

Environmental Management Committee

**Tuesday, 7 September 2004
Commencing at 9.30 am**

**Item 7A: Waitakere Ranges and
Foothills Protection Project
- Regional Policy Statement
and District Plan Issues**

**AMENDMENT
TO ORDER OF BUSINESS**

**AGENDA FOR AN ORDINARY MEETING OF THE ENVIRONMENTAL MANAGEMENT
COMMITTEE TO BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE,
LINCOLN, WAITAKERE CITY, ON TUESDAY, 7 SEPTEMBER 2004,
COMMENCING AT 9.30 AM.**

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**SUPPLEMENT TO AN ORDINARY MEETING OF THE ENVIRONMENTAL MANAGEMENT
COMMITTEE TO BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE,
LINCOLN, WAITAKERE CITY, ON TUESDAY, 7 SEPTEMBER 2004,
COMMENCING AT TIME 9.30 AM.**

**7A WAITAKERE RANGES AND FOOTHILLS PROTECTION PROJECT - REGIONAL
POLICY STATEMENT AND DISTRICT PLAN ISSUES**

PURPOSE OF THE REPORT

The purpose of this report is to update the Environmental Management Committee and seek endorsement of potential changes to the Regional Policy Statement and District Plan which impact on the Waitakere Ranges and Foothills Protection Project.

BACKGROUND

A package of responses was developed following phase one consultation of the Waitakere Ranges and Foothills Protection Project. Eight potential responses were identified including promoting legislation and amending the Auckland Regional Policy Statement, the District Plan, and Regional Growth Strategy Sectors Agreement to achieve protection for the Ranges by providing greater certainty and permanence.

Whilst core staff have primarily been focusing on promoting legislation, work has also been undertaken on improving District Plan standards in the Ranges and Foothills as well as looking at potential changes to the Auckland Regional Policy Statement.

District Plan

Several key District Plan consent orders have been finalised recently that prohibit subdivision beyond 4.0ha in the Waitakere Ranges Environment and subdivision thresholds in the Bush Living Environment outside the Metropolitan Urban Limit. Development beyond the density identified in future structure plans in the Foothills Environment is also prohibited. The Titirangi/Laingholm subdivision standards have also been finalised after approximately ten years of debate.

Council also undertook a structure plan review in December 2003. This work identified the need to establish a vision for the Foothills Environment to inform future plan changes in the Foothills area.

The Local Government (Auckland) Amendment Act 2004, identifies that each Local Authority must prepare and publicly notify proposed land transport and land use changes to its Auckland planning documents by March 2005. The main driver for this legislation is to direct Councils in the Auckland region to better integrate land use and transportation planning to, amongst other things, "reinforce metropolitan urban and rural objectives of the Auckland Regional Policy Statement".

Staff are currently working on District Plan changes to include employment growth in the Northern Strategic Growth Area and the introduction of a growth chapter into the District Plan which will highlight that growth should be focused around urban intensification of existing town centres and expansion in the north rather than in the Waitakere Ranges and Foothills area.

Auckland Regional Policy Statement

Changes to the growth and transport chapters of the Auckland Regional Policy Statement as well as further consideration of the Metropolitan Urban Limit are proposed as part of the Local Government Amendment Act 2004. As noted, changes have to be requested by March 2005. The Auckland Regional Council has indicated a 4 November 2004 deadline for draft changes including the draft District Plan changes so that the respective Auckland Regional Policy Statement and District Plan changes are known to be integrated and so that the March 2005 deadline can be achieved.

Several work streams are currently focusing on promoting changes, particularly relating to urban and rural growth (location, timing, and sequencing), urban intensification and Metropolitan Urban Limit changes in the Northern Strategic Growth Area.

A concurrent report on this agenda outlines the consultation process proposed in relation to both the Auckland Regional Policy Statement changes and consequent District Plan changes as part of this process.

Northern and Western Sectors Agreement

Running in parallel with this work is a review of the Waitakere Urban Growth Strategy. A population model has finally been received, and future growth scenarios can now be run through the model. This will help in reassessing the timing and sequencing of urban intensification and the movement of the Metropolitan Urban Limit to allow for future population and employment growth. This work will inform a review of the Northern and Western Sectors Agreement as well as changes to the District Plan and the Auckland Regional Policy Statement. A detailed report on the proposed changes will be presented to the September meeting of Council - but the general approach being taken is to reinforce the City's commitment to intensification with limited expansion of the Metropolitan Urban Limit to the north of the City, initially to provide in particular for much needed employment land and the completion of the Westgate Town Centre.

STRATEGIC CONTEXT

The Waitakere Ranges and Foothills Protection Project is a key project within the Green Network platform of the Long Term Council Community Plan. The 'Green Network' strategic platform contains a vision that would see streams and forests full of life, the Waitakere Ranges permanently protected and a Green Network in place linking the Ranges to the sea, as well as connecting the everyday lives of the people of Waitakere with the natural world.

Council has indicated a strong commitment to working on protection of the Ranges, whilst recognising that there are many different values relating to the Ranges, and that much is already being done to achieve protection.

ISSUES

District Plan

As noted above, some significant consent orders have only recently been finalised that provide added protection to some key areas of the Waitakere Ranges. Promoting further changes in the short term to these areas would create concern with the affected communities particularly given the extensive resources and mediation process that have been applied to achieve these positive outcomes.

A range of possible future plan changes has been identified for future work programmes, some of which impact on the Waitakere Ranges and Foothills and the current suggested list for investigation is outlined below:

- Possible changes to the Policies and Assessment Criteria for a range of Rules in the District Plan to better provide direction around the management of cumulative effects.
- Possible provision of a Waitakere Ranges and Foothills specific chapter in the District Plan.
- Possible development of a set of Natural Area rules which differentiates between the Natural Areas found in the area outside of the Waitakere Ranges and Foothills and that within the Waitakere Ranges and Foothills.
- Possible changes to the vegetation clearance rules in the Waitakere Ranges and Foothills which better identifies the differing values of Managed Natural Area identified within the area.
- Possible changes to the Coastal Villages Human Environment and Natural Area Rules to address landscape, building coverage, earthworks and impermeable surfaces issues which are currently arising.
- Possible changes to the Coastal Villages Subdivision Rules to bring a Prohibited Activity Rule in - similar to that now provided for in the Waitakere Ranges and Foothills Environment Rules.
- Possible changes to the earthworks rules in all natural areas to better control earthworks within a building platform (this is an issue not just confined to the Waitakere Ranges and Foothills).

It is important to note that the above list is by no means exhaustive, and also that, upon investigation of some of the issues in detail it may be found that no change to the District Plan is required.

Nevertheless the Local Government (Auckland) Amendment Act 2004 provides a focus for reviewing the location, timing, and sequencing of growth in Waitakere City. Staff are currently working on a plan change that will introduce a growth chapter into the Policy section of the District Plan. The intent being to re-direct future population growth away from the Waitakere Ranges to the Northern Strategic Growth Area. As the Upper Harbour Study has not yet been completed it is difficult to determine how much growth can be located in the Northern Strategic Growth Area. If this issue is not resolved further pressure will be placed on the Ranges in the short term.

Whilst the District Plan has several key policies and explanation about growth there is no specific growth chapter. A chapter that integrates growth with environmental effects would be consistent with the Local Government Amendment Act 2004 and would more closely align with the Auckland Regional Policy Statement. This chapter would largely be based on the Northern and Western Sectors Agreement with emphasis being placed on the need for urban intensification first and where additional growth is necessary it shall be located in areas with low ecological and landscape values such as in the Northern Strategic Growth Area. This growth chapter is currently being worked on as well as other District plan changes which attempt to achieve greater urban intensification around existing town centres and future nodes in the Northern Strategic Growth Area.

The Swanson Structure Plan is proceeding to Environment Court mediation. Councils position is to support prohibited activity as well as ensuring that mitigation measures are strengthened. Specifically the Council has resolved the following in relation to the Swanson Structure Plan:

“That the Manager: Resource Consents be requested to consider recommending public notification of applications for subdivisions in accordance with or beyond the density of the Swanson Structure Plan on the basis that this might be appropriate in light of:

- the wider public interest in the Swanson Structure Plan of parties both supporting and opposing the Structure Plan;*
- the need to preserve the interests of those parties opposing the Swanson Structure Plan via reference to the Environment Court given that there is still the potential for the Structure Plan to be declined or significantly altered through Environment Court proceeding;*
- the ongoing development of a Vision for the Foothills.”*

1501/2004

“That the Manager: Resource Consents and the Hearings Committee, when assessing applications for subdivisions in accordance with or beyond the density of the Swanson Structure Plan, be requested to consider the appropriateness of recommending declining any such applications on the basis that a precautionary approach to the management of cumulative effects may be appropriate in light of the ongoing development of a Vision for the Foothills.”

1502/2004

“That any information that becomes available through the Waitakere Ranges and Foothills Protection Project and development of a Vision for the Foothills, or through other work underway on developing the urban growth strategy, be utilised where appropriate during any Environment Court proceedings arising from appeals to Variation 88, the Swanson Structure Plan.”

1505/2004

“That the Manager: Resource Consents investigate whether it is practical when granting applications for subdivisions in structure plan areas, to use covenants (or some other mechanism) against future subdivision beyond the density provided for in structure plans.”

1506/2004

“That the Environmental Management Committee confirms the Council's position in relation to the Swanson Structure Plan Appeals Settlement Process:

- Prohibited Activity Status for subdivision beyond the lot densities allocated in the Structure Plan;*
- Revegetation and restoration requirements to be shown as part of the Structure Plan;*
- Stormwater mitigation to be provided as part of the Structure Plan;*
- Consideration of fixing lot boundaries or building platform locations as part of the Structure Plan;*
- Consideration of mechanisms for providing for revegetation and restoration of vegetation as appropriate throughout the Structure Plan area.”*

1507/2004

“That the Environmental Management Committee confirms that no new structure plans will be initiated in the Waitakere Ranges and Foothills Protection Project area, until the completion of the outstanding work from the Structure Plan Review, including, but not limited to:

- Establishment of a clear vision and strategy for any further development in the Foothills Environment;*
- Establishment of a clear process and framework for decision making around the commencement of structure planning in the Foothills Environment;*
- Establishment of the environmental bottom line criteria which apply to all future structure plans; and*
- Encapsulation of these issues (and others identified in the Structure Planning Review) within the District Plan through an appropriate Plan Change.”*

1508/2004

“That, following the conclusion of the mediation process, the Council indicate to the Environmental Court that it wishes to proceed to a hearing at the earliest possible opportunity to address any unresolved matters in relation to the Swanson Structure Plan references.”

1509/2004

“That the Environmental Management Committee acknowledges receipt of the 5 August 2004 letter from the Structure Plan Advocates Network, indicating the Group’s support for a moratorium on Non-Complying Subdivision applications in the Swanson Structure Plan area. That Council Officers to report to the Environmental Management Committee outlining the number and status of any such application that may have been lodged.”

1510/2004

Auckland Regional Policy Statement

To date, Waitakere City Council staff have primarily been focusing on the movements to the Metropolitan Urban Limit in the Northern Strategic Growth Area and intensification work within the Metropolitan Urban Limit. This work is critical to draw growth away from the Ranges.

As noted preliminary work has been undertaken for changes to the Auckland Regional Policy Statement, particularly the growth chapter. The focus here is to identify the significance of the Waitakere Ranges and Foothills, provide better guidance to structure planning location (away from Outstanding Natural Areas including landscapes), timing and sequencing. The importance of protecting the Titirangi/Laingholm area is also critical as this area is currently inside the Metropolitan Urban Limit and contains significant natural resources, a situation that is unique in the Region. Most importantly the focus of urban expansion is directed to the north of the City in the Northern Strategic Growth Area, recognising that the effects on the Upper Harbour should be mitigated.

RESOURCES

Funding of \$110,000 has been allocated in the 2004/2005 Annual Plan for further work on the Waitakere Ranges and Foothills Protection Project.

CONCLUSION

Changes to the District Plan and Auckland Regional Policy Statement need to be considered carefully in terms of appeal resolution and visioning work whilst integrating with the Local Government Amendment Act 2004. The current work programme, which gives priority to Metropolitan Urban Limit changes in the north, urban intensification within the Metropolitan Urban Limit, and a growth chapter in the policy section of the District Plan directing future growth away from the Ranges, will achieve this.

RECOMMENDATIONS

1. That the Waitakere Ranges and Foothills Protection Project - Regional Policy Statement and District Plan Issues report be received.
2. That the Environmental Management Committee endorse the approach being taken towards Auckland Regional Policy Statement, District Plan and Regional Growth Strategy Sectors Agreement work in relation to the Waitakere Ranges and Foothills Protection Project.

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