

Brenda Steele
Rodney Local Board
Private Bag
Orewa

14 March 2016

Dear Brenda

Re: Update on Issues as at 14th March 2016

The association would like to update the Rodney Local Board on various issues that we, like the board, have concerns over.

1. Unitary Plan

The association has completed assessment and communication with adjacent ratepayer associations and groups where joint submissions are to be made to the commissioners. We have agreements over the vision and concepts plans which will be used for evidence at the hearings.

The evidence is different from what is being promoted by the Auckland Council planning staff.

The lack of a 'structure plan' is the major impediment to logical growth in the Kumeu-Huapai area.

The work preparing the case has been considerable without any help from the board.

We realised that planning staff have been delaying the 'structure plan' preparation until the unitary plan hearings are over. That we believe is to avoid questions from the commissioners at the hearing.

There is no timing, density or location of development shown in the Proposed Auckland Unitary Plan.

The only recognition has been for the two SHAs approved by the Auckland Council as being in Stage 1 of the development.

2. Orahua Road SHA

The commission, on behalf of the council, heard the above application on 17 December 2015. The decision was made to approve 52 sites on the first stage being part of 225 units on a 14-hectare site.

The decision was to approve an application despite the limitations of the site and opposition from adjacent owners.

The association should shortly have a legal opinion on the approval process by the minister, Nick Smith.

Of concern to the association is the fact that the process of this application was undertaken in confidence through the Rodney Local Board. That process whilst it enabled the developer to protect their plans from community consideration meant that there was no assessment in the community over the type and density of the proposal.

The final hearing was simply a processing of the application for approval, not an assessment of the merit of the proposal.

That has resulted in approval of an inappropriate development in Kumeu-Huapai.

With the decision out on 7 March 2016, the community has to use the High Court to try to overturn the decision.

That process could have been avoided if:-

- (a) The Local board had transparently processed and obtained community input into the concept at an earlier stage; and
- (b) There had been a 'structure plan' in place before the SHA consideration

This would have meant that the proposal would have been assessed against that structure plan.

Those two elements lead to a development being approved by Auckland Council.

The precedent has been set which will lead to further intensification in adjacent areas, unless there is an approved structure plan.

3. The Maddren Site

The application for resource consent was submitted on the 2 December 2015 by Branton Developments, the new developer. The advice we have had is that Maddrens didn't advise Branton Developments of the memorandum of understanding held by the association on the community's behalf.

That memorandum (which is enclosed) was signed off as a settlement in the Environment Court to record the position between the community and Maddrens. Clearly there is a breach in the agreement between Maddrens and the new owner, Branton Developments, which would if not carefully taken into account by the Rodney Local Board lead to internal processing on a non-notified basis of the resource consent application by planning staff. Given that the development is now larger than originally proposed, community input is essential.

We are advised that the application is on hold pending further information.

We need the board to be proactive and support us in ensuring this application is handled in an open and transparent way allowing for community input i.e. it must be notified.

It should be noted that the commercial land owners have turned to the association not the BID to give them support.

4. The land fill at Worrall Road

The association has asked a solicitor to proceed with a claim against the council over the handling of the resource consent application.

It has cost the association and Doug Thode close on \$100,000 in direct expenses to overturn the resource consent. The planning staff at council should never have released the application for public scrutiny when the application proved to be deficient in the first place.

We acknowledge the efforts of the local board to have the governing body of council put in place robust systems around the land fill consenting process.

5. Funding from the Board

We have had little funding from the board for community work in Kumeu-Huapai.

The association has seen that there is no funding in our area for community work in preparation for 'structure planning' for the community.

The situation for the Rodney Local Board is embarrassing. We are 2 weeks away from the unitary plan hearings and there is no 'structure plan' or any concept that the commissioners could relate to or rely on to show how our district could grow from a 5,000 population to 20,000-30,000.

The association believe the board should be working with the association to ensure that the 'structure plan' is what the community wants.

We would like to record that at the local BID meeting Phelan Pirrie representing the Rodney Local Board spoke against providing any funding to the association.

Clearly the Kumeu BID representatives saw differently and voted to provide the association with \$3,000. That funding when received will help with the unitary plan and Kumeu Village planning issues.

6. Transport Issues

In 2014 and 2015 the association attempted to get Auckland Transport and NZTA to start transport planning for the wider Kumeu-Huapai district. NZTA advised that there had been no planning and none was scheduled.

In March 2015 we met with the Mayor of Auckland and other officials in an attempt to start a structure planning process underway to support meaningful submissions to the unitary plan for the planned development of our area. That was refused.

We now know that in late 2015 NZTA and AT commenced to look at options for the Kumeu-Huapai and surrounding district. Clearly NZTA and Auckland Transport are still at very early stages in roading and transport planning as evidenced by the recent consultation meetings.

The work should have been advanced with the unitary plan hearing process to avoid zoning areas for development where roading will not occur.

Conclusion

The association (and other ratepayer associations and community groups) recognise and welcome development in our areas. However, that development must be planned and appropriately supported (infrastructure) and be in keeping with our rural area.

The association has been saying for the last 4 years that we would arrive at the unitary plan hearings with no concept of what the community wanted unless the Rodney Board

worked with us to outline that plan. That hasn't happened and it has been left to our association to complete that work with no funds other than what we raised from the community to provide that picture for the community.

We have support from the community and other associations for our submission to the Unitary Plan Independent Hearing Panel commissioners.

Yours faithfully

Pete Sinton
Chairman

Mark Hall
Secretary