater management strategy provides an opportunity for some of the ephemeral tributaries in the lower catchment to be structurally modified, piped or earthworked to provide for smaller lots and higher density development with minimal adverse environmental effects.~~

2. *Stormwater management is to be based on a treatment train approach, where an emphasis is to be placed on the mitigation of stormwater effects at source with the provision of constructed, off-line ponds and wetlands at the foot of sub-catchments providing a second tier of stormwater management.*
3. *Development in Type A Stream Protection Areas is to be designed to mitigate, on-site, the majority of stormwater generated from the site. This is to be achieved through the use of rain tanks for the reuse of roof water as a non-potable water source in addition to other techniques such as pervious paving, bioretention and revegetation. For large lot development (Long Bay 1 zone) ~~all~~ stormwater from all constructed impervious areas on the site shall be mitigated on site. For other zones, ~~all~~ stormwater run off from not less than 80% of the total constructed impervious area on site is required to be fully mitigated by on-site stormwater management techniques, before stormwater is discharged to a stream or watercourse.*
4. *Development in the Type B Stream Protection Areas is to be designed so that stormwater run-off is mitigated before it enters the Vaughans Stream. This is to be achieved through the use of a combination of on-site and off-*

site measures such as rain tanks for the reuse of roof water as a non-potable water source and constructed, off-line ponds and wetlands that will provide centralised water quality treatment and peak flow attenuation –in addition to other techniques. Off-site techniques such as rain gardens and ponds and wetlands should also be used.

6. The density of development on steeper land (generally greater than 15 degree gradient), or land that is identified as being unstable is to be limited to rural-type development to avoid significant earthworks that will generate sediment run-off from these areas. Building platforms and accessways are also to be carefully located in these areas. Siteworks/earthworks associated with building platforms shall be carefully managed to avoid adverse effects from sediment run-off.
7. Development should protect areas of native bush that are identified as being of local and regional significance, as well as those which can be joined together through revegetation programmes to form continuous corridors.
10. Development along the Vaughans Road ridgeline should be managed so that buildings do not dominate the ridgeline. This shall be achieved by setting back buildings from the road boundary and through council planting within the road reserve.

10436-44 ECB Coastal Protection Society Inc, Robert White

Amend 17B3.1 (Natural Environment, including landscapes and land forms) Policy 5 to define more clearly what is meant by 'limiting stormwater runoff'.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-44x408	Royal Forest & Bird Protection Society	Support
10436-44x825	Landco Limited	Oppose

That submission 10436-44 (supported by 10436-44x408 and opposed by 10436-44x825) **be accepted** for the reason that the amendment of Policy 5 of Section 17B.3.1 as follows will clarify what is meant by "limiting stormwater runoff":

5. Roads and other public services and areas (such as walkways and cycleways) shall be designed to limit stormwater runoff by reducing widths and impervious areas as far as practicable while still providing facilities that are "fit for purpose" and to manage stormwater prior to discharge to streams and water courses. Stormwater treatment devices, utilising the Best Practicable Option shall be provided to mitigate within the road reserve, the majority of stormwater generated by the road. The best practicable option should include of the following:
 - rain gardens, biofiltration trenches and pervious paving for shallow grades less than 5% parallel to the roadway.
 - Inclusion of check dams and other flow control methods with rain gardens, biofiltration trenches and pervious paving for grades between 5% and 8%.
 - Offline treatment for grades greater than 8%."

10436-46 ECB Coastal Protection Society Inc, Robert White

In the Explanation and Reasons of 17B.3.1(Natural Environment, including landscapes and land forms) on Page 43 and 44 clarify and explain the on site stormwater management and quantify what is meant by "as much stormwater as possible" to be managed on site. Explain the apparent contradiction relating to the use of stormwater ponds, which earlier in the document are determined as being an inefficient means of treating stormwater.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-46x410	Royal Forest & Bird Protection Society	Support
10436-46x827	Landco Limited	Oppose

That submission 10436-46 (supported by 10436-46x410 and opposed by 10436-46x827) **be accepted in part** to the extent that the following amendments proposed to the Explanation & Reasons of section 17B.3.1 will assist in clarifying how the quantity of stormwater will be managed on-site:

The natural environment is an important component of the character of the Long Bay area. Development that protects and enhances the streams and bush areas of the catchment will help create an area of high amenity.

The streams in the catchment have been surveyed in terms of their ecological values and development controls have been designed to retain and improve these ecological values. An emphasis on on-site management of stormwater is proposed. This emphasis reflects the fact that experience with the piping of stormwater to catchment-based facilities like wetlands and stormwater treatment ponds demonstrates that such facilities are not, in isolation, that efficient in treating stormwater, while such approaches usually see important stream tributaries lost to development. On site management of stormwater will help to ensure that the water quality of the Marine Reserve is protected and enhanced, while a greater proportion of Vaughans Stream can be kept in its natural state. This will assist with ecological protection, while ensuring that the stream can be a key amenity feature of the area. Under this approach to stormwater management, a train of treatment devices is to be provided, starting with the collection and reuse of stormwater at site, followed by devices that help to absorb stormwater close to development. Pond and wetlands are to be provided adjacent to the mainstream corridor for final treatment of stormwater and for flood control purposes.

On-site stormwater management of roads and other public facilities is equally important, and a range of road designs are proposed to ensure that as much stormwater as possible is managed on-site. Where on-site treatment is not practical for technical reasons such as steep grades, stormwater will be routed through off-site treatment options prior to discharge into the receiving environment.

The Structure Plan also carefully identifies areas of native bush considered worthy of protection and enhancement, with rules developed to ensure the achievement of this outcome.

Section 17B.3.2 Building Design and Development

10436-48 ECB Coastal Protection Society Inc, Robert White

In 17B.3.2 (Building Design and Development), Policy 8 quantify " the majority of stormwater generated from the development".

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-48x412	Royal Forest & Bird Protection Society	Support
10436-48x829	Landco Limited	Oppose

That submission 10436-48 (supported by 10436-48x412 and opposed by 10436-48x829) **be accepted in part** to the extent that Policy 8 of 17B.3.2 (17B.3.3) is amended to read:

Buildings and other development should take into account the on site stormwater mitigation requirements of the particular zone and Stream Protection area. ~~need to mitigate on site, the majority of stormwater generated from the development~~.....

Greater detail regarding the degree of stormwater mitigation is not required as this is covered in 17B.3.1 and 17B.6.1.9 of the Structure Plan.

Section 17B.4 Zoning Framework

10435-14 Auckland Regional Council, Hugh Jarvis

That the NSCC provide a report that assesses the potential cumulative effects of onsite disposal for wastewater and considers the viability of other options, such as connecting to the reticulated waste water system.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-14x32	Department Of Conservation	Support
10435-14x47	Royal Forest & Bird Protection Society	Support
10435-14x753	Landco Limited	Support in Part

10452-6 Keep Okura Green, David Johnston

That the design of the wastewater system must have no overflow or discharge outlets to the Long Bay Marine Reserve.

Further Submission

10452-6x494

10452-6x571

Further Submitter

Royal Forest & Bird Protection Society

Landco Limited

Support/Oppose

Support

Oppose

That submission 10435-14 (supported by 10435-14x32, 10435-14x47 and supported in part by 10435-14x753) **be accepted** for the reason that Council has completed a preliminary assessment of the potential cumulative effects of on-site wastewater disposal and an evaluation of the viability of other options such as connecting to a reticulated wastewater system. The report will be provided to the submitter as requested.

That submission 10452-6 (supported by 10452-6x494 and opposed by 10452-6x571) **be accepted in part** to the extent that overflows from the proposed wastewater system for the Long Bay Structure Plan area will be managed through good design that requires designing in the capacity for controlled overflow events. However, good design will ensure that overflows can be managed and risks to public health and the environment are minimized. In evidence presented by the submitter concerns were raised about rain water tanks and a lack of consideration of rainfall data in sizing rainwater tanks. The Catchment Management Plan has dealt with this issue in detail and the effects have been modelled in relation to rain tank sizes. In addition the Long Bay Practice Note LB103 on rainwater harvesting provides details on rain tanks sizes and this is referred to in section 17B.6.1.9 of the Structure Plan.

The following amendments to the Structure Plan are made in order to reflect the concerns of submission points 10435-14 and 10452-6 above:

Add additional policy to “9A.3.2 Policies” as follows:

Development is to utilise appropriate technologies and materials for wastewater infrastructure to restrict stormwater inflow-and-infiltration into the system in order to minimise wastewater overflow events and contamination of the stream and marine receiving environments.

Insert the following into the Explanation and Reasons of 9A.3.2:

Stormwater inflow-and-infiltration into wastewater networks is a major cause of wastewater overflows resulting in contamination of stream and marine receiving environments and posing a risk to public health. Accordingly, the wastewater network needs to be constructed using appropriate modern technologies and materials to minimise stormwater ingress.

Add additional policy to “9A.3.5 (9A.3.6) Policies” as follows:

Development in the Long Bay 1 zone in the upper part of the catchment to the west of Ashley Avenue that proceeds ahead of the trunk wastewater network may meet all wastewater disposal needs on site as an interim solution. All such costs are to be met by development and development is to connect to the trunk wastewater network once it becomes available.

Add another section to 9A.7.3.1 as follows:

4. Wastewater Disposal

The design and layout of subdivision in the upper part of the catchment to the west of Ashley Avenue should ensure that each site is capable of on-site disposal of wastewater as an interim solution until such time as it is possible to connect to the public wastewater network.

Add an additional policy to “17B.3.1 Policies” as follows:

Wastewater from development is to be disposed of to the public wastewater network. All development is to utilise appropriate technologies and materials for wastewater infrastructure to restrict stormwater inflow-and-infiltration into the

system. This is to minimise wastewater overflow events and contamination of the stream and marine receiving environments.

Amend “17B.3.1 Methods” to read as follows:

Policies 1 to 8, 9 and 11 will be implemented through rules. Policy 910 will be implemented through rules and capital works programmes.

Add the following to the Explanation and Reasons of 17B.3.1:

Stormwater inflow-and-infiltration is a major cause of wastewater overflows resulting in contamination of stream and marine receiving environments and posing a risk to public health. Accordingly appropriate modern technologies and materials need to be used in the construction of the wastewater network to minimise stormwater ingress.

Delete the words “Development is to be self-sufficient in terms of water supply and wastewater disposal.” in 17B.4.1 Policy 2 and 17B.4.2 Policy 3.

Add the following: Rule 17B.6.1.14 Wastewater Disposal

- a) All development shall use overflow relief gullies in accordance with AS/NZS 3500.2:2003 to minimise stormwater ingress into sewer pipelines.
- b) Inspection points for all private wastewater drains shall be provided at each property boundary to facilitate inspections and flow monitoring.

Explanation and Reasons

Poorly constructed, maintained and located gully traps have been demonstrated to be a major source of stormwater inflow into sewer pipelines. The proposed use of overflow relief gullies in place of gully traps is to ensure that inflow-and-infiltration of stormwater into the wastewater network is kept to an absolute minimum in order to avoid wastewater overflows thereby protecting public health and the sensitive stream and marine receiving environments in the Structure Plan area.

Inspection points at each property boundary will facilitate inspection and flow monitoring and enable sources of inflow-and-infiltration to be more easily identified and remedial action taken.

Insert the following assessment criteria after 17B.7.3.1

17B.7.3.2 Wastewater Disposal

- a) On-site wastewater disposal systems, used as an interim solution on lots in the Long Bay 1 zone in the upper catchment to the west of Ashley Avenue, should be advanced secondary treatment systems with ultraviolet disinfection and surface dripper irrigation land disposal. Such systems should be designed to enable connection to the public wastewater system once it becomes available.
- b) A covenant capable of registration under the Land Transfer Act 1952 and approved by Council should be registered against the title of every site with an on-site wastewater treatment system to ensure the efficient future functioning and ongoing maintenance of the system and requiring the property owner to enter into a programmed maintenance contract to Council's satisfaction.

In 17B.6.8 under “Limited Discretionary Activities” add the following item:

9. Wastewater disposal”

In 17B.6.8 add in part 2 and 17B.7.3.

10436 - 50 ECB Coastal Protection Society Inc, Robert White
Amend Policy 17B.4.1 (Long Bay 1A Zone) to indicate a requirement for riparian fencing and planting of streams.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-50x414	Royal Forest & Bird Protection Society	Support
10436-50x831	Landco Limited	Oppose

10436 - 52 ECB Coastal Protection Society Inc, Robert White
Amend policy 1 of 17B.4.2 (Long Bay 1B Zone) to include protection of riparian areas from stock and for planting of streams.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-52x416	Royal Forest & Bird Protection Society	Support
10436-52x833	Landco Limited	Oppose

That submission 10436 –50 (supported by 10436-50x414 and opposed by 10436-50x831) and submission 10436-52 (supported by 10436-52x416 and opposed by 10436-52x833) **be rejected** for the reason that the requirements proposed by the Structure Plan (including sections 9A.4.5.7; 9A.4.5.8; 9A.6.2(a); 9A.7.3.1(2)(b); 9A.7.3.2.7(d); 17B.6.1.9.2(g) and 17B.7.3.1(d)) achieve the objective of riparian protection through planting and fencing. However section 9A.7.2.3 (9A.7.2.7) is amended through submission 10487-38 to include a provision which requires riparian areas on land identified as Landscape Protection (Stormwater) Area to be fenced to a stockproof standard and planted.

Section 17B.4.7 Long Bay 6 Zone Stormwater Management

10436-57 ECB Coastal Protection Society Inc, Robert White
Explain in more detail the stormwater management techniques proposed in policy 1 of 17B.4.7 (Long Bay 6 Zone).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-57x421	Royal Forest & Bird Protection Society	Support
10436-57x838	Landco Limited	Oppose

Therefore it is recommended that submission 10436-57 (supported by 10436-57x421 and opposed by 10436-57x838) **be accepted** for the reason that the intention of the Long Bay 6 Zone: Stormwater Management will be explained more clearly through the amendment of Policy 1 which is amended to read as follows:

Stormwater management in this zone should be designed to ensure that water quality and quantity outcomes are achieved in the Structure Plan area comprise protection and enhancement of the existing wetlands and stream corridor and the construction of additional off-line stormwater ponds and wetlands for flood control and final treatment before the stormwater from the adjacent developments enters the main stream.

The Explanation & Reasons section is amended as follows

The stormwater management zone is designed to ensure that the stream valley is kept free of development to provide sufficient space for the construction of off-line stormwater treatment ponds and wetlands, to maximise valuable natural habitat, to provide access for amenity opportunities and to allow with the only activities being those activities associated with stormwater management. Other structures are limited to roads, accessways and bridges, as detailed on the Plan maps.

Section 17B.5.1 Determination of Activity Status

10436-60 ECB Coastal Protection Society Inc, Robert White
Amend 17B.5.1 (Determination of Activity Status) Table 17B.1(Long Bay Structure Plan Activities) to indicate that 'impervious surfaces in the Type A stream areas' are discretionary and notified. And 'additions' are discretionary and notified.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-60x424	Royal Forest & Bird Protection Society	Support
10436-60x841	Landco Limited	Oppose

Therefore it is recommended that submission 10436-60 (supported by 10436-60x424 and opposed by 10436-60x841) **be accepted in part** to the extent that additions and alterations to buildings in the

Long Bay 3 zone (where five or more units per site are proposed) is listed in Table 17B.1 as a limited discretionary activity. The heading of Section 17B.7.3.4 (17B.7.3.5) is also amended to include additions and alterations.

Table 17B.1 is amended as follows:

Table 17B.1 Long Bay Structure Plan Activities – Long Bay 1, 2, 3 and 4 Zones				
	<i>Long Bay 1 Zone: Large Lot Residential</i>	<i>Long Bay 2 Zone: Suburban Neighbourhood</i>	<i>Long Bay 3 Zone: Urban Neighbourhood</i>	<i>Long Bay 4 Zone: Urban Village</i>
Housing				
<u>Additions or alterations to an existing building in the Long Bay 3 Urban Neighbourhood zone, where there are five or more units per site</u>	<u>NA</u>	<u>NA</u>	<u>LD</u>	<u>NA</u>

Section 17B.7.3.4 is amended as follows:

17B.7.3.45 Residential Units and Additions and Alterations in the Long Bay 3 Zone: Urban Neighbourhood (Two- Five or more Per Site)

Section 17B.6.1.9 On-site Stormwater Management

10436-64 ECB Coastal Protection Society Inc, Robert White

Amend 17B.6.1.9 (On Site Stormwater Management) part 1 (Impervious Surfaces) to explain the large coverage of impervious area in the type B stream area and if the measures proposed for controlling stormwater will cope.

Further Submission

10436-64x428
10436-64x845

Further Submitter

Royal Forest & Bird Protection Society
Landco Limited

Support/Oppose

Support
Oppose

10436-67 ECB Coastal Protection Society Inc, Robert White

Justify the statement in 17B.6.1.9 (On Site Stormwater Management) part 2 f) which says no additional stormwater mitigation measures other than rain tanks are required in zones 4 and 5, particularly in view of the large impervious areas allowed.

Further Submission

10436-67x431
10436-67x848

Further Submitter

Royal Forest & Bird Protection Society
Landco Limited

Support/Oppose

Support
Oppose

10436-70 ECB Coastal Protection Society Inc, Robert White

Explain and justify the final paragraph of the Explanation and Reasons of 17B.6.1.9 (On Site Stormwater Management) which indicates stormwater mitigation in Type B stream areas is limited to Rain Tanks. This existing explanation is inadequate particularly as this is an area of intensive development.

Further Submission

10436-70x434
10436-70x851

Further Submitter

Royal Forest & Bird Protection Society
Landco Limited

Support/Oppose

Support
Oppose

That submission 10436-64 (supported by 10436-64x428 and opposed by 10436-64x845), submission 10436-67 (supported by 10436-67x431 and opposed by 10436-67x848) and submission 10436-70 (supported by 10436-70x434 and opposed by 10436-70x851) **be accepted in part** to the extent of providing more information on the proposed stormwater mitigation measures in Type B Stream Protection Areas. Additional wording to the last sentence of the last paragraph of the Explanation and Reasons, which refers to Type B Stream Protection Areas, is added to read:

For this reason, on-site stormwater mitigation measures are limited to rain tanks the best practicable option is to limit on-site stormwater mitigation measures to rain tanks and to provide additional treatment through off-site measures. Rain tanks provide a valuable water quality function by diverting potentially

contaminated roof runoff to the wastewater system after use in the household for non-potable purposes.

10436-65 ECB Coastal Protection Society Inc, Robert White

Amend 17B.6.1.9 (2) On Site Stormwater Mitigation to clarify if mitigation includes pollutant removal and volume reduction and what happens to residual stormwater.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-65x429	Royal Forest & Bird Protection Society	Support
10436-65x846	Landco Limited	Oppose

That submission 10436-65 (supported by 10436-65x429 and opposed by 10436-65x846) **be accepted in part** to the extent that emphasizing that stormwater mitigation refers to both quantity and quality effects. Part 1. Impervious Surfaces is amended to read:

Development shall comply with the maximum impervious areas set out in Table 17B.5, provided that the provisions set out below related to the mitigation, on-site, of the stormwater generated from these impervious areas can be complied with in terms of both water quality and quantity.

Further detail of the stormwater mitigation requirements for a particular zone or stream management area is provided elsewhere in 17B.6.1.9.

10436 - 68 ECB Coastal Protection Society Inc, Robert White

Amend the section on Design of On site Mitigation in 17B.6.1.9 (On Site Stormwater Management) to include a reference to the Code of Practice.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-68x432	Royal Forest & Bird Protection Society	Support
10436-68x849	Landco Limited	Oppose

That submission 10436-68 (supported by 10436-68x432 and opposed by 10436-68x849) **be rejected** for the reason that there is a reference to the Code of Practice in the Notes section of 17B.6.1.9.

10443-9 William McCandless

Provide evidence that raintanks when full are still a satisfactory mechanism for reducing stormwater runoff .

10484-1 Graham Parfitt

Amend 17B.6.1.9 (On Site Stormwater Management) to remove any reference to a requirement to use raintanks and associated plumbing for use as a non-potable source of water to a dwelling.

10484-2 Graham Parfitt

Amend 17B.7.3.1 (Additional Assessment Criteria: Stormwater Mitigation of Impervious Areas) to include more realistic rain tanks sizes relative to good design and layout of sites.

That submissions 10443-9, 10484-1 and 10484-2 **be rejected** for the reason that properly designed and installed rainwater tanks in accordance with the provisions of the Structure Plan, can perform as an efficient stormwater management technology. Nationally and internationally, rainwater tanks are becoming increasingly recognized as an appropriate method to be used for managing stormwater in both the rural and urban environments.

These submissions are considered in conjunction with the Statement of Evidence presented by Keep Okura Green in which concerns were raised about rainwater tanks and a lack of consideration of rainfall data in sizing rainwater tanks. Section 7.1.8 of Part One of the Hearing Report detailed the underlying philosophy for rain tank sizing in the Structure Plan and the different uses of single and dual-purpose tanks. The Long Bay Practice Note LB103 on rainwater harvesting provides details on rain tanks sizes and this is referred to in section 17B.6.1.9 of the Structure Plan. The Catchment Management Plan has dealt with this issue in detail and the effects have been modelled in relation to rain tank sizes

10487-27 North Shore City Council, Trevor Mackie

Amend Table 17B.5 (Maximum Impervious Area) so that the Maximum Impervious Area in Type A Stream Protection Area in the Long Bay 2 Zone is changed from 40% to 50% (to a maximum of 500m²) and in the Type B Stream Protection Area to read as follows; 50% (to a maximum of 500m² and in the Long Bay 3 Zone Stream Type Protection A to delete the reference to any % impervious area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-27x884	Landco Limited	Oppose

That submission 10487-27 (opposed by 10487-27x884) **be accepted** for the reasons that the changes will make the table internally consistent with the intent of the Long Bay Structure Plan. Table 17B.5 is amended as follows:

1. *The Maximum Impervious Area in Type A Stream Protection Area in the Long Bay 2 Zone is changed from 40% to 50% with the addition of the words '(to a maximum of 500m²)'.*
2. *The Maximum Impervious Area in the Type B Stream Protection Area in the Long Bay 2 Zone to read as follows; '50% (to a maximum of 500m²)'.*
3. *In the Long Bay 3 Zone Type A Stream Protection Area, delete the reference to any % impervious area.*

10487-28 North Shore City Council, Trevor Mackie

Amend 17B.6.1.9 (On Site Stormwater Management) part 2c) to read as follows: c) In the Type B Stream Protection Areas, rain tanks need only be designed for the reuse of rainwater as a non potable source of water in the dwelling. The minimum rain tank size shall be 3000 litres per dwelling or commercial unit, or 3000 litres per 150m² of roof area where there is more than 1 unit within a building.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-28x885	Landco Limited	Oppose

That submission 10487-28 (opposed by 10487-28x885) **be accepted** for the reason that the additional wording will provide greater clarity on the use of raintanks in multi-unit buildings, allowing for greater efficiencies in both rainwater use and construction costs by combining smaller tanks into fewer larger tanks where more than one unit is within a building. 17B.6.1.9.2 (c) is amended as follows:

- c) *In the Type B Stream Protection Areas, rain tanks need only be designed for the reuse of rainwater as a non-potable source of water in the dwelling. The minimum rain tank size ~~is~~ shall be 3,000 litres per dwelling or commercial unit, or at least 3,000 litres per 150m² of roof area where there is more than one unit within a building.*

Section 17B.7.3.1 Stormwater Mitigation of Impervious Areas

10436 - 72 ECB Coastal Protection Society Inc, Robert White

Amend 17B.7.3.1(Stormwater Mitigation of Impervious Areas) part b), by replacing the word 'should' with 'must' in all of sub-parts i) to iv)

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-72x436	Royal Forest & Bird Protection Society	Support
10436-72x853	Landco Limited	Oppose

10436 - 73 ECB Coastal Protection Society Inc, Robert White

Amend 17B.7.3.1(Stormwater Mitigation of Impervious Areas) part c) by replacing the word 'should' with 'must'.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-73x437	Royal Forest & Bird Protection Society	Support
10436-73x854	Landco Limited	Oppose

That submission 10436-72 (supported by 10436-72x436 and opposed by 10436-72x853) and submission 10436-73 (supported by 10436-73x437 and opposed by 10436-73x854) **be rejected** for the reason that replacing the word 'should' with 'must' in the Assessment Criteria in 17B.7.3.1 is inappropriate as these criteria provide the preferred option for mitigation of effects of a development in order to meet the rules of the Structure Plan, but do not preclude the possibility of other options being

considered in particular circumstances. It is therefore appropriate to use the word 'should' rather than 'must' in assessment criteria.

10487-34 North Shore City Council, Trevor Mackie

Clarify 17B.7.3.1(Additional Assessment Criteria for Stormwater Mitigation of Impervious Areas) by replacing part b) v) and adding a new sub-paragraph vi) as follows: v) Run-off from the site should be discharged into the primary stormwater system. vi) Run-off from driveways and parking areas should be treated for the removal of solids and contaminants up to a two-year rainfall event.

Further Submission

10487-34x891

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10487-34 (opposed by 10487-34x891) **be accepted in part** to the extent that amended wording will clarify the intention of 17B.7.3.1. The proposed amendment to part b) v) is accepted. The amendment to 17B.7.3.1 is revised to read as follows:

- v) ~~There should be no direct discharge of stormwater from impervious surfaces (including driveways) to the street. Runoff from the site should be discharged into the primary stormwater system and not to the street.~~
- vi) Runoff from residential driveways and parking areas should, where practicable, enter the primary stormwater system via a sump to trap silt and floatable debris.
- vii) Runoff from outdoor car parking areas and vehicle accessways in the Long Bay 5 zone should be treated on-site to remove a minimum of 75% of total suspended sediment on a long-term average basis prior to entering the primary stormwater system. Biofiltration practices should be used in preference to proprietary stormwater treatment systems.

Section 17B.7.5 Assessment Criteria for Discretionary Activities

10463-4 Department of Conservation, Hugh Logan

Amend 9A.7.1.1 (General Assessment Criteria) and 17B.7.5 (Assessment Criteria for Discretionary Activities) to include provisions, which protect freshwater habitat, fish passage and flow levels specifically.

Further Submission

10463-4x686

10463-4x785

Further Submitter

Royal Forest & Bird Protection Society

Landco Limited

Support/Oppose

Support

Oppose

That submission 10463-4 (supported by 10463-4x686 and opposed by 10463-4x785) **be accepted in part** to the extent that an additional assessment criterion is added to the Long Bay specific assessment criteria in Section 17B.7.5.2 – Activities in the Landscape Protection (Ecological/Stormwater) and (Enhancement) Area, to read:

- c) Development in the Landscape Protection (Ecological/Stormwater) or (Enhancement) area should only occur provided there is no loss of riparian vegetation and watercourses are not adversely affected or unless it is related to infrastructure identified on the Plan maps.

There is no change to the General Assessment Criterion of Rule 9A.7.1.1 as it refers directly to Rule 9.7.1.1 which is part of the operative North Shore City District Plan.

7.2. General Matters

10436-76 ECB Coastal Protection Society Inc, Robert White

Explain on page 81 point 22 why the definition of 'Impervious Area' contains a reference to "pervious paving".

Further Submission

10436-76x440

10436-76x857

Further Submitter

Royal Forest & Bird Protection Society

Landco Limited

Support/Oppose

Support

Oppose

That submission 10436-76 (supported by 10436-76x440 and opposed by 10436-76x857) **be rejected** for the reason that the definition needs to be interpreted in the context of the Structure Plan and in

particular Table 17B.5 and the way that the adverse effects generated by non-pervious surfaces need to be remedied or mitigated. "Pervious paving" is simply the generic name given to paving products that allow some degree of penetration by water. It does not imply that such products are pervious in the same way that grass, pasture or uncompacted soils are.

After consideration of the Statement of Evidence presented by Dr Robert White of the East Coast Bays Coastal Protection Society it is concluded that as "pervious paving" provides substantial resistance to water passing through it, it is correctly defined as an Impervious Area under the Structure Plan definition and needs to be dealt with as such in terms of its effects. Likewise soil, which has not been decompacted to a depth of at least 300mm, is not pervious and needs to be dealt with as an Impervious Area. To introduce an additional definition of "semi-pervious", as suggested, will unnecessarily complicate the application of the Structure Plan rules with respect to the treatment of non-pervious areas. The definition of Impervious Areas contained in the Structure Plan is generally understood and accepted by the development industry. The Auckland Regional Council's publications, including "Guidelines for Stormwater Modelling in the Auckland Region" (TP 108), generally only refer to "pervious" and "impervious" surfaces. The varying degrees of permeability of different surfaces are accommodated by way of the "curve number (TP 108)" or "runoff coefficient (rational formula)" in stormwater runoff modelling.

10462-2 Peter Nagels

Produce a map showing stormwater outfall requirements for building consents.

That submission 10462-2 **be rejected** for the reason that the stormwater outfall requirements for the proposed Type A Stream Protection and Type B Stream Protection Areas are described in great detail in the Structure Plan.

10471-1 New Zealand Fire Service Commission, Alistair Talbot

Requests that water supply provisions within the structure plan area be clarified and be provided to comply with the NZFS Fire Fighting Water Supplies Code of practice SNZ PAS 4509:2003

That submission 10471-1 **be rejected** for the reason that water supply systems will comply with the latest NZFS Codes of Practice by reference to Rule 9A.4.4.1 of the Structure Plan which in turn states that Rule 9.4.4 of the District Plan shall apply. Rule 9.4.4 provides "Standards for the Provision of Utility Services" (Rule 9.4.4.12) in a general sense and is deemed to adequately cover water supply and fire fighting by requiring, inter alia, compliance with legislation and industry standards to which the utility is subject. Accordingly no change to the Structure Plan is required.

10471-2 New Zealand Fire Service Commission, Alistair Talbot

Amend 9A.3.4 (Urban Form and Design) to include a new heading and policy immediately following the 'Roading' policies 11-16 being Policy 17 "Water Supply" to read "Development is to ensure the safety and well being of the community by providing

10471-3 New Zealand Fire Service Commission, Alistair Talbot

Amend 9A.4.5 (General Subdivision Standards) to include a new rule being: 'Water Supply' to read " Lots and Development shall be provided with a water supply system that complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2003".

10471-4 New Zealand Fire Service Commission, Alistair Talbot

Amend 17B.3.2 (Building Design and development) to include an additional policy being: "10. Development is to ensure the safety and well being of the community by providing adequate water supply for emergency services purposes".

10471-5 New Zealand Fire Service Commission, Alistair Talbot

Amend 17B.6.1 (General Development Controls) to include a new rule being: "Water Supply" to read " Lots and development shall be provided with a water supply system that complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2003."

10471-6 New Zealand Fire Service Commission, Alistair Talbot

Include any other consequential amendments to other provision of the plan arising from the above issues.

That submissions 10471-2, 10471-3, 10471-4, 10471-5 and 10471-6 **be rejected** for the reason that Rule 9.4.4.12 of the District Plan applies to the Structure Plan and is deemed to adequately cover standards for the provision of utilities including water supply and fire fighting by requiring, inter alia, compliance with legislation and industry standards to which the utility is subject.

10486-9 Landco Limited: Neil Donnelly

Take full account of alternative methods of controlling and treating stormwater and the opportunities to address stormwater in a comprehensive manner.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-9x523	LB-Okura Great Park Society	Support
10486-9x152	Royal Forest & Bird Protection Society	Oppose
10486-9x186	ECB Coastal Protection Soc Inc	Oppose
10486-9x692	Okura Environmental Group	Oppose

10486-25 Landco Limited: Neil Donnelly

Delete 17B.6.1.9.(On Site Stormwater Management).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-25x202	ECB Coastal Protection Soc Inc	Oppose
10486-25x539	LB-Okura Great Park Society	Oppose
10486-25x708	Okura Environmental Group	Oppose

10486-39 Landco Limited: Neil Donnelly

Delete 17B.7.3.1 (Stormwater Mitigation of Impervious Areas).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-39x216	ECB Coastal Protection Soc Inc	Oppose
10486-39x553	LB-Okura Great Park Society	Oppose
10486-39x722	Okura Environmental Group	Oppose

10486-43 Landco Limited: Neil Donnelly

Delete 17B.7.4 (Assessment Criteria for Control Flexibility) 17B.7.4.1 (Reduction in Rain Tank Size in Type B Stream Area), 17B.7.4.2 (Additional Impervious Area in the Long Bay 2 Zone),

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-43x220	ECB Coastal Protection Soc Inc	Oppose
10486-43x557	LB-Okura Great Park Society	Oppose
10486-43x726	Okura Environmental Group	Oppose

That submission 10486-9 (supported by 10486-9x523 and opposed by 10486-9x152, 10486-9x186, 10486-9x692), submission 10486-25 (opposed by 10486-25x202, 10486-25x539, 10486-25x708), submission 10486-39 (opposed by 10486-39x216, 10486-39x553, 10486-39x722) and submission 10486-43 (opposed by 10486-43x220, 10486-43x557, 10486-43x726) **be accepted in part** to the extent that the proposed stormwater management methods do take into account alternative methods of controlling and treating stormwater in a comprehensive manner as laid out in the Structure Plan. Stormwater management sections 17B.6.1.9 (17B.6.1.10), 17B.7.3.1, 17B.7.4.1 and 17B.7.4.2 need to remain in the Structure Plan as they explain the requirements for the application of the proposed comprehensive stormwater management methods.

However the assessment criterion in section 9A.7.3.2 part 6 (3) (c) which provides for subdivision applications where stormwater management proposals are not in accordance with the stormwater rules can be amended to provide greater clarity as follows:

- c) *Whether there are alternative ways to manage stormwater that comply with all the relevant policies and achieve the same or better environmental outcomes. ~~such as greater reuse of stormwater to limit generation of stormwater off sites in the first instance.~~*

10487-39 North Shore City Council, Trevor Mackie

Amend the variation and plan change to enable the council to place restrictions on certain roofing materials.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-39x896	Landco Limited	Oppose

That submission 10487-39 (opposed by 10487-39x896) **be rejected** for the reason that it is premature to make any changes to the Structure Plan with regard to roofing materials. Despite the Statement of Evidence presented by Dr Robert White of the East Coast Bays Coastal Protection Society it is considered that as the ARC is currently addressing this matter on a regional basis that any changes to the Structure Plan in this regard would be premature.

10510-1 John Baird

Amend the Plan Change to address in greater detail how water quality in the Long Bay coastal water will be enhanced.

Further Submission
10510-1x26

Further Submitter
Department Of Conservation

Support/Oppose
Support

That submission 10510-1 (supported by 10510-1x26) **be rejected** for the reasons that the stormwater mechanisms proposed in the Structure Plan have been based on internationally accepted best practice taking into account the decision of the Environment Court and the objectives of the Structure Plan and this has been adequately explained in the Structure Plan.

10527-1 J K Gladwell

Discharge all stormwater from paved areas after treatment into the Okura Estuary.

That submission 10527-1 **be rejected** for the reason that the Structure Plan catchment area does not drain into the Okura Estuary but into the Vaughans Stream and associated marine reserve and comprehensive measures have been proposed to ensure that stormwater is managed in a way that will produce less than minor effects on the environment.

10915-6 Ian Sage

Provide increased recognition in the plan of the effect of run-off and sediment loads on the marine reserve, the effect of intense rainfall on rain tank storage and the effect of pollutants from road surfaces on the water quality of the Vaughan's and Awaruku Streams.

Further Submission
10915-6x124

Further Submitter
Royal Forest & Bird Protection Society

Support/Oppose
Support

That submission 10915-6 (supported by 10915-6x124) **be rejected** for the reason that the submitters concerns regarding the effect of runoff and sediment loads on the marine reserve, the effect of intense rainfall on rain tank storage and the effect of pollutants from road surfaces on water quality have been taken into account throughout the Structure Plan.

10463-5 Department of Conservation, Hugh Logan

Add an advice note that "consent is required from the Department of Conservation under the Freshwater Fisheries Regulations 1983 in respect of any culverts proposed."

Further Submission
10463-5x687
10463-5x786

Further Submitter
Royal Forest & Bird Protection Society
Landco Limited

Support/Oppose
Support
Oppose

That submission 10463-5 (supported by 10463-5x687 and opposed by 10463-5x786) **be rejected** for the reason that written approval of the Department of Conservation would only have to be obtained where it was proposed to construct a culvert or ford in such a way that the passage of fish would be impeded. As this situation is not contemplated for the construction of any culvert under the ARP:ALW, it would be superfluous to provide an advice note to this effect within the Structure Plan.

8. HISTORIC HERITAGE (ARCHAEOLOGICAL / BUILT HERITAGE / WAAHI TAPU)

8.1. Specific Submissions

10435-5 Auckland Regional Council, Hugh Jarvis
ARC Cultural Heritage Inventory records 95 archaeological sites in the structure plan area, 53 more than is recognised on current planning maps in the variation. Concern at the lack of acknowledgement of aerial extent of currently recorded historic places.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-5x21	Department Of Conservation	Support
10435-5x744	Landco Limited	Oppose

10435-6 Auckland Regional Council, Hugh Jarvis
That all archaeological sites now identified are made part of the Variation map set and relevant objectives, policies and rules included to afford appropriate protection to these sites.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-6x22	Department Of Conservation	Support
10435-6x39	Royal Forest & Bird Protection Society	Support
10435-6x745	Landco Limited	Oppose

10441-5 Residents Action Movement, Elaine West
Revise plan to ensure all known waahi tapu and archaeological sites are acknowledged and protected.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10441-5x58	Royal Forest & Bird Protection Society	Support
10441-5x306	LB-Okura Great Park Society	Support
10441-5x636	Landco Limited	Oppose

10472-2 Auckland Conservation Board, Paddy Stafford-Bush
Include reference to protection of archaeological or historic heritage in the plan.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10472-2x18	Department Of Conservation	Support
10472-2x99	Royal Forest & Bird Protection Society	Support

10446-2 Torbay Historical Society Inc, Barbara Ellis
Give greater recognition and protection in the plan to the historic aspects of the area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10446-2x16	Department Of Conservation	Support
10446-2x74	Royal Forest & Bird Protection Society	Support
10446-2x643	Landco Limited	Oppose

10448-5 Residents Action Movement, J V Bell
Revise plan to ensure all known waahi tapu and archaeological sites are acknowledged and protected.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10448-5x64	Royal Forest & Bird Protection Society	Support
10448-5x648	Landco Limited	Oppose

10488-5 Nicholas File
Revise the Structure plan to account for all known waahi tapu and archaeological sites to ensure adequate protection.

10517-5 Residents Action Movement, Fiona Angus
Revise plan to ensure all known waahi tapu and archaeological sites are acknowledged and protected.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10517-5x70	Royal Forest & Bird Protection Society	Support
10517-5x738	Landco Limited	Oppose

10450-32 Okura Environmental Group, Marilyn Riddell

Amend the plan to provide protection for archaeological and heritage sites similar to those provided for in the Okura zoning rules.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-32x489	Royal Forest & Bird Protection Society	Support
10450-32x681	Landco Limited	Oppose

10463-7 Department of Conservation, Hugh Logan

Include an updated appendix and map of archaeological sites in the structure plan

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10463-7x689	Royal Forest & Bird Protection Society	Support
10463-7x788	Landco Limited	Oppose

That submissions 10435-5 (supported by 10435-5x21 and opposed by 10435-5x744); 10435-6 (supported by 10435-6x22 and 10435-6x39, and opposed by 10435-6x745); 10441-5 (supported by 10441-5x58 and 10441-5x306, and opposed by 10441-5x636); 10472-2 (supported by 10472-2x18 and 10472-2x99); 10446-2 (supported by 10446-2x16 and 10446-2x74, and opposed by 10446-2x643); and 10450-32 (supported by 10450-32x489 and opposed by 10450-32x681); 10448-5 (supported by 10448-5x64 and opposed by 10448-5x648); 10488-5; 10517-5 (supported by 10517-5x70 and opposed by 10517-5x738); and 10463-7 (supported by 10463-7x689 and opposed by 10463-7x788) **be accepted in part**, to the extent that the Structure Plan and other relevant sections of the District Plan should provide appropriate identification and protection of all significant historic heritage sites whose location can be verified; and any new sites to be protected in the District Plan should be added to Appendix 11B: Schedule of Archaeological Sites, where scheduled sites are noted, and should appear on the District Plan maps. To provide appropriate protection of all archaeological sites in the Long Bay Structure Plan area, a 30 metre buffer area is imposed around these sites. In addition, a new Heritage Protection Zone (Long Bay 7 Heritage Protection) is applied to the land on which Sites 201, 1076, 1077, 1078, 1079 and 1080 are located and the Landscape Protection (Conservation) Area on the headland adjacent to the Regional Park is extended for the full length of the headland to further limit development opportunities and reduce the adverse effects of development on the archaeological sites in the Heritage Protection zone and to reduce the adverse effects of development on the visual, amenity and recreation values of the Regional Park from possible development in the Heritage Protection Zone. To support this the Structure Plan provisions to control subdivision and development in the Long Bay 7: Heritage Protection zone, are revised to emphasise the need for development to be sensitive to the heritage values in the zone, and to better recognise the relationship of the zone to the Long Bay Regional Park.

Further submissions at the hearing from the Auckland Regional Council and the Department of Conservation requested that the Long Bay 7 zone be enlarged to include Site R10/1098, an extensive ditch system recommended in the officers' report for protection as an archaeological site in the district plan. It is considered appropriate that this site be identified for protection under the district plan's Chapter 11: Cultural Heritage provisions, but that its values do not warrant extending the Long Bay 7 zone to include the entire site.

The revised provisions for Section 11: Cultural Heritage of the District Plan and Section 9A and Section 17B of the Structure Plan are below. Accompanying map changes are appended to this report in **Attachment 1**.

1. Amend Section 11.4.2.1 of the District Plan as follows:
(Recommended additions to the District Plan are shown underlined and NOT in italics)

(iii) In respect of all sites located on land within the Long Bay Structure Plan area, the same rule will apply within a 30 metre protected area from the perimeter boundary of any archaeological site.

Note: the boundary of any site in the Long Bay Structure Plan area must be identified by formal survey in order for the 30 metre buffer zone to be identified. Any scheduled site on a property shall be identified by an archaeologist and fixed by a surveyor.

Amend Appendix 11B of the District Plan (Sites to be added to the notified version of the plan change and variation are underlined, those to be removed are struck through):

Site Number	Site Description	District Plan Map No
1076	<u>Midden and Terraces</u>	8
1077	<u>Midden and Terrace</u>	8
1078	<u>Midden and Terraces</u>	8
1079	<u>Midden</u>	8
1080	<u>Middens</u>	8
1081	<u>Middens</u>	8
1082	<u>Middens</u>	8
1098	<u>Drainage Ditches</u>	8
1120	<u>Midden/Levelled Knoll</u>	8
1122	<u>Pits</u>	7

2. Amend the Text of Section 9A of the Structure Plan as follows:

9A Subdivision and Development – Long Bay Structure Plan Area

9A.3.4 Historic Heritage

Objective

To protect historic heritage resources located in the Structure Plan area from inappropriate subdivision, use and development.

Policies

1. Subdivision, development and land use activities should identify, avoid and protect important heritage resources, including scheduled heritage sites in the Structure Plan area.
2. Subdivision and development in the Long Bay 7: Heritage Protection Zone is to be avoided until a full investigation of historic heritage resources is carried out and a determination made about their appropriate protection, interpretation and long term management.
3. Subdivision and development in the Long Bay 7: Heritage Protection Zone may be considered if, through detailed investigation of the historic heritage resources, including archaeological investigation, a determination can be made about appropriate development areas.
- 4.

Methods

Policies- 1-3 will be implemented through rules.

Explanation and Reasons

Proposals for subdivision and development within the Long Bay Structure Plan area have the potential to adversely affect the finite heritage resources that have been identified there. Proposals should identify any scheduled sites and other important heritage resources, and demonstrate how they will be managed so that adverse effects to them will be avoided, remedied or mitigated

The historic heritage resources in the Long Bay Structure Plan area include an old, unique heritage landscape of archaeological sites that are particularly significant to Maori associated with the area. No other similar group of sites survives along the East coast of the city, or even past Orewa, and they are relatively intact and undisturbed by modern standards. The sites are to be protected from development until a detailed investigation is carried out. Such an investigation will allow more definite statements to be made about the nature, age and extent of the sites, and may also assist with indicating whether and where development might occur. It is likely that any development would be of a limited nature, and could only proceed with great sensitivity to the archaeology.

9A.4.1 Classification of Activities

9A.4.1.1 Permitted Activities

Subject to compliance with Rule 9A.4.3 (General Standards for Site Works and Subdivision) the following shall be permitted activities:

.....continued.....

ix) On land identified as Long Bay 7: Heritage Protection Zone in the Plan maps.

.....continued.....

9A.4.1.4 Discretionary Activities

Subject to compliance with Rules 9A.4.3 to 9A.4.6 the following activities shall be Discretionary activities:

a) Site works involving:

.....continued.....

viii) Works in the Long Bay 7: Heritage Protection Zone..

.....continued.....

Explanations and Reasons

The controls that apply to site works in the Structure Plan area are very similar to those that apply to the rest of the City. The main difference is that in the Long Bay area the great majority of earthworks in areas of particular environmental value (including areas identified as Landscape Protection Area or zoned Long Bay 7:Heritage Protection) require consent. This is in recognition of the potential adverse effects of such earthworks as well as the need to impose specific conditions on how earthworks are undertaken.

.....continued.....

9A.4.6.8 Long Bay 7 Zone: Heritage Protection

a) Site Area Requirements

No minimum site area is specified.

b) Council shall only consider an application for the subdivision or development of land within the Long Bay 7 zone if it is accompanied by the results of a full investigation of the archaeological and other historic heritage resources within the zone. The investigation shall include detailed information about the extent, nature and significance of archaeological sites, and identify possible areas that may be developed without damage or modification to these sites.

c) Subdivision and development in the Long Bay 7 zone shall only proceed following preparation of a comprehensive development plan for the zone. The development plan shall take full account of the results of a full investigation of archaeological and other historic heritage values, including any recommendations relating to possible areas that may be developed, and means by which adverse effects to heritage values in the zone can be avoided, remedied or mitigated.

d) Covenants in perpetuity, as approved by Council, shall be registered against the titles of the lots to be created through subdivision. These covenants shall require that any identified sites of archaeological value are protected and remain undisturbed.

Or

A consent notice under section 221 of the Resource Management Act shall be entered into and registered against the title in order to secure compliance with the conditions of consent.

Explanations and Reasons

It is expected that subdivision and development in the Long Bay 7: Heritage Protection Zone will be limited. Subdivision proposals will only be considered if investigation of the historic heritage resources determines more definitely the extent, nature and significance of archaeological sites, and areas of possible development. No minimum lot size has been defined because of the lack of certainty about the extent and nature of historic heritage sites, and because it is considered inappropriate to raise expectations about the development potential of the zone. Should subdivision be considered appropriate within the zone, a covenant or consent notice under section 221 of the Resource Management Act will be registered against the title of lots created in order to ensure that further development is sensitive to any archaeological and other historic heritage resources identified on these.

.....continued.....

9A.7.3.3 Subdivision in Long Bay 7: Heritage Protection Zone

Where applications for subdivision and site works are proposed, the following assessment criteria shall apply:

- a) The provisions of Section 9A.4.6.8, 17B.7.5.3 and Chapter 11 as relevant.
- b) Whether a comprehensive development plan has been prepared that includes methods for ensuring the long term identification, protection and management of the scheduled archaeological sites and heritage resources in the zone.
- c) The design of the development should ensure a high degree of sensitivity to the protection of the archaeological landscape in the area.
- d) The location of building platforms, roads, accessways, driveways, underground and surface infrastructure, stormwater mitigation techniques, landscaping, planting and fencing should be designed in such a way that they do not adversely affect the archaeological sites identified through a full investigation as having heritage significance.
- e) The design of development should recognise the proximity of the zone to the Regional Park and avoid, remedy or mitigate adverse effects to the visual, amenity and recreation values of the Park.
- f) Development should involve minimal siteworks and should protect scheduled archaeological sites.
- g) If planting is proposed as part of an application for site works, development or subdivision a landscape plan shall be prepared. The planting plan should be sensitive to the heritage values of the zone, and demonstrate that there will be no adverse effect on any archaeological resources.

Amend the text of Section 17B of the Structure Plan as follows:

17B.1.1 Development of Long Bay Structure Plan

The Long Bay area contains natural and physical resources, including historic heritage resources, that are of local, regional and national significance, particularly the popular Long Bay Regional Park and beach, and the Okura/Long Bay Marine Reserve, and the historic heritage landscape on and behind the southern headlands overlooking the Regional Park. Vaughans Stream is one of only a few streams left in North Shore City's urban area that have the potential to be significantly upgraded and improved. Long Bay is also a coastal area where there is the opportunity to develop a new community that will be marked by high standards of urban design and the integration of the natural and built environment.

.....continued.....

The Long Bay Structure Plan is also the result of detailed investigation into:

- the ecological values of the catchment and related distribution of habitats and native vegetation
- stream course and corridor values
- historic heritage values
- geotechnical constraints and distribution of different sub-soil strata that affect both stability and development potential

.....continued.....

17B.1.2 Design Principles

The Structure Plan is based on the following key design principles.

.....continued.....

- the retention and protection of all significant habitats, stands of remnant forest, historic heritage and landscape features, with particular emphasis upon both conservation and long term enhancement of the upper valley

.....continued.....

17B.1.3 Land Use Strategy

The application of these design principles has resulted in the following proposal for land use and activities:

The Slopes Below Long Bay College and Awaruku Catchment

.....continued.....

- on the coastal escarpment at the back of Long Bay, a combination of reserve acquisition by the ARC (up to the 20 metre contour) and restrictive development covenants above this level - to the point of 'roll-over' from escarpment into ridge crest (roughly at the 30 metre contour line) – is to be used to limit the encroachment of residential development on the Regional Park and on the archaeological sites on the southern headland(s) adjacent to the Regional Park.
- development opportunities will be limited in the area where significant historic heritage sites are located on the southern headland(s) behind the Regional Park, and any development in this area is to be sensitive to heritage values and the significant visual, amenity and recreation values of the adjacent Regional Park.

.....continued.....

17B.2 Resource Management Issues

.....continued.....

- The need to recognise and protect historic heritage resources from inappropriate subdivision, use and development.

The Structure Plan area contains significant archaeological sites that together form a historic heritage landscape of local, regional and perhaps even national importance. A critical issue for this resource is its appropriate identification, protection and long term management. In recognition of the significant heritage values of the archaeological sites in the area the Structure Plan departs from the usual protection accorded to archaeological sites throughout the rest of the city. For the area of extensive archaeological sites on and behind the southern headlands overlooking the Regional Park, the Structure Plan provides a Heritage Protection Zone. A wide buffer is provided as additional protection for scheduled archaeological sites located in the area of the Vaughans Stream.

.....continued.....

17B.3 Long Bay Structure Plan: Objectives and Policies

The following objectives and policies relate to the establishment of activities and buildings in the Long Bay area. The objectives and policies contained in Section 9A of the Plan (which cover subdivision and development of the area) may also be relevant.

17B.3.1 Natural Environment (including landscapes and land forms)

.....continued.....

17B.3.2 Historic Heritage

Objective

To ensure that the historic heritage resources, including scheduled sites of archaeological, historic or cultural significance, and particularly those that are located on the southern headlands overlooking the Long Bay Regional Park, are protected from the adverse effects of inappropriate subdivision, use and development.

Policies

1. Historic heritage sites, including scheduled sites, are to be protected from the adverse effects of development.
2. Development will only be considered when it does not detract from, and avoids damage to or modification of historic heritage sites, including scheduled sites.

3. Any siteworks are to be kept to a minimum and should avoid damage to archaeological resources.
4. The design and placement of buildings, accessways, supporting infrastructure and planting must avoid any disturbance to archaeological sites and be sensitive to other heritage values of the Structure Plan area.

Methods

Policies 1 to 4 will be implemented through rules.

Explanation and Reasons

A number of significant archaeological sites that are of significance to Maori have been identified on the southern headlands overlooking Long Bay Regional Park. Development will only be considered if investigation of the archaeological and other heritage resources provides greater detail about the extent, nature and significance of sites, and identifies areas for possible development. Development will be limited to that which will allow sites of heritage significance to be protected and sustainably managed in the long term.

17B.3.2-3 Building Design and Development

.....continued.....

17B 3.3 4 Housing Choice and Efficient Use of Land Resources

.....continued.....

17B.4 Zoning Framework

.....continued.....

17B.4.8 Long Bay 7 Zone: Heritage Protection

Objective

To protect the significant historic heritage landscape along the southern headland overlooking the Long Bay Regional Park.

Policies

1. Development in the zone is not to be considered unless a detailed archaeological investigation has been conducted, that identifies the extent and nature of sites, and indicates areas where development may occur.
2. Development shall be carried out in accordance with a comprehensive development plan for the zone. The development plan shall take full account of the results of archaeological and other historic heritage investigation and recommendations made for avoiding, remedying or mitigating adverse effects to heritage values in the zone.
3. Development is to be carried out in a way that minimises earthworks or modification of the landform, and avoids, remedies or mitigates any adverse effects on historic heritage resources.
4. Development is to be limited to residential and community activities.
5. Development layout and the bulk, form and design of buildings and structures shall recognise, and be sensitive to the historic heritage values of the area.
6. Development layout and the bulk, form and design of buildings and structures in the zone shall acknowledge and be sensitive to the visual and other amenity and recreational values of the adjacent Regional Park.

Explanation and Reasons

The historic heritage resources identified on the southern headlands overlooking the Long Bay Regional Park form a heritage landscape are composed principally of very old, unique archaeological sites of particular significance to Maori. The sites are thought to be remains of pre-European encampments along the beach that were used during the shark fishing and whaling seasons, and likely have other associations, such as resting off places for groups making use of the land crossing to the Waitemata. It is considered that they could represent an extended period of human occupation of New Zealand, and appear to be unique survivors of pre-European usage, not only in the City, but the wider region. No other similar group of sites survives along the east coast of the City, or even past Orewa, and they are relatively intact and undisturbed by modern standards. These sites are accorded the general protection given to all archaeological sites of significance by the provisions contained in Chapter 11 of the plan. However, in recognition of their importance, and in order to provide an additional level of protection to these sites, a Heritage Protection Zone has been applied over the land on which they are known to be located, as well as on a 30 metre buffer area around them. The zone provisions are designed so that development cannot be contemplated without a full investigation of the heritage values of the sites. It is anticipated that such an investigation will allow definite statements to be made about the nature, age and extent of the sites, and may also assist with indicating where there is the possibility for some development in the area. Any development is likely to be of a limited nature, and could only be contemplated with great sensitivity to the archaeological and other heritage values. In addition, the significant visual, amenity and recreational values of the adjacent Regional Paek should be recognised and protected from the effects of development in the Long Bay 7 Zone

17B.5 Rules: Long Bay Structure Plan Activities

.....continued.....

Table 17B.1 Long Bay Structure Plan Activities – Long Bay 1, 2, 3 4 and 7 Zones					
	<u>Long Bay 1 Zone:</u> <u>Large Lot Residential</u>	<u>Long Bay 2 Zone:</u> <u>Suburban Neighbourhood</u>	<u>Long Bay 3 Zone:</u> <u>Urban Neighbourhood</u>	<u>Long Bay 4 Zone:</u> <u>Urban Village</u>	<u>Long Bay 7 Zone</u> <u>Heritage protection</u>
General					
Activities not specifically provided for in the Structure Plan area	NC	NC	NC	NC	<u>NC</u>
Activities which do not comply with Rules 17B.6.1.9 and 17B.6.1.12 and which are not provided for by Control Flexibility	NC	NC	NC	NC	<u>NC</u>
Activities which do not comply with Rules 17B.6.1.2 to 17B.6.1.8, 17B.6.1.10 and 17B.6.1.11 and which are not provided for by Control Flexibility	D	D	D	D	<u>D</u>
Activities in the Landscape Protection (Stormwater) and (Enhancement) areas	D	D	D	D	<u>NA</u>
Impermeable surfaces in the Stream Protection A area	C	C	C	NA	<u>NA</u>
Housing					
Residential Units not exceeding one per site in the stream protection A area	C	C	C	NA	<u>NA</u>
Residential Units not exceeding one per site in the stream protection B area	C	P	C	NC	<u>D</u>
Residential Units – two or more per site except in the Urban Neighbourhood zone	NC	NC	NA	LD	<u>NC</u>

Residential Units – five or more per site in the Urban Neighbourhood zone, where the net site area of the parent site is greater than 1500m ²	NA	NA	LD	NA	<u>NA</u>
Additions or alterations to an existing building in the stream protection A area which increase the impermeable area coverage or roof area	C	C	C	LD	<u>NA</u>
Additions or alterations to an existing building in the stream protection B area which increase the impermeable area coverage or roof area	C	P	C	LD	<u>D</u>
Additions or alterations to an existing building in the Urban Neighbourhood zone, where there are five or more units per site	NA	NA	LD	NA	<u>NA</u>
Demolition or removal of an existing house	P	P	P	P	<u>D</u>
Guesthouses	C	C	D	D	<u>D</u>
Housing for the elderly and disabled	NC	D	D	D	<u>NC</u>
Resthomes accommodating not more than 10 persons, including resident manager	D	C	D	D	<u>D</u>
Resthomes accommodating more than 10 persons, including resident manager	NC	D	D	D	<u>NC</u>
Retirement Complexes	NC	D	D	D	<u>NC</u>
Residential Care Centre or Boarding House, housing up to five residents, including live-in support staff	D	C	D	D	<u>D</u>
Residential Care Centre or Boarding House, housing six or more residents, including live-in support staff	NC	D	D	D	<u>NC</u>
Accessory Buildings					
Accessory Buildings in the stream protection A area not exceeding a total of 50m ² GFA per site except in the Urban Neighbourhood zone	LD	C	NA	NC	<u>NA</u>
Accessory Buildings in the stream protection B area not exceeding a total of 50m ² GFA per site except in the Urban Neighbourhood zone	LD	P	NA	NC	<u>D</u>
Accessory Buildings in the Urban Neighbourhood zone, located in the stream protection A area and not exceeding a total of 25m ² GFA per site	NA	NA	C	NA	<u>NA</u>
Accessory Buildings in the Urban Neighbourhood zone, located in the stream protection B area and not exceeding a total of 25m ² GFA per site	NA	NA	P	NA	<u>NA</u>
Services and Facilities					
Community Welfare Centres with a maximum staff of two at any one time except in the Urban Village zone	NC	C	D	NA	<u>NC</u>
Community Welfare Centres with more than two staff at any one time except in the Urban Village zone	NC	D	D	NA	<u>NC</u>
Community Welfare Centres at ground floor level in the Urban Village zone	NA	NA	NA	D	<u>NA</u>

Dairies and Cafes not exceeding 100m ² GFA except in the Urban Village zone	NC	D	D	NA	<u>NC</u>
Dairies and Cafes not exceeding 100m ² GFA at ground floor level in the Urban Village zone	NA	NA	NA	D	<u>NA</u>
Health Care Centres staffed by not more than one Health Care Provider at any one time except in the Urban Village zone	NC	C	D	NA	<u>NC</u>
Health Care Centres staffed by more than one Health Care Provider at any one time except in the Urban Village zone	NC	D	D	NA	<u>NC</u>
Health Care Centres at ground floor level in the Urban Village zone	NA	NA	NA	D	<u>NA</u>
Hospitals	NC	D	D	NC	<u>NC</u>
Home Occupations	P	P	P	P	<u>P</u>
Offices not exceeding 100m ² GFA at ground floor level in the Urban Village zone	NA	NA	NA	C	<u>NA</u>
Childcare Centres catering for up to five children except in the Urban Village zone	D	P	P	NA	<u>D</u>
Childcare Centres catering for 6 – 10 children except in the Urban Village zone	D	C	D	NA	<u>D</u>
Childcare Centres catering for more than 10 children except in the Urban Village zone	NC	D	D	NC	<u>D</u>
Childcare Centres catering for up to five children at ground floor level in the Urban Village zone	NA	NA	NA	C	<u>NA</u>
Childcare Centres catering for 6-10 children at ground floor level in the Urban Village zone	NA	NA	NA	D	<u>NA</u>
Schools	NC	D	D	NC	<u>NC</u>
Schools (additions and alterations to an existing school)	NC	C	C	NC	<u>NC</u>
Churches	NC	D	D	NC	<u>NC</u>
Community Facilities except in the Urban Village zone	NC	D	D	NA	<u>NC</u>
Community Facilities at ground floor level in the Urban Village zone	NA	NA	NA	D	<u>NA</u>
Show Homes	C	C	LD	LD	<u>D</u>
Travellers' Accommodation	NC	D	D	D	<u>NC</u>
Commercial Breeding/ Boarding of Animals	D	NC	NC	NC	<u>NC</u>
Riding Trails and Horse Jumping Courses for non commercial purposes	D	NC	NC	NC	<u>NC</u>
Garden Centres	D	NC	NC	NC	<u>NC</u>
Stormwater Ponds	D	D	D	D	<u>D</u>
Farming					
Pastoral Farming	C	C	C	C	<u>NC</u>
Horticulture	P	P	P	P	<u>NC</u>
Glasshouses not exceeding 50m ² per site	LD	P	P	D	<u>NC</u>
Glasshouses in excess of 50m ² per site	D	D	D	D	<u>NC</u>
Sale of produce grown on the property	D	D	D	D	<u>NC</u>
Subdivision and Site Works					
Refer to Rule 9A.4.1 Classification of Activities: Site Works and Subdivision in Section 9A: Subdivision and Development – Long Bay Structure Plan Area.					

.....continued.....

17B.6.1 General Development Controls

17B.6.1.1 Compliance

All Permitted, Controlled, and Limited Discretionary activities in the Long Bay 1 to 6 zones and Discretionary activities in the Long Bay 7 zone shall comply with the controls listed in sections 17B.6.1.2 to 17B.6.1.12.

.....continued.....

17B.7.5 Assessment Criteria for Discretionary Activities

.....continued.....

17B.7.5.3 Activities in the Long Bay 7 Zone: Heritage Protection

The assessment criteria in section 9A.7.3.3. and provisions contained in Chapter 11 of the District Plan may also be relevant.

a) Development in the Heritage Protection Zone should only occur in accordance with a comprehensive development plan. The development plan should detail:

1. Techniques for management and protection of identified historic heritage resources, including:
 - Methods for ensuring their ongoing protection and management.
 - Location of any proposed earthworks, and methods for remedying or mitigating any effects on archaeological and other historic heritage resources.

2. Development Layout and Design, including:

- The location of building platforms, roads, accessways, driveways, underground and surface infrastructure, stormwater mitigation devices, landscaping, planting and fencing.
- The bulk, form and design of proposed buildings and structures.

b) Development should be sensitive to the heritage values of the zone.

c) Roads accessways and driveways should be designed and constructed so that the need for earthworks is minimised, and damage to scheduled heritage sites is avoided.

d) Planting and landscaping should be in accordance with the approved subdivision plan and should not damage, destroy or modify scheduled historic heritage sites.

e) Buildings and structures should be sensitive to the historic heritage values of the zone, as well as be sympathetic to the visual and other amenity values of the adjacent Long Bay Regional Park.

.....continued.....

10463-9 Department of Conservation, Hugh Logan

Add to 9A.3 (Subdivision and Development) an advice note to the effect of "In any given area there may be undiscovered or unrecorded sites. If archaeological deposits are uncovered as a result of earthworks, the activity will be deemed discretionary under section 9A.4.1.4 and a permit will be required from the Historic Places Trust before work can proceed".

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10463-9x691	Royal Forest & Bird Protection Society	Support
10463-9x790	Landco Limited	Oppose

That submission 10463-9 (supported by 10463-9x691, and opposed by 10463-9x790, **be accepted in part**, to the extent that an advice note be included on any resource consent granted within the Structure Plan area so that consent holders are alerted that it is an offence under the Historic Places Act to modify, damage or destroy any archaeological site, whether or not it has been previously

identified. The advice note should state that in the event of archaeological evidence being uncovered in the course of site works, the activity should cease immediately, and the New Zealand Historic Places Trust should be contacted. Also an additional policy is added to section 9A.3.1 Integrated and Sustainable development to ensure that resource management issues, including those in relation to heritage issues, are addressed in an integrated way with other agencies, such as the Historic Places Trust, with an interest in the matter (refer to 10436-38).

10463-6 Department of Conservation, Hugh Logan

Amend 9A.4.1.1 (Permitted activities) to include an additional exception "ix) on land where historic or archaeological sites are present".

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10463-6x688	Royal Forest & Bird Protection Society	Support
10463-6x787	Landco Limited	Oppose

That submission 10463-6 (supported by 10463-6x688, opposed by 10463-6x787) **be accepted in part**, to the extent that it can only apply to sites identified for protection in the District Plan, and that an additional clause be inserted into section 9A.4.1.1 a) as follows:

ix On land on which scheduled historic and archaeological sites are located.

10438-19 Royal Forest and Bird Protection Society, J A Lewis

Amend 9A.4.1.4 (Discretionary activities) part a) to include site works that may encroach on sites of archaeological significance.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10438-19x616	Landco Limited	Oppose

10450-26 Okura Environmental Group, Marilyn Riddell

Amend 9A.4.1.4 (Discretionary Activities) to include reference to archaeological sites.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-26x17	Department Of Conservation	Support
10450-26x483	Royal Forest & Bird Protection Society	Support
10450-26x675	Landco Limited	Oppose

10463-8 Department of Conservation, Hugh Logan

Amend 9A.4.1.4 (Discretionary Activities) to include "viii) land where an historic or archaeological site has been recorded".

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10463-8x690	Royal Forest & Bird Protection Society	Support
10463-8x789	Landco Limited	Oppose

That submission 10438-19 (opposed by 10438-19x616) **be accepted**, for the reason that it is appropriate that the Structure Plan rules relating to site works and subdivision is amended to reflect that a discretionary activity resource consent is needed for activities that may encroach on archaeological sites that are protected in the District Plan.

That submissions 10450-26 (supported by 10450-26x17 and 10450-26x483, opposed by 10450-26x675) and 10463-8 (supported by 10463-8x690 and opposed by 10463-8x789) **be accepted in part**, to the extent that the District Plan cannot protect all recorded historic and archaeological sites, only those that are listed for protection in the District Plan. As a consequence, the following change is made:

an additional clause is inserted into section 9A.4.1.4 a) as follows:

ix) Works on land in the Long Bay 7:Heritage Protection zone; works within a 30 metre buffer area surrounding all scheduled sites in other areas of the Structure Plan; and works on any scheduled historic site.

10435-7 Auckland Regional Council, Hugh Jarvis

Amend 9A.6.2 (Planting Plan) to give recognition to the enhancement planting requirements and or fencing in Landscape Protection Areas in known archaeological sites, which are shown on the Designations and Special provisions map and additional sites that arise from (6) above.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-7x23	Department Of Conservation	Support
10435-7x40	Royal Forest & Bird Protection Society	Support
10435-7x746	Landco Limited	Support in Part

That submission 10435-7 (supported by 10435-7x23 and 10435-7x40, and supported in part by 10435-7x746) **be accepted in part**, to the extent that where planting plans are required throughout the Structure Plan area, not only in the Landscape Protection Areas, they should identify the areas in which archaeological sites are located. An additional clause is therefore to be included in Section 9A.6.2:

- i* Identification of areas of land on which archaeological sites are located, and details of appropriate planting, fencing and ongoing management for those areas.

10480-3 Olaf & Regina Jones

Amend page 80 point 16, Archaeological sites; to remove reference to Midden site no 987 as there is no such site.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10480-3x19	Department Of Conservation	Oppose

That submission 10480-3 (opposed by 10480-3x19) **be accepted** for the reason that the location of Site 987 could not be confirmed as identified in the District Plan and there is no certainty about its correct location. As a consequence, Appendix 11B: Schedule of Archaeological Sites is amended as follows:

Site Number	Site Description	District Plan Map No
987	Midden	8

10509-5 Paolo Delmonte

Amend the Plan Change to exclude midden sites 989 -990 as there are no such sites.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10509-5x20	Department Of Conservation	Oppose

That submission 10509-5 (opposed by further submission 10509-5x20) **be rejected**, for the reason that Sites 989 and 990 have been located within the Structure Plan area, and should be protected in the District Plan, with their corrected locations marked on the Structure Plan maps as shown in **Attachment 1**.

10443-4 William McCandless

Include a memorandum of understanding from local tangata whenua in relation to the archaeological sites and the coastal marine area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10443-4x75	Royal Forest & Bird Protection Society	Support
10443-4x15	Department Of Conservation	Support in Part

That submission 10443-4 (supported by 10443-4x75 and supported in part by 10443-4x15) **be rejected**, for the reason that it is not considered appropriate to include a memorandum of understanding in the District Plan.

9. TERRESTRIAL ECOLOGY

9.1. Specific Submissions

10457-2 Keith Corbett: Hibiscus Coast Environmental Protection Society.

Amend the plan to prevent any further subdivision of the upper slopes of the Glenvar Valley.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10457-2x580	Landco Limited	Support in Part

That submission 10457-2 (supported in part by 10457-2x580) **be rejected** for the reason that the Structure Plan contains policies pertaining to integrated and sustainable development (9A.3.1) and protection of the natural environment (9A.3.2) and these will ensure there is no adverse effect on the natural values of ecosystems from the presence of houses in the area. The inclusion of the headwaters of the Glenvar Valley cannot be considered through this process.

10457-3 Keith Corbett: Hibiscus Coast Environmental Protection Society.

Amend objectives and policies to ensure all fauna, in particular the Auckland Green and northern Forest Gecko are protected and their habitat on the north west and south east facing slopes.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10457-3x581	Landco Limited	Oppose

That submission 10457-3 (opposed by 10457-3x581) **be accepted in part** to the extent that issues raised in this submission are addressed via Objective 9A.3.2 (Natural Environment), which states that “the ecological values of the Long Bay area including the water quality of the Vaughans Stream and the Okura/Long Bay Marine Reserve and the remnant areas of terrestrial habitat are protected and where possible enhanced”, and its supporting policies and rules. The Structure Plan should recognise the habitat requirements of skinks geckos and New Zealand pigeons. In this respect the assessment criteria in section 9A.7.2.7 (Landscape Protection Areas) part 2 is amended as follows:

2. **Planting of Landscape Protection (Enhancement) and (Stormwater) Areas**

- e) Planting should include native trees and shrubs that attract native birds, lizards and insects and should be appropriately linked to existing native plantings to create ecological corridors for fauna to move along. Reference should be made to the Auckland Regional Council web site on Natural Environments for planting guidance on the preferred native plants.*

10457-4 Keith Corbett: Hibiscus Coast Environmental Protection Society.

Extend faunal survey and assessment to cover existing bush to north of Vaughans Road and west of Okura River Road.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10457-4x582	Landco Limited	Oppose

The submitter withdrew this submission point at the Hearing.

10457-5 Keith Corbett: Hibiscus Coast Environmental Protection Society.

Reassess location of easternmost housing in relation to the Regional Park.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10457-5x583	Landco Limited	Oppose

That submission 10457-5 (opposed by 10457-5x583) **be accepted in part** for the reason that as a result of submissions on a wide variety of issues relating to the proposed Structure Plan, the location and extent of housing throughout the Structure Plan area has been carefully considered and a number of changes made. In particular it should be noted that the Landscape Protection (Conservation) Area on the southern headland adjacent to the Regional Park is being extended along the full extent of the headland. This area will be covenanted in perpetuity to protect the land from development.

10460-2 Shirley Squire

Amend 9A.7.3.1 (Assessment Criteria: Subdivision in Long Bay 1 Zone) part 2, to ensure that any development, including access and building sites, do not result in the removal of vegetation in a flood plain.

10460-3 Shirley Squire

Amend 9A.7.3.1 (Assessment Criteria: Subdivision in Long Bay 1 Zone) part 2 to ensure all trees planted in the flood plain are protected.

That submissions 10460-2 and 10460-3 **be rejected** for the reason that all residential and commercial building platforms lie above the 100 year flood limit and their development would not impact on existing vegetation within Long Bay's flood plain. The only vegetation that would be removed would occur to achieve the construction of the primary roading network and the proposed stormwater ponds, including development of new wetlands and areas of native regeneration. Almost all of the remaining flood plain area, framing both the Vaughans and Awaruku Streams, is dominated by rank grass species, with some flax and manuka on its margins. As such, it is not necessary to include an additional assessment criterion to address this issue.

10468-4 Harry Duncan

Protect existing native vegetation areas by fencing existing areas.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10468-4x96	Royal Forest & Bird Protection Society	Support

That submission 10468-4 (supported by 10468-4x96) **be rejected** for the reason that the protection of native vegetation areas is addressed through the objectives and policies contained in section 9A.3.2 Natural Environment and fencing of these areas is required under rule 9A.4.5.8.Landscape Protection Area.

10486-7 Landco Limited, Neil Donnelly

Introduce a more flexible approach than the current zoning method for protection of streams, vegetation and habitats.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-7x159	Okura Environmental Group	Support
10486-7x521	LB-Okura Great Park Society	Support
10486-7x184	ECB Coastal Protection Soc Inc	Oppose
10486-7x115	Royal Forest & Bird Protection Society	Support in Part

That submission 10486-7 (supported by 10486-7x159, 10486-7x521 and opposed by 10486-7x184 and supported in part by 10486-7x115) **be rejected** for the reason that the zoning approach sought by the submitter does not provide a suitable resource management framework for the future development of Long Bay. Such an approach contains significant risks associated with environmental protection and urban form outcomes. The Structure Plan approach to zoning and the methods proposed for the protection of streams, vegetation and habitats provides direction on the nature of development and its desired outcomes and will ensure that future development does not have an adverse impact on the Long Bay Marine Reserve and Regional Park. The proposed Structure Plan fairly reflects the outcomes of the process of public consultation and extensive research and land analysis studies and assessments undertaken in the course of development of the Structure Plan. There is also ample background (Section 32) analysis to justify the current proposals for development of Long Bay and the protection of its key environmental assets.

10. EARTHWORKS, EROSION AND SEDIMENT CONTROL

10.1. Specific Submissions

10.1.1. Specific Policies

10436-3 ECB Coastal Protection Society Inc, Robert White

More detail is required of all proposed sediment mitigation and control measures in the plan, including reference to TP90 and the Code of Practice.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-3x34	Department Of Conservation	Support
10436-3x367	Royal Forest & Bird Protection Society	Support
10436-3x586	Landco Limited	Oppose

10436-4 ECB Coastal Protection Society Inc, Robert White

Include a restricted earthworks season and protection of exposed areas in the no earthworks season as set out in the Okura Plan.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-4x368	Royal Forest & Bird Protection Society	Support
10436-4x587	Landco Limited	Oppose

10436-6 ECB Coastal Protection Society Inc, Robert White

Require sediment control measures during all stages of development.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-6x370	Royal Forest & Bird Protection Society	Support
10436-6x589	Landco Limited	Oppose

10436-25 ECB Coastal Protection Society Inc, Robert White

Amend 9A.4.1.5 (Non Complying Activities) part b) to reflect 9A.4 (Site Works and Subdivision) in total rather than 9A.4.3 to 9A.4.6; and add c) as follows..." Earthworks or land disturbance outside the period 1 October in any year to the following 1 April"; (all sediment control rules for Okura should be applied to Long Bay as both border the marine reserve).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-25x389	Royal Forest & Bird Protection Society	Support
10436-25x806	Landco Limited	Oppose

10436-30 ECB Coastal Protection Society Inc, Robert White

Amend 9A.7.2.2 (Earthworks and Landform Modification), to indicate the extent of avoidance or mitigation required. Include the requirements as set out in the NIWA reports NSC0029 April 2000 p5 and HAM 2003 -099 section 2.3 p5. Ensure the sediment control measures required for development on the Okura catchment are used for the Long Bay area as well.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-30x394	Royal Forest & Bird Protection Society	Support
10436-30x811	Landco Limited	Oppose

10436-31 ECB Coastal Protection Society Inc, Robert White

Give equal emphasis to both erosion and sediment controls and stormwater control in the plan.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-31x395	Royal Forest & Bird Protection Society	Support
10436-31x812	Landco Limited	Oppose

10436-45 ECB Coastal Protection Society Inc, Robert White

Expand 17B.3.1 (Natural Environment, including landscapes and land forms) Policy 6 to explain sediment control methods planned and rules for sediment control.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-45x409	Royal Forest & Bird Protection Society	Support
10436-45x826	Landco Limited	Oppose

10917-2 Roger Hamlin

Protect the Marine reserve from possible sediment flows.

North Shore City Council liaises with the ARC in regard to earthworks/siteworks consents for developments in order to ensure an integrated approach. To compliment this the Structure Plan provides detail on the design, construction and operation of sediment ponds or flocculation. However as the body responsible for issuing earthworks consents for larger subdivisions the ARC will have final jurisdiction over the size and number of ponds and other erosion and sediment controls, and the total extent of earthworks to be consented at any one time in the Long Bay Structure Plan area. The ARC already has extensive knowledge, expertise and documentation in this regard.

Likewise, it is not considered necessary for the Long Bay Practice Notes to duplicate such detailed information that may easily be sourced elsewhere. The Practice Notes are intended to be succinct "how-to" guides. The onus remains on the applicants and their qualified, professional consultants to source the information relevant to submitting an acceptable earthworks/siteworks consent application to the ARC or North Shore City Council.

After consideration of the above submissions in conjunction with the Statements of Evidence presented by Dr Robert White of the East Coast Bays Coastal Protection Society, Dr Larcombe and Mathew Wallace on behalf of Landco and the Department of Conservation and the Auckland Regional Council it is considered that the setting of absolute limits to the extent of earthworks, which may be permitted at any one time or the minimum size of sediment ponds, is not appropriate. The Structure Plan, RMA and ARC Regional Plans all require a comprehensive assessment of environmental effects as a matter of course, together with proposed measures to avoid, remedy or mitigate adverse effects. The criteria affecting erosion and sedimentation are many and varied as are the methods available for mitigation. These aspects are better assessed on a case-by-case basis at the time of application.

However the proposed assessment criterion in section 9A.7.2.2 regarding a limited earthworks season should be amended to provide greater flexibility and to align more closely with the ARC's approach of authorising limited earthworks to be undertaken within the period 1 May to 31 September, subject to suitable conditions such as rapid and progressive stabilisation and stringent staging requirements. This relaxation will provide the opportunity for limited civil works including road construction and service installation to be completed where considered appropriate. It will also enable small earthworks areas, such as that required for the establishment of sediment control measures, to be undertaken during periods of settled weather.

That submission 10436-3 (supported by 10436-3x34 and 10436-3x367, and opposed by 10436-3x586), submission 10436-4 (supported by 10436-4x368 and opposed by 10436-4x587), submission 10436-6 (supported by 10436-6x370 and opposed by 10436-6x589), submission 10436-25 (supported by 10436-25x389 and opposed by 10436-25x806), submission 10436-30 (supported by 10436-30x394 and opposed by 10436-30x811), submission 10436-31 (supported by 10436-31x395 and opposed by 10436-31x812), submission 10436-45 (supported by 10436-45x409 and opposed by 10436-45x826) and submission 10917-2 **be accepted in part** to the extent that although erosion and sediment control is adequately covered by the Auckland Regional Plan: Sediment Control, November 2001, other ARC documents, the District Plan and references to these documents in the Structure Plan, it is nevertheless appropriate to raise the profile of erosion and sediment control in the Structure Plan itself and that an earthworks season be introduced as an assessment criterion for larger scale earthworks. However, providing more specific technical details within the Structure Plan is not supported. Erosion and sediment control measures are site and development specific and cannot be dealt with in a general fashion. The following additions and amendments to the Structure Plan are made:

Amend 9A.4.3 as follows:

9A.4.3 General Standards for Site Works and Subdivision

9A.4.3.1 General

Rule 9.4.3 shall apply.

Note:

1. Rule 9.4.3.1 under Rule 9.4.3 relates to sediment control for all site works and subdivision activities and applies irrespective of whether they are classified as permitted, controlled or discretionary. Acceptable methods or techniques, as appropriate in the circumstances, are provided in the Auckland Regional Council’s Technical Publication No. 90, “Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region” (TP 90) and in the Long Bay Practice Notes.
2. For site works which are a Permitted Activity, adoption of the “Single Lot Site Management Plan” contained in the Long Bay Practice Notes shall be deemed to meet the requirement of 9A.4.3.1

9A.4.3.1 Siteworks

- a) For all site works and subdivision activities in the Long Bay Structure Plan area, a Site Management Plan shall be prepared in accordance with Rule 9.6.4, except that this rule shall apply to all site works and subdivision activities irrespective of whether they are classified as permitted, controlled or discretionary.
- b) All erosion and sediment control measures shall be in place prior to any site works or subdivision activities being undertaken.
- c) All erosion and sediment control works shall be retained and maintained in good working order until all site works and subdivision activities have been completed and the site secured to prevent erosion and the generation and discharge of any further sediment from the site.

Explanation and Reasons

The prevention of erosion and control of sediment is a key objective for the protection of the sensitive aquatic environment in Long Bay including the marine reserve. This rule expands on those set out in Section 9 to clearly state the requirement for a Site Management Plan to be prepared for all site works and subdivision activities and provides some further controls to ensure effective erosion and sediment control measures for the full duration of site works and subdivision activities.

Amend 9A.7.2.2 (9A.7.2.6) as follows:

9A.7.2.2 (9A.7.2.6) Earthworks and Landform Modification

.....continued.....

- f) There should be no bulk earthworks (cut/fill/waste) undertaken outside the period 1 October to 30 April unless expressly authorised by the Auckland Regional Council and/or North Shore City Council as appropriate.
- g) The cumulative effects of all earth working activities in the catchment should be assessed to avoid adverse effects, or potential adverse effects, from sediment runoff that may arise from having (on a single or cumulative basis) large areas of earth working occurring at any one time.

Note:

The Long Bay Practice Notes set out appropriate erosion and sediment control measures and site management plans should refer to these provisions.

Amend 17B.6.1.9.2 (h) (17B.6.1.10 part 2 i) as follows:

(h) g) All proposed on-site stormwater management techniques shall be in place prior to impervious surfaces being formed on the site. Runoff from roof areas shall not be discharged directly onto the ground at any stage, including during construction, but shall be directed to the approved stormwater outfall or a temporary alternative outfall approved by Council.

To support these provisions a new policy 4 is added to 9A.3.2 Natural Environment policies to cover earth works, as follows:

Siteworks/earthworks should be managed in relation to their scale, location and timing so as to minimise risks associated with sediment generation, including the risks associated with multiple earth working areas occurring in the catchment at the same time. Site control measures should be used to avoid sediment run off affecting streams and other habitats

Policy 4 of 9A.3.5 (9A.3.6) (which reads: *Development is to be staged in accordance with Table 9A.1 to effectively manage the controlled release of sediment into the Okura/Long Bay Marine Reserve*) should be removed as a result of the new policy which states more clearly the intention of the Structure Plan.

10436-5 ECB Coastal Protection Society Inc, Robert White
Include a clear definition of "land disturbance/earthworks".

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-5x369	Royal Forest & Bird Protection Society	Support
10436-5x588	Landco Limited	Oppose

10436-26 ECB Coastal Protection Society Inc, Robert White
Add a definition of Land Disturbance / Earthworks including temporary storage.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-26x390	Royal Forest & Bird Protection Society	Support
10436-26x807	Landco Limited	Oppose

That submission 10436-5 (supported by 10436-5x369 and opposed by 10436-5x588) and submission 10436-26 (supported by 10436-26x390 and opposed by 10436-26x807) **be accepted in part** to the extent that that the District Plan already contains a definition for "Site Works" and, through the consent order for Okura, a definition for "Land Disturbance / Earthworks". However a cross reference to definitions of siteworks and land disturbance/earthworks will add clarity of understanding to the Structure Plan.

The following is added as a note after section 9A.7.2.2 (9A.7.2.6):

Refer to Section 21 of the Plan for definitions of siteworks and land disturbance/earthworks

10436-11 ECB Coastal Protection Society Inc, Robert White
Amend policy 1 under 9A.3.2 (Natural Environment), to indicate how mitigation of earthworks associated with subdivision will be done or to what extent.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-11x375	Royal Forest & Bird Protection Society	Support
10436-11x792	Landco Limited	Oppose
10436-11x35	Department Of Conservation	Support in Part

That submission 10436-11 (supported by 10436-11x375, opposed by 10436-11x792 and supported in part by 10436-11x35) **be accepted in part** to the extent that it needs to be clarified why parts of the lower catchment have greater capacity to mitigate the adverse effects from development than land in the upper catchment. However greater clarity should be provided on the expectations for development and their associated earthworks in parts of the lower catchment where there are geotechnical issues (the large lot areas in the Long Bay 1 zone) and where large scale earthworks should be avoided. In this respect the following is required:

Amendment to policy 1 of 9A.3.2 as follows:

~~Urban type development is to be concentrated in the lower part of the Vaughans Stream catchment, where there is the greatest capacity to mitigate the adverse effects of this development on water quality, including adverse effects from earthworks associated with subdivision and contaminants from the subsequent~~

urban activities- To minimise risks to the Marine environment from excessive sediment generation from earthworks, large scale earthworks should be confined to selected areas in the lower part of the Vaughans Stream catchment. Large scale earthworks should be limited to areas that are flatter and more stable. In areas with identified geotechnical issues and important landform and ecological characteristics, mitigation of these issues through large scale earthworks is to be avoided, and instead development is to be limited to low densities.

Addition of a 'Note' in section 9A.4.6.1 and to the Explanation and Reasons as follows:

Note:

In cases where a stable building platform and accessway can only be achieved through substantial earthworks then site areas larger than those set out above will be needed

Explanation and Reasons

The opportunity for smaller lot sizes is provided within this zone where possible stable house sites and associated areas are ~~outside~~ not within areas of land identified as Landscape Protection (Conservation), or where this land is to be protected in perpetuity.

Add this paragraph:

The minimum site areas only apply where stable building platforms and accessways can be provided without the need for substantial earthworking. In other cases larger lots should be provided to ensure that building platforms and accessways, which will not result in the need for substantial earthworking, are available.

Also amend 9A.7.2.2 (9A.7.2.6) Earthworks and Landform Modification to clarify the expected level of subdivision expected in the lower density areas of the lower catchment.

- b) In the lower catchment, earthworking of land which has been identified as being unstable should be avoided, unless needed to remedy instability to achieve safe access and building sites on land that is zoned for urban activities (Long Bay 2,3 and 4 zones). In areas identified for low density development (Long Bay 1 zone), subdivision design should ensure that each lot has within it a building platform that does not require substantial earthworking to access the platform and/or make it stable for building.
- c) In other areas of the lower catchment zoned for urban type development (Long Bay 2,3 and 4) more substantial earthworks are possible, provided that the adverse effects of these earthworks on watercourses and receiving environments are avoided or mitigated.

10436-22 ECB Coastal Protection Society Inc, Robert White

Do not permit 9A.4.1.1 (permitted activities) part b) "Site works which expose up to 25m² of bare earth on land identified as Landscape Protection Area (Enhancement) in the Plan Maps".

Further Submission

10436-22x386
10436-22x803

Further Submitter

Royal Forest & Bird Protection Society
Landco Limited

Support/Oppose

Support
Oppose

That submission 10436-22 (supported by 10436-22x386 and opposed by 10436-22x803) **be rejected** for the reason that Rule 9A.4.1.1, permitting site works which expose up to 25m² of bare earth on land identified as Landscape Protection Area (Enhancement) in the Plan maps, is structured to allow a practical amount of minor earthworks that will have a low risk of adverse effects. Such earthworks will

be subject to all the normal erosion and sediment control requirements and any other consents, including landowner consents, that may be necessary.

10436-32 ECB Coastal Protection Society Inc, Robert White
Amend 9A.7.2.2 (Earthworks and Landform Modification) part d) to indicate where and how many sediment and erosion control ponds are proposed and explain why the ponds should be flocculated and what result this will give. This should include a reference to the source or document recommending the flocculation.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-32x396	Royal Forest & Bird Protection Society	Support
10436-32x813	Landco Limited	Oppose

10438-23 Royal Forest and Bird Protection Society, J A Lewis
Delete from 9A.7.2.2 (Assessment Criteria, Earthworks and Landform Modification) part b) the words " unless needed to remedy instability" and in part d) add " details to be included in plans for stormwater ponds".

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10438-23x620	Landco Limited	Oppose

10450-28 Okura Environmental Group, Marilyn Riddell
Amend 9A.7.2.2 (Assessment Criteria: Earthworks and landform Modification) parts (b) and (c) to clarify what is expected to remedy modification and to ensure earthworks are strictly controlled.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-28x485	Royal Forest & Bird Protection Society	Support
10450-28x677	Landco Limited	Oppose

That submission 10436-32 (supported by 10436-32x396 and opposed by 10436-32x813), submission 10438-23 (opposed by 10438-23x620) and submission 10450-28 (supported by 10450-28x485 and opposed by 10450-28x677) **be accepted in part** to the extent that the reasons for flocculating sediment retention ponds and the intention of clause 9A.7.2.2 (b) need to be clarified. The Statement of Evidence presented by Dr Robert White of the East Coast Bays Coastal Protection Society has been considered and it is agreed to delete the words "where appropriate" in the changes proposed in the Hearing Report for the Explanation and Reasons section of 9A.3.2. However, it is not possible to give specific details on how many sediment retention ponds will be required and where these should be located as this is dependant on the nature, scale and timing of projects. The following amendments to the Structure Plan are required:

"9A.7.2.2 (9A.7.2.6) Earthworks and Landform Modification

.....continued.....

- b) *In the lower catchment, earthworking of land, which has been identified as being unstable should be avoided, unless needed to remedy instability to achieve safe access and building sites on land that is zoned for urban activities (Long Bay 2,3 and 4 zones). In areas identified for low density development (Long Bay 1 zone), subdivision design should ensure that each lot has within it a building platform that does not require substantial earthworking to access the platform and/or make it stable for building.*

.....continued.....

- d) *All sediment and erosion control ponds should be flocculated in order to achieve greater efficiencies in retaining fine-grained sediment.*

.....continued.....

Insert the following paragraph after paragraph 5 of the Explanations and Reasons section of 9A.3.2 Natural Environment:

In addition to limiting areas of large scale earthworks effective erosion and sediment control measures need to be put in place during all stages of development. The small size of soil particles typical of Auckland's geology significantly reduces the effectiveness of sediment retention ponds. The fine clays, once mobilised, take a much longer time to settle than coarser sand and silt

material and can remain in suspension for a considerable period of time. Special chemicals can be used successfully to promote flocculation (clumping together) of suspended solids in the sediment retention pond to increase the particle mass and speed the rate of settlement. By this means the overall efficiencies of sediment retention ponds can be significantly increased. Advantage needs to be taken of the greater efficiencies offered by flocculation by requiring all sediment and erosion control ponds to be flocculated.

10437-6 Ian Munro

Amend Rule 9A.4.1.1 (Discretionary Activities) part (a) which is unnecessarily restrictive and insert the following text after 9A.4.1.1.(a) (viii) and before (b) - "Exemptions: The maximum permitted threshold of site works may be increased from 300sqm to 500sqm in the following circumstances:

- 1) The application is for a single residential dwelling unit on a single residential lot.**
- 2) The application is for site works involving the exposure of no more than 500sqm of bare earth and does not involve any matter outlined above in points (a) (i) - (a) (viii);**
- 3) The site works do not trigger any other threshold requiring land use consent (refer Rules 9A.4.1.2 - 9A.4.1.5), and the residential dwelling itself is otherwise fully compliant with Section 17B of the District plan;**
- 4) The works are undertaken at the same time as the development and an appropriate Site Management Plan and Landscaping Plan are provided with the Building Consent application, to the satisfaction of the Councils Engineering and planning staff.**

That submission 10437-6 **be rejected** for the reason that Rule 9A.4.1.1 is consistent with the District Plan and is appropriate in order to minimise and control adverse effects arising from site works. The provisions of the District Plan relating to the maximum permitted thresholds for site works on individual lots are presently being reviewed as part of the network consent process with the ARC and any outcomes may be incorporated into a subsequent plan change.

10437-7 Ian Munro

Add to 9A.4.1.3 (Limited Discretionary Activities) part (e) as follows: "e) Site works which involve the exposure of more than 300sqm of bare earth which are not discretionary activities in accordance with Rule 9A.4.1.4".

That submission 10437-7 **be rejected** for the reason that, given the sensitivity of the catchment to increased sediment loading, Council considers that site works should be subject to the more rigorous assessment anticipated by a discretionary activity application than that required for a limited discretionary activity. The objective of the Structure Plan is to provide a higher level of environmental protection to Long Bay than is being applied to the City in general. The rules are structured to ensure that a higher level of assessment is given to site works greater than 300m² in order to secure greater control on potential sediment generation activities than is currently being achieved through the District Plan.

10437-8 Ian Munro

Delete Rule 9A.4.1.3.(Limited Discretionary Activities) part (b) and replace with the following: "Excavations for an approved building platform (not on a boundary or within any yard) greater than 1.5m in depth provided that the depth of excavation in total is not greater than the horizontal distance to the site boundary, plus 1.5m".

That submission 10437-8 **be accepted in part**, to the extent that Section 9A.4.1.3, paragraph b) be deleted and paragraph a) is amended as follows:

9A.4.1.3 Limited Discretionary Activities

Subject to Rule 9A.4.1.4 and compliance with Rules 9A.4.3 to 9A.4.6 the following shall be Limited Discretionary activities:

- a) *Excavations ~~outside an approved building platform~~ (not on a boundary or within any yard) greater than 1.5 metres in depth provided that the depth of excavation in total (measured from the top to the bottom of the excavation) is not greater than the horizontal distance to the site boundary.*

The amendment will simplify rules specified in the Structure Plan in respect of excavations greater than 1.5 metres in depth while continuing to ensure that limited discretionary activity consents are

required for excavations that may have adverse effects on the environment due to their depth or proximity to boundaries.

10437-9 Ian Munro

Amend Rule 9A.4.2 (Notification) by adding the following paragraph:

"Applications for siteworks in the Long Bay Structure Plan Area which are provided for as a Controlled activity shall be considered without the service of the application on affected parties in accordance with 94D (3) of the RMA".

That submission 10437-9 **be rejected** for the reasons that controlled activity site works may have adverse effects that warrant limited notification in order to gain a better understanding of the proposal.

10438-10 Royal Forest and Bird Protection Society, J A Lewis

Add to 9A.2 (Subdivision and Development Issues) to refer to the lower reaches of the Awaruku and its associated wetland and unstable slopes to the north as a fragile physical environment with the potential for major adverse effects.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10438-10x607	Landco Limited	Oppose

That submission 10438-10 (opposed by 10438-10x607) **be rejected** for the reason that the lower reaches of the Awaruku Stream are included in the Structure Plan area and the environmental sensitivity and suitability of the area for development has been assessed against the same objectives and policies as the rest of the Structure Plan area.

10487-4 North Shore City Council, Trevor Mackie

Amend 9A.4.1.4 (Discretionary Activities) to include an additional sub paragraph to state that "site works involving the relocation or disturbance of a secondary flow path" are a discretionary activity.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-4x861	Landco Limited	Oppose

That submission 10487-4 (opposed by 10487-4x861) **be accepted** for the reason that it will provide Council with greater control over the relocation or disturbance of secondary flow paths, which are vital to the protection of life and property in the event of major flood events. The following additional clause is added to 9A.4.1.4 (a):

viii) Works that relocate or disturb a secondary flow path.

This insertion of this clause will have the effect of making such earthworks a discretionary activity. To assist in the consideration of such applications, the following assessment criteria is added to 9A.7.2.2

Earth works should only alter or disturb a secondary flow path where a satisfactory alternative flow path is available.

10474-1 John & Jean Ann Stockwell

Reconsider the suitability of the land in the Long Bay area for urban development in view of the fact that ground instability is a central issue.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10474-1x100	Royal Forest & Bird Protection Society	Support

That submission 10474-1 (supported by 10474-1x100) **be rejected** for the reason that a key element of the zoning and development approach proposed by the Structure Plan has been the identification of environmental constraints, including ground instability, to urbanisation so that the proposed land use is matched to the suitability of the land for urban development.

10486-6 Neil Donnelly Landco Ltd

Recognition of the benefits of comprehensive land ownership to resolve geotechnical issues on a site wide basis.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-6x151	Royal Forest & Bird Protection Society	Oppose
10486-6x158	Okura Environmental Group	Oppose
10486-6x183	ECB Coastal Protection Soc Inc	Oppose
10486-6x520	LB-Okura Great Park Society	Oppose

That submission 10486-6 (opposed by 10486-6x151, 10486-6x158, 10486-6x183 and 10486-6x520) **be rejected** for the reason that the more extensive earthworks required by Landco's version 1 and

'refined' version plans address geotechnical constraints on a site wide basis in order to achieve higher densities but does not meet the Structure Plan objectives of minimum earthworks, land form preservation, retention of significant landscape features, and archaeological sites, minimisation of erosion and sediment generation and preservation of the visual interface between the Structure Plan area and the Okura rural area. Moreover, many of the aforementioned objectives have other equally important integrated planning objectives such as preserving existing stream and riparian areas and pockets of native vegetation for stormwater quality and ecological reasons.

10436-18 East Coast Bays Coastal Protection Society Inc : Robert White
Amend the Explanation and Reasons section under 9A.3.4(Urban Form and Design) to define the provision of Community Services and how these fit into the staging plan for NSCC development in the area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-18x382	Royal Forest & Bird Protection Society	Support
10436-18x799	Landco Limited	Oppose

That submission 10436-18 (supported by 10436-18x382 and opposed by 10436-18x799) **be accepted** for the reason that it is anticipated that community services, such as care centres and healthcare centres will be provided within the new residential areas and village centre as and when the community requires such services. The Explanation and Reasons section 9A.3.4 (9A.3.5) (Urban Form and Design) first paragraph is amended to explain that such services are anticipated as the community develops as follows:

It is anticipated that community services, such as community centres and healthcare centres will establish within the new residential areas and village centre as and when the community requires such services

10436-19 East Coast Bays Coastal Protection Society Inc: Robert White
Amend policies under 9A.3.5 (Staging, Infrastructure and Development Contributions) to include a statement on how the LTCCP can be accessed and clearly indicate here the detailed staging plan for development in Long Bay.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-19x383	Royal Forest & Bird Protection Society	Support
10436-19x800	Landco Limited	Oppose

That submission 10436-19 (supported by 10436-19x383 and opposed by 10436x800) **be rejected** for the reason that the policies under 9A.3.5 clearly indicate that the LTCCP is a Council document and therefore it can be accessed from the Council. Also the Policies clearly state that development rights in the Structure Plan area will be progressively released in accordance with the funding and construction of principal infrastructure (see policy 1,2 and 3).

10480-6 Olaf & Regina Jones
Request the NSCC to provide assurance that major development will not be approved without the necessary infrastructure in place.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10480-6x5	Keep Okura Green	Support
10480-6x112	Royal Forest & Bird Protection Society	Support

10509-2 Paolo Delmonte
Oppose any approval of major development before the necessary infrastructure is in place.

That submission 10480-6 (supported by 10480-6x5 and 10480-6x112) and submission 10509-2 **be rejected** for the reason that it Council's intention to provide the infrastructure described in the Structure Plan is clearly signalled in the Structure Plan. It is not foreseen that any major developments will occur in the absence of that infrastructure. It is however possible for some development to occur without all Council provided infrastructure in place. Under these circumstances the applicant would need to address, amongst other matters, the ability of any development to integrate with existing and future infrastructure provisions, meet strict environmental controls (e.g. on site wastewater disposal) and not limit future development in accordance with the overall vision of the Structure Plan. These matters will have to be considered at the time of subdivision application.

10483-2 Robert Nicol

Amend the programme of development to provide for the development of the upper catchment first.

That submission 10483-2 **be rejected** for the reason that the Structure Plan staging plan for development provides for the upper catchment to be developed first. See Table 9A.1 and Appendix 9A/A on page 36 of the Structure Plan document. This is consistent with the submitter's request.

10486-8 Landco Limited, Neil Donnelly

Reconsider the staging process set out in Table 9A.1(Staging Timeline for Long Bay Structure Plan Area).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-8x160	Okura Environmental Group	Oppose
10486-8x185	ECB Coastal Protection Soc Inc	Oppose
10486-8x522	LB-Okura Great Park Society	Oppose

That submission 10486-8 (opposed by 10486-8x160, 10486-8x185 and 10486-8x522) **be rejected** for the reason that provision has already been made in Council's Long Term Council Community Plan for the funding and construction of the principal infrastructure needed to serve the area on the basis of the proposed staging plan set out in Table 9A.1 of the Structure Plan. Policy 3 of 9A.3.5 provides for development which wishes to proceed ahead of the proposed staging plan provided that all infrastructure needs are appropriately provided for at the development's cost.

11. ROADING AND TRAFFIC

11.1. Specific Submissions

11.1.1. Issues relating to bridges, culverts and road crossings across the Vaughans Stream and wetlands

10435-12 Auckland Regional Council, Hugh Jarvis

Wherever practicable bridges rather than culverts should be used on road crossings of streams. Roads constructed through the Stormwater Management areas must not affect the assumptions relating to flood plains, stormwater quantity and quality

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-12x30	Department Of Conservation	Support
10435-12x45	Royal Forest & Bird Protection Society	Support
10435-12x751	Landco Limited	Oppose

That submission 10435-12 (supported by 10435-12x30 and 10435-12x45, and opposed by 10435-12x751) **be accepted** for the reason that road crossing will be designed in accordance with Council's Infrastructure Design Standards Manual and such crossings will cater for a 1% AEP (100year) rainfall event and bridges rather than culverts will be used at road crossings over Vaughans Stream to reduce environmental impacts.

10452-11 Keep Okura Green, David Johnston

Delete any bridges over Vaughans Stream

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10452-11x499	Royal Forest & Bird Protection Society	Support
10452-11x576	Landco Limited	Oppose

10918-4 Kurt & Carol Marquart

Amend the plan to exclude any road crossings of the Vaughans Stream.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10918-4x129	Royal Forest & Bird Protection Society	Support

That submissions 10452-11 (supported by 10452-11x499 and opposed by 10452-11x576) and 10918-4 (supported by 10918-4x129) **be rejected** for the reason that deleting bridges over Vaughans Stream would remove the link between Vaughans Road and Beach Road and would limit access to the Village Centre; restrict access to local services, shops and activities; and would not achieve the desired objective of creating an integrated community. In relation to concerns raised by one of the submitters in their presentation regarding the effect of bridges over the Vaughans Stream it is acknowledged that bridges are considered to be more environmentally sensitive than culverts as they create less disturbance to stream beds. Therefore bridges are an appropriate way to link the roads across the Vaughans Stream. Also the Auckland Regional Council manages the beds of lakes, rivers and streams in the Auckland Region and any application to construct a bridge over the Vaughans Stream will be assessed by the ARC to ensure that the "passage of fish and other aquatic organisms both up and down stream is maintained" (see the ARP:ALW and ARC Technical Publication No 130: Fish Passage: Review and Guidelines for the Auckland Region).

10478-2 Colin Wells

Remove the designation of the road located along the Vaughans Stream in the centre of the area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10478-2x105	Royal Forest & Bird Protection Society	Support

That submission 10478-2 (supported by 10478-2x105) **be rejected** for the reason that removing the proposed designation of the road located along the Vaughans Stream would limit access to the Village Centre; restrict access to local services, shops and activities; and would not achieve the desired objective of creating an integrated community.

10504-2 David Johnston

Amend the Plan Change so that no roads or culverts cross over Vaughans Stream.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10504-2x117	Royal Forest & Bird Protection Society	Support

That submission 10504-2 (supported by 10504-2x117) **be rejected** for the reason that deleting the road crossings over Vaughans Stream would remove the link between Vaughans Road and Beach Road and would limit access to the Village Centre; restrict access to local services, shops and activities; and would not achieve the desired objective of creating an integrated community.

10505-2 Lyne Kearns

Do not provide any roading through the wetlands

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10505-2x29	Department Of Conservation	Support in Part

That submission 10505-2 (supported in part by 10505-2x29) **be rejected** for the reason that deleting the road network through the wetland area would remove the link between Vaughans Road and Beach Road and would limit access to the Village Centre; restrict access to local services, shops and activities; and would not achieve the desired objective of creating an integrated community.

11.1.2. Specific Objectives, Policies and Rules

11.2.2.1 Section 9A Subdivision and Development

Section 9A.3.4 Urban Form and Design

10435-16 Auckland Regional Council, Hugh Jarvis

That Policy 13 of 9A.3.4 (Urban Form and Design) be amended as follows:

" the safe and convenient movement of people by foot and cycle as well as cars, buses and other vehicles".

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-16x48	Royal Forest & Bird Protection Society	Support
10435-16x755	Landco Limited	Oppose

That submission 10435-16 (supported by 10435 -16x48 and opposed by 10435 -16x755) **be accepted** for the reason that passenger transport is an important mode of transport in the region and this should be explicitly recognized by including the word "buses" in policy 13 of 9A.3.4 (9A.3.5) of the Structure Plan. Policy 13 of Section 9A.3.5 reads as follows:

13. *Development is to provide roads which allow for the safe and convenient movement of people by foot and cycle, as well as by car buses and other vehicles.....*

10436-16 ECB Coastal Protection Society Inc, Robert White

Amend policies on roading under 9A.3.4 (Urban Form and Design) to include more details on levels of traffic increase on Vaughans Road and the standard of road design generally in the area and their ability to take emergency services.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-16x380	Royal Forest & Bird Protection Society	Support
10436-16x797	Landco Limited	Oppose

That submission 10436-16 (supported by 10436-16x380, and opposed by 10436-16x797) **be accepted in part**, to the extent that the 'Methods' section of 9A.3.4 states that the policies in the section will be implemented through the Structure Plan rules and the Long Bay Practice Notes. However information on the levels of traffic increase on Vaughans Road are available in City Design's "Transport and Roading Assessment, Technical Report, May 2003" and it is not appropriate to include such details on levels of traffic in the policies of section 9A.3.4. Road design standards are defined in the Council Infrastructure Design Standards Manual based on projected traffic volumes for each road category. The design standards incorporate provisions for emergency service vehicles.

Accordingly a reference to the Council Infrastructure Design Standards Manual is included to read as follows:

Methods

Policies 1-16 will be implemented primarily through rules and the Long Bay Code of Practice and the Council's Infrastructure Design Standards Manual.

10436-17 ECB Coastal Protection Society Inc, Robert White

Amend the methods under Rooding of 9A.3.4 (Urban Form and Design) to explain what the Long Bay Code of Practice is and its purpose.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-17x381	Royal Forest & Bird Protection Society	Support
10436-17x798	Landco Limited	Oppose

That submission 10436-17 (supported by 10436-17x381 and opposed by 10436-17x798) **be accepted** for the reason that an explanation at this point in the Structure Plan will provide greater clarity of understanding of the purpose and intent of the Long Bay Code of Practice (Long Bay Practice Notes). The reference to the Long Bay Code of Practice (Long Bay Practice Notes) in the methods section under 9A.3.4 (9A.3.5) include a short explanation of its purpose and intent in the form of a 'Note' at the end of the "Methods" section. This reads as follows:

Note: The Long Bay Practice Notes provide guidance on treatment options suitable for managing the effects of stormwater and sediment. They also include voluntary measures that can be used to maintain and improve the natural environment. The Infrastructure Design Manual (IDSM) defines Council's engineering design and compliance requirements for infrastructure, including stormwater infrastructure.

10441-6 Residents Action Movement (RAM), Elaine West

Revise roading proposal to avoid areas of environmental landscape and geotechnical sensitivity. No roads to be located in future park land.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10441-6x59	Royal Forest & Bird Protection Society	Support
10441-6x307	LB-Okura Great Park Society	Support
10441-6x637	Landco Limited	Oppose

10448-6 Residents Action Movement(RAM), J V Bell

Revise roading proposal to avoid areas of environmental landscape and geotechnical sensitivity. No roads to be located in future park land.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10448-6x65	Royal Forest & Bird Protection Society	Support
10448-6x649	Landco Limited	Oppose

10488-6 Nicholas File

Revise the Structure plan to ensure roading avoids areas of environmental, landscape and geotechnical sensitivity. In particular no roads should be in the land held for a future park.

10517-6 Residents Action Movement(RAM), Fiona Angus

Revise roading proposal to avoid areas of environmental landscape and geotechnical sensitivity. No roads to be located in future park land.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10517-6x71	Royal Forest & Bird Protection Society	Support
10517-6x739	Landco Limited	Oppose

That submissions 10441-6 (supported by 10441-6x59, 10441-6x307 and opposed by 10441-6x637) and 10448-6 (supported by 10486-6x65 and opposed by 10448-6x649) and 10488-6 and 10517-6 (supported by 10517-6x71 and opposed by 10517-6x739) **be rejected** for the reason that roading generally avoids areas of geotechnical sensitivity as much as is practicable and the location of both roading and proposed residential development already reflect the landscape values of the entire Long Bay catchment. In addition the roads as shown in the Structure Plan are necessary to ensure the effective functioning of the Long Bay community and to create access between the residential catchments to the north and south of Vaughans Stream and to the village centre and nearby village green and schools.

10449-9 LB-Okura Great Park Society, David Gatward

Rewrite Policy 11 of 9A.3.4 (Urban Form and Design) so that wetlands are not affected by roading.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10449-9x169	Katavich, Anthony	Support
10449-9x316	LB-Okura Great Park Society	Support
10449-9x449	Royal Forest & Bird Protection Society	Support
10449-9x773	Landco Limited	Oppose

That submission 10449-9 (supported by 10449-9x169, 10449-9x316, 10449-9x449 and opposed by 10449-9x773) **be rejected** for the reason that the primary roading proposed across the Vaughans Flats flood plain is critical to the completion and integration of both urban development within Long Bay and the creation of a new entrance to Long Bay Regional Park. It would be impossible for all roading to circumvent the proposed reserves, open space and, in particular, the village green. Roading generally avoids areas of geotechnical sensitivity as much as is practicable and the location of both roading and proposed residential development already reflect the landscape values of the entire Long Bay catchment.

10450-29 Okura Environmental Group, Marilyn Riddell

Amend the plan to give greater recognition to the adjoining rural Zone 4 and to retain the rural character of Vaughans Road by not connecting it directly to any urban development in the Lower Vaughans valley.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-29x486	Royal Forest & Bird Protection Society	Support
10450-29x678	Landco Limited	Oppose

That submission 10450-29 (supported by 10450-29x486 and opposed by 10450-29x678) **be rejected** for the reason that the current measures in the Structure Plan of promoting transition into a rural Okura are considered adequate. The Ridgeline Protection Corridor is designed to strike a balance between the fact that substantial houses already line much of the southern margins of Vaughans Road's and the objective of promoting transition into a rural Okura. The connection of Vaughans Road with the other primary roads entering the Vaughans Flats from Beach Road and Ashley Roads is essential if those living on the northern side of Long Bay are to be connected with local schools, the Regional Park and Village Centre .

10466-2 Tracey Messinger

Amend 9A.3.4 (Urban Form and Design) Policy 11, relating to roading, so that new infrastructure provision is routed outside existing parkland and so the Vaughans Flats wetland to the south of the Vaughans Stream is preserved.

That submission 10466-2 **be rejected** for the reason that the proposed location of the infrastructure corridor is appropriate and will cross Vaughans Stream as directly as possible. It will be located within the floodplain well outside the bounds of the current wetland and marginal planting next to the stream and in areas more typically used for passive recreational open space, as close as is practicable to the road corridor.

10473-1 C E & J A Brock

Amend the plan to uplift the section of the proposed new road designation that crosses the north east corner of 283 Glenvar Road (Lot 1 DP 191305).

That submission 10473-1 **be rejected** for the reason that it is necessary to indicate the approximate location of proposed roads in the Structure Plan area. However the exact alignment of the two roads affecting the subject property and the position of their interchange is not considered critical from an urban design perspective and the impact of the alignment of the proposed road that affects the north east corner of the subject property shall be assessed during detailed design.

10475-2 Ministry of Education: Clive Huggins

Remove/delete any proposed roads from the land designated for educational use (Long Bay Primary School), designation no 27.

That submission 10475-2 **be rejected** for the reason that it would be inappropriate to remove or delete the proposed roads from the site as the proposed road affords an important secondary connection between the upper valley and Long Bay Primary School (in particular), as well as Long Bay College. It also assists with creation of a permeable environment that offers ready access for

local residents between the upper valley and lower valley and Regional Park. The proposed road alignment on the Ministry of Education land will be fixed when final road designs are carried out prior to construction. There is flexibility in the rule 9A.4.5.2 to vary alignments or designs. Through evidence presented at the hearing the Ministry of Education supported the setting aside of land to the north of the site for the proposed road (if located as far north as practicable) as this would not unduly affect the Ministry's ability to develop the site. In this respect due consideration can be given to this when detailed designs for the road are undertaken.

In the case of the preferred roading the Ministry of Education requested, through evidence presented at the hearing, for an alternative alignment for the preferred road, currently proposed on the school site, to an alignment outside the school boundary. The preferred roading shown on the Structure Plan reflects the preferred location of a secondary roading pattern designed to achieve a high degree of connectivity for possible future development of the area. The alignments are indicative and are to be provided where practicable. This provision is flexible and further flexibility is provided through the introduction of assessment criteria in response to other submissions rather than through a rule as proposed in the notified Structure Plan. It is therefore not necessary to delete the preferred roading shown on the school site.

Section 9A.4 : Rules: Site Works and Subdivision

10437-4 Ian Munro

Provide adequate safeguard for the protection of proposed roading corridors by introducing a new clause to 9A.4.1.3(Limited Discretionary Activities) numbered "f) Development on land identified as a Proposed Road on the Long Bay Structure Plan maps"

10437-5 Ian Munro

Add to 9A.7.1.1 (General Assessment Criteria) the following:

" In the case of applications made in respect of development within a proposed road (as shown on the Long Bay Structure Plan maps), Discretion shall be limited to the need of the proposed road and the ability of it to be appropriately established in the light of the proposed development".

That submissions 10437-4 and 10437-5 **be rejected** for the reason that the Structure Plan provides for the protection of the alignment of the Proposed Roads through Rules 9A.4.5, General Subdivision Standards and 9A.4.5.2, Proposed Roads part a) Alignment, and 9A.4.5.1, Compliance. In addition if an application proposes to alter the alignment of a Proposed Road then the Assessment Criteria set out in 9A.7.2.1 and 9A.7.3.2 will apply. The rules and assessment criteria provide some flexibility in terms of the precise location of the Proposed Roads but do provide a safeguard at the subdivision stage for the protection of proposed roading corridors. The Assessment Criteria at 9A.7.2.1 and 9A.7.3.2 ensure that efficient roading connections are provided and that the proposed road provides the same function as that intended in the Structure Plan. Little or no development can occur within the Structure Plan as of right unless proceeded by a subdivision.

10467-6 Okura Residents and Ratepayers Association, Christina Howat

Amend 9A.4.5.2 (Proposed Roads) so that the two designated roads do not cross the main wetland area and Lower Vaughans Stream.

Further Submission

10467-6x509
10467-6x638

Further Submitter

Royal Forest & Bird Protection Society
Landco Limited

Support/Oppose

Support
Oppose

That submission 10467-6 (supported by 10467-6x509 and opposed by 10467-6x638) **be rejected** for the reason that it is important that the proposed road crossings over Vaughans Stream remain as this provides access to local services, shops and activities for areas north of the Vaughans Stream and this link achieves the desired objective of creating an integrated community within the Structure Plan area.

10438-20 Royal Forest and Bird Protection Society, J A Lewis

Amend 9A.4.5.2 (Proposed Roads) part iv, to include groves of trees.

Further Submission

Further Submitter

Support/Oppose

10438-20x617

Landco Limited

Oppose

That submission 10438-20 (opposed by 10438-20x617) **be accepted** for the reason that groves of trees would add more amenity value to the streetscape as it would soften the road edges. Furthermore, groves generally provide better growing environments for trees. For consistency this rule is applied to section 9A.4.5.3 as well. The following amendment to part iv of 9A.4.5.2 and 9A.7.2.2 (9A.4.5.3) is as follows:

- iv) *Street trees, to include groves of trees shall be provided on both sides of the road at intervals no greater than 20 metres.*

10436-28 ECB Coastal Protection Society Inc, Robert White

Amend 9A.4.5.3 (Preferred Roads) part b), second to last word should be 'plan' not pan. Explain why 2m berms are not used for this road type.

Further Submission

Further Submitter

Support/Oppose

10436-28x392

Royal Forest & Bird Protection Society

Support

10436-28x809

Landco Limited

Oppose

That submission 10436-28 (supported by 10436-28x392, and opposed by 10436-28x809) **be accepted in part** for the reason that the typing error be corrected. However the roads in the Structure Plan area will be designed in accordance with Council's Infrastructure Design Standards Manual and the provision of 1.6m berms on roads typical of the designs are to be used for the 'preferred roads' as these have proven adequate for this type of road. .

Section 9A.4.6 Specific Subdivision Standards

10438-22 Royal Forest and Bird Protection Society, J A Lewis

Amend 9A.4.6.7 (Long Bay 6 Zone: Stormwater Management Zone) to indicate that construction of roads should be avoided in this zone.

Further Submission

Further Submitter

Support/Oppose

10438-22x619

Landco Limited

Oppose

That submission 10438-22 (opposed by 10438-22x619) **be rejected** for the reason that the primary roading proposed across the Vaughans Flats flood plain is critical to the completion and integration of both urban development within Long Bay and the creation of a new entrance to Long Bay Regional Park.

Section 17B Long Bay Structure Plan - Development

Section 17B.1.3 Land use Strategy

10445-8 B G Stanley

Amend 17B.1.3 (Land Use Strategy) to remove the proposal to provide primary access roads across the Awaruku flats which should be developed as a wetland area and remove the proposal for roads linking Beach Road to Vaughans Road.

Further Submission

Further Submitter

Support/Oppose

10445-8x86

Royal Forest & Bird Protection Society

Support

That submission 10445-8 (supported by 10445-8x86) **be rejected** for the reason that the extension of Ashley Avenue/Beach Road to Vaughans Road and the extension of Beach Road across the Awaruku flats are an integral part of the Long Bay Structure Plan roading network. These roads provide access to vehicles entering Long Bay from the north and south and reduce trip distances, improve local access to schools, reserves, passenger transport services and the proposed village centre. Deleting these connections would increase flows on other primary roads and would remove any direct access from the north and south, to the heart of the Structure Plan area.

10450-7 Okura Environmental Group, Marilyn Riddell

Provide justification for 17B.1.3 (Land Use Strategy) BP5 on the distribution of traffic loadings in and out of the Lower Valley.

Further Submission

Further Submitter

Support/Oppose

10450-7x464

Royal Forest & Bird Protection Society

Support

10450-7x656

Landco Limited

Oppose

That submission 10450-7 (supported by 10450-7x464 and opposed by 10450-7x656) **be rejected** for the reason that the distributions of traffic loadings are based on an assessment of the transport requirements and primary roading needs for the Structure Plan Area and the traffic demands of the proposed land-use of the upper valley; consisting of low density rural and rural-residential development with lot sizes typically ranging from 2500m² to 5000m².

10450-10 Okura Environmental Group, Marilyn Riddell

Amend 17B.1.3 (Land Use Strategy) Lower Valley, Vaughans Flats, to provide more information on the effect of proposed road links to arterial routes, their impact on Long Bay Regional Park and the Vaughans wetlands and the location of existing centres.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-10x467	Royal Forest & Bird Protection Society	Support
10450-10x659	Landco Limited	Oppose

That submission 10450-10 (supported by 10540-10x467 and opposed by 10450-10x659) **be rejected** for the reason that information relating to the proposed primary roading network, its links to existing arterial routes, and the impact of the primary roading network on the Regional Park, and the Vaughans wetlands is available in City Design's "Transport and Roading Assessment, Technical Report", dated May 2003. The roading structure included in the Structure Plan has been based on recommendations from this report. The Structure Plan would become unmanageable if all this information is included in the text.

11.1.3. Vaughans Road Issues

10512-1 Thomas & Shirley Horan

Support the extension of Vaughans Road as an access to the Long Bay Area.

That submission 10512-1 **be accepted** for the reason that it supports one of the objectives of the Structure Plan to create an accessible integrated living area in Long Bay. The proposed road network in the Structure Plan seeks to create an interconnected network of roads which helps to provide good accessibility to local activities such as schools, reserves, the village centre and Regional Park. The extension of Vaughans Road will facilitate this interconnection and reduce trip distances within the Structure Plan area.

9180-1 Brian Surtees; 10176-1 Janice Cruickshank; 10177-1 Graham Holloway
 10178-1 K P East; 10179-1 C Thode; 10180-1 W G Ellis; 10181-1 Anne Matheson
 10182-1 Sheryl Vinton; 10183-1 Steve Marshall; 10184-1 L K Royle;
 10185-1 Cheryl Phipps; 10186-1 Bruce Riddell; 10187-1 Grant Hamlin
 10188-1 Lynne & Frits Beneka; 10189-1 Jaap Van Der Neut; 10190-1 Inge Van Der Neut
 10191-1 David Johnston; 10192-1 Gwenyth Jones 10193-1 Steve Lineham;
 10194-1 Stephen Teffey-Jones; 10195-1 Keith Hay, 10196-1 Stephen Osborne;
 10197-1 Michael Healy; 10198-1 Evi Eder; 10199-1 Kendyl Oates; 10200-1 Megan Walker;
 10201-1 Andrew Segar, 10202-1 Raymond Fifield; 10203-1 Bruce Adams; 10204-1 D E Freeman
 10205-1 Maj De Porter; 10206-1 Dean Lawson; 10207-1 Therese Hamlin, 10208-1 Margaret Woolf
 10895-1 P Duckett; 10896-1 Tessa McGregor; 10897-1 Paula Murray; 10898-1 Graeme Henderson;
 10899-1 Keith Giblin; 10900-1 Eric Stockley; 10901-1 Joan Davidson; 10902-1 Shane Anderson;
 10903-1 Norma Arlidge; 10904-1 T H Smith; 10905-1 David Morris; 10906-1 Sue Watson;
 10907-1 G A O'Donnell; 10908-1 E B Herd; 10909-1 Dianna Mayn; 10910-1 B Todd;
 10911-1 Melinda Hobman; 10912-1 J R Wright; 10913-1 John Lungley; 10914-1 Debra Hampson
Vaughans Road to remain as a no exit road.

That submissions 9180-1, 10176-1, 10177-1, 10178-1, 10179-1, 10180-1, 10181-1, 10182-1, 10183-1, 10184-1, 10185-1, 10186-1, 10187-1, 10188-1, 10189-1, 10190-1, 10191-1, 10192-1, 10193-1, 10194-1, 10195-1, 10196-1, 10197-1, 10198-1, 10199-1, 10200-1, 10201-1, 10202-1, 10203-1, 10204-1, 10205-1, 10206-1, 10207-1, 10208-1, 10895-1, 10896-1, 10897-1, 10898-1, 10899-1, 10900-1, 10901-1, 10902-1, 10903-1, 10904-1, 10905-1, 10906-1, 10907-1, 10908-1, 10909-1, 10910-1, 10911-1, 10912-1, 10913-1, and 10914-1 **be rejected** for the reason that the extension of Ashley Avenue to Vaughans Road forms an integral part of the inter-connected Long Bay Structure Plan roading network and provides an important access to vehicles entering Long Bay from the north, reduces trip distances and improves local access to schools, reserves, passenger transport services and the proposed village centre.

10452-3 Keep Okura Green, David Johnston

Provision of a car park at end of Vaughans Road and one within development to the South, with pedestrian access only to the Regional Park from Vaughans Road.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10452-3x491	Royal Forest & Bird Protection Society	Support
10452-3x568	Landco Limited	Support in Part and Oppose in Part

10916-5 Mark Hampson

Amend the plan to include a car park at the end of Vaughans Road and a car park within the development to the south with pedestrian access only to the Regional Park.

That submissions 10452-3 (supported by 10452-3x491 and supported in part and opposed in part by 10452-3x568) and 10916-5 **be rejected** for the reason that the provision of a car park at the end of Vaughans Road and within the development to the south suggests that Vaughans Road remain as a no exit road. The loss of the Vaughans Road connection and the extension of Ashley Avenue/Beach Road to Vaughans Road would increase flows on other primary roads and would remove any direct access from the north, to the heart of the Structure Plan area. Council acknowledges that additional traffic will be generated on this road, however, the expected rise in daily traffic volumes per day from 500 vehicles per day currently to 1200 vehicles per day by 2011 to 3000 vehicles per day in 2021 still keeps the traffic volumes within the parameters expected of a local road. In addition the associated pollution runoff from the increased use of the road will be mitigated through the stormwater management practices proposed, such as swales, filter strips and biofiltration devices. Also the water quality effects in the area will be minor as the traffic volumes anticipated on the Vaughans Road will be minor.

10467-2 Okura Residents and Ratepayers Association, Christina Howat

Amend the plan to keep Vaughans Road as a rural road serving local residents only.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10467-2x505	Royal Forest & Bird Protection Society	Support
10467-2x594	Landco Limited	Oppose

10916-4 Mark Hampson

Amend the plan to ensure that Vaughans Road is not a through road to development to the south.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10916-4x127	Royal Forest & Bird Protection Society	Support

That submission 10467-2 (supported by 10467-2x505 and opposed by 10467-2x594) and submission 10916-4 (supported by 10916-4x127) **be rejected** for the reason that deleting the connection between Vaughans road and other roads in the Structure Plan area would increase flows on other primary roads and would remove any direct access from the north, to the heart of the Structure Plan area.

10482-5 J Dye

Amend the plan so that there is no through road joining Ashley Avenue to Vaughans Road and to remove any road crossing of the Vaughans Stream

That submission 10482-5 **be rejected** for the reason that deleting the connection from Vaughans Road to Ashley Avenue and deleting bridges over Vaughans Stream would remove the link between Vaughans Road and Beach Road and would remove access to the Village Centre for areas south of the Vaughans Stream; restrict access to local services, shops and activities; and would not achieve the desired objective of creating an integrated community.

11.1.4. Access/Entrance to the Long Bay Regional Park

10467-7 Okura Residents and Ratepayers Association, Christina Howat

Object to a new vehicle "main entrance" to the Regional Park as any activity close to Vaughans Stream is undesirable.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10467-7x510	Royal Forest & Bird Protection Society	Support
10467-7x639	Landco Limited	Oppose

That submission 10467-7 (supported by 10467-7x510 and opposed by 10467-7x639) **be accepted in part** to the extent that the location of the new vehicle entrance to the north of the Regional Park

should provide good access connectivity between the village centre and Regional Park. Accordingly the new entrance is moved to the south side of the Vaughans Stream in conjunction with the relocation of the village centre. However this location is still in close proximity to the Vaughans Stream. This is considered to be a more suitable location than the access point to the Regional Park on the north side of the Vaughans Stream as this access can be achieved without having to cross the Vaughans Stream once inside the Regional Park.

10482-2 J Dye

Amend the plan to remove the proposed entrance to the Regional Park from Vaughans Road to possibly off Ashley Avenue.

That submission 10482-2 **be accepted in part** to the extent that the location of the new vehicle entrance to the north of the Regional Park should provide good access connectivity between the village centre and Regional Park. Accordingly the new entrance is moved to the south side of the Vaughans Stream in conjunction with the relocation of the village centre. This location is still accessible from Vaughan Road and from Ashley Avenue. Removing the link from Vaughans Road into the Structure plan area would not achieve the desired objective of creating an integrated community.

11.1.5. General Roading Issues

10435-23 Auckland Regional Council, Hugh Jarvis

That the NSCC include a location for the turning and termination of buses within the structure plan area. The location of this point should be in consultation with the Passenger Transport Manager, ARC.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-23x51	Royal Forest & Bird Protection Society	Support
10435-23x762	Landco Limited	Oppose

That submission 10435-23 (supported by 10435-23x51 and opposed by 10435-23x762) **be accepted in part** to the extent that provision for the turning and termination of buses should be provided for within the Structure Plan. However it is inappropriate to include this 'yet to be determined' location within the Structure Plan .

10470-3 Okura Estate Limited, David Hughes

Clarification whether building line restrictions form part of the proposed variation, if so then removal of these building lines as road widening should be undertaken on properties on the southern side of Vaughans Road.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10470-3x8	Keep Okura Green	Oppose

That submission 10470-3 (opposed by 10470-3x8) **be rejected** for the reason that building line restrictions on Vaughans Road are part of the existing building line rules of the District Plan and it is not appropriate to remove them as they may be necessary for the future widening of Vaughans Road.

10480-5 Olaf & Regina Jones

Request NSCC to put speed humps along the valley road.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10480-5x4	Keep Okura Green	Support
10480-5x111	Royal Forest & Bird Protection Society	Support

That submission 10480-5 (supported by 10480-5x4 and 10480-5x111) **be accepted in part** to the extent that the installation of traffic calming measures on Valley Road will reduce the potential for this route to be used as a "Rat Run" to access the Structure Plan Area, as opposed to using Beach Road. An additional sentence is added to policy 12 of (9A.3.5) 9A.3.4 to read as follows:

12. *Development is to provide a highly inter-connected secondary roading system so as to reduce trip distances and to improve local accessibility to schools, reserves, passenger transport services and the proposed village centre. The installation of traffic calming measures should be considered on secondary roads to reduce speeds and discourage these roads being used as through routes.*

10509-1 Paolo Delmonte

Oppose the use of Valley Road as the main route into Long Bay.

That submission 10509-1 **be accepted in part** to the extent that the road linking Ashley Avenue to Glenvar road (Valley Road) is not proposed as a main route into Long Bay Regional Park. This road (Valley Road) is defined as a collector road in the overall hierarchy of roads for the Structure Plan area. It is expected this road in combination with Vaughans Road, Awaruku, Stredwick and Glamorgan Roads will carry the 25% of traffic in and out of the Structure Plan area.

10510-2 John Baird

Provide more detail in the Plan Change on how traffic flows from the additional 1700 houses will be catered for on the roads outside the Plan Change area.

That submission 10510-2 **be rejected** for the reason that extensive traffic modelling of the future road networks has been undertaken and this is presented in City Design's report "Transport and Roding Assessment, Technical Report" dated May 2003. This includes a detailed analysis of road and intersection capacity for the Structure Plan roading network and adjoining roads.

10478-6 Colin Wells

Provide details on problems of access on individual properties that will be divided by a public road.

That submission 10478-6 **be rejected** for the reason that this matter is outside the scope of the Structure Plan.

12. OTHER MATTERS

12.1. Specific Submissions

12.1.1. General

10435-20 Auckland Regional Council, Hugh Jarvis

That the reference to the Long Bay ARC Regional Reserve be changed to Long Bay Regional Park .

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-20x759	Landco Limited	Oppose

That submission 10435-20 (opposed by 10435-20x759) **be accepted** for the reason that the Long Bay Regional Park is the name of the Auckland Regional Council park adjacent to the Long Bay Structure Plan area and any reference to the Park in the Plan uses the correct terminology.

10435-19 Auckland Regional Council, Hugh Jarvis

That the zoning of the new portion of Regional Parkland closest to Beach road be amended to a mixed Recreation 1 and 3 zoning to reflect its separate functions. The other new portion of parkland should be zoned Recreation 1.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-19x49	Royal Forest & Bird Protection Society	Support
10435-19x758	Landco Limited	Oppose

That submission 10435-19 (supported by 10435-19x49 and opposed by 10435-19x758) **be accepted** for the reason that the recently acquired flat portion of land in closest proximity to the main parking area in the Long Bay Regional Park has attributes that are more typical of the Recreation 3 zone than of the Recreation 1 zone in recognition of its proximity to the parking, barbecue and active recreation areas adjacent to the most frequently used part of the beach.

10443 - 2 William McCandless

Amend the plan to include more land use analysis background information and landscape assessment, engineering and archaeological assessment reports.

10443 - 3 William McCandless

Amend the plan to include details of consultation carried out with iwi, ARC, service providers and other adjoining local authorities.

That submissions 10443-2 and 10443-3 **be rejected** for the reason that the Structure Plan is not the appropriate place to provide all these background details as it would become unmanageable. The Section 32 report and background reports referred to therein contain detailed assessments of landscape, engineering and archaeological issues and consultation undertaken with iwi, ARC, service providers and adjoining local authorities.

10447 - 5 Barbara Scrivens

That NSCC lobby the ARC and Government for assistance to purchase the land for a great park.

That submission 10447-5 **be rejected** for the reason that this is not a matter which can be addressed in the Structure plan itself. Council has lobbied the ARC and the Government in the past to purchase additional land in the Long Bay area. The Government does not consider the matter to be of national importance. Council has recently purchased 38.4ha of park to the west of Long Bay Regional Park and the Auckland Regional Council purchased 5.89ha adjacent to the Long Bay Regional Park. Combined the Long Bay Reserve and Regional Park are approximately 152ha in size and this is considered to be a significant area of open space in the Long Bay area.

10450 - 30 Okura Environmental Group, Marilyn Riddell

Amend the plan to provide more effective implementation of principles defined in 17.5.6 (Additional Principles for Long Bay Structure Plan) of the District Plan.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-30x487	Royal Forest & Bird Protection Society	Support
10450-30x679	Landco Limited	Oppose

That submission 10450-30 (supported by 10450-30x487 and opposed by 10450-30x679) **be rejected** for the reason that the objectives and policies in the Structure Plan propose a variety of development types and densities that compliment the natural and physical constraints found in the area. The Structure Plan is explicit about the urban design and infrastructure outcomes expected from development in the area and does effectively support the principles defined in the District Plan for the Long Bay area.

10453-4 Sibilla Girardet

Revise the Plan to ensure environmental effects are avoided, minimised, remedied or mitigated.

Further Submission

10453-4x92

Further Submitter

Royal Forest & Bird Protection Society

Support/Oppose

Support

10499-4 Andreas Girardet

Revise the Plan to ensure environmental effects are avoided, minimised, remedied or mitigated.

That submissions 10453–4 and 10499–4 (supported by 10453-4x92) **be rejected** for the reason that sufficient consideration has been given to all the environmental effects of the planned development which is required by legislation. In this respect extensive land analysis studies and assessments were undertaken in the course of development of the Structure Plan. Also the objectives, policies and rules of the Structure Plan satisfy the appropriate tests defined under section 32 of the Resource Management Act, including the need to ensure environmental effects will be avoided, remedied or mitigated for the achievement of sustainable development in the Long Bay area.

10453 - 5 Sibilla Girardet

Ensure that information relating to the landscape assessment is reviewed independently.

10499 - 5 Andreas Girardet

Ensure that information relating to the landscape assessment is reviewed independently.

That submissions 10453-5 and 10499-5 **be rejected** for the reason that the landscape assessment of the Long Bay area was based on a landscape character approach, rather than a visual catchment approach favoured by the submitter. The landscape character approach considers a wide range of factors in determining sensitivity of the landscape to change. This landscape assessment was carried out by a specialist in the field and the assessments carried out in the 1995 LA4 assessment remain valid and as indicated by the study. Although no independent review was carried out other sections of the Structure Plan were peer reviewed by independent consultants during the plan preparation process. In addition extensive public consultation was carried out during the process. This was used to inform the approach taken to the planning of the area.

10453 - 6 Sibilla Girardet

Ensure any reviews are available for wide consultation

10499 - 6 Andreas Girardet

Ensure any reviews are available for wide consultation

That submissions 10453 -6 and 10499 -6 **be rejected** for the reason that all background information, including any reviews undertaken for the Structure Plan are available to the public and any other interested parties on request.

10458 - 2 Brett Christiansen

Reforest the area through a replanting programme.

That submission 10458 - 2 **be rejected** for the reason that the Long Bay area is one of the last greenfield areas in North Shore City. It is within the Metropolitan Urban Limits, as defined by the Auckland Regional Policy Statement and urban development has been provided for in this area through the Environment Court decision of 1996. The Structure Plan area will be developed for urban purposes where resources, including land and water will be used more sustainably than in other urban parts of the City. The natural environment will be protected and in places revegetation encouraged so that a liveable high quality urban area will be developed.

10463-2 Department of Conservation: Hugh Logan

A more design specific analysis be undertaken to assess the effects of the proposed development on the receiving environment prior to development commencing.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10463-2x684	Royal Forest & Bird Protection Society	Support
10463-2x783	Landco Limited	Support in Part

That submission 10463-2 (supported by 10463-2x684 and supported in part by 10463-2x783) **be rejected** for the reason that the responsibility to carry out a design specific analysis is the responsibility of the applicant for a resource consent. Such an application should include a site specific assessment of effects for a proposed development which should be included in the Assessment of Environmental Effects submitted with the application. It is the responsibility of the council to assess these effects as the consent authority and consideration should be taken of all the possible effects on the receiving environment. As noted by the Department of Conservation at the hearing the Structure Plan has taken a precautionary approach in developing the objectives policies and rules of the plan so that the possible effects of urban development on the area can be assessed.

10469 - 1 A M Reed

Make the area productive for e.g. a windfarm, sewage plant, desalination plant, industrial incinerators

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10469-1x13	Keep Okura Green	Oppose
10469-1x145	Royal Forest & Bird Protection Society	Oppose

That submission 10469-1 opposed by (10469-1x13 and 10469-1x145) **be rejected** for the reason that windfarms, sewage plants, desalination plants and industrial incinerators are not compatible with the vision for urban growth in the Long Bay area.

10478 - 3 Colin Wells

Provide more detail on the Landscape Protection Areas and clarify impact of these on landowner liability and abilities to subdivide and develop their land.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10478-3x106	Royal Forest & Bird Protection Society	Support

That submission 10478-3 (supported by 10478-3x106) **be rejected** for the reason that details on the Landscape Protection Areas are included in section 9A.4.5.8 (9A.4.5.4) which defines the requirements for sites that either contain or are linked to a Landscape Protection Area. The Explanation and Reasons define the purpose of such areas in the Structure Plan.

10478 - 5 Colin Wells

Provide more details of how infrastructure will be funded in the area west of Long Bay Primary School where landowners have no intention of developing their land.

That submission 10478-5 **be rejected** for the reason that Section 9A.3.5 of the Structure Plan provides mechanisms for funding infrastructure in the Long Bay area. The Explanation and Reasons explains how Council will fund development. Where landowners have no intention of developing their land and infrastructure is needed in these areas Council will fund this development but will recoup the costs of this investment over a long period of time as and when subdivision and development occurs in the area.

10485 - 1 T B Morris

Include provision in the plan for recycling, community solar panels, electric train line over the bridge to Orewa, sports oval or greenbelt at Torbay and more high rise.

That submission 10485 - 1 **be rejected** for the reason that the Structure Plan will provide for a high quality liveable environment and the submitters ideas are details of development that are either inappropriate or lie outside the scope of the Structure Plan process.

10486 - 4 Landco Limited, Neil Donnelly

Ensure adequate consultation with Landco, the major landowner.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-4x156	Okura Environmental Group	Oppose
10486-4x181	ECB Coastal Protection Soc Inc	Oppose
10486-4x518	LB-Okura Great Park Society	Oppose

That submission 10486 - 4 (opposed by 10486-4x156, 10486-4x181, 10486-4x518) **be rejected** for the reason that consultation with Landowners, including Landco occurred throughout the plan preparation process. Landco was a member of the steering committee in 2001 and 2002 and throughout the preparation of Variation 64 Council had regular discussions with Landco. After the notification of Variation 64 various discussions were held with Landco and its consultants, they also attended a meeting with landowners in the Long Bay area in 2003. Throughout the preparation of Variation 66 Landco was updated on progress made on the Structure Plan. Variation 66 was sent to Landco in advance of formal notification.

10487-36 North Shore City Council, Trevor Mackie

Amend the variation and plan change to change all references to the 'Code of Practice' to "Councils Infrastructure Design Manual or Long Bay Practice Notes".

Further Submission

10487-36x893

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10487-36 **be accepted** for the reason that there is no "Code of Practice". This has been replaced by the Long Bay Practice Notes and where relevant the Council "Infrastructure Design Standards Manual". Consequently all references in the Structure Plan to the 'Code of Practice' are changed to read "Long Bay Practice Notes" and where relevant "Councils Infrastructure Design Standards Manual".

10487-37 North Shore City Council, Trevor Mackie

Amend the variation and plan change to refer to all Type A Stream Protection Areas as Stream Protection Upper Catchment Areas, and all Type B Stream Protection Areas as Stream Protection Lower Catchment Areas.

Further Submission

10487-37x894

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10487-37 (opposed by 10487-37x894) **be accepted in part** to the extent that all references to "Type A Stream Protection Area" are amended to read "Stream Protection A area" or "SP-A" and all references to "Type B Stream Protection Area" are amended to read "Stream Protection B area" or "SP-B" in order to ensure greater consistency with Council's existing stormwater policy.

10500 - 3 Patricia Cheel

Ensure only sustainable solutions are used for sewerage, stormwater, roading, energy and buildings.

That submission 10500 - 3 **be accepted in part** to the extent that the objectives and policies of the Structure Plan set out a framework for the sustainable management of subdivision and development in the area. In particular there are objectives, policies and rules related to stormwater, infrastructure and urban design that embrace sustainable solutions that will ensure the high quality of the built environment in the Long Bay area. In addition a set of Practice Notes for Long Bay have been developed to guide developers on best practice solutions to use and as a means to comply with the development controls set out in the Structure Plan for the area. In response to other submissions a number of amendments have been made to the Structure Plan to clarify the framework for sustainable management of subdivision and development.

10515-1 J Crowe

Revise the Plan Change with respect to the rules relating to yard requirements, building coverage and impermeable surfaces in the Long Bay 1 zone to make them the same as those for the Long Bay 2 Zone.

That submission 10515-1 **be rejected** for the reason that the controls contained in the proposed Structure Plan in respect of yards, building coverage and impermeable areas for the Long Bay 2 zone are not suitable for land zoned Long Bay 1. Applying the Long Bay 2 zone rules to the Long Bay 1 zone would create the potential for significant adverse environmental effects.

10915 - 2 Ian Sage

Declare within the Structure Plan that the development and management of the future park be carried out jointly with NSCC and ARC.

That submission 10915 - 2 **be rejected** for the reason that while the two parks are owned separately by Council and the ARC and will offer different experiences to park users Council and the ARC will be working together to ensure that facilities such as walking tracks are aligned in the two parks.

10918 - 9 Kurt & Carol Marquart

Provide a rule that limits sign heights.

That submission 10918-9 **be rejected** for the reason that the height of signs is already limited through the Structure Plan. Section 13 of the District Plan contains rules in respect of the height, design and location of signs. This section is amended by the Structure Plan to ensure that signs in the Long Bay 1 to 4 zones are considered in the same way as in the City's general residential zones, and that signs in the Long Bay 5 zone are treated in the same way as signs in the Business 1 to 6 zones.

12.1.2. Mapping

10435 - 8 Auckland Regional Council, Hugh Jarvis

That the variation maps include delineation of stream and floodplain extent and include 50 year and 100 year floodplains, freshwater and tidally influenced portions and Category 1 streams.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-8x41	Royal Forest & Bird Protection Society	Support
10435-8x747	Landco Limited	Oppose

10435 - 10 Auckland Regional Council, Hugh Jarvis

Include in the variation maps the existing locations and types of fish passage and barriers within the catchments.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-10x28	Department Of Conservation	Support
10435-10x43	Royal Forest & Bird Protection Society	Support
10435-10x749	Landco Limited	Oppose

That submission 10435-8 (supported by 10435-8x41 and opposed by 10435-8x747) and submission 10435-10 (supported by 10435-10x28 and 10435-10x43 and opposed by 10435-10x749) **be rejected** for the reason that such information is held within Councils GIS database, background information for the Long Bay project and the Integrated Catchment Management Plan and can be requested when required. The clarity of understanding of the variation maps would be compromised if too much information is included on them.

10435 - 9 Auckland Regional Council, Hugh Jarvis

A more detailed map to show how ponds and constructed wetlands are located off-line and out of floodplains.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-9x42	Royal Forest & Bird Protection Society	Support
10435-9x748	Landco Limited	Oppose

That submission 10435-9 (supported by 10435-9x42 and opposed by 10435-9x748) **be rejected** for the reason that it is inappropriate to provide detailed maps in the Structure Plan of the exact location of ponds and wetlands until such time as further development takes place within the area. Also, the Long Bay 6 zone will provide for stormwater management facilities and these will be designed to ensure that the stream environment and riparian margins are protected from development. The Long Bay Catchment Management Plan, August 2003 contains maps showing the proposed locations of the ponds and wetlands and also preliminary drawings of these.

10435 - 17 Auckland Regional Council, Hugh Jarvis

That a concept plan be prepared for the village green to ensure it is a focus for social and community activities and interaction as intended.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10435-17x134	Royal Forest & Bird Protection Society	Oppose
10435-17x756	Landco Limited	Oppose

That submission 10435-17 (opposed by 10435-17x134 and 10435-17x756) **be rejected** for the reason that the proposed village green has been reserved as an open space to be used as a focus for social and community interaction and activities once the urban village and centre are in place. It is inappropriate to pre-empt the type of activities that may develop once the village centre and associated developments are in place in the Structure Plan.

10438 - 9 Royal Forest & Bird Protection Society, J A Lewis

Develop a Constraints map and include area of unstable slopes, erosion prone areas and significant landforms which should be kept free of earthworks.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10438-9x606	Landco Limited	Oppose

That submission 10438 - 9 (opposed by 10438-9x606) **be rejected** for the reason that such information is held within Council's database of background information for the Long Bay project. The zonings, overlay areas and reserves defined within the Structure Plan are sympathetic to such constraints.

10521 - 2 Ron Cossins

Provide contours on the Plan Change maps

That submission 10521-2 **be rejected** for the reason that Councils GIS database contains contour mapping for the Long Bay area and for the Structure Plan. The clarity of understanding of the Structure Plan maps would be compromised if contour information is included on them.

12.1.3. Monitoring

10449 - 5 LB-Okura Great Park Society, David Gatward

Yearlong water quality studies for getting baseline.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10449-5x165	Katavich, Anthony	Support
10449-5x445	Royal Forest & Bird Protection Society	Support
10449-5x312	LB-Okura Great Park Society	Support
10449-5x769	Landco Limited	Oppose

10449-6 LB-Okura Great Park Society, David Gatward

Revise the plan to include an undertaking that water quality in all streams will be improved in relation to an established state of water quality over a period of time.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10449-6x166	Katavich, Anthony	Support
10449-6x313	LB-Okura Great Park Society	Support
10449-6x446	Royal Forest & Bird Protection Society	Support
10449-6x770	Landco Limited	Oppose

10441 - 3 Residents Action Movement (RAM), Elaine West

Studies be undertaken of current state of water quality in all streams in Long Bay catchment to establish a base line.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10441-3x56	Royal Forest & Bird Protection Society	Support
10441-3x304	LB-Okura Great Park Society	Support
10441-3x634	Landco Limited	Oppose

10448 - 3 Residents Action Movement (RAM), J V Bell

Studies be undertaken of current state of water quality in all streams in Long Bay catchment to establish a base line.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10448-3x62	Royal Forest & Bird Protection Society	Support
10448-3x646	Landco Limited	Oppose

10488 - 2 Nicholas File

Revise the Structure plan to improve the water quality of all streams in the long Bay area after having established a baseline for the current water quality in all the streams of the Long Bay catchment

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10488-2x24	Department Of Conservation	Support in Part

10517 - 3 Residents Action Movement (RAM), Fiona Angus

Studies be undertaken of current state of water quality in all streams in long Bay catchment to establish a base line.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10517-3x68	Royal Forest & Bird Protection Society	Support
10517-3x736	Landco Limited	Oppose

That submissions 10449-5 (supported by 10449-5x165, 10449-5x445, 10449-5x312 and opposed by 10449-5x769), 10449-6 (supported by 10449-6x166, 10449-6x313, 10449-6x446 and opposed by 10449-6x770), 10441-3, (supported by 10441-3x56, 10441-3x304, 10448-3x62 and opposed by 10441-3x634), 10448-3 (supported by 10448-3x62 and opposed by 10448-3x646), 10488-2 (supported in part by 10488-2x24) and 10517-3 (supported by 10517-3x68, and opposed by 10517-3x736) **be rejected** for the reason that the baseline data established to date is considered to be adequate for purposes of monitoring the effects of development in the catchment. It is anticipated that the objectives, policies and rules contained in the Structure Plan, supported by the Long Bay Practice Notes, will result in the net water quality and ecological health of the streams in the Structure Plan area and the Marine Reserve being enhanced over time. However there are no changes to the Structure plan arising from these submissions.

10468 - 5 Harry Duncan

Introduce a bond payment for developers against non-compliance and poor standard.

That submission 10468 - 5 **be rejected** for the reason that bonds are used by Council in accordance with s108 of the RMA and are used where possible to enforce conditions of consent on resource consent applications.

10504 – 3 David Johnston

Amend the Plan Change so the wetlands area around the Vaughans Stream is increased.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10504 -3x118	Royal Forest & Bird Protection Society	Support

That submission 10504-3 (supported by 10504-3x118) **be rejected** for the reason that the existing wetland areas around the Vaughans Stream, appropriate riparian margins and areas suitable for rehabilitation have been identified and protected by zoning as Stormwater Management (Long Bay 6 Zone), reserve or as Landscape Protection Areas. In addition, it is proposed to construct off-line wetland ponds in suitable locations in the Type B Stream Protection area, which will increase the total area of wetlands.

10450 - 31 Okura Environmental Group, Marilyn Riddell

Provide in the Plan Change for the drawing up of a "Heads of Agreement" between North Shore City Council and Auckland Regional Council.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-31x488	Royal Forest & Bird Protection Society	Support
10450-31x680	Landco Limited	Oppose

10436 – 9 ECB Coastal Protection Society Inc, Robert White

That a "Heads of Agreement " be drawn up between the Council and ARC and be referred to in the Plan Change.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-9x373	Royal Forest & Bird Protection Society	Support
10436-9x592	Landco Limited	Oppose

That submissions 10450-31 (supported by 10450-31x88 and opposed by 10450-31x680) and 10436-9 (supported by 10436-9x373 and opposed by 10436-9x592) **be rejected** for the reason that, unlike the Okura catchment, Long Bay falls under the jurisdiction of only one District Council. As such there is far less potential for ambiguity and split responsibilities. Existing legislation clearly spells out the respective responsibilities of the ARC and the Council so a "Heads of Agreement" is not considered to be necessary.

10472 - 1 Auckland Conservation Board, Paddy Stafford-Bush

Amend plan to include monitoring provisions to prevent cumulative adverse effects on water quality and the marine reserve.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10472-1x33	Department Of Conservation	Support
10472-1x98	Royal Forest & Bird Protection Society	Support

10445 - 10 B G Stanley

Amend the plan to indicate how monitoring of development will take place.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10445-10x88	Royal Forest & Bird Protection Society	Support

That submissions 10472 –1 (supported by 10472-1x33 and 10472-1x98) and 10445 –10 (supported by 10445-10x88) **be rejected** for the reason that while monitoring is an important element of development in the Long Bay area monitoring provisions per se do not belong within the Structure Plan and are adequately covered by Council's existing statutory powers, processes and well-established mechanisms through the resource consent process for monitoring development.

10462 - 3 Peter Nagels

Consent management and monitoring must be carried out by engineers experienced in sustainable systems and technologies

That submission 10462 - 3 **be rejected** for the reason that appropriate skills of engineers and planners is not a Structure Plan matter. Council staff familiar with the special requirements of the Structure Plan will handle most Long Bay consents. Likewise it is envisaged that suitably trained staff will facilitate the range of monitoring and public education efforts that will be required of Council to ensure successful outcomes of development in the Structure Plan area.

10462 - 4 Peter Nagels

Introduce mechanisms within the Plan Change to deal with non-compliance by developers with stormwater rules, objectives and policies of the Plan

That submission 10462 - 4 **be rejected** for the reason that the provision of mechanisms to deal with non-compliance of developers with the controls set by the Structure Plan, do not belong within the Structure Plan. This is adequately covered by Council's existing statutory powers, processes and well-established mechanisms to deal with non-compliance issues. It is considered that a combination of well written consent conditions, education and vigorous and pro-active compliance monitoring and enforcement will assist with the regulation of possible non compliance by developers in the Long Bay area.

10436 - 8 ECB Coastal Protection Society Inc, Robert White

Include details of an ongoing monitoring programme in the Plan Change and recognition of the need for remedial programmers if development in Long Bay adversely affects the aquatic biota or ecology.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-8x372	Royal Forest & Bird Protection Society	Support
10436-8x591	Landco Limited	Support

That submission 10436-8 (supported by 10436-8x372 and 10436-8x591) **be rejected** for the reason that while Council recognises the importance of monitoring the effects of development on the natural environment in the Long Bay area and the need to take remedial action if necessary it is not appropriate to include details of ongoing monitoring programmes in the Structure Plan. However, statutory responsibilities of the ARC and Council for monitoring are set out in Sections 30 and 31 of the RMA and will be addressed in detail through conditions on resource consents and via the "Public Stormwater and Wastewater Network Consent" application currently being negotiated between the ARC and Council.

10462 - 1 Peter Nagels

Establish a Clean Catchment Policy that ensures careful ownership through Council guidance.

That submission 10462-1 **be rejected** for the reason that general education issues such as "sustainable" behaviour and protecting water systems will be pursued as part of the overall development strategy for Long Bay as well as ongoing education, monitoring and enforcement

initiatives by Council but that the establishment of such a policy is outside the framework of the Structure Plan.

10436 - 43 ECB Coastal Protection Society Inc, Robert White

Provide guidance in the plan on the mechanisms that will be put in place to ensure proper maintenance and cleaning of raintanks.

Further Submission

10436-43x407

10436-43x824

Further Submitter

Royal Forest & Bird Protection Society

Landco Limited

Support/Oppose

Support

Oppose

That submission 10436-43 (supported by 10436-43x407 and opposed by 10436-43x824) **be rejected** for the reason that Sections 9A.4.5.7 (9A.4.5.3) and 17B.6.1.9 (17B.6.1.10) of the Structure Plan require the registration of covenants or consent notices against titles as ongoing conditions of consent requiring private property owners to clean and maintain all on-site infrastructure. Council's Stormwater Management Bylaw supports this requirement.

10443 - 7 William McCandless

Amend the plan to include a reference to the registering of covenants on property titles for fencing and pest control measures, as it is impossible to monitor these.

That submission 10443-7 **be accepted in part** to the extent that covenants are provided for by the RMA as a means of setting conditions of consent that have to be complied with on an enduring basis by all future property owners and the Structure Plan has policies and rules that require the registration of covenants for protection of bush areas. The covenant will provide a measure for future monitoring of the protected bush area. However it is considered that all covenants should be approved by Council to provide greater control over the content of covenants registered on titles and to provide Council with measures to monitor these with.

Accordingly section 9A.7.2.3 (9A.7.2.7) Landscape Protection Area is amended as follows:

1. *Subdivision of Sites Containing Landscape Protection (Conservation) Areas*
 - a) *The design of the subdivision should provide for the protection of the entire area of Landscape Protection (Conservation) Area by way of a covenant in perpetuity, or similar mechanism approved by Council.*
 - b) *The subdivision should provide for the ongoing ownership, management and maintenance of land within the Landscape Protection (Conservation) Area by methods approved by Council.*
2. *Planting of Landscape Protection (Enhancement) and (Ecological/Stormwater) Areas*
 - k) *Appropriate ownership mechanisms should be set up which ensure the ongoing protection and maintenance of the Landscape Protection (Enhancement) area as approved by Council.*

10511 - 1 Vanessa Pridham

Ensure functioning wetlands are incorporated in the plan for filtering of stormwater.

That submission 10511-1 **be rejected** for the reason that protection of existing wetlands and construction of off-line wetland ponds is provided for by the Structure Plan.

12.1.4. Specific Objectives, Policies and Rules

Section 9A Subdivision and Development

Section 9A.3.1 Integrated and Sustainable Development

10437 - 1 Ian Munro

Amend Objective 9A.3.1 (Integrated and Sustainable Development) policy 1 to add word "*relevant*" before the words "*..objectives and policies*" in first sentence.

That submission 10437 - 1 **be rejected** for the reason that for the achievement of integrated and sustainable development in the Long Bay area it is necessary and relevant to consider all the objectives and policies in these chapters.

10487-1 North Shore City Council, Trevor Mackie

Insert the following text in the Explanations and Reasons under either Section 9A.3.1(Integrated and Sustainable Development or 9A.3.2 (Natural Environment):

“It is recognized that complying with more general guidelines regarding stormwater management is not sufficient to protect and enhance the very sensitive receiving water environments of Vaughans Stream, Awaruku Stream and the Marine Reserve. A precautionary approach has therefore been adopted, resulting in more stringent requirements (compared to those in the District Plan for other parts of the city, and the Regional Council's requirements) based on proven principles.”

Further Submission

10487-1x858

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10487-1 (opposed by 10487-1x858) **be accepted** for the reason that it adds clarity to the type of approach being adopted within the Structure Plan in relation to stormwater management.

The following wording is included in the Explanation and Reasons section of 9A.3.2 (Natural Environment):

It is recognized that complying with more general guidelines regarding stormwater management is not sufficient to protect and enhance the very sensitive receiving water environments of Vaughans Stream, Awaruku Stream and the Marine Reserve. A precautionary approach has therefore been adopted, resulting in more stringent requirements (compared to those in the District Plan for other parts of the city, and the Regional Council's requirements).

Section 9A.3.3 Landscape and Landforms

10436-14 ECB Coastal Protection Society Inc, Robert White

Correct 9A3.3 (Landscape and Landforms) Methods, which refers to policies 1-6 but only 5 are listed.

Further Submission

10436-14x378

10436-14x795

Further Submitter

Royal Forest & Bird Protection Society

Landco Limited

Support/Oppose

Support

Oppose

10487-2 North Shore City Council, Trevor Mackie

Correct the wording under the 'Methods' section of 9A.3.3 (Landscape and Landforms)to say "policies 1 to 5 will be implemented by the rules".

Further Submission

10487-2x859

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submissions 10436-14 (supported by 10436-14x378 and opposed by 10436-14x795) and 10487-2 (opposed by 10487-2x859) **be accepted in part** to the extent that there is an editing error in the section in the notified version of the Structure Plan as only 5 policies are listed in section 9A.3.3 of the Plan. However the Commissioners have made changes to section 9A.3.3 to respond to submissions relating to Landscape and Landform and Policy 5 has been combined with policy 6 in section 9A.3.4 (9A.3.5). Therefore the 'Methods' section states the following:

Methods

Policies 1 to 4 will be implemented by rules.

Section 9A.3.4 Urban Form and Design

10487 – 3 North Shore City Council, Trevor Mackie

Amend 9A.3.4 (Urban Form and Design), Policy 7 as follows: "Development is to set aside stormwater ponds/wetlands and flood plain areas for stormwater treatment and drainage (not open space) purposes separate to any requirements for recreation and/or open space purposes."

Further Submission

10487-3x860

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10487 - 3 (opposed by 10487-3x860) **be accepted** for the reason that the proposed rewording of the sentence clarifies the intent that drainage reserves will not normally be considered as

fulfillment of 'reserve contribution' obligations. Policy 7 of section 9A.3.4 (9A.3.5) is reworded as follows:

Development is to ~~set aside~~ ensure provision of stormwater ponds/wetlands and flood plain areas in suitable locations for stormwater treatment and drainage (not open space) purposes separate to any requirements for recreation and/or open space purposes.

Section 9A.4.1 Classification of Activities

10436-20 ECB Coastal Protection Society Inc, Robert White

Correct 9A.4.1.1 (Permitted Activities) part a) where the 'h' should be i).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-20x384	Royal Forest & Bird Protection Society	Support
10436-20x801	Landco Limited	Oppose

That submission 10436-20 (supported by 10436-20x384 and opposed by 10436-20x801 **be accepted** for the reason that this is a typing error that must be corrected.

10436 - 23 ECB Coastal Protection Society Inc, Robert White

Amend 9A.4.1.1 (Permitted Activities) part d), as all network utilities should be underground.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-23x387	Royal Forest & Bird Protection Society	Support
10436-23x804	Landco Limited	Oppose

That submission 10436 - 23 (supported by 10436-23x387 and opposed by 10436-23x804) **be rejected** for the reason that part d) of 9A.4.1.1 links the provisions of the District Plan to those of the Structure Plan to ensure consistency in the type of siteworks for network utility services that are permitted by these plans. The District Plan does not require that all network utilities be underground but does encourage this where feasible. In most case new subdivisions require the undergrounding of network utilities as a condition of consent

10438 - 18 Royal Forest & Bird Protection Society, J A Lewis

Amend 9A.4.1 (Classification of Activities) to include prohibited activities.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10438-18x615	Landco Limited	Oppose

That submission 10438-18 (opposed by 10438-18x615) **be rejected** for the reason that prohibited activity status is considered an extreme measure and it is inappropriate to include such an activity status in the Structure Plan. Other than site works which expose up to 300m² of bare earth or other siteworks already permitted for the purpose suggested by the submitter through the District Plan, all development will be assessed through limited discretionary, discretionary and non complying activity applications so that the potential effect can be assessed and conditions placed on the developments (if approved) so adverse effects can be avoided, remedied or mitigated.

10450 - 25 Okura Environmental Group, Marilyn Riddell

Amend 9A.4.1 (Classification of Activities) to include prohibited activities to include among others no site works on Protected areas.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10450-25x482	Royal Forest & Bird Protection Society	Support
10450-25x674	Landco Limited	Oppose

That submission 10450 - 25 (supported by 10450-25x482 and opposed by 10450-25x874) **be rejected** for the reason that prohibited activity status is considered an extreme measure and it is inappropriate to include such an activity status in the Structure Plan. Other than site works which expose up to 300m² of bare earth or other siteworks already permitted for the purpose suggested by the submitter through the District Plan, all development will be assessed through limited discretionary, discretionary and non complying activity applications so that the potential effect can be assessed and conditions placed on the developments (if approved) so adverse effects can be avoided, remedied or mitigated.

10452 - 7 Keep Okura Green, David Johnston

Replace 9A.4.1.2 (Controlled Activities), 9A.4.1.3 (Limited Discretionary Activities), 9A.4.1.4 (Discretionary Activities) and 9A.4.1.5 (Non Complying Activities) so that all activities currently not permitted will be prohibited.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10452-7x495	Royal Forest & Bird Protection Society	Support
10452-7x572	Landco Limited	Oppose

That submission 10452 - 7 (supported by 10452-7x495 and opposed by 10452-7x572) **be rejected** because section 5(2)(c) Section 32 and section 77A of the Resource Management Act 1991 require the council to have regard to the actual and potential effects of development when making rules. Accordingly it is appropriate for activities to be dealt with by way of a resource consent, where they are not permitted, so that any potential adverse effects of a proposal can be avoided remedied or mitigated.

10436 - 21 ECB Coastal Protection Society Inc, Robert White

Change 9A.4.1.1. (Permitted Activities) part ii) from 5m to 10m; and add to parts iv) through to viii) "or within 10metres of such a zone in each case".

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-21x385	Royal Forest & Bird Protection Society	Support
10436-21x802	Landco Limited	Oppose

10436 - 24 ECB Coastal Protection Society Inc, Robert White

Amend 9A.4.1.4 (Discretionary Activities) part a) iii), this should read less than 10m; and part e) "Stormwater treatment ponds" needs more explanation

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-24x388	Royal Forest & Bird Protection Society	Support
10436-24x805	Landco Limited	Oppose

That submission 10436 –21(supported by 10436-21x385 and opposed by 10436-21x802) and 10436-24 (supported by 10436-24x388 and opposed by 10436-24x805) **be rejected** for the reason that 9A.4.1.1 parts ii) and iv) and v) and 9A.4.1.4 a) iii) are consistent with Rule 9.4.1.1 and 9.4.1.4 (Discretionary Activities) of the District Plan and these rules have been tested over time and there have been no known adverse issues with the implementation of these parts of the Plan. The addition of a 10 metre control to vi)-viii) of 9A.4.1.1 is not required as the extent of land needed for stormwater management zones and landscape protection areas have been identified on the Structure Plan maps. Also the addition of further explanation to part e) of 9A.4.1.4 is not appropriate in this section of the Plan.

10463 - 3 Department Of Conservation, Hugh Logan

Amend 9A.4.1.4.(e) (Discretionary Activities) to give all stormwater treatment mechanisms a discretionary status.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10463-3x685	Royal Forest & Bird Protection Society	Support
10463-3x784	Landco Limited	Oppose

That submission 10463 - 3 (supported by 10483-3x685 and opposed by 10483-3x784) **be rejected** for the reason that it is unnecessary to require discretionary activity applications for devices such as rain gardens, swales and other stormwater devices as they are considered part of the toolbox used for treating stormwater on site and should be encouraged where possible in all developments.

10486-12 Landco Limited : Neil Donnelly

Replace the following with the replacement plan: 9A.4.1 (Classification of Activities) up to 9A.4.1.5; and 9A.4.2 (Notification) and 9A.4.4 (General Subdivision Standards) and 9A.4.4.2 (Subdivision of Sites with Two or more Zones).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-12x189	ECB Coastal Protection Soc Inc	Oppose
10486-12x526	LB-Okura Great Park Society	Oppose
10486-12x695	Okura Environmental Group	Oppose

That submission 10486-12 (opposed by 10486-12x189, 10486-12x526 and 10486-12x695) **be rejected** for the reason that the subdivision and development rules of the Structure Plan relating to the classification of activities, notification, general subdivision standards and subdivision of sites with two or more zones are integral to the document, and their replacement with the submitter's version of

the rules would not provide adequate protection of the environmental values associated with the Structure Plan area, or enable an appropriate level of assessment of subdivision proposals.

Section 9A.4.2 Notification

10452-8 Keep Okura Green, David Johnston

Delete 9A.4.2 (Notification) and replace with all non complying activities will be notified.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10452-8x496	Royal Forest & Bird Protection Society	Support
10452-8x573	Landco Limited	Oppose

That submission 10452-8 (supported by 10452-8x496 and opposed by 10452-8x573) **be rejected** for the reasons that the Resource Management Act 1991 does not allow district plans to contain such a rule.

Section 9A.4.5 General Subdivision Standards

10437 - 29 Ian Munro

To amend Rule 9A.4.5 (General Subdivision Standards) and 9A.4.5.1(Compliance), to change the following into assessment criteria rather than rules: Rule 9A.4.5.3 (Preferred Roads); Rule 9A.4.5.4 (On street Parking); Rule 9A.4.5.5 (Cycle and Pedestrian only routes); Rule 9A.4.5.6 (Proposed Reserves).

That submission 10437-29 **be accepted** for the reason that the rules referred to in the submission would more appropriately be expressed as assessment criteria as there may be situations where greater flexibility is justified, particularly in the case of on street parking for minor subdivision proposals. Also as all subdivision in the Structure Plan area are a discretionary activity the location and design of any local roads (preferred roads), on-street parking, pedestrian and cycle routes and reserves can be considered through assessment criteria at this stage.

Accordingly sections 9A.4.5.3, 9A.4.5.5 and 9A.4.5.6 are redrafted and moved to section 9A.7.2 Additional Assessment Criteria for Discretionary Activities, with some of the explanations and reasons being included under the Explanation and Reasons of section 9A.3.4 (9A.3.5) Urban Form and Design. In addition some of the assessment criteria under section 9A.7.3.2 Subdivision in the Long Bay 2 Zone; Suburban neighbourhood, Long Bay 3 Zone; Urban Neighbourhood and Long Bay 4 Zone: Urban Village relating to proposed roads (9A.7.3.2 part 1), preferred roads (9A.7.3.2 part 2), Pedestrian and cycle only routes (9A.7.3.2. part 4) and proposed reserves (9A.7.2.3 part 5) are moved and added into section 9A.7.2 to ensure clarity of understanding of the Assessment Criteria. A cross reference will be added to section 9A.4.5.2 Proposed Roads where it is proposed to alter the alignment or design of a proposed Road. Section 9A.4.5.4(on-street parking) will be moved to 9A.7.3.2 Additional Assessment Criteria for the Long Bay 2,3 and 4 zones.

Section 9A.3.4 (9A.3.5) Urban Form and Design Explanation and Reasons is amended as follows:

Roading, lot layout and building design are all integral components of successful urban areas. The proposed road network seeks to create an inter-connected network of roads which helps to provide good accessibility to local activities like the schools, reserves and the village centre. The road network also helps to define the various precincts within the Structure Plan area. Roads in the Structure Plan area need to be designed to meet a range of transport, amenity and stormwater objectives. These objectives recognise that roads are one of the more important public spaces within residential areas, and can, if appropriately designed and located add considerable amenity value to subdivision.

Local roads, referred to as 'preferred roads', have been designed to achieve a high degree of permeability through the area, allowing for safe and convenient access for both vehicles and pedestrians. A 'connected roading' system has been adopted wherever practicable in order to maximise the number of connections between different parts of the neighbourhood, provide street frontage to reserves (increasing their visibility) and to ensure a positive relationship between houses and the street. Where houses back on to or side on to streets, a strong and attractive neighbourhood character is very difficult to achieve. Ensuring an

appropriate block depth (i.e. the distance between two roughly parallel roads) at the subdivision stage is considered to be a critical factor for ensuring that a high standard of urban design is achieved within the area.

While vital in terms of achieving a high standard of urban design and maximising the potential for back to back lots fronting streets, it is acknowledged that alternative alignments may be able to achieve a similar outcome. A reasonable degree of flexibility has therefore been provided in terms of the precise location of the 'preferred roads'. The Council will however place a great degree of importance on achieving a highly connected roading network within Long Bay 2 and 3 zones, and the creation of lots that are conducive to good urban design outcomes, with houses fronting on to rather than backing on to or being side on to the street.

Additional reserve land in the Long Bay area is needed to provide for the future recreational needs of the community. The proposed reserves can also help extend and improve the range of recreational opportunities available in the area for regional visitors. In particular is the potential to link future development with the Regional Park through a main reserve spine.

Providing high quality, well-located recreation areas is considered to be a fundamental component of the development of the Structure Plan area. The Proposed Reserves/Recreation Zones identified in the Plan maps have been carefully defined in order to provide a balance between different recreation and open space needs, and to assist in the maintenance and enhancement of the ecology of Vaughans Stream. Recreation areas have also been identified in locations that will enhance ease of movement through the area. With respect to the flatter areas of reserve identified in the lower catchment, it is expected that these areas will meet the active recreational needs of the area's residents. A substantial reserve has been identified in the vicinity of the Long Bay 4 and 5 zones in recognition of the focus of medium and higher density housing in this area. This area will provide a 'village green' environment at the heart of the Structure Plan area. This reserve and others adjoining the main stream corridor will need to be integrated in their design with the ponds and other stormwater treatment devices to be located in the Long Bay 6, Stormwater Management Zone.

Some flexibility is provided in terms of the exact size and location of the Proposed Reserves in recognition of changes that may occur to the landform as a result of bulk earthworks at the time of subdivision. Should it be proposed that the reserves be substantially altered in terms of size or location, the Council would expect that they retain a high visual profile (in the case of reserves in proximity to the Long Bay 2 zone: Suburban Neighbourhood, Long Bay 3 zone: Urban Neighbourhood and Long Bay 4 zone: Urban Village) and that the recreational needs of the area's residents would be satisfied.

The proposed neighbourhood parks are designed to provide a focus for their immediate residential communities and are designed to link - via both walkways and roads - with local schools, the village green / Vaughans Stream corridor, Regional Park and village centre. They are located so as to offer viewpoints up and down, or over the valley, as well as to both the Regional Park and Hauraki Gulf. They would incorporate playground facilities for children, and areas for sitting and picnicking.

Section 9A.7.2 Assessment Criteria for Discretionary Activities is amended as follows:

9A.7.2.2 Proposed Roads

Where Proposed Roads are not provided in accordance with the alignments and design standards specified in Section 9A.4.5, the following assessment criteria should apply:

- a) Whether an alternative alignment will better serve the area, while still ensuring that the proposed road provides the same function as that intended in the Structure Plan. That is, the alternative roads provide the same level of connectivity between land uses as that shown on the Plan maps, while meeting transport efficiency and safety standards.
- b) The design of the road achieves a high standard of amenity, in particular through the provision of appropriately designed footpaths, cycleways, berms and street trees.
- c) The design of the road achieves appropriate mitigation of stormwater and the integration of devices for this mitigation with driveways, parking areas, utility space, and pedestrian and vehicle movement
- d) Stormwater treatment devices, utilising the best practicable option, shall be provided to mitigate within the road reserve, the majority of stormwater generated by the road. The best practicable option shall include the following:
 - I. rain gardens, biofiltration trenches and pervious paving for shallow grades less than 5% parallel to the roadway.
 - II. Inclusion of check dams and other flow control methods with rain gardens, biofiltration trenches and pervious paving for grades between 5% and 8%.
 - III. Off-line treatment for grades greater than 8%.
- e) The roads should be located so that the majority of public network infrastructure (water, wastewater, stormwater pipes) can be accommodated within the road reserve. Where this cannot be achieved, then access to this infrastructure should be protected through an easement, covenant or similar.

9A. 7.2.3 Preferred Roads

a) Alignment

The Preferred roads shown in the Plan maps should be provided generally in accordance with the alignments shown. For the purpose of this rule, generally in accordance means compliance with all of the following:

- i) The Preferred road connects with the Proposed road within 20 metres of the location shown.
- ii) The road is maintained as a through road where this is shown.
- iii) The road continues to provide frontage to reserves where this is shown.
- iv) The block created by the street is of sufficient depth to accommodate the minimum and maximum lot sizes and dimensions of the relevant zone, without creating the need for rear lots in the Long Bay 3 and 4 zones.

b) Design Standards

Preferred roads should be constructed in accordance with the standards below. Compliance with the typical road cross-sections and specifications set out in the Long Bay Practice Notes shall be deemed to satisfy these standards. The widths of roads should be as set out in Appendix 10 to the Plan maps.

- i) All Preferred Roads should have a design speed of 30 to 40km/hr.
- ii) All Preferred Roads should be designed to enable cyclists and vehicles to safely share the same carriageway.
- iii) On-street parking should be provided to satisfy the on-street parking requirements.
- iv) Street trees, to include groves of trees, should be provided on both sides of the road at intervals no greater than 15 metres.
- v) Grass berms of at least 1.5 metres in width should be provided along both sides of the road.

- vi) Footpaths of at least 1.4 metres in width should be provided along both sides of the road.
 - vii) Stormwater treatment devices, utilising the best practical option, should be provided to mitigate within the road reserve, the majority of stormwater generated by the road. The best practical option should include of the following:
 - rain gardens, biofiltration trenches and permeable paving for shallow grades less than 5% parallel to the roadway.
 - Inclusion of check dams and other flow control methods with rain gardens, , biofiltration trenches and permeable paving for grades between 5% and 8%.
 - Offline treatment for grades greater than 8%.
 - viii) Driveways and vehicle crossings should be located so that they integrate with on-road stormwater treatment devices and on-street vehicle parking areas.
- c) Alternative Alignments or Designs

Where the alignments or design of Preferred Roads do not meet the above criteria, the following should apply:

- a) A high degree of connectivity should be achieved within the land to be subdivided and within the Structure Plan area as a whole. Block (i.e. the distance between intersections) should be designed to facilitate safe and efficient movement around the neighbourhood by foot, cycle, bus and car to schools, reserves, community facilities and passenger transport routes. Culs-de-sac should only be incorporated into the design of the subdivision where it is impractical for reasons of topography, streams, natural features or traffic safety standards eliminate the ability to have a connected public street network.
- b) Road layouts should ensure that most, if not all, development has the ability to front a street (there should be limited use of rear lots in the Long Bay 2 zone and no rear lots in the Long Bay 3 and 4 zones).
- c) Blocks should provide sites with dimensions that ensure subsequent development has the opportunity to provide good on-site privacy and amenity and a positive relationship to the street. In the Long Bay 3 zone, block depths should be between 40 and 55 metres (i.e. about 60 to 75 metres road centre line to centre line) and no more than 200m long. In the Long Bay 2 zone, block depths should be between 50 and 70 metres. In the Long Bay 1 zone, roading should be minimised (i.e. limited to that shown on the Plan maps).
- d) The altered road alignment should create logical boundaries between zones. Blocks created by streets should provide for zone boundaries to run between the backs of properties or along street frontages. In general, lots should not be split by zones (see Rule 9A.4.5 for minor changes to zone boundaries).
- e) The overall street layout should be designed to give maximum frontage possible to reserves with a community and neighbourhood function.
- f) Streets should be designed to ensure linkages with future streets on adjoining land.
- g) The design of the road still achieves appropriate mitigation of stormwater and the integration of devices for this mitigation with driveways, parking areas, utility space, and pedestrian and vehicle movement.
- h) The design of the road achieves a high standard of amenity, in particular through the provision of appropriately designed or selected footpaths, berms and street trees.
- i) The roads should be located so that the majority of public network infrastructure (water, wastewater, stormwater pipes) can be accommodated within the road reserve. Where this cannot be achieved, then access to this infrastructure should be protected through an easement, covenant or similar.

9A.7.2.4 Cycle and Pedestrian Only Routes

a) Preferred Location and Design

Cycle and pedestrian only routes shown in the Appendix 10 to the Plan maps should be provided and designed to comply with the following:

- i) They should be illuminated at night.
- ii) They should have a minimum width of 5 metres.
- iii) They should be landscaped to ensure that stormwater generated from paths can be mitigated.

b) Alternative Designs

Where alternative routes and designs are proposed for cycle and pedestrian only routes, the following should apply:

- a) Adjacent roads and reserves should provide for good pedestrian and cycle connections through the area.
- b) The provision of the link in an alternative position where it would provide better likely movement patterns.

9A.7.2.5 Proposed Reserves

a) Preferred Location

Proposed reserves should be established generally in accordance with those shown in the Plan maps. For the purpose of this rule, generally in accordance shall mean the reserve is located within 20m of the location shown on the Plan maps and is at least 90% of the size shown.

b) Alternative Locations

Where reserves are not provided generally in accordance with those shown in the Plan maps, the following should apply:

- a) Whether 80% of homes in the Long Bay 2, 3 and 4 zones are within 500 metres of an existing or proposed neighbourhood reserve of at least 2000m² in area.
- b) Whether the proposed reserve or existing reserve provide for a community focal point.
- c) Whether the proposed reserves retain a central valley link between the upper catchment and the lower catchment and the Regional Park.
- d) Whether the reserves have a recreational function. Reserves which have a solely stormwater function or a landscape protection function should not be vested as recreation reserve.
- e) Whether reserves with a neighbourhood or community focal point function are located where there is sufficient road frontage to provide for passive surveillance (on at least 2 sides for neighbourhood reserves, and providing frontage for at least 50% of the reserve).

Section 9A.4.5.2 Proposed Roads, part c) is amended as follows

c) Variation of Alignments or Designs

Where it is proposed to alter the alignment or design of a Proposed Road, then reference is made to the assessment criteria set out in Sections 9A.7.2.1 and 9A.7.3.2 9A.7.2.2.

Section 9A.7.3.2 part 2 reads as follows:

2. On Street Parking

a) Standard On-Street Parking Requirement

Subject to the exception below, on-street parking should be provided at a rate of not less than half an on-street park per lot.

In the case of lots of greater than 1500m² created within the Long Bay 3 zone, on-street parking should be provided at a rate of one on-street park for every 500m² of subdivided land (excluding roads or reserves to be vested).

Driveways and vehicle accessways are not permitted to cross on-street parking bays.

Note: Development on lots will still be subject to the on-site parking rules in section 12 of the District Plan.

b) Reduction of on-street parking requirements

Where on-street parking is not provided in accordance with ~~Section 9A.7.2~~ the above, the following assessment criteria shall apply:

- a) i) The extent to which site and visitor parking demands can be accommodated on-site, or in other locations.
- b) ii) The safety of the on-street parking area and whether on-street parking will cause a hazard to pedestrians, cyclists or other road users.

10486-13 Landco Limited : Neil Donnelly

Delete 9A.4.5.1 to 9A.4.5.8 (General Subdivision Standards) including rules relating to proposed roads, preferred roads, on street parking, cycle and pedestrian only routes, proposed reserves, stormwater management and landscape protection area. Replace with general subdivision standards 9.4.4 of the District Plan.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-13x190	ECB Coastal Protection Soc Inc	Oppose
10486-13x527	LB-Okura Great Park Society	Oppose
10486-13x696	Okura Environmental Group	Oppose

That submission 10486-13 (opposed by 10486-13x190, 10486-13x527 and 10486-13x696) **be accepted in part** to the extent that Sections 9A.4.5.3, 9A.4.5.4, 9A.4.5.5 and 9A.4.5.6 are redrafted as assessment criteria and moved to the appropriate place within Section 9A.7.2 and 9A.7.3 (refer to 10437-29) and paragraph b) Lot Dimensions of Section 9A.4.6.4 is deleted from 9A.4.6.4 and moved to section 9A.7.3.2 Additional Assessment Criteria for Long Bay 2,3 and 4 zones and a cross reference to this section is included in the Explanation and Reasons of section 9A.4.6.4.

Section 9A.4.6.4 Long Bay 3: Urban Neighbourhood. Explanation and Reasons is amended as follows:

Rear lots are not permitted in the zone in order to assist in achieving a safe and private environment for all residents, as well as a positive relationship between houses and adjacent streets. Controls over lots depths and widths, as set out in Section 9A.7.3.2, also play a significant role in this respect.

The proposed minor modifications to these rules and guidelines by the submitter are not however supported, as they would undermine the Council's ability to ensure good urban design outcomes within the Structure Plan area. In all other respects the submission is not supported for the reason that the rules are necessary to ensure that subdivision in the Structure Plan area is designed in an integrated and environmentally sustainable manner.

10487-5 North Shore City Council, Trevor Mackie

Delete wording "are not permitted" in the third sentence of 9A.4.5.4 (On-Street Parking) and insert "shall not". In addition in the 'Note' include reference to Section 12 of the Plan.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-5x862	Landco Limited	Oppose

That submission 10487 - 5 (opposed by 10487-5x862) **be accepted in part** to the extent that the inclusion of a cross reference to section 12 of the District Plan is appropriate and a 'Note' will be added to clarify which rules the development on lots will be subject to. However the words "are not

permitted" is appropriate as rule 9A.4.5.4 has been changed to assessment criteria and accordingly the new section 9A.7.3.2 will include this wording.

10487-6 North Shore City Council, Trevor Mackie

Amend Rule 9A.4.5.7(Stormwater Management) d) ii) to state the following: "The use of proposed reserves for soakage areas will only be accepted where these are to vest as Local Purpose Drainage Reserves".

Further Submission

10487-6x863

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10487-6 (opposed by 10487-6x863) **be accepted in part** to the extent that the proposed wording in section 9A.4.5.7 (9A.4.5.3) d) ii) is amended as follows to clarify the intent of this part of the section and that such reserve will only be accepted at Council's sole discretion. However this part of the section is incorrectly identified as part ii) of d) when it is a discrete part and the correct reference is part e).

Accordingly the wording of section 9A.4.5.3 e) is as follows:

The use of proposed reserves for soakage areas will only be accepted at Council's sole discretion where these are to vest as Local Purpose Drainage Reserves.

10487-7 North Shore City Council, Trevor Mackie

Amend Rule 9A.4.5.7 (Stormwater Management) part d) to reflect councils policy in respect of ownership of stormwater devices.

Further Submission

10487-7x864

Further Submitter

Landco Limited

Support/Oppose

Oppose

that submission 10487-7(opposed by 10487-7x864) **be accepted** for the reason that for clarity of understanding and consistency with other council stormwater policy that a statement is included in 9A.4.5.7 (9A.part d) to the effect that:

For all residential zones (except the Long Bay 1 zone), rule 17.B.6.1.9 On-Site Stormwater Management may be achieved by a combination of individual and communally owned on-site measures. Where the stormwater devices are proposed by private developers and serve more than one property, or are located on public land or land vested in Council, then these may be vested in Council, at Council's sole discretion, provided they meet all Council's requirements. If communally-owned measures are to be relied upon then the following standards shall apply

10487- 8 North Shore City Council, Trevor Mackie

Correct Rule 9A.4.5.8 (Landscape Protection Area) to read as follows: "the planting plan shall be in accordance with Rule 9A.6.2".

Further Submission

10487-8x865

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10487 - 8 (opposed by 10487-8x865) **be accepted** for the reason that the reference in 9A.4.5.8 (9A.4.5.4) b) ii) currently includes an incorrect cross reference and should be changed to reflect the correct cross reference to section 9A.6.2.

10487 – 9 North Shore City Council, Trevor Mackie

Reword 9A.4.5.8 (Landscape Protection Area) b) (iii) to read "planting is less than 90%".

Further Submission

10487-9x866

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10487-9 (opposed by 10487-9x866) **be accepted** for the reason that the wording in Part b) iii) of 9A.4.5.8 (9A.4.5.4), 'is' less than 90% is more appropriate in this context than 'has been' less than 90%.

10487 – 10 North Shore City Council, Trevor Mackie

Amend 9A.4.5.8 (Landscape Protection Area) to insert the following:

c) Subdivision, Development or Site Works in the Landscape Protection (Stormwater) Area.

i) All land identified as Landscape Protection (Stormwater) Area on the site shall be subject to planting of suitable vegetation to assist in the on-site mitigation of stormwater from buildings, structures and impervious surfaces on the site and/or proposed on the site as required by Rule 17B.6.1.9.

ii) A planting plan shall be provided as part of an application for subdivision or siteworks or development in accordance with Rule 9A.6.2.

Where any land identified as Landscape Protection (Stormwater) Area on a site is utilized for the location of a building platform or other impermeable area then alternative areas on the site of an equivalent size shall be defined on the site for revegetation purposes."

Further Submission **Further Submitter**

10487-10x867

Landco Limited

Support/Oppose

Oppose

That submission 10487 - 10 (opposed by 10487-10x867) **be accepted in part** to the extent that section 9A.4.5.8 (9A.4.5.4) is incomplete and it is unclear from the section what the purpose and requirements for planting are in the Landscape Protection (Stormwater) Area . Also that the ecological function of the area is not clearly stated and that 9A.4.5.8 (9A.4.5.4) should be amended to clarify the purpose of the Landscape Protection (Stormwater) Area. Furthermore the area is to be renamed to more clearly indicate that the area fulfills both an ecological and stormwater function. To ensure that the purpose of the overlay area is clearly defined the protection area is renamed Landscape Protection (Ecological/Stormwater) Area and section 9A.4.5.8.(9A.4.5.4) is amended in addition to other consequential amendments to other sections to clarify the purpose and function of the area.

Section 9A.4.5.8 (9A.4.5.4) Landscape Protection Areas is amended as follows:

b) Subdivision in the Landscape Protection (Ecological/Stormwater) Area (Proposed Sites less than 2 hectares)

Upon subdivision of sites which contain land identified as Landscape Protection (Ecological/Stormwater) Area:

i) An area, equal to the area of Landscape Protection (Ecological/Stormwater) Area within any new allotment shall be planted for revegetation purposes in accordance with an approved planting plan.

ii) This area shall be located within the Landscape Protection (Ecological/Stormwater) Area or contiguous with land identified as Landscape Protection (Conservation) or Landscape Protection (Ecological/Stormwater) Area on the Plan maps.

iii) The planting plan shall be in accordance with Rule 9A.6.2.

iv) All building platforms, accessways and services shall be located wholly outside of any land identified for revegetation.

v) An agreement to covenant in perpetuity the revegetation area required above shall be entered into before the issue by Council of a Certificate of Compliance pursuant to Section 224 (c) of the RMA. Covenants shall be registered against the titles of the revegetation lots and any lots related to the revegetated lots to be created through the subdivision. These covenants shall require that the revegetation lot is protected and remains undisturbed and that weeds and pests are controlled.

Or

A consent notice under section 221 of the Resource Management Act 1991 shall be entered into and registered against the title in order to secure compliance with the conditions of the consent.

The fourth paragraph of The Explanation and Reasons is amended as follows:

The Landscape Protection (Stormwater) Area is land that has also intended to be protected against development. However these areas have been identified as being suitable for the planting of vegetation to contribute to extending the areas of native bush in the Structure Plan area and to assist in the on site mitigation of stormwater from buildings, structures and impervious surfaces on the property as required by Rule 17B.6.1.9 Maximum Impermeable Area As such, this area should be generally kept free of development. Where smaller sites are proposed, wholly or partly, in these areas planting requirements are imposed to ensure that existing native bush areas are extended for ecological purposes and to reduce the dominance of building on the landscape.

The Explanation and Reasons of Section 9A.4. 6.2 is amended through the addition of a sentence to paragraph 2 and the amendment of the last paragraph as follows:

The opportunity for smaller lot sizes is provided within this zone where stable house sites and associated areas are outside of land identified as Landscape Protection (Conservation), or where this land is to be protected in perpetuity. In addition to the existing bush areas included within the Landscape Protection (Conservation) Areas, subdivision also has to identify areas for revegetation where sites include land identified as Landscape Protection (Ecological/Stormwater) Area.

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The level of development possible within the Long Bay 1 zone is also affected by whether or not the site contains or is linked with a Landscape Protection area (as identified in the Plan maps). The Landscape Protection area is applied to areas of land with the greatest instability and slope and in areas where there are large areas of vegetation. Development and earthworks are to be avoided in this area. By protecting these identified Landscape Protection areas, landowners may be able to develop to greater densities within the Long Bay 1 zone. In such instances, any area of Landscape Protection (Conservation) is to be protected in addition to the minimum site area specified. This is to ensure that 100% onsite stormwater mitigation is able to be achieved outside of the Landscape Protection (Conservation) area and to protect existing areas of native vegetation. However, the minimum site area specified may include land identified as Landscape Protection (Ecological/Stormwater). This is because these areas may be revegetated to assist extension of existing bush areas to create ecological linkages and for the mitigation of stormwater on site.

Section 17B.1.3 Land Use Strategy is reworded as follows:

The Upper Valley (generally west of Long Bay Primary School)

ecological/stormwater: land that should be used for revegetation to extend areas of native bush and as a stormwater mitigation and ecological measure, to off-set impervious areas within physically contiguous 2500m² and 5000m².

Section 17B.4.1 Long Bay 1A Zone: Large Lot Residential

1. The zone is to be applied to areas with some land instability, or which have moderate slope characteristics or where landform modifications need to be minimised. Development is to be of a low intensity (minimum lot sizes of two hectares). Smaller lot sizes are possible, to a minimum lot size of 2500m², provided that development sets aside and protects areas of bush from further development and they are kept free of stock, weeds and pests. The potential for revegetation of land between adjacent areas of bush should also be maintained.

Explanation and Reasons

Development of land with moderate slope and/or with some instability issues associated within it needs to be controlled to avoid or mitigate adverse effects from

earthworks on streams and watercourses. The zone allows for development to a minimum lot size of 2500m², provided that bush areas are protected from future development (covenanted) and development can be provided with stable building platforms. Areas have also been identified as having the potential to form connections between existing areas of bush. These areas should be avoided or extensively planted.

17B. 4.2 Long Bay 1B Zone: Large Lot Residential

Policies

1. *The zone is to be applied to land with moderate to severe constraints in terms of land instability and slope. Development is to be of a low intensity (minimum lot sizes of two hectares) to ensure that only minor earthworks and landform modification occurs, unless it can be demonstrated that closer development can be designed and located so that landforms are not altered, and areas of bush are set aside and protected from stock, kept free of weeds and pests and cannot be developed in the future. A minimum lot size of 5000m² is possible under this approach. The potential for revegetation of land between adjacent areas of bush should also be maintained.*

Section 9A.4.6 Specific Subdivision Standards

10487 – 11 North Shore City Council, Trevor Mackie

Amend numbering of 9A.4.6.2 (Long Bay 1 Zone) part 1 to be changed to 9A.4.6.2 a) and the wording of i) to be as follows:

"The proposed subdivision shall protect all land on the existing site identified as Landscape Protection Area in accordance with Rule 9A.4.5.8.", and to add point iii) as follows:

iii) Any subdivision proposal that does not comply with the requirement to protect the identified Landscape Protection Areas on the site in accordance with Rule 9A.4.5.8 shall be deemed to have a minimum site area of 2ha.

Further Submission

10487-11x868

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10487 - 11 (opposed by 10487-11x868) **be accepted in part** to the extent that the amendment of the numbering from 1 to point a) will be consistent with the other sections under section 9A.4.6 of the Structure Plan and the inclusion of a cross reference to 9A.4.5.8 (9A.4.5.4) will clarify the requirement for the protection of land in the Landscape Protection Areas. In addition additional wording should be added to ensure clarity of understanding on the minimum subdivision size where land does not contain Landscape Protection Area. However the wording should clarify the intention of the rule with regard to minimum site areas and when this minimum applies. The addition of point iii) is not necessary and its statement relating to the minimum site area of 2ha can be included in point ii). The section will be reordered to give clarity of meaning to the minimum area requirements and when they apply.

Also the Explanation and Reasons are amended to provide clarity on the 2ha minimum site area and the provision for smaller lot sizes where land does not contain any land identified as Landscape Protection Area.

The wording of 9A.4.6.2 is as follows;

9A.4.6.2 Long Bay 1 Zone: Large Lot Residential

a) Site Area Requirements

i) Minimum site areas where a site does not contain land identified as Landscape Protection Area are as follows:

Long Bay 1A zone:	2500m ²
Long Bay 1B zone:	5000m ²

ii) Minimum site areas where a site contains land identified as Landscape Protection Area are as follows:

Long Bay 1A zone:	2500m ²
Long Bay 1B zone:	5000m ²

Provided that:

The minimum area in ii) above must be clear of any land identified as Landscape Protection (Conservation) Area.

Any subdivision proposal that does not comply with the requirement to protect the identified Landscape Protection Areas on the site in accordance with Rule 9A.4.5.4 shall have a minimum site area of 2ha.

Explanation and Reasons

The minimum site area of 2 hectares has been applied to the Long Bay 1 zone to protect the natural landscape and ecological values of the land and to assist in achieving hydrological neutrality for stormwater purposes.

The opportunity for smaller lot sizes is provided within this zone where possible house sites and associated areas are ~~outside~~ not within areas of land identified as Landscape Protection (Conservation), and where this land is to be protected in perpetuity.

The smaller lot sizes are also available in relation to land that does not contain any land identified as Landscape Protection Area, as found on the land fringing the Regional Park, to the north of Vaughans Stream. In such cases, there are no conservation or replanting requirements apart from the on-site stormwater provisions required in Section 17B.

In addition, the existing and revised paragraphs, under the Explanation and Reasons of section 9A.4.6.2. are reorganised to better incorporate the changes from submission 10436-11 and this submission as follows:

Explanation and Reasons

The minimum site area of 2 hectares has been applied to the Long Bay 1 zone to protect the natural landscape and ecological values of the land and to assist in achieving hydrological neutrality for stormwater purposes.

The level of development possible within the Long Bay 1 zone is also affected by whether or not the site contains or is linked with a Landscape Protection area (as identified in the Plan maps). The Landscape Protection area is applied to areas of land with the greatest instability and slope and in areas where there are large areas of vegetation. ~~Development and earthworks are to be avoided in this area.~~ By protecting these identified Landscape Protection areas, landowners may be able to develop to greater densities within the Long Bay 1 zone. In such instances, any area of Landscape Protection (Conservation) is to be protected in addition to the minimum site area specified. This is to ensure that 100% onsite stormwater mitigation is able to be achieved outside of the Landscape Protection (Conservation) area and to protect areas of existing native vegetation. However, the minimum site area specified may include land identified as Landscape Protection (Ecological/Stormwater). This is because these areas may be revegetated to assist in the extension of existing bush areas to create ecological linkages and for mitigation of stormwater on site.

The opportunity for smaller lot sizes is provided within this zone where stable house sites and associated areas are not within areas of land identified as Landscape Protection (Conservation), or where this land is to be protected in perpetuity. In addition to the existing bush areas included within the Landscape Protection (Conservation) Areas, subdivision also has to identify areas for revegetation where sites include land identified as Landscape Protection (Ecological/Stormwater) Area.

Two sub zones of the Long Bay 1 zone have been identified. The minimum site areas of the two sub zones have been determined depending on the slope and stability of the land, the need to minimise land modification, and the adverse effects of development on the landscape.

The minimum site areas only apply where stable building platforms and accessways can be provided without the need for substantial earthworking. In other cases larger lots should be provided to ensure that building platforms and accessways, which do not result in the need for substantial earthworking, are available.

The smaller lot sizes are also available in relation to land that does not contain any land identified as being Landscape Protection Area, (as found on the land fringing the Regional Park, to the north of the Vaughans Stream). In such cases there are no conservation or replanting requirements apart from the on site stormwater provisions in section 17B.

10487 – 12 North Shore City Council, Trevor Mackie

Amend 9A.4.6.3 (Long Bay 2 Zone) to add an additional point to part a) to read as follows;

"a) i) "The proposed subdivision shall protect all land on the existing site identified as Landscape Protection Area in accordance with Rule 9A.4.5.8."

Further Submission

10487-12x869

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10487 - 12 (opposed by 10487-12x869) **be accepted in part** to the extent that this will provide greater clarity and consistency with the other sections under section 9A.4.6 of the Structure Plan and the inclusion of a cross reference to 9A.4.5.8 (9A.4.5.4) will clarify the requirement for land identified as Landscape Protection on a site to be protected. However this amendment should be included under part d) which relates to the Landscape Protection Area.

The amended wording in Section 9A.4.6.3 d) reads as follows:

d) Landscape Protection Area

The proposed subdivision shall protect, in accordance with Rule 9A.4.5.84, that area of land identified in the rule as required to be set aside from development.

Sites may incorporate land identified as Landscape Protection Area in the Plan maps where the provisions of ~~protected in accordance with Rule 9A.4.5.84~~ are met. In such cases at least 400m² of the site must be clear of Landscape Protection Area.

10487-13 North Shore City Council, Trevor Mackie

Correct the wording of the Explanation and Reasons of 9A.4.6.3 (Long Bay 2 Zone) to read as follows:

" Three controls are specified for the Long Bay 2 zone in addition to the general standards for subdivision. Site area and shape factor controls are specified to ensure that sites are able to easily accommodate a conventional detached house and associated outdoor living areas, while minimum site frontage and access requirements are specified to ensure that the vast majority of sites are front sites, and that any rear sites have suitable vehicle access. The distinction between the Long Bay 2A and 2B zones has been made in recognition of the rural urban interface and the need to keep the larger lots in the Type A stream area adjacent to the rural area north of Vaughans Road. The larger lot sizes associated with the Long Bay 2B zone provide greater opportunities to mitigate on site the adverse effects of stormwater. Where land identified as Landscape Protection Area is located within a proposed site, an area of at least 400m² is required to be clear of this land in order to ensure that future buildings and cleared outdoor living areas do not encroach on these areas".

Further Submission

Further Submitter

Support/Oppose

10487-13x870

Landco Limited

Oppose

That submission 10487-13 (opposed by 10487-13x870) **be accepted** for the reason that it clearly explains the relationship between the Long Bay 2A and 2B zones and the reason for the location of Long Bay 2B zone adjacent to Vaughans Road. The wording to be inserted into the Explanation and Reasons section of 9A.4.6.3 is as follows:

...suitable vehicle access. The distinction between the Long Bay 2A and 2B zones has been made in recognition of the rural urban interface and the need to keep the larger lots in the Type A stream area adjacent to the rural area north of Vaughans Road. The larger lot sizes associated with the Long Bay 2B...

10487 – 14 North Shore City Council, Trevor Mackie

Reformat 9A.4.6.4 (Long Bay 3 Zone) as follows:

9A.4.6.4 Long Bay 3 Zone: Urban Neighbourhood

a) Site Area Requirements

The Council may permit subdivision in the following circumstances:

i) Minimum Net Site Area: 220m²

Maximum Net Site Area: 350m²

Average Net Site Area: 240m² to 280m² (excluding any lots of 1500m² or greater)

ii) the Net Site Area is 1500m² or greater; or

iii) subdivision where a land use consent has been granted in respect of a development. In such cases, the number, size and location of all sites must be in accordance with the land use consent granted in respect of the development.

Further Submission

Further Submitter

Support/Oppose

10487-14x871

Landco Limited

Oppose

That submission 10487 - 14 (opposed by 10487-12x871) **be rejected** for the reason that the addition of the words 'The Council may permit subdivision in the following circumstances' is not consistent with the wording of site area requirements in the other sections relating to zone requirements. Therefore the words 'either' and 'or' should remain to provide clarity of understanding of the site area requirements in the zone.

10487-15 North Shore City Council, Trevor Mackie

Provide additional diagrams in part b) of 9A.4.6.4 (Long Bay 3 Zone: Urban Neighbourhood) to show lot dimensions on a cul-de sac or bend of a road and to show how corner splays are measured.

Further Submission

10487-15x872

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10487-15 (opposed by 10487-15x872) **be accepted in part** to the extent that the minimum and maximum road frontage and the minimum and maximum lot depth are amended to give greater flexibility for lots situated on a cul de sac. To assist in clarifying the assessment criteria, corner splays should be excluded from the measurement of individual road frontages in the case of corner sites. In such cases, the individual road frontage guidelines should be reduced to 11metres, consistent with the guidelines for sites that are not on a corner.

Section 9A.4.6.4 (9A.7.3.2) is amended as follows:

1. *Lot Dimensions*

- i) *For front sites other than corner sites, of 220m² to 350m² inclusive, the following shall apply (refer diagram below):*

<i>Minimum road frontage:</i>	<i>11 metres (8 metres for sites around the head of a cul de sac)</i>
<i>Maximum road frontage:</i>	<i>15 metres</i>
<i>Minimum depth:</i>	<i>20 metres</i>
<i>Maximum depth:</i>	<i>27 metres (35 metres for sites around the head of a cul de sac)</i>

A diagram illustrates the above requirements and a note is added to clarify that lot depths shall be measured at right angles to the road frontage.

- ii) *For corner sites of 220m² to 350m² inclusive, the following shall apply (refer diagram below):*

<i>Minimum total road frontage:</i>	<i>30 metres</i>
<i>Maximum road frontage:</i>	<i>38 metres</i>
<i>Minimum depth:</i>	<i>20 metres</i>
<i>Maximum depth:</i>	<i>27 metres</i>

Each road frontage shall measure ~~not less than 12 metres~~ at least 11 metres excluding, including corner splays.

Lot depths shall be measured at right angles to the road frontage.

A diagram illustrates the above requirements.

(Note: The provisions of section 9A.4.6.4 that are redrafted as assessment criteria and moved to Section 9A.7 are referred to in submission 10486-13).

Section 9A.7 Assessment Criteria

10487 – 16 North Shore City Council, Trevor Mackie

Reword 9A.7.2.2 (Earthworks and Landform Modification) part b) to read as follows:

"In the lower catchment, earthworking land which has been identified as being unstable should be avoided, unless needed to remedy instability for achieving the minimum net site areas set out in the plan".

Further Submission

10487-16x873

Further Submitter

Landco Limited

Support/Oppose

Oppose

That submission 10487-16 (opposed by 10487-16x873) **be accepted in part** to the extent that the additional wording at the end of the sentence should clearly set out what earthworking is expected to remedy instability in each of the zones located within the lower catchment..

The wording of point b) of 9A.7.2.2 (9A.7.2.6) is as follows:

- b) *In the lower catchment, earthworking of land which has been identified as being unstable should be avoided, unless needed to remedy instability to achieve safe access and building sites on land that is zoned for urban activities (Long Bay 2,3 and 4 zones). In areas identified for low density development (Long Bay 1 zone), subdivision design should ensure that each lot has within it a building platform that does not require substantial earthworking to access the platform and/or make it stable for building.*

10487 – 17 North Shore City Council, Trevor Mackie

Correct 9A.7.2.3.2 (Subdivision in the Long Bay 2 Zone) part b) to make reference to 9A.6.2.

Further Submission
10487-17x874

Further Submitter
Landco Limited

Support/Oppose
Oppose

That submission 10487 - 17 (opposed by 10487-17x874) **be accepted** for the reason that section 9A.7.2.3 (9A.7.2.7) part 2 b) incorrectly makes a reference to rule 9A.6.1 when this reference should be 9A.6.2. Therefore the reference is changed to reflect the correct cross reference in 9A.7.2.3 (9A.7.2.7) part 2 b) to Rule 9A.6.2.

10487 – 18 North Shore City Council, Trevor Mackie

Amend the Plan Change to include sub section 2 of Rule 9A.7.3.1(Additional Assessment Criteria for Subdivision in Long Bay 1 Zone) under 9A.7.2.3 (Assessment Criteria , Landscape Protection Area), numbered as sub section 3 and delete it from 9A.7.3.1(Additional Assessment Criteria for Subdivision in Long Bay 1 Zone). The section will read as follows:

3.Development on Sites Containing Landscape Protection (Stormwater) Areas

a) **Development, including access and building sites, should not result in the removal of any native vegetation.**

b) **Revegetation of the balance of the Landscape Protection (Stormwater) area should occur.**

c) **Where any land identified as Landscape Protection (Stormwater) Area on a site is utilized for the location of a building platform or other impermeable areas then alternative areas with an equivalent amount of land area should be defined on the site for revegetation purposes.**

d) **Proposed building platforms generally should be at least 50 metres from neighbouring houses and building platforms.**

e) **Proposed building platforms and impermeable areas should not be located within 20 metres of a centre line of any stream (see Rule 9A.4.1.4).**

Further Submission
10487-18x875

Further Submitter
Landco Limited

Support/Oppose
Oppose

That submission 10487 - 18 (opposed by 10487-18x875) **be accepted in part** to the extent that this subsection on Subdivision of Sites Containing Landscape Protection (Stormwater) is more appropriately placed under 9A.7.2.3 part 3 (9A.7.2.7). However the additional wording should be amended to provide greater clarity of understanding of the criteria for assessment and additional reinforcement for the requirements for development in the Landscape Protection (Stormwater) area. Similarly the assessment criteria in section 17B.7.5.2 are amended to be consistent with section 9A.7.2.3 (9A.7.2.7) and to provide clarity of understanding of the requirements for development in the Landscape Protection (Stormwater) Areas. The wording of the sections is as follows:

9A.7.2.3 (9A.7.2.7) Landscape Protection Areas

3. Development in Landscape Protection (Ecological/Stormwater) Areas

a) ~~Development including access and building sites should not result in the removal of any native vegetation.~~

b) ~~Revegetation of the balance of the Landscape Protection Stormwater should occur.~~

c) ~~Additional revegetation of other contiguous land should occur so that there is no net reduction in the total amount of land in the Landscape Protection (Stormwater) area.~~

- b) Proposed building platforms should be at least 50 metres apart from neighbouring houses and building platforms.
- c) Development in the Landscape Protection (Ecological/Stormwater) Area should only occur provided there is no loss of riparian vegetation and watercourses are not adversely affected or unless it is related to infrastructure identified on the Plan maps.

17B.7.5.2 Activities in the Landscape Protection (Stormwater) and (Enhancement) Area

- a) Development including access and building sites should not result in the removal of any native vegetation
- b) Housing in the Landscape Protection (Stormwater) areas should be located ~~where it is not visible from other existing or possible future dwellings. In general, house sites should be~~ at least 50 metres apart from neighbouring houses and building platforms.
- c) Development in the Landscape Protection (Ecological/Stormwater) or (Enhancement) area should only occur provided that there is no loss of riparian vegetation and watercourses are not adversely affected or unless it is related to infrastructure identified on the Plan maps
- d) Development in the Landscape Protection (Enhancement) area should only occur where the landscape values of the enhancement area will not be compromised.

10487 – 19 North Shore City Council, Trevor Mackie

Amend 9A.7.3.1 (Assessment Criteria, Subdivision in Long Bay 1 Zone) part f) so that the expression of the gradient reads as 1:8.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-19x876	Landco Limited	Oppose

That submission 10487-19 (opposed by 10487-19x876) **be accepted** for the reason that this format for expression of gradient (1:8) is consistent with other parts of the District Plan

10436 – 33 ECB Coastal Protection Society Inc, Robert White

Review 9A.7.3.2. (Subdivision in the Long Bay 2 Zone) part (5) (Reserves), as a 2000m2 park is too small.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-33x397	Royal Forest & Bird Protection Society	Support
10436-33x814	Landco Limited	Oppose

That this submission 10436-33 (supported by 10436-33x397 and opposed by 10436-33x814) **be rejected** for the reason that 2000m² is considered to be the minimum functional size for parks for passive community use in residential areas. In addition to the neighbourhood reserves referred to in this section of the Structure Plan, other parks/reserves will be provided as identified in the Structure Plans maps.

10436-34 ECB Coastal Protection Society Inc, Robert White

Correct 9A.7.3.2 (Subdivision in the Long Bay 2 Zone) part (6) (Stormwater Management) to reflect a cross reference with 9A.4.5.7(Stormwater Management).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-34x398	Royal Forest & Bird Protection Society	Support
10436-34x815	Landco Limited	Oppose

That submission 10436-34 (supported by 10436-34x398 and opposed by 10436-34x815) **be accepted** for the reason that the cross reference should be to section 9A.4.5.7 (9A.4.5.3) Stormwater Management.

10436 - 35 ECB Coastal Protection Society Inc, Robert White

Correct 9A.7.3.2. (Subdivision in the Long Bay 2 Zone) part (7) (Landscape Protection Area) to reflect a cross reference with 9A.4.5.8 (Landscape Protection Area).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-35x399	Royal Forest & Bird Protection Society	Support
10436-35x816	Landco Limited	Oppose

That submission 10436 - 35 (supported by 10436-35x399 and opposed by 10436-35x816) **be accepted** for the reason that the cross reference in part 7 of 9A.7.3.2 should be to section 9A.4.5.8 (9A.4.5.4) which provides the criteria for subdivision or siteworks in areas linked to the Landscape Protection Areas.

10438 - 24 Royal Forest & Bird Protection Society, J A Lewis

Delete word 'prioritised' from 9A.7.3.2 (Additional Assessment Criteria for Specific Zones: Landscape Protection Area) part 7d) on page 35.

Further Submission
10438-24x621

Further Submitter
Landco Limited

Support/Oppose
Oppose

That submission 10438 - 24 (opposed by 10438-24x621) **be accepted** for the reason that planting in riparian areas has multifunctional benefits. The rewording of part 7d) of 9A.7.3.2. is as follows:

7d) Whether planting in riparian areas is prioritised for the protection of fish habitats, protection of stream habitats and as a stormwater mitigation technique.

10487 – 20 North Shore City Council, Trevor Mackie

Correct 9A.7.3.2.(Assessment Criteria, Subdivision in Long Bay 2 Zone) in sections 1, 2, 3, 6 and 7 to reflect the correct cross references as follows:

9A.7.3.2 1. to be corrected to refer to Section 9A.4.5

9A.7.3.2 2 to be corrected to refer to Section 9A.4.5

9A.7.3.2 3 to be corrected to refer to Section 9A.4.5

9A.7.3.2 6 to be corrected to refer to Section 9A.4.5

9A.7.3.2 7 to be corrected to refer to Section 9A.4.5.8

Further Submission
10487-20x877

Further Submitter
Landco Limited

Support/Oppose
Oppose

That submission 10487 - 20 (opposed by 10487-20x877) **be accepted in part** to the extent that the errors in the cross referencing of section 9A.7.3.2 parts 1,2,3,6 and 7 be corrected to reflect the correct cross references and the reorganisation of sections 9A.4.5.2, 9A.4.5.3 and 9A.4.5.4 as assessment criteria under section 9A.7.2 and 9A.7.3.as follows:

9A.7.3.2 1.has been moved to section 9A.7.2.2 and no cross referencing is required

9A.7.3.2 2 has been moved to section 9A.7.2.2 and no cross referencing is required

9A.7.3.2 3 is now part 2 and no cross referencing is required

9A.7.3.2 6 is now part 3 and is to refer to Section 9A.4.5.7 (9A.4.5.3)

9A.7.3.2 7 is now part 4 and is to refer to Section 9A.4.5.8 (9A.4.5.4)

10487-21 North Shore City Council, Trevor Mackie

Amend 9A.7.3.2. (Additional Assessment Criteria for Subdivision in Long Bay 2 Zone) part 5 d) to read as follows: " Whether the reserves have a recreational function. Reserves which have a solely stormwater function or a landscape protection function should not be vested as recreation reserve".

Further Submission
10487-21x878

Further Submitter
Landco Limited

Support/Oppose
Oppose

That submission 10487-21 (opposed by 10487-21x878) **be accepted** for the reason that land which is intended to perform an exclusively stormwater or landscape protection function should not be accepted as recreation reserve land and that (Section 9A.7.3.2)part 5 d) read as follows:

Whether the reserves have a recreational function. Reserves which have a solely stormwater function or a landscape protection function should not be vested as recreation reserve.

17B Long Bay Structure Plan - Development

Section 17B.1.1 Development of Long Bay Structure Plan

10445 - 2 B G Stanley

Amend 17B.1.1(Development of the Long Bay Structure Plan) to give due regard to the scenic, tourist, heritage, landscape and recreation value of the area

Further Submission
10445-2x80

Further Submitter
Royal Forest & Bird Protection Society

Support/Oppose
Support

10447 - 1 Barbara Scrivens

Amend the plan to include a policy that will protect the unique environment of the Long Bay-Okura Great Park.

That submissions 10445 –2 (supported by 10445-2x80) and 10447-1 **be rejected** for the reason that the Structure Plan makes provision for the protection of the natural environment of the Long Bay area while allowing urban development to take place. The Structure Plan includes objectives and policies that address the unique environment of Long Bay. This is achieved by recognising the importance of the cultural, social, recreational and landscape features of the area. No amendment to the Structure Plan is necessary in response to this submission.

Section 17B.3.1 Natural Environment

10487 – 22 North Shore City Council, Trevor Mackie

Amend 17B.3.1(Natural Environment) Policy 4 to add the following:

For large lot development (Long Bay 1 zone) all stormwater run-off shall be mitigated on site.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-22x879	Landco Limited	Oppose

That submission 10487 - 22 (opposed by 10487-22x879 **be accepted** for the reason that this clarifies the stormwater requirements for Long Bay 1 zoned sites in the Type B stream area. The following is therefore recommended for addition to Policy 4 of 17B.3.1:

For large lot development (Long Bay 1 zone) all stormwater run-off shall be mitigated on site.

Section 17B.3.2 Building Design and Development

10436-49 ECB Coastal Protection Society Inc, Robert White

In the Explanation and Reasons to 17B.3.2 (Building Design and Development), clarify the position on notification of discretionary and non-complying applications.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-49x413	Royal Forest & Bird Protection Society	Support
10436-49x830	Landco Limited	Oppose

That submission 10436-49 (supported by 10436-49x413 and opposed by 10436-49x830) **be rejected** for the reason that the position in respect of the notification of discretionary and non-complying activities is set out under Section 3.3.2 of the District Plan (as amended by Proposed Plan Change 10 and Variation 68).

Section 17B.4 Zoning framework

10487 – 23 North Shore City Council, Trevor Mackie

Replace the objectives, policies and explanations and reasons under Section 17B.4.1 (Long Bay 1A Zone) with those under 17B.4.2 (Long Bay 1B Zone) and vice versa.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-23x880	Landco Limited	Oppose

That submission 10487-23 (opposed by 10487-23x880) **be accepted** for the reason that the text in the objective, policy 1 and the Explanation and Reasons under 17B.4.1 and 17B.4.2 has been incorrectly placed. This text in each case is exchanged so that the objective, policy 1 and the Explanation and Reasons currently under 17B.4.1 are exchanged with the text of the objective, policy 1 and the Explanation and Reasons under 17B.4.2 as follows:

17B.4.1 Long Bay 1A Zone: Large Lot Residential

Objective

To provide for semi-urban development in areas where slope and landform allows this.

Policies

1. The zone is to be applied to areas with some land instability, or which have moderate slope characteristics or where landform modifications need to be minimised. Development is to be of a low intensity (minimum lot sizes of two hectares). Smaller lot sizes are possible, to a minimum lot size of 2500m², provided that development sets aside and protects areas of bush from further development and they are kept free of stock, weeds and pests.

.....continued.....

Explanation and Reasons

Development of land with moderate slope and/or with some instability issues associated within it needs to be controlled to avoid or mitigate adverse effects from earthworks on streams and watercourses. The zone allows for development to a minimum lot size of 2500m², provided that bush areas are protected from future development (covenanted) and development can be provided with stable building platforms.

17B 4.2 Long Bay 1B Zone: Large Lot Residential

Objective

To protect the special landscape and environmental values of the steeper areas of the catchment.

Policies

1. The zone is to be applied to land with moderate to severe constraints in terms of land instability and slope. Development is to be of a low intensity (minimum lot sizes of two hectares) to ensure that only minor earthworks and landform modification occurs, unless it can be demonstrated that closer development can be designed and located so that landforms are not altered, and areas of bush are set aside and protected from stock, kept free of weeds and pests and cannot be developed in the future. A minimum lot size of 5000m² is possible under this approach.

.....continued.....

Explanation and Reasons

Unless carefully controlled, development on the steeper land in the catchment will see high sediment loads in the local streams, a loss of bush cover and significant changes to the landform. This zone allows for large lot development where it can be demonstrated that such development will assist in the protection of bush areas, an extension of the bush cover and that the development can be provided with stable building platforms.

10436 - 51 ECB Coastal Protection Society Inc, Robert White

Correct typing error 17B4.2 to 17B.4.2

Further Submission

10436-51x415
10436-51x832

Further Submitter

Royal Forest & Bird Protection Society
Landco Limited

Support/Oppose

Support
Oppose

That submission 10436 - 51 (supported by 10436-51x415 and opposed by 10436-51x832) **be accepted** for the reason that the typing error must be corrected to achieve consistency with other parts of the Structure Plan.

10436 - 53 ECB Coastal Protection Society Inc, Robert White

Amend policy 4 of 17B.4.3 (Long Bay 2 Zone) to refer to 17B.3.1 (Natural Environment) and 17B.6.1.9 (On site Stormwater Management).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-53x417	Royal Forest & Bird Protection Society	Support
10436-53x834	Landco Limited	Oppose

That submission 10436 - 53 (supported by 10436-53x417 and opposed by 10436-53x834) **be rejected** for the reason that it is inappropriate to include a reference to section 17B.6.1.9 in policy 4 of 17B.4.3. This rule for on site stormwater management follows on from the policies defined under 17B.3.1 and 17B.4.3 which state that stormwater will be managed on site.

10487 – 24 North Shore City Council, Trevor Mackie

Amend 17B.4.3 (Long Bay 2 Zone: Suburban Neighbourhood), Policy 4 to read as follows:

"4. Development is to mitigate on site, stormwater generated from buildings and impermeable surfaces to the extent needed to satisfy the policies set out under 17B.3.1."

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-24x881	Landco Limited	Oppose

That submission 10487-24 (opposed by 10487-24x881) **be accepted** for the reason that amending Policy 4 through the deletion of the last sentence, will correctly reflect the situation with regard to the Long Bay 2 Zone whereby minimum site areas have not been set in accordance with stream Type A and B areas. Policy 4 reads as follows:

- 4. Development is to mitigate on-site, the stormwater generated from buildings and impermeable surfaces, to the extent needed to satisfy the policies set out under 17B.3.1. ~~To this end, development in the Type A stream areas shall have a minimum site area of 1000m² to reduce the generation of stormwater run-off. In the Type B stream areas, the minimum site area shall be 600m².~~*

10487 – 25 North Shore City Council, Trevor Mackie

Amend 17B.4.3 (Long Bay 2 Zone) Explanation and Reasons as follows:

The Long Bay 2 zone is similar to other suburban zones in the city. Development is expected to take the form of one or two storey stand-alone houses that cover no more than 35% of the site. The minimum lots sizes reflect the particular issues associated with the different catchments where the suburban neighbourhood areas are located.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-25x882	Landco Limited	Oppose

That submission 10487-25 (opposed by 10487-25x882) **be accepted** for the reason that the deletion of the last sentence in the explanation and reasons will then reflect correctly the situation set out in the zoning plan. The Explanation and Reasons reads as follows:

Explanation and Reasons

The Long Bay 2 zone is similar to other suburban zones in the city. Development is expected to take the form of one or two storey stand-alone houses that cover no more than 35% of the site. The minimum lot sizes reflect the particular stormwater and landform issues associated with the different catchments where the suburban neighbourhood areas are located. ~~The 600m² lot size is applied to land in the lower quality stream catchments, while the 1000m² lot size is applied to land in catchments with higher quality streams, and in locations where there is greater likelihood that stormwater run-off will cause erosion of water courses.~~

10436 - 54 ECB Coastal Protection Society Inc, Robert White

Clarify meaning of "comprehensive development" in Policy 2 of 17B.4.4 (Long Bay 3 Zone).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-54x418	Royal Forest & Bird Protection Society	Support
10436-54x835	Landco Limited	Oppose

That submission 10436 - 54 (supported by 10436-54x418 and opposed by 10436054x835) **be accepted** for the reason that Policy 2 of 17B.4.4 (Long Bay 3 Zone) does not clearly explain what is meant by comprehensive development although it is clarified in section 17B.6.3.1 of the Structure Plan. Also there is no definition in the Structure Plan or District Plan, which clarifies the meaning of this term. The wording of Policy 2 of 17B.4.4 is expanded to indicate what is meant by such development in this zone. The wording is as follows:

Development can occur on individual lots or through the comprehensive development of larger blocks of land e.g. five or more units developed at the same time on a site of 1500m² or greater.

10437-12 Ian Munro

Amend 17B.4.5 (Long Bay 4 Zone) policy 1, to read; "the average density of development should not exceed 1:150m²".

That submission 10437-12 **be rejected** for the reason that one unit per 150m² is stated in the policy as a guide for the overall density of the zone and should not been taken as an absolute maximum. A density control for individual developments has been specifically excluded from the Structure Plan in order to encourage a focus on quality design as opposed to the achievement of a maximum yield, as is often the case elsewhere in the city where density controls apply.

10436 - 55 ECB Coastal Protection Society Inc, Robert White

Amend policy 4 of 17B.4.6 (Long Bay 5 Zone) to include a reference to 17B.6.1.9 (On site Stormwater Management).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-55x419	Royal Forest & Bird Protection Society	Support
10436-55x836	Landco Limited	Oppose

That submission 10436 - 55 (supported by 10436-55x419 and opposed by 10436-55x836) **be rejected** for the reason that it is inappropriate to include a reference to section 17B.6.1.9 in policy 4 of 17B.4.6. This section follows on from the policies defined under 17B.3.1 and 17B.4.6 of the Structure Plan and it provides the rule relating to on site stormwater management that in terms of the objectives and policies shall be mitigated on site.

10436 - 58 ECB Coastal Protection Society Inc, Robert White

Clarify in policy 2 of 17B.4.7 (Long Bay 6 Zone) what is meant by "appropriate " development.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-58x422	Royal Forest & Bird Protection Society	Support
10436-58x839	Landco Limited	Oppose

10436 - 59 ECB Coastal Protection Society Inc, Robert White

The Explanation and Reasons section of 17B.4.7 (Long Bay 6 Zone) refers to details contained "on the plan maps". The maps contained in the variation are not detailed enough to illustrate this effectively.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-59x423	Royal Forest & Bird Protection Society	Support
10436-59x840	Landco Limited	Oppose

That submission 10436 - 59 (supported by 10436-59x423 and opposed by 10436-59x840) 10436 - 58 (supported by 10436-58x422 and opposed by 10436-58x839) **be accepted** for the reason that although policies 1-4 and the Explanation and Reasons section of 17B.4.7 state that only that development identified on the Structure Plan maps is the "appropriate" development allowed in the Long Bay 6 zone it would be useful to clarify in the objective in section 9A.4.6.7, Policy 2 and the Explanation and Reasons of section 17B.4.7 and in section 17B.5.1, Table 17B.1 c) what development is appropriate in the Long Bay 6 zone and this will provide greater clarity of understanding of the development associated with the Zone which is shown on the Land Use Strategy Plan of the Structure Plan.

Therefore the amended wording is as follows:

9A.4.6.7 Long Bay 6 Zone: Stormwater Management Zone

Council will only approve the subdivision of land within the Long Bay 6 zone if it is needed to ~~create~~ provide for infrastructure in general accordance with the Plan maps, including stormwater management facilities and roading.

Policy 2 of section 17B.4.7 is reworded as follows:

2. *Development in the zone is to be avoided. Only that infrastructure identified on the Plan maps, which includes stormwater treatment facilities and its associated development, water, wastewater, ~~identify that access roads and their associated bridges and accessways is appropriate.~~ These facilities are to be placed where areas of ecological significance are avoided. ~~where mitigation measures are proposed.~~*

The Explanation and Reasons of 17B.4.7 reads as follows:

The stormwater management zone is designed to ensure that the stream valley is kept free of development, with the only activities being those associated with stormwater management. Other structures are limited to water and wastewater infrastructure, roads, accessways and bridges, as detailed on the Plan maps.

and Table 17B.1 c)

Table 17B.1 c) Long Bay 6 Zone: Stormwater Management

Stormwater management facilities, water and wastewater infrastructure, roads and associated structures, boardwalks and tracks shall be discretionary activities in the Long Bay 6 zone. All other activities shall be non-complying activities.

Section 17B.5.1 Determination of Activity Status

10436-61 ECB Coastal Protection Society Inc, Robert White

In Table 17B.1(Long Bay Structure Plan Activities) pastoral farming should be permitted in Zone 1 only and prohibited or non-complying in all other zones.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-61x425	Royal Forest & Bird Protection Society	Support
10436-61x842	Landco Limited	Oppose

That submission 10436-61 (supported by 10436-61x425 and opposed by 10436-61x842) **be accepted in part** to the extent that pastoral farming may have adverse effects on the environmental values of the area and therefore is listed as a controlled activity in Table 17B.1 in Long Bay 1,2, 3 and 4 zones and non complying in the Long Bay 7 zone within the Structure Plan area, and subject to assessment criteria on Pastoral Farming to be added as a new section 17B.7.3.16 relating to the fencing of streams, the location of stream crossings and riparian planting as follows,

17B.7.3.16 Pastoral Farming

- a) All streams should be fenced and stream crossings should be located to ensure minimal damage to stream margins and vegetation.
- b) Riparian planting should be carried out along stream margins in areas identified as Landscape Protection Area in the Plan maps.
- c) Stock should be excluded from land within the Long Bay 6 and 7 zones.

10436 - 62 ECB Coastal Protection Society Inc, Robert White

In Table 17B.1 (Long Bay Structure Plan Activities) why are there no prohibited activities?

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-62x426	Royal Forest & Bird Protection Society	Support
10436-62x843	Landco Limited	Oppose

That submission 10436 - 62 (supported by 10436-62x426 and opposed by 10436-62x843) **be rejected** for the reason that prohibited activity status is an extreme measure and it is inappropriate to include such an activity status in the Structure Plan. Other than siteworks which expose up to 300m² of bare earth or other siteworks already permitted through the District Plan, all development in the Long Bay area will be assessed through controlled, limited discretionary, discretionary and non complying activity applications so that the potential effect can be assessed and conditions placed on the developments, if approved, so adverse effects can be avoided, remedied or mitigated or the activity declined if necessary.

10437-15 Ian Munro

Amend table 17B.1 (Long Bay Structure Plan Activities) to be consistent with Plan Change 1 as follows:

- 1) Residential units - two or more per site except in the Urban Neighbourhood Zone be reworded to state: "Residential Units -Two or more (including intensive residential developments for 5 or more) per site except in the urban neighbourhood Zone";
- 2) Residential units - five or more per site in the urban neighbourhood zone, where the net site area of the parent site is greater than 1500m² be reworded to state "Residential Units - five or more (intensive residential developments) per site in the urban neighbourhood zone, where the net site area of the parent site is greater than 1500m²".

That submission 10437-15 **be rejected** for the reason that the Structure Plan contains its own, targeted objectives, policies and assessment criteria relating to multi-unit housing, and does not need to rely on the provisions of Plan Change 1.

10437 - 21 Ian Munro

Amend Table 17B.1 (Long Bay Structure Plan Activities) to include Minor Residential Units as Non-Complying activities in all zones, under the section housing.

That submission 10437 - 21 **be rejected** for the reason that Minor Residential Units are already a non-complying activity in all zones under the Structure Plan and no change to the Structure Plan is necessary.

10438-33 Royal Forest and Bird Protection Society, J A Lewis

Amend Table 17B.1(Long Bay Structure Plan Activities) to change 'guest houses' to a discretionary activity in all zones and 'riding trails' to a discretionary activity in all zones.

Further Submission
10438-33x630

Further Submitter
Landco Limited

Support/Oppose
Oppose

That submission 10438-33 (opposed by 10438-33x630) **be accepted in part** to the extent that riding trails should be listed as a discretionary activity in Table 17B. 1 in the Long Bay 1 zone and subject to assessment criteria to be added to section 17B.7.5 relating to protection of existing vegetation and bush areas and protection of streams. The potential adverse effects of guesthouses are not such that discretionary activity status is warranted in the Long Bay 1 and 2 zones, however riding trails and horse jumping courses may have adverse effects that would more appropriately be addressed on a discretionary basis in the Long Bay 1 zone. An additional section 17B.7.5.4 is added as assessment criteria for Riding Trails and Horse Jumping Courses in the Long Bay 1 zone as follows:

17B.7.5.4 Riding Trails and Horse Jumping Courses in the Long Bay 1 zone

- a) Development of riding trails and horse jumping courses should be located where they would not result in the removal of any native vegetation and should only occur where they would not have any adverse effects on existing vegetation and bush areas.
- b) Development of riding trails and horse jumping courses should be located so that they do not adversely affect streams and stream margins and where possible stream should be protected by fencing or additional planting from such activities.

10456-4 Primecare NZ Ltd, Brian Putt

Amend 17B.5.1 (Determination of Activity Status) to provide for retirement complexes in the urban neighbourhood zone 3 as a limited discretionary activity.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10456-4x143	Royal Forest & Bird Protection Society	Oppose

That submission 10456-4 (opposed by 10456-4x143) **be rejected** for the reasons that adopting discretionary activity status for retirement complexes is consistent with the treatment of this activity in other residential areas of the city, and enables the Council to consider all relevant adverse effects.

10486-20 Landco Limited :Neil Donnelly

Delete 17B.5 (Rules: Long Bay Structure Plan Activities) including Table 17B.1 (Long Bay Structure Plan Activities) and insert replacement text.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-20x197	ECB Coastal Protection Soc Inc	Oppose
10486-20x534	LB-Okura Great Park Society	Oppose
10486-20x703	Okura Environmental Group	Oppose

That submission 10486-20 (opposed by 10486-20x197, 10486-20x534 and 10486-20x703) **be accepted in part** to the extent that:

Section 17B.5.1 b) Long Bay 5 Zone: Village Centre is amended as follows:

b) Long Bay 5 Zone: Village Centre

With the exception of service stations, activities in the Long Bay 5 zone shall have the same status as they would in the Business 1 zone (refer Section 15.5.1). ~~Service stations shall be Non-Complying activities in the Long Bay 5 zone.~~ Provided that:

- New buildings are a limited discretionary activity.*
- Alterations and additions that change the gross floor area of a building are a limited discretionary activity.*
- Alterations and additions that change the external appearance, but not the gross floor area of a building are a controlled activity.*

Service stations shall be Non-Complying activities in the Long Bay 5 zone.

Other parts of this decision discuss the relocation of the Long Bay 5 zone to the south of Vaughans Stream. With the zone relocated, a concept plan is no longer required (see submissions 10486-46). As such, paragraph b) of Section 17B.5.1 needs to be amended. With the removal of the need to comply with a concept plan, the activity status for new buildings, and alterations and additions that change the gross floor area of a building, needs to be amended to ensure good urban design outcomes. Limited Discretionary activity status was sought by Land Co Limited and is supported. Alterations and additions that change the external appearance, but not the gross floor area of a building should be a controlled activity.

The remainder of the submission is rejected for the reason that the proposed replacement table within Section 17B.5 refers to zones that do not align with the zones in the Structure Plan, the retention of the existing zones being supported for reasons outlined earlier in this report.

Section 17B.6 Rules: Development Controls

10436-63 ECB Coastal Protection Society Inc, Robert White

Amend 17B.6 (Rules: Development Controls) to include controls on building colours.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-63x427	Royal Forest & Bird Protection Society	Support
10436-63x844	Landco Limited	Oppose

That submission 10436-63 (supported by 10436-63x427 and opposed by 10436-63x844) **be rejected** for the reason that the landscape values associated with the Structure Plan area are more appropriately dealt with through the various development controls of the Structure Plan relating to minimum lot sizes, the bulk and location of buildings and planting.

10437-16 Ian Munro

Amend Rule 17B.6.1.1(Compliance) by adding after 17B.6.1.2 to 17B.6.1.12 the following:

"In general, Discretionary and Non-Complying activities should also comply with these controls unless there is a clear operational need for deviation from them".

That submission 10436-16 **be rejected** for the reason that there may be needs that are not "operational" that would justify a departure from the rules specified in Sections 17B.6.1.2 to 17B.6.1.12, and that this should be assessed on a case by case basis as a matter of good practice.

10437 - 28 Ian Munro

Add a note to Rule 17B.6.1 (General Development Controls) before Rule 17B.6.1.1 as follows: "Note: Changes to the status of activities provided for in Rule 17B.5.1 may result from breaches of the following development controls. For the avoidance of doubt, in instances where no control flexibility is provided, or where the limits of control flexibility are exceeded, the status of that activity shall be a Non-Complying activity".

That submission 10437-28 **be accepted in part** to the extent that paragraph a) under Section 17B.5.1 *Determination of Activity Status* is amended to read as follows:

- a) *Table 17B.1 specifies the activity status for activities in the Long Bay 1, 2, 3 and 4 zones within the Long Bay Structure Plan area. The activity status of any activity may be changed by rules in Section 17B.6 and the General Sections of the Plan.*

10456-5 Primecare NZ Ltd, Brian Putt

Amend Rule 17B.6.1.2 (Maximum Height) and the relevant assessment criteria to provide for a height limit range from 8m to 15m.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10456-5x144	Royal Forest & Bird Protection Society	Oppose

That submission 10456-5 (opposed by 10456-5x144) **be rejected** for the reason that buildings exceeding the 8 and 9 metre height limits that apply in the Long Bay 2 and 3 zones respectively are not considered appropriate and could have adverse landscape and visual effects that should be addressed on a limited discretionary, discretionary or non-complying basis, depending on the nature of the activity and the scale of the infringement.

10486-21 Landco Limited, Neil Donnelly

Amend 17B.6 (Rule: Development Controls), specifically 17B.6.1.2 (Maximum Height), 17B.6.1.3 (Height in Relation to Boundary), 17B.6.1.4 (Yards and Maximum Building Setback).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-21x198	ECB Coastal Protection Soc Inc	Oppose
10486-21x535	LB-Okura Great Park Society	Oppose
10486-21x704	Okura Environmental Group	Oppose

That submission 10486-21 (opposed by 10486-21x198, 10486-21x535 and 10486-21x704) **be rejected** for the reason that the proposed amendments by Landco to Section 17B.6 refer to zones that do not align with the zones in the proposed Structure Plan, the retention of the existing zones in the Structure Plan being supported for reasons outlined earlier in this report.

10487 – 26 North Shore City Council, Trevor Mackie

Amend 17B.6.1.4 (Yards and Maximum Setbacks) to address yard requirements only, and a new rule, 17B.6.1.5, be inserted to deal with maximum building setbacks.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-26x883	Landco Limited	Oppose

That submission 10487 - 26 (opposed by 10487-26x883) **be accepted** for the reason that separation of the yard rule and maximum building setback will provide clarity of understanding of these controls.

The Rules read as follows:

17B.6.1.4 Yards and Maximum Building Setback

a) Development shall comply with the controls of Table 17B.3:

Table 17B.3 Yards					
	Long Bay 1 Zone	Long Bay 2 Zone	Long Bay 3 Zone	Long Bay 4 Zone	Long Bay 6 Zone
Front Yard	7.5m	5m	2m	5m	Nil
Side Yard	6m	1.2m	Nil	Nil	Nil
Rear Yard	6m	3m	1.2m	Nil	Nil

~~b) Maximum Building Setback~~

~~A minimum of 50% of the length of the street elevation of any building in the Long Bay 4 zone shall be within 7 metres of the street.~~

~~e)b) For developments of two or more storeys in the Long Bay 3 zone, a minimum separation distance of 6 metres from the rear of the upper floor(s) to the nearest part of the rear boundary shall be achieved.~~

-----continued-----

~~Explanation and Reasons~~

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~~Long Bay 3 Zone: No side yards are proposed, to allow for the establishment of semi-detached, terraced housing and low rise apartment buildings. A six metre minimum setback from the rear boundary is required for the upper floors of residential units to ensure an appropriate degree of privacy between neighbouring units.~~

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17B.6.1.5 Maximum Building Setback

A minimum of 50% of the length of the street elevation of any building in the Long Bay 4 zone shall be within 7 metres of the street.

10486-22 Landco Limited, Neil Donnelly

Delete 17B.6.1.6 part b) (Ridgeline Protection Corridor).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-22x199	ECB Coastal Protection Soc Inc	Oppose
10486-22x536	LB-Okura Great Park Society	Oppose
10486-22x705	Okura Environmental Group	Oppose

That submission 10486-22 (opposed by 10486-22x199, 10486-22x536 and 10486-22x705) **be rejected** for the reason that the rule stated in paragraph b) of Section 17B.6.1.6 is necessary to protect the landscape values associated with Vaughans Road ridgeline and to provide an appropriate transition from urban to rural.

10438-34 Royal Forest & Bird Protection Society, J A Lewis

Amend 17B.6.1.7 (Maximum Building Coverage) and Table 17B.4 (Maximum Building Coverage) to reflect lower percentage coverage in Zones 3 and 4.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10438-34x631	Landco Limited	Oppose

That submission 10438-34 (opposed by 10438-34x631) **be rejected** for the reason that the existing controls are appropriate in terms of the housing types anticipated in the Long Bay 3 and 4 zones. More restrictive controls would tend to be impractical and would provide little or no benefit in terms of protecting landscape and amenity values.

10440 - 3 Richard Brabant (Rick Woodroffe)

Amend Rule 17B.6.1.7 (Maximum Building Coverage) to exclude accessory buildings from the maximum net site coverage in the Long Bay 1 zone.

That submission 10440-3 **be rejected** for the reason that accessory buildings contribute to the overall built character of a site or area, and there are no effects-based reasons why they should be considered differently to any other building on site. This is consistent with the approach adopted in all of the City's residential and rural zones.

10442-4 S B & L A Singleton

Amend Table 17B.4 (Maximum Building Coverage) to allow a maximum building coverage of 20% in the Long Bay 1 Zone and amend Table 17B.5 (Maximum Impermeable Area) by requiring 30% maximum impermeable area in the Long Bay 1 Zone.

That submission 10442-4 **be accepted in part** to the extent that a maximum impermeable area of 500m² or 15% of the site (whichever is greater) be specified in Table 17B.5 (Maximum Impermeable Area) for the Long Bay 1 zone. This would allow the larger lots some additional flexibility without compromising the objectives of the Structure Plan to preserve stream health and maintain the semi-rural character intended for some parts of the zone. In all other respects the submission is not supported for the reasons that buildings with a coverage exceeding 10% may result in adverse effects on the environment that should be avoided, remedied or mitigated.

10486-23 Landco Limited, Neil Donnelly

Delete Table 17B.4 (Maximum Building Coverage) and include replacement text.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-23x200	ECB Coastal Protection Soc Inc	Oppose
10486-23x537	LB-Okura Great Park Society	Oppose
10486-23x706	Okura Environmental Group	Oppose

That submission 10486-23 (opposed by 10486-23x200, 10486-23x537 and 10486-23x706) **be rejected** for the reason that the proposed amendments to Table 17B.4 refer to zones that do not align with the zones in the Structure Plan, the retention of the existing zones being supported for reasons outlined earlier in this report.

10486-24 Landco Limited :Neil Donnelly

Delete 17B.6.1.8. (Building Length Control) and include replacement text.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-24x201	ECB Coastal Protection Soc Inc	Oppose
10486-24x538	LB-Okura Great Park Society	Oppose
10486-24x707	Okura Environmental Group	Oppose

That submission 10486-24 (opposed by 10486-24x201, 10486-24x538 and 10486-24x707) **be rejected** for the reasons that the proposed amendments to Section 17B.6.1.8 refer to zones that do not align with the zones in the Structure Plan, the retention of the existing zones being supported for reasons outlined earlier in this report.

10436 - 69 ECB Coastal Protection Society Inc, Robert White

Correct Explanation and Reasons for 17B.6.1.9 (On Site Stormwater Management) paragraph 2 which refers to Appendix 17B/B which does not exist.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-69x433	Royal Forest & Bird Protection Society	Support
10436-69x850	Landco Limited	Oppose

That submission 10436 - 69 (supported by 10436-69x433 and opposed by 10436-69x850) **be accepted** for the reason that this reference is a typing error and appendix 17B/B does not exist. The reference is made instead to the Land Use Strategy Plan referred to as Appendix 9 in the Structure Plan maps which illustrates the Type A and Type B Stream protection Areas.

10487 – 29 North Shore City Council, Trevor Mackie

Amend 17B.6.1.9 (On Site Stormwater Mitigation), Explanation and Reasons, paragraph 3 on page 60 to delete the reference to zone 3.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-29x886	Landco Limited	Oppose

That submission 10487-29 (opposed by 10487-29x886) **be accepted** for the reason that this is a typing error and that the same error in 2(e) of 17B.6.1.9 be corrected as well.

10487 – 30 North Shore City Council, Trevor Mackie

Amend 17B.6.1.10 (Fences, Boundary and Retaining Walls) parts c) and d) and add part e), as follows:

c) For sites that abut land zoned recreation or land shown as proposed reserve in the Plan maps, any boundary fences or walls *within a yard* shall be limited to a maximum height of 1.2 metres.

d) For sites that immediately abut land identified as Cycle and Pedestrian routes in Appendix 10 to the Plan maps, a boundary fence or wall *within a yard* shall be constructed to a maximum height of 1.2 metres.

e) Fences, boundary and retaining walls shall be designed and located to avoid obstructing overland flow paths.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-30x887	Landco Limited	Oppose

That submission 10487 - 30 (opposed by 10487-30x887) **be accepted in part** to the extent that the inclusion of the words *within a yard* in parts c) of Rule 17B.6.1.10 (17B.6.1.11) will provide greater clarity of meaning to the rule and the addition of part *e) Fences, boundary and retaining walls shall be designed and located to avoid obstructing overland flow paths*, ensures best practice is achieved. However part d) is amended as follows to provide clarity of understanding to this part.

d) For sites that immediately abut land identified as Cycle and Pedestrian routes in Appendix 10 of the Plan maps, a boundary fence or wall ~~shall be~~ may be constructed to a maximum height of 1.2 metres on the common boundary.

10486-26 Landco Limited, Neil Donnelly

Amend 17B.6.1.10 (Fences, Boundary and Retaining Walls) to include control flexibility.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-26x203	ECB Coastal Protection Soc Inc	Oppose
10486-26x540	LB-Okura Great Park Society	Oppose
10486-26x709	Okura Environmental Group	Oppose

That submission 10486-26 (opposed by 10486-26x203, 10486-26x540 and 10486-26x709) **be rejected** for the reasons that applications to infringe the maximum heights specified for side and front boundary fences are more appropriately dealt with on a discretionary rather than a limited discretionary basis, giving a clearer indication that this should be the exception rather than the norm.

10486-27 Landco Limited :Neil Donnelly

Amend 17B.6.1.11 (Vehicle Access) to include control flexibility.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-27x204	ECB Coastal Protection Soc Inc	Oppose
10486-27x541	LB-Okura Great Park Society	Oppose
10486-27x710	Okura Environmental Group	Oppose

That submission 10486-27 (opposed by 10486-27x204, 10486-27x541 and 10486-27x710) **be rejected** for the reasons that the proposed amendments to Section 17B.6.1.11 refer to zones that do not align with the zones in the Structure Plan, the retention of the existing Structure Plan zones being supported for reasons outlined earlier in this report. Furthermore, the requirements in respect of the width of driveways, accessways and parking areas for small lots in the Long Bay 3 zone will help to ensure good urban design outcomes for the area, and their deletion would create the potential for adverse environmental effects.

10487 – 31 North Shore City Council, Trevor Mackie

Amend 17B.6.1.12 (Activities within the Landscape Protection Area), Explanation and Reasons to replace in the final paragraph the word "objectives" with "*purpose*".

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-31x888	Landco Limited	Oppose

That submission 10487 - 31 (opposed by 10487-31x888) **be accepted** for the reason that it is more relevant to use the word purpose rather than objective in the context of the second paragraph of the explanations and reasons section of 17B.6.1.12. (17B.6.1.13)

10437 - 27 Ian Munro

Add a new Rule after 17B.6.1.12 as follows: "17B.6.1.13: Outdoor Living Space: Rule 16.6.2.4 (a) shall apply as it does in the residential 1-7 zones".

That submission 10437-27 **be rejected** for the reason that a cross-reference is already provided to Section 16.6.2.4 a) for residential units in the Long Bay 2 zone. A broader application of the rule is not supported for the reasons that the outdoor living space requirements of the rule are not appropriate for terraced housing, low-rise apartment buildings and mixed use developments in the Long Bay 3, 4 and 5 zones.

10437-23 Ian Munro

Add a new rule after 17B.6.1.12 reading: "17B.6.1.13" Car Parking Requirements. On site car parking for residential units within the Long Bay Structure Plan area shall be provided at the following rates (for business activities refer to Rule 12.4.2.1):

- a) Every residential unit shall provide visitor parking at the rate of 0.5 spaces per unit, irrespective of its floor area.
- b) Every studio or single bedroom unit shall provide 1 parking space for the exclusive use of that building.
- c) Each unit with 2 or more bedrooms shall provide at least 2 parking spaces for the exclusive use of that unit.

Note: For the purposes of this Rule, a bedroom shall include any 'study', 'library' or similarly designated self-contained and enclosable room (including by bi-fold panels or similar extendable screening) that could easily be utilised as a private and habitable room greater than 9sqm in area.

Control Flexibility: An alternative provision may be applied for as a Limited Discretionary activity, however only in respect of the need to provide 2 parking spaces for every 2 bedroom unit in a development, and for no more than half of the 2 bedroom units provided".

10437-24 Ian Munro

Add a new Explanation and Reasons to explain why car parking arrangements have been so created.

10437-25 Ian Munro

Insert after criterion 17B.7.3.2, the following : "17B.7.3.3 Reduction in Parking Spaces for 2-Bedroomed Units" and include situations where other design situations would result in consideration of a reduction in parking spaces.

That submissions 10437-23, 10437-24 and 10437-25 **be rejected** for the reason that it is not appropriate to recommend changes to the Structure Plan while this issue is being looked at through a city wide review of parking requirements for North Shore City.

Section 17B.6.3 Additional Controls for Residential Units in the Long Bay 3 Zone: Urban Neighbourhood

10486-29 Landco Limited, Neil Donnelly

Delete 17B.6.3 (Additional Controls for Residential Units in Long Bay 3 Zone) and 17B.6.3.1 (Site and Density Requirements) and include replacement text.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-29x206	ECB Coastal Protection Soc Inc	Oppose
10486-29x543	LB-Okura Great Park Society	Oppose
10486-29x712	Okura Environmental Group	Oppose

That submission 10486-29 (opposed by 10486-29x206, 10486-29x543 and 10486-29x712) **be rejected** for the reason that the proposed amendments to Section 17B.6.3 refer to a zone that does not align with the zones in the Structure Plan, the retention of the existing zones being supported for reasons outlined earlier in this report. Furthermore, the proposed amendments to 17B.6.3 are likely to result in the loss of native vegetation in the zone as well as poor urban design outcomes.

10437 - 26 Ian Munro

Amend 17B.6.3.2 (Outdoor Living Space); 17B.6.4.2 (Private and Communal Outdoor Living Space); and 17B.6.5.4 (Residential Development) to include the following point: "Outdoor Spaces shall at all times be designed in a manner whereby the receipt of direct sunlight is maximised. Enclosure of balconies through the use of permanent roofs and walls should be avoided".

That submission 10437-26 **be rejected** for the reason that the issue of sunlight access to balconies is already addressed through assessment criteria for the Long Bay 3 and 4 zones. With respect to the issue of balconies being enclosed or not, the submission is not supported for the reason that enclosed balconies (or loggia) can provide a good standard of amenity for apartment buildings.

10486-30 Landco Limited, Neil Donnelly

Delete 17B.6.3.2 (Outdoor living Space) and include replacement text.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-30x207	ECB Coastal Protection Soc Inc	Oppose
10486-30x544	LB-Okura Great Park Society	Oppose
10486-30x713	Okura Environmental Group	Oppose

That submission 10486-30 (opposed by 10486-30x207, 10486-30x544 and 10486-30x713) **be rejected** for the reason that the proposed amendments to Section 17B.6.3.2 refer to a zone that does not align with the any of the zones in the proposed Structure Plan, the retention of the existing zones being supported for reasons outlined earlier in this report.

10486-31 Landco Limited, Neil Donnelly

Delete 17B.6.3.3 (Garage Widths and Setback Requirements).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-31x208	ECB Coastal Protection Soc Inc	Oppose
10486-31x545	LB-Okura Great Park Society	Oppose
10486-31x714	Okura Environmental Group	Oppose

That submission 10486-31 (opposed by 10486-31x208, 10486-31x545 and 10486-31x714) **be rejected** for the reasons that the proposed amendments by the submitter to Section 17B.6.3.3 refer to a zone that does not align with the any of the zones in the proposed Structure Plan, the retention of the existing Structure Plan zones being supported for reasons outlined earlier in this report. Furthermore, it is noted that the requirements in respect of garages are necessary to ensure good urban design outcomes in the Long Bay 3 zone.

Section 17B.6.4 Additional Controls for Residential Units in the Long Bay 4 Zone: Urban Village

10486-32 Landco Limited, Neil Donnelly

Delete 17B.6.4 (Additional Controls for Residential Units in the Long Bay 4 Zone) and include replacement text.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-32x209	ECB Coastal Protection Soc Inc	Oppose
10486-32x546	LB-Okura Great Park Society	Oppose
10486-32x715	Okura Environmental Group	Oppose

10486-33 Landco Limited, Neil Donnelly

Amend 17B.6.4.1 (Minimum and Average Unit Size), and 17B.6.4.2 (Private and Communal Outdoor Living Space) and 17B.6.4.3 (Location of Parking Areas).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-33x210	ECB Coastal Protection Soc Inc	Oppose
10486-33x547	LB-Okura Great Park Society	Oppose
10486-33x716	Okura Environmental Group	Oppose

That submissions 10486-32 (opposed by 10486-32x209, 10486-32x546 and 10486-32x715) and 10486-33 (opposed by 10486-33x210, 10486-33x547 and 10486-33x716) **be rejected** for the reasons that the controls of the Structure Plan in respect of minimum and average unit size, private and communal outdoor living space and location of parking areas are necessary to ensure quality living environments and good urban design outcomes in the Long Bay 4 zone.

10437-18 Ian Munro

Amend Rule 17B.6.4.1 (Minimum and Average Unit Size) by inserting a new clause "c) Units shall only have one bedroom if they are less than 55m² in area. Units may only have three or more bedrooms if they are greater than 70m² in area".

10437-19 Ian Munro

Amend Rule 17B.6.4.1 (Minimum and Average Unit Size) by adding "Control Flexibility: In respect of clause 'c)' above, an application for land use consent as a Limited discretionary activity may be made in respect of any unit(s) that do not achieve these standards of intensity to unit size".

10437 - 20 Ian Munro

Amend the Explanations and Reasons for Rule 17B.6.4.1 (Minimum and Average Unit Size) to add as follows:

"Control over the fundamental intensity of a unit (governed by its occupancy and measured through the provision of bedrooms) has been applied to ensure that units are provided with a high standard of amenity. It prevents an unsustainable intensity arising whereby units seek to accommodate too many people (particularly adults) within its floor area that result in overcrowding of the unit and inadequate amenity".

That submissions 10437-18, 10437-19 and 10437-20 **be accepted in part** to the extent that the Structure Plan is amended to incorporate the rules in respect of minimum unit sizes contained in Proposed Plan Change 9 and Variation 67 (Albany Centre). The explanations and reasons given in respect of the rule is amended as follows to incorporate additional text along the lines proposed by the submitter.

17B.6.4.1 Minimum ~~and Average~~ Unit Size

- a) *The minimum unit size for one bedroom units within the development shall be at least 40m², and for two bedroom units shall be at least 55m². This area shall exclude any common areas and parking provided within the development.*
- b) *The minimum unit size for three bedroom units ~~average unit size~~ within the development shall be at least 70m². This area shall exclude any common areas and parking provided within the development.*

Note: Refer to definition of minimum unit size in Section 21 Definitions.

Explanation and Reasons

The purpose of this control is to ensure that units are of an appropriate size and that a range of unit types are established within the zone to cater for a variety of household types. While smaller than the size of units that would be expected in other parts of the Structure Plan area, the minimum and average areas specified are considered appropriate for multi-storey apartment developments of the sort envisaged in the zone. Control over the fundamental intensity of a unit (governed by its occupancy and measured through the provision of bedrooms) has been applied to ensure that units are provided with a high standard of amenity.

10487 – 32 North Shore City Council, Trevor Mackie

Clarify 17B.6.4.1 (Minimum and Average unit Size) part a) through the insertion of a definition for 'common area' in Section 21 of the Plan.

Further Submission
10487-32x889

Further Submitter
Landco Limited

Support/Oppose
Oppose

That submission 10487 - 32 (opposed by 10487-32x889) **be accepted in part** to the extent that it is more appropriate to include a definition for minimum unit size rather than a definition for 'common area' this will ensure clarity of understanding of this term in the control. The definition is included under the Further Amendments section of the Structure Plan as follows:

Further Amendments:

22 23. Amend Section 21: Definitions to insert a new definition as follows:

Minimum Unit Size

Minimum unit size means the minimum interior area for each residential unit, and excludes any private outdoor living space, common areas, storage areas not within the main part of the unit and car parking areas.

Section 17B.6.5 Additional Controls for Development in the Long Bay 5 Zone: Village Centre

10486-34 Landco Limited: Neil Donnelly

Delete 17B.6.5 (Additional Controls for Development in Long Bay 5 Zone) and include replacement text. Delete 17B.6.5.1 (Floor Area Control).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-34x211	ECB Coastal Protection Soc Inc	Oppose
10486-34x548	LB-Okura Great Park Society	Oppose
10486-34x717	Okura Environmental Group	Oppose

That submission 10486-34 (opposed by 10486-34x211, 10486-34x548 and 10486-34x717) **be accepted in part** to the extent that Section 17B.6.5.1 is amended to increase the maximum gross floor area for businesses not listed in Section 15.6.1.5 to 500m². This will provide the opportunity for a greater range of business activities to locate in the Long Bay 5 zone, while ensuring that large-format businesses do not undermine the role of the village centre.

Section 17B.6.5.1 is amended as follows:

17B.6.5.1 Floor Area Control

Rule 15.6.1.5 shall apply as it applies to the Business (Local)1 zone. Any business not listed in the rule shall have a maximum gross floor ~~space~~ area of 200m² 500m².

10487 – 33 North Shore City Council, Trevor Mackie

Amend the wording of 17B.6.5.1 (Floor Area Control) to replace the word 'space' with 'area'.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-33x890	Landco Limited	Oppose

That submission 10487 - 33 (opposed by 10487-33x890) **be accepted** for the reason that the use of the word 'area' as opposed to 'space' is more relevant in the context of this paragraph and is consistent with wording used in the District Plan.

10486-35 Landco Limited, Neil Donnelly

Amend 17B.6.5.2 (Hours and Days of Operation and Amplified Music), 17B.6.5.3 (Outdoor Activity on a Site) and 17B.6.5.4 (Residential Development).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-35x212	ECB Coastal Protection Soc Inc	Oppose
10486-35x549	LB-Okura Great Park Society	Oppose
10486-35x718	Okura Environmental Group	Oppose

That submission 10486-35 (opposed by 10486-35x212, 10486-35x549 and 10486-35x718) **be rejected** for the reasons that amplified music has the potential to cause a significant nuisance when played outside the hours specified under Section 17B.6.5.2. In addition, ground floor residential units are permitted within part of the Long Bay 5 zone, and as such, it is appropriate to specify a minimum standard for an associated outdoor living space.

10486-36 Landco Limited, Neil Donnelly

Amend 17B.6.7 (Other relevant Rules)

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-36x213	ECB Coastal Protection Soc Inc	Oppose
10486-36x550	LB-Okura Great Park Society	Oppose
10486-36x719	Okura Environmental Group	Oppose

That submission 10486-36 (opposed by 10486-36x213, 10486-36x550 and 10486-36x719) **be rejected** for the reason that the submitters amendment relates to their alternative structure plan and does not relate to the notified Structure Plan. The difference being that the submitters plan references fewer zones.

10486-37 Landco Limited, Neil Donnelly
Amend 17B.6.8 (Reservations -Matters for Control)

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-37x214	ECB Coastal Protection Soc Inc	Oppose
10486-37x551	LB-Okura Great Park Society	Oppose
10486-37x720	Okura Environmental Group	Oppose

That submission 10486-37 (opposed by 10486-37x214, 10486-37x551 and 10486-37x720) **be accepted in part** to the extent that the matters over which the Council has restricted the exercise of its discretion for Limited Discretionary Activities is amended to be consistent with section 17B.7.3 as follows:

Limited Discretionary Activities

For a Limited Discretionary activity, the Council may grant or refuse consent and (if granted) may impose conditions under Section 108 of the Act in respect of the following matters over which it has restricted the exercise of its discretion:

- a) Neighbourhood Integration*
- b) Streetscape and neighbourhood character*
- c) Building design and external appearance*
- d) Outdoor living space*
- e) Privacy*
- f) Landscaping*
- g) Site facilities and storage areas*
- Site layout*
- Height, bulk, location and number of buildings/residential units*
- Design and external appearance of buildings*
- Location, size and design of private and communal open space*
- Screening of private open space*
- Landscaping*
- Stormwater management*
- Wastewater disposal*

However with regard to the Controlled Activities Council needs to retain the ability to impose conditions in respect of impervious areas in the Stream Protection Type A area in order to ensure on-site stormwater mitigation and avoid potential adverse effects of stormwater run-off on streams and the Long Bay marine reserve.

Section 17B.7 Assessment Criteria

10436-71 ECB Coastal Protection Society Inc, Robert White
17B.7.1 (Notification of Controlled and Limited Discretionary Activities) is considered a negative proposal.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-71x435	Royal Forest & Bird Protection Society	Support
10436-71x852	Landco Limited	Oppose

(Note: This submission was incorrectly stated in the summary of submissions and should be as follows: “Non notification of applications to increase impermeable areas is considered a negative proposal”.)

That submission 10436-71 (supported by 10436-71x435 and opposed by 10436-71x852) **be rejected** for the reason the conditions likely to be placed on controlled and limited discretionary applications to increase the impermeable surface of a site are of a technical nature, and little would be served by requiring notification.

10486-38 Landco Limited, Neil Donnelly

Amend 17B.7.1 (Notification of Controlled and Limited Discretionary Activities).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-38x215	ECB Coastal Protection Soc Inc	Oppose
10486-38x552	LB-Okura Great Park Society	Oppose
10486-38x721	Okura Environmental Group	Oppose

That submission 10486-38 (opposed by 10486-38x215, 10486-38x552 and 10486-38x721) **be accepted in part** to the extent that Section 17B.7.1 is amended to include a reference to all limited discretionary activities.

10437-22 Ian Munro

Amend 17B.7 (Assessment Criteria) to include a cross reference to Objective 16.3.8 (Intensive Residential Development of the District Plan) and assessment Criteria 16.7.3.6 for land use application for activities involving 5 or more units within any zone of the Long Bay Structure Plan.

That submission 10437-22 **be rejected** for the reason that the Structure Plan contains its own targeted objectives, policies and assessment criteria relating to multi-unit housing, and does not need to rely on the provisions of Plan Change 1 to the North Shore City District Plan.

10487 - 35 North Shore City Council, Trevor Mackie

Amend 17B.7.3.2 (Landscaping and Planting) to correct the cross reference to 9A.7.2.3.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10487-35x892	Landco Limited	Oppose

That submission 10487 - 35 (opposed by 10487-35x892) **be accepted** for the reason that the cross reference currently referred to in the Structure Plan does not exist and the cross reference should be to the assessment criteria in section to 9A.7.2.3 (9A.7.2.7) Landscape Protection Area.

Appendices and Further Amendments

10436 - 74 ECB Coastal Protection Society Inc, Robert White

Amend Appendix 17B/A (Long Bay 5 Zone: Village Centre Concept Plan) to include a scale.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-74x438	Royal Forest & Bird Protection Society	Support
10436-74x855	Landco Limited	Oppose

That submission 10436 - 74 (supported by 10436-74x438 and opposed by 10436-74x855) **be rejected** for the reason that a concept plan for the Village Centre is no longer required for the site on the south side of the Vaughans Stream to which the Village Centre has been relocated through the consideration of other submissions. Therefore the provision of a scale is no longer relevant.

10486-46 Landco Limited, Neil Donnelly

Deletion of Appendix 17B/A (Long Bay 5 Zone: Village Centre Concept Plan).

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-46x223	ECB Coastal Protection Soc Inc	Oppose
10486-46x560	LB-Okura Great Park Society	Oppose
10486-46x729	Okura Environmental Group	Oppose

That submission 10486-46 (opposed by 10486-46x223, 10486-46x560 and 10486-46x729) **be accepted** for the reason that relocating the Long Bay 5 zone, as discussed elsewhere in this decision, results in a situation where a concept plan is no longer required for the Village Centre. The new location and shape of the zone are such that the site will generally be easier to develop in an environmentally responsive manner, ensuring good urban design outcomes. The activity status for new buildings, and alteration and additions that change the gross floor area of a building, does however need to be amended to ensure such an outcome. To this end, paragraph b) of Section 17B.5.1 is amended as set out in response to submission 10486-20 and additional assessment criteria added to Section 17B.7.3.6 (17B.7.3.8) and Appendix 17B/A is deleted and some consequential amendments are made as follows:

17B.4.6 Long Bay 5 Zone: Village Centre

Policies

1. Development ~~should conform to the concept plan prepared for the centre. The concept plan is to~~ should ensure that a high quality centre is developed which relates positively to the street and the adjacent reserve areas.

Explanation and Reasons

A small neighbourhood centre will add to the liveability of the wider suburban area. It will also complement the experience offered by the adjacent Regional Park. The centre is expected to accommodate three to four storey developments with shops and workplaces on the ground floor and apartments on the upper floors. ~~A preferred layout for the centre is incorporated in the Plan to clearly signal the urban design qualities that need to be associated with the village centre.~~

Section 17B.7.3.6 (17B.7.3.8) is amended as follows:

17B.7.3.68 Development in the Long Bay 5 Zone: Village Centre

- ~~a) The extent to which the proposal is consistent with the Concept Plan illustrated in Appendix 17B/A.~~
- a) The criteria specified in Section 15.7.1.1 shall apply.
- b) Where residential units are proposed, the criteria of Section 17B.7.3.5-6: Assessment Criteria for Residential Units in the Urban Village Zone shall apply, with the exception that communal outdoor living areas are not required within the zone.
- ~~e) Residential units at ground floor level should be confined to Area B (refer Appendix 17B/A).~~
- c) Buildings should be built to the street edge along Beach Road extension and Ashley Avenue extension, with car parking located underground or to the rear.
- d) Buildings should incorporate ground floor uses that activate the street edge.

10436 - 75 ECB Coastal Protection Society Inc, Robert White

On page 81 point 20 explain why stormwater ponds are a discretionary activity in the area.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10436-75x439	Royal Forest & Bird Protection Society	Support
10436-75x856	Landco Limited	Oppose

That submission 10436 - 75 (supported by 10436-75x439 and opposed by 10436-75x856) **be accepted in part** to the extent that amendment to Table 14.1 in the Structure Plan refers to an amendment to the District Plan to include Long Bay as one of the areas in the city where stormwater ponds are a discretionary activity. Stormwater ponds currently are only a discretionary activity in the recreation 1 zone of the District Plan.

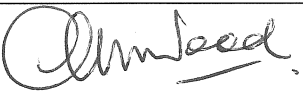
10486-47 Landco Limited : Neil Donnelly

Amend the Further amendments section of the plan to reflect the replacement text.

<u>Further Submission</u>	<u>Further Submitter</u>	<u>Support/Oppose</u>
10486-47x224	ECB Coastal Protection Soc Inc	Oppose
10486-47x561	LB-Okura Great Park Society	Oppose
10486-47x730	Okura Environmental Group	Oppose

That submission 10486-47 (opposed by 10486-47x224, 10486-47x561 and 10486-47x730) **be rejected** for the reason that the changes the submitter seeks through their alternative set of rules do not apply to the notified Structure Plan. The 'Further Amendments' section as proposed in the Structure Plan is necessary to clarify which existing District Plan rules do and do not apply in the Structure Plan area. With respect to the key differences between the submitter's version and the notified version, the following comments are also made:

- The changes proposed to the general tree protection rules would not adequately protect the potential landscape, ecological and amenity values of exotic trees in the various Landscape Protection Areas.
- Stormwater ponds can have significant adverse effects if not appropriately designed and located. They are also but one mechanism that is required to mitigate stormwater effects in the structure plan area. Specifying permitted or controlled activity status for stormwater ponds could set up an expectation that relying solely on stormwater ponds is an accepted practice in the area.
- Defining the term 'impermeable area' is critical if the stormwater management rules of the Structure Plan are to be properly understood and implemented.

	<u>Name and title of signatories</u>	Signature
Approved by	His Worship the Mayor	

Date: 26 April 2006