

Submission on Proposed Auckland Combined Plan

Section 123 of the Local Government (Auckland Transitional Provisions) Act 2010 and Clause 6 of Schedule 1 to the Resource Management Act 1991

To: Auckland Council
By: Council Webform

Name of submitter: WAITAKERE RANGES PROTECTION SOCIETY INCORPORATED (“the Society”)

Submission No. 3: Objectives and Policies

Introduction

1. The Society makes this submission on the proposed Auckland combined plan (“the **Unitary Plan**”).
2. The Society could not gain an advantage in trade competition through this submission. In any event, the Society is directly affected by an effect of the subject matter of the submission that:
 - (a) adversely affects the environment; and
 - (b) does not relate to trade competition or the effects of trade competition.
3. The specific provisions that this submission relates to are PART 2 REGIONAL AND DISTRICT OBJECTIVES AND POLICIES, in particular:
 - (c) Chapter C:4.1 Trees in Streets and Public Open Space.
 - (d) Chapter C:5.3 Vegetation Management.
 - (e) Chapter C:6 Subdivision.
 - (f) Section C:7.5 Temporary Activities.

- (g) Chapter D:1.3 Rural and Coastal Settlement Zone.
 - (h) Chapter D:6.6 Countryside Living Zone.
 - (i) Chapter D:6.5 Rural Conservation Zone.
 - (j) Chapter E:4.3 Ridgeline Protection
 - (k) Chapter F:1.7 Regional Parks.
 - (l) Chapter F:7.9 Waitakere Ranges Heritage Area.
4. This submission (*Waitakere Ranges Protection Society Incorporated – Submission No. 3: Objectives and Policies*) is one of a series of submissions made by the Society in relation to various parts of the Unitary Plan affecting the Waitakere Ranges.

Background

5. The Society is a community based organisation with a membership of over 600 individuals and families. The Society has been in existence for over 40 years since 1973.
6. Its aims include to protect and conserve the natural environment in the Waitakere Ranges; to raise awareness of the importance and value of the Waitakere Ranges to New Zealand's environmental heritage, preservation and wellbeing; to promote any scheme or activity that may benefit or help protect or preserve the Waitakere Ranges; and to oppose any scheme or activity which might significantly adversely affect the natural ecosystems and landscape of the Waitakere Ranges.
7. The Society has spent thousands of hours of mostly voluntary work preparing and presenting submissions in national, regional and district planning processes and resource consent applications pursuant to the Resource Management Act 1991 (“RMA”) along with other decision making processes relating to the Waitakere Ranges.
8. The Society actively promoted the passage of the Waitakere Ranges Heritage Area Act 2008 (“**WRHAA 2008**”). The WRHAA which establishes the Waitakere Ranges Heritage Area, (which includes the Waitakere Ranges Regional Park, the residential areas around Titirangi, the foothills of the Ranges, coastal villages such as Piha, Karekare, Huia and parts of former south-west Rodney district) and recognises that the Heritage Area is of national significance and identifies the heritage features that contribute to its national significance.

Reasons for submission

9. The Society’s submission is as follows:

- (a) Provided the relief sought in this submission is granted, the Unitary Plan:
 - (i) Will be consistent with the purpose and principles of the RMA and will otherwise be consistent with Part 2 of the Resource Management Act 1991.
 - (ii) Will be appropriate in terms of section 32 of the RMA.
 - (iii) Will warrant being implemented in terms of both the RMA and sound resource management principles and practice.
- (b) In the absence of such amendments, the Unitary Plan will fail to meet the purpose and principles of the RMA, will allow the generation of significant adverse effects on the environment in particular on the Waitakere Ranges, and will fail to meet the requirements of section 32 of the RMA.

In particular, without limiting the generality of the above:

- (c) The Society's view is that it is essential that the Unitary Plan affords the Waitakere Ranges with at least the same level of protection as is currently provided in the operative regional and district planning instruments, in particular the Auckland Regional Policy Statement and the Auckland District Plan (Waitakere Section).
- (d) In order to achieve this outcome, the Society considers that there needs to be a series of amendments to strengthen the protection afforded to the Waitakere Ranges as set out in the indicative form of relief in **Attachment One**.
- (e) The Society considers that the use of a Waitakere Ranges Heritage Precinct is the appropriate planning tool within the framework of the Unitary Plan for addressing the specific environmental issues that apply to the Waitakere Ranges.

Relief Sought

10. The Society seeks the following decision from Auckland Council:

- (a) Retain the planning approach of a separate precinct for the Waitakere Ranges Heritage Area.
- (f) Amend PART TWO, DISTRICT AND REGIONAL OBJECTIVES AND POLICIES to ensure that the Waitakere Ranges have at least the same level of protection as is currently afforded to the Ranges under the operative planning instruments, including, by way of example, the amendments shown in the indicative form of relief in **Attachment One**.
- (g) Such other relief or other consequential amendments as are considered appropriate or necessary to address the concerns set out in this submission.

2. The Attachment to this submission identifies indicative examples of relief that would address appropriately certain of the matters raised in this submission. Other forms of wording and relief may also be appropriate and within the scope of the matters raised in this submission. The Attachment is by way of example but not to the exclusion of other appropriate and effective methods of upholding this submission.
11. The Society wishes to be heard in support of its submission.
12. If others make a similar submission, the Society will consider presenting a joint case with them at a hearing.

DATED 27 February 2014



John Edgar, President and authorised signatory for the **WAITAKERE RANGES PROTECTION SOCIETY INCORPORATED**

ADDRESS FOR SERVICE: PO Box 15-668, New Lynn, Auckland 0640. Telephone: (09) (09) 818 7447, Contact: John Edgar. Email: john@johnedgar.co.nz

ATTACHMENT ONE: INDICATIVE FORM OF RELIEF

Chapter	Provision(s)	Submission/Reasons	Relief Sought
C:4.1 Trees in Streets and Public Open Space.	Whole	<p>The Society supports the recognition given to the contribution that trees make to streets and public open space. However, although this provision is in the Auckland wide objectives and policies section of the Unitary Plan the provision appears to be more aimed at urban environments and local reserves and does not acknowledge that the provision would apply to all forms of public open space including in rural areas and regional park. The Society considers that greater weight should be given to the environmental and ecological functions of trees rather than only the positive visual and amenity values of trees.</p>	<ol style="list-style-type: none"> 1. Retain all provisions that recognised the contribution of trees to public open space. 2. Amend the background, objectives and policies to give greater recognition to the environmental and ecological functions of trees.
C:5.3 Vegetation Management.	Whole	<p>The Society supports the recognition given to the contribution that vegetation cover makes to the environment. In particular, the Society supports Objective 1, which recognises contiguous native vegetation cover and supporting policies 2 and 3 that are aimed at protecting contiguous native vegetation cover and enhancing ecological integrity and functions. However, the provisions fail to recognise the positive contribution that vegetation makes to visual amenity.</p> <p>The Society has also made submissions on the Regional Policy Statement (RPS) seeking to clarify that ecosystem services refers to the services provided by trees and vegetation in supporting the healthy functioning of the environment and ecosystems as opposed to benefits and use by people.</p>	<ol style="list-style-type: none"> 1. Retain all provisions that recognise the positive contribution that vegetation cover makes to the environment. 2. Add additional background, objectives and additional supporting policies to recognise and protect the positive contribution that vegetation makes to visual amenity. 3. To the extent necessary make any amendments required to be consistent with the Society's submissions regarding the meaning of ecosystem services.
C:6 Subdivision.	Objectives and Policies.	<p>In practice, the intensity of subdivision activity within the Waitakere Ranges will be managed and controlled by the precinct specific subdivision controls. That said, the Society considers that it is important that the Auckland wide objectives and policies appropriately provide for the protection of vegetation, habitats and ecological function. In that regard, the Society specifically supports the following provisions that recognise and protect vegetation, natural features and SEA's from inappropriate subdivision activity:</p> <ul style="list-style-type: none"> ● Objective 8 - providing incentives to protect SEAs. ● Objective 10 – enhancing natural features ● All Subdivision Policy 4(a) - avoiding dominant ridgelines. ● All subdivision Policy 12 - encouraging retention of indigenous trees and vegetation. 	<ol style="list-style-type: none"> 1. Retain Objective 8, Objective 10, All Subdivision Policy 4(a), All subdivision Policy 12, Rural Subdivision Policy 27(a) and (b) and Rural Subdivision Policy 35. 2. Strengthen the objectives to ensure that there are objectives directly related to the supporting policies that are supported by the Society.

		<ul style="list-style-type: none"> • Rural Subdivision Policy 27(a) and (b) – avoiding subdivision in Rural Production, Mixed Rural, Rural Coastal and Rural Conservation zones • Rural Subdivision Policy 35 – recognising topography, natural features, ridgelines and existing vegetation. 	
C:7.5 Temporary Activities.	Whole	<p>Temporary events have the potential to have adverse effects on the environment of the Waitakere Ranges and considers that is important that the controls applied to temporary events are no less stringent than under the operative planning instruments.</p> <p>The Society supports the recognition given in the Background section to the adverse effects that generate and the need to manage these effects through controls on location, number scale, intensity, and duration.</p> <p>The society supports the recognition given to the adverse cumulative effects and the potential for disturbance to public open space caused by temporary activities in the objectives but considers that these provisions could be strengthened to acknowledged that in some public open spaces, such as the Waitakere Ranges, there are additional values, such as environmental, ecological function, wilderness and tranquillity values that could be adversely affected by temporary events. The Society considers it is appropriate that the adverse effects on such values are avoided rather than minimised. In that regard, the Society supports the focus on the City Centre, Metropolitan Centres and the Auckland Domain as the appropriate venue for major or recreational events.</p>	<ol style="list-style-type: none"> 1. To the extent that it is necessary amend the Temporary Activities provisions to ensure that the controls applied to temporary events are no less stringent than under the operative planning instruments. 2. Retain the recognition given in the Background section to the adverse effects that generate and the need to manage these effects through controls on location, number scale, intensity, and duration in the Background. 3. Retain Objective 2. 4. Add to Objective 3 <i>“in relation to public open spaces that exhibit environmental, ecological function, wilderness and tranquillity values, such as the Waitakere Ranges, disturbance to these values is to be avoided by locating such events in other public places where possible.</i> 5. Retain Objective 4. 6. Amend Policy 5 to be consistent with the relief sought by the Society in paragraph 4 above.
D:1.3 Rural and Coastal Settlement Zone.	Zone Description and Objective 3.	<p>The Society supports the expectation in the Zone Description that only limited or no growth is anticipated due to servicing, infrastructure, accessibility constraints and sensitive character and considers that this expectation should be made explicit in Objective 3 in order to provide clarity about the nature and scale of future development anticipated in the Rural and Coastal Settlement zone.</p>	<ol style="list-style-type: none"> 1. Retain sentence two of the Zone Description that states only limited or no growth is anticipated due to servicing, infrastructure, accessibility constraints and sensitive character 2. Amend Objective 3 to make it clear that the appropriate density of future development anticipated in the Rural and Coastal Settlement zone limited or no growth due to servicing, infrastructure, accessibility constraints and sensitive character.

D:6.5 Rural Conservation Zone.	Whole	<p>The Society generally supports the objectives and policies for the Rural Conservation zone but considers that amendments are required to clarify that while existing rural and residential activities are expected to continue, significant expansion of these existing activities is not anticipated in this zone.</p> <p>The Society considers that minimising land disturbances, landform modification and the removal of indigenous vegetation is important in this zone and should be a general policy in addition to a method of maintaining and enhancing water quality and quantity.</p>	<ol style="list-style-type: none"> 1. Retain provisions that recognise and provide for the importance of protecting the important natural values of the biophysically distinct areas in Auckland. 2. Amend paragraph 1 of the zone description and objectives 1 and 2 to provide for the specified environmental values and physical and biological activities to be enhanced. 3. Amend paragraph 3 of the zone description and objective 3 to clarify that while existing rural and residential activities are expected to continue, significant expansion or increases in scale of intensity of these existing activities is not anticipated in this zone.
D:6.6 Countryside Living Zone.	Objectives and Policy 1(e)	<p>The Society supports Policy 1(e), which relates to protecting and enhancing environmental features by implementing opportunities for environmental enhancement in existing areas of native vegetation but notes that there is no objective that there is no corresponding objective that this policy is intended to implement.</p>	<ol style="list-style-type: none"> 1. Insert a new objective to protect and enhance environmental features by existing areas of native vegetation, wetland areas, riparian margins and the coastal edge. 2. Retain Policy 1(e).
Chapter E:4.3 Ridgeline Protection	Whole	<p>The Society supports the protection of Auckland's sensitive ridgelines.</p>	<ol style="list-style-type: none"> 1. Retain Chapter E:4.3 Ridgeline Protection and make any amendments necessary to ensure that sensitive ridgelines are afforded at least the same level of protection as under the operative planning instruments.
Chapter F:1.7 Regional Parks.	Policy 2 and 6.	<p>The Society supports the policy of establishing connections between regional parks and open space and considers that the desirability of establishing ecological links / corridors between regional parks and open spaces should be included.</p> <p>The Waitakere Ranges is a large scale park but this does not mean that it suitable for larger buildings because its particular values, such as wilderness, tranquillity and conservation of indigenous vegetation and habitats are incompatible with larger building forms.</p>	<ol style="list-style-type: none"> 2. Add a new policy 2(d) that recognises the desirability of establishing ecological links / corridors between regional parks and open spaces. 3. Amend Policy 6(a) so that larger building thresholds are only enabled if appropriate in the context of the scale <u>and the particular values</u> of the individual park.

Chapter F:7.7 Penihana North	Whole	The Society supports the zone description, objectives and policies relating to Penihana North on the basis that the provisions reflect the operative district plan provisions, which record a site specific agreement as to the appropriate level of subdivision and development.	1. Retain the Penihana North provisions and, to the extent required, amend to ensure consistency with the operative district plan provisions.
Chapter F:7.8 Swanson North	Whole	The Society supports the zone description, objectives and policies relating to Penihana North on the basis that the provisions reflect the operative Swanson North plan provisions, which record a site specific agreement as to the appropriate level of subdivision and development.	1. Retain the Swanson North provisions and, to the extent required, amend to ensure consistency with the operative district plan provisions.
Chapter F:7.9 Waitakere Ranges Heritage Area ("WRHA").	Precinct and Sub-precinct descriptions	The Society considers that, in general, the Precinct and Sub-precinct descriptions accurately describe the distinctive physical and social characteristics of the WRHA and its Sub-Precincts. However, the Society considers that some amendments are required for clarity or for consistency with operative planning instruments, or this the Society's submissions on other parts of the Unitary Plan (including the Society's submission on the RPS).	<ol style="list-style-type: none"> 1. To the extent necessary, amend the Precinct and Sub-precinct descriptions to be consistent with the Society's submission on other parts of the Unitary Plan including the Society's submission on the RPS. 2. Amend paragraph 2 of the WRHA precinct description to recognise the international significance of the Waitakere Ranges. 3. To the extent required amend the precinct description for the WRHA to be consistent with the Society's submission on the RPS. 4. Amend the precinct description of Sub Policy area: Oratia Village so that the recognisable village form is described as being open and spacious rather than incomplete. 5. Amend the precinct description in Sub-Precinct C Waitakere Coastal Settlements to recognise that opportunities for expansion of existing settlements are limited. 6.
	Objectives (District Level)	The Society generally supports the Objectives and Policies applying to the Waitakere Heritage Area on the basis that these seek to implement the WRHAA 2008 but considers greater clarity is required in relation to what is appropriate expansion of existing activities and anticipated level and quality of visitor experiences in the Waitakere Ranges.	1. Retain the explanation to the objectives of Sub-Precinct F: Waitakere Ranges Regional Park that provides that if there is any conflict between the objectives and the underlying zone the precinct objectives (which incorporate the objectives of the WRHAA 2008) shall prevail.

			<ol style="list-style-type: none"> 2. Retain the objectives and policies that implement the WRHAA 2008. 3. Retain Policy 1 that requires development and subdivision to be consistent with the objectives of the WRHAA 2008. 4. Delete Policy17 that provides for the appropriate expansion of lawfully existing activities to ensure that they continue to provide for the wellbeing of the community or the quality of the visitor experience.
	Sub Precinct A – Waitakere Foothills Objectives and Policies	The Society generally supports the provisions on the grounds that in conjunction with the overall objectives and policies for the WRHA Precinct, the provisions encapsulate the objectives of the WRHAA 2008 and reflect existing intent for the Sub-precinct in the operative district plan.	<ol style="list-style-type: none"> 1. To the extent that the provisions reflect the objectives of the WRHAA 2008 and the intent of the operative district plan in relation to this area, the Society seeks that the provisions be retained.
	Sub Precinct B: Waitakere Ranges and Bush Living Objectives and Policies	The Society generally supports the provisions on the grounds that in conjunction with the overall objectives and policies for the WRHA Precinct, the provisions encapsulate the objectives of the WRHAA 2008 and reflect existing intent for the Sub-precinct in the operative district plan.	<ol style="list-style-type: none"> 1. To the extent that the provisions reflect the objectives of the WRHAA 2008 and the intent of the operative district plan in relation to this area, the Society seeks that the provisions be retained.
	Sub Precinct C Titirangi Laingholm Objectives and Policies	The Society generally supports the provisions on the grounds that in conjunction with the overall objectives and policies for the WRHA Precinct, the provisions encapsulate the objectives of the WRHAA 2008 and reflect existing intent for the Sub-precinct in the operative district plan.	<ol style="list-style-type: none"> 1. To the extent that the provisions reflect the objectives of the WRHAA 2008 and the intent of the operative district plan in relation to this area, the Society seeks that the provisions be retained.
	Sub Precinct D Waitakere Coastal Settlements Objectives and Policies	The Society generally supports the provisions on the grounds that in conjunction with the overall objectives and policies for the WRHA Precinct, the provisions encapsulate the objectives of the WRHAA 2008 and reflect existing intent for the Sub-precinct in the operative district plan.	<ol style="list-style-type: none"> 2. To the extent that the provisions reflect the objectives of the WRHAA 2008 and the intent of the operative district plan in relation to this area, the Society seeks that the provisions be retained.
	Sub Precinct E Large Property Management Areas Objectives and Policies	The Society generally supports the provisions on the grounds that in conjunction with the overall objectives and policies for the WRHA Precinct, the provisions encapsulate the objectives of the WRHAA 2008 and reflect existing intent for the Sub-precinct in the operative district plan.	<ol style="list-style-type: none"> 1. To the extent that the provisions reflect the objectives of the WRHAA 2008 and the intent of the operative district plan in relation to this area, the Society seeks that the provisions be retained.

	Sub Precinct F Waitakere Ranges Park Objectives and Policies	The Society generally supports the provisions on the grounds that in conjunction with the overall objectives and policies for the WRHA Precinct, the provisions encapsulate the objectives of the WRHAA 2008 and reflect existing intent for the Sub-precinct in the operative district plan.	1. To the extent that the provisions reflect the objectives of the WRHAA 2008 and the intent of the operative district plan in relation to this area, the Society seeks that the provisions be retained.
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