

**1 STATUS OF THE PROPOSAL UNDER THE TRANSITIONAL AND PROPOSED DISTRICT PLANS**

The site falls within the Residential Special zone of the Waitakere City Transitional District Plan (Waitemata Section). The proposed development would be encompassed by the definition of "Comprehensive Residential Development", which would cover any residential development that would not comply with the standard requirements of the zone. Applications for Comprehensive Residential Developments are assessed as a **Discretionary Activity**.

Under the proposed District Plan (notified 14 October 1995) the property is identified as being within the Living Environment and the General Natural Area. The Proposed Plan defines the proposal as "medium density housing", as it would be established on a site area in excess of 2000m<sup>2</sup> and dwellings would exceed a density of one unit for every 350m<sup>2</sup> of net site area. Medium density housing situated wholly within 500m of a train station (as in this case) is assessed as a **Limited Discretionary Activity**.

The application also seeks subdivision consent for the site areas associated with each unit, together with the legal roads and reserves to be vested. As the total site area exceeds 3 hectares, the Proposed Plan requires that the subdivision consent application be assessed as a **Discretionary Activity**.

In summary, the proposal must be considered as a **Discretionary Activity** by virtue of its density under the Transitional Plan and due to the proposal to subdivide a site of greater than 3 hectares under the Proposed Plan.

**2 STATUTORY REQUIREMENTS**

As a discretionary activity the proposal requires consent pursuant to the provisions of the Resource Management Act 1991.

Subject to Part II of the Act, Section 104(1) requires that when considering an application for resource consent, Council shall have regard to "any actual and potential effects on the environment of allowing the activity", together with "any relevant objectives, policies, rules or other provisions of a plan or proposed plan". The definition of "effect", under Section 3 includes:-

- "(a) Any positive or adverse effect; and
- (b) Any temporary or permanent effect; and
- (c) Any past, present or future effect; and
- (d) Any cumulative effect which arises over time or in combination with other effects -

regardless of the scale, intensity, duration or frequency of the effect, and also includes -

- (e) Any potential effect of high probability; and
- (f) Any potential effect of low probability which has a high potential impact."

"Environment" as defined in Section 1 includes:

- "(a) Ecosystems and their constituent parts, including people and communities; and
- (b) All natural and physical resources; and
- (c) Amenity values; and

- (d) The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters."

The relevant Part II matters are as follows:

**"5. Purpose -**

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (2) In the Act, "sustainable management" means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while -
  - (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
  - (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and
  - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment."

**"6. Matters of National Importance**

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- (b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- (c) The protection of areas of significant indigenous vegetation and significant habitat's of indigenous fauna:
- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga".

**"7. Other Matters -**

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to -

- (a) Kaitiakitanga;
- (b) The efficient use and development of natural and physical resources;
- (c) The maintenance and enhancement of amenity values;
- (d) Intrinsic values of ecosystems;
- (e) Recognition and protection of the heritage values of sites, buildings, places, or areas;
- (f) Maintenance and enhancement of the quality of the environment;
- (g) Any finite characteristics of natural and physical resources;
- (h) The protection of the habitat of trout and salmon;"

**3. PROPOSED REGIONAL POLICY STATEMENT**

The proposed Auckland Regional Policy Statement was notified on 12 February 1994. An amended statement incorporating decisions on submissions was issued in September 1995. Chapter 2 (Regional Overview and Strategic Direction) of the Proposed Policy Statement contains objectives and policies in relation to urban development. The relevant parts of this are as follows:

**"2.5 THE STRATEGIC DIRECTION**

**2.5.1 Objectives**

1. To manage the natural and physical resources of the Region to accommodate growth and development while safeguarding and enhancing environmental quality including heritage and amenity values, improving efficiency and fulfilling the purpose and principles of Part II of the Act.
2. To ensure that the management of the use, development and protection of the Region's natural and physical resources is carried out in an integrated manner.
3. To promote energy efficiency in the Region.
4. To adopt a Strategic Direction through which:
  - (i) Urban development is to be contained and urban intensification encouraged at selected places in order to achieve Objectives 2.5.1-1, -2 and -3 and to protect resources which are of regional significance."

## **“2.6 REGIONAL DEVELOPMENT**

### **2.6.1 Policy: Urban containment and consolidation:**

1. The Auckland Region’s urban development shall be contained within defined geographic limits.
2. Within the defined geographic limits, the form of the Region’s urban development shall be planned and undertaken in ways that are consistent with the Strategic Direction and:
  - (i) do not undermine the integrity of the defined limits to metropolitan Auckland or rural or coastal settlements;
  - (ii) achieve urban intensification around selected nodes and along selected transport corridors;
  - (iii) at selected locations within areas of new development, achieve higher intensities of urban activities than have been the norm for suburban development in the past;
  - (iv) bring about patterns of activities that will reduce travel demand and improve the energy efficiency and convenience of urban areas (refer to chapter 4- Policy 4.4.1-2, and Chapter 5 - Policy 5.4.1-3);
  - .....
  - (vi) achieve efficient provision of services (including utility services, transportation facilities or services, and community facilities and services, such as schools, libraries, public open spaces and the like) through the utilisation or upgrading of existing facilities, or the provision of new ones;
  - (vii) maintain or enhance amenity values within the existing urban area, and achieve high standards of amenity in areas of new development.
  - (viii) avoid, remedy, or mitigate adverse effects on the environment.

### **“Urban Intensification**

Changing demographic patterns and household structures point to a need for a more varied choice of housing types. More intensive forms of development should not be limited to infill development. Peripheral land development also offers opportunities for a wider range of subdivisional forms, housing types and densities than have historically been attempted in greenfields situations in Auckland. Achieving higher densities of development on undeveloped urban land will mean that the current reservoir of urban land will be able to accommodate the Region’s growth for a longer period of time.

The Strategic Direction recognises that intensification, including infill development, within the urban area has the potential to play a greater part in meeting Auckland’s future needs for housing, jobs and services. The above policies and methods promote the realisation of that potential. There is a substantial reservoir of land within the existing urban area which is presently unused and has potential to be developed for urban activities or is under-developed and has the potential for more intensive development and use.

Much of this land is in areas where the existing utility systems and the transport network have capacity to service more intensive, or infill development. Intensification will achieve more efficient use of existing infrastructure, and also shift the emphasis of development of metropolitan Auckland toward an urban form which is more efficient in transport and energy terms. In addition, this change in emphasis can be expected to bring about a more varied supply of housing types and densities, and this is expected to better match the more varied size and age characteristics of Auckland's population.

It is also important that urban development improves the relationship between residential development and employment opportunities in order to reduce the need for travel. This is particularly important in relation to the expansion of rural towns and coastal settlements, where residential development could readily outstrip growth in employment opportunities, resulting in long and energy inefficient commuting trips into metropolitan Auckland.

Unless it is carefully planned however, infill and intensification can have adverse effects on natural or physical resources and amenity values. These can stem from loss of trees and bush, overloading of utility systems (especially drainage and stormwater), traffic congestion, and reduction of space around buildings. In some areas, some urban utility services, such as sewer systems, electricity supply and telecommunication systems, and the transportation network, have reached limits to their capacity and already require refurbishing, replacing or upgrading. With careful planning and programming, infill and intensification may be co-ordinated with, and help to fund, necessary improvements to services so that natural resource values are protected and amenity values maintained or enhanced.

In the planning and management of intensification, consideration should be given to the extent to which established activity patterns make convenient provision for social, economic and cultural wellbeing and health and safety, and also to the extent to which changes can achieve better provision. Clustering of social and community facilities at accessible locations, often in association with commercial centres, contributes to the community wellbeing. Segregation of incompatible activities (such as those handling hazardous or toxic substances) from residential areas contributes to amenity values and to the health and safety of communities. Allowing residential activities, or activities involving assemblies of people, in close proximity to noxious or dangerous industries (as may occur in 'mixed use' zones) can adversely affect the economic and safe operation of such industries. Planning for intensification must also take account of the economic importance of major areas of industrial and business activity and should ensure that the long-term future of these legitimate activities is not compromised by the introduction of incompatible activities into those areas. Features or places of cultural significance to Maori, or of historical significance to the Region or nation, may be important to the identity of the Region or locality. Changes should be planned and managed so that activity patterns which provide appropriately for social, economic and cultural wellbeing and the health and safety of the community are reinforced, and opportunities to make better provision for those matters and to improve amenity values, are realised.

In summary, changes to the intensity, scale or character of activities within the urban area can have a broad range of effects on the environment. It is important that infill and intensification be planned and managed so that social, economic and cultural wellbeing and the health and safety of people and communities is provided for, natural resource values and heritage values protected, and amenity values maintained or enhanced. For these reasons the ARC will produce either a regional plan or a non-statutory report focusing on urban consolidation as stated in Method 2.6.2-4.