

19 January 2010

Waitakere City Council
6 Henderson Valley Road
Henderson
Waitakere 6012

Attention Christopher Turbott

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Dear Christopher

**Notice of Requirement under s168 of the Resource Management Act
1991 for the Waitakere Ranges Regional Park**

The Auckland Regional Council (ARC), as a requiring authority, gives Notice of Requirement for a designation of the Waitakere Ranges Regional Park, for regional parkland purposes.

ARC is seeking a new designation, which will replace the existing designation, for the following reasons:

- To recognise the Waitakere Ranges Heritage Area Act (WRHA Act) 2008 and the statutory role the Regional Parks Management Plan now plays in fulfilling the requirements of the WRHA Act;
- To eliminate reference on the existing designation to irrelevant rules in the district plan; and
- To include additional land acquired as part of the parkland.

The Notice of Requirement and a deposit of \$7000 is included with this letter.

If you require any further information please contact Jeannie Miller, Recreation Planner, on (09) 366 2000 extension 8032.

Yours sincerely



Mace Ward
General Manager, Parks

Notice of requirement by Auckland Regional Council for the designation of the Waitakere Ranges Regional Park.

Sections 168(1), (2) and 181 and clause 4 of First Schedule, Resource Management Act 1991

To: Waitakere City Council
Private Bag 93019
Henderson
Waitakere 0650

The Auckland Regional Council gives notice of a requirement for a designation of the Waitakere Ranges Regional Park for regional park purposes.

The majority of land in the Waitakere Ranges Regional Park is currently designated as Waitakere Ranges Regional Parkland under the Waitakere City Council District Plan

The conditions relating to the existing designation are as follows:

All designations shall be subject to

- 1 all relevant Natural Area Rules*
- 2 City-Wide Rules of the Plan relating to noise standards, natural hazards, hazardous facilities and contaminated sites, and heritage*
- 3 All relevant Human Environment Rules relating to noise, air discharges and odour, dust, glare and vibration.*

The Auckland Regional Council, as the requiring authority, seeks a new designation for the Waitakere Ranges Regional Park, because:

- Some sections of the park are not included within the designation boundaries as they have been added to the park since the designation was created
- The current designation conditions include rules that are inappropriate and unnecessary for the proper management of a large forested park with remote and rugged settings
- To recognise the recently enacted Waitakere Ranges Heritage Act 2008, which together with the Regional Parks Management Plan, provides an adequate basis for the management of works on the parkland

1. The land

The land to which the requirement applies;

- a) is all that land contained in the legal descriptions attached as Appendix A and shown on the map attached as Appendix B, being approximately 17,000 hectares in area
- b) consists of land previously designated for regional park purposes under the Waitakere City District Plan and the following additional pieces of land;
 - i. Lot 1, DP 91173, Lake Wainamu Reserve, Bethells Road;
 - ii. Lots 1 -2 DP 106207, Lot 7 DP 161748, Pae O Te Rangi, Bethells Road;
 - iii. Lots 1-5 and 7 DP 146127, Big Muddy Creek, Laingholm;
 - iv. Area A, SO Plan 64997, Whatipu Scientific Reserve, Whatipu;
 - v. Lots 59 - 60 DP 25109, Lot 3 DP 31544, Stedfast Park, Piha;
 - vi. Lot 200 DP 347095, Kitewaho Road, Swanson;
 - vii. Lot 2, DP 318085, Titirangi Beach Road, Titirangi;
 - viii. Lot 57, DP 21508, 28 Turangi Road, Waiatarua;
 - ix. Lot 1, DP 197569, 71 Turangi Road, Waiatarua

(The land to be designated is shown on the map attached as Appendix B. The additional lands are shown in red. Certificates of Title for the above are attached as Appendix C)

- c) is owned and/or controlled and managed by the Auckland Regional Council (ARC) variously under the Local Government Act 2002 and the Reserves Act 1977, and is managed in terms of the Waitakere Ranges Heritage Area Act 2008

Part of the land is also subject to a designation by Watercare Services Limited (WSL) for the purpose of water supply. This notice of requirement does not seek to change the WSL designation but the ARC will remain the primary requiring authority for the underlying land. Parts of the land are also owned by the Crown, such as the Whatipu accretion lands, and by the QEII Trust at Lake Wainamu. However, the management of these lands have either been vested in the ARC and/or the management has been formally transferred by a management agreement to the ARC. WSL and the QE II Trust have been notified of this proposed ARC designation and have no objection to it. An email from WSL and a letter from the QE II Trust are attached as Appendix D.

2. The nature of the public work

The works are those which relate to developing and managing regional parkland. This includes the construction of vehicle access, parking, tracks and public facilities that, while partly to facilitate people's enjoy of the parkland, are also designed to protect the natural, cultural and scenic values of the parkland.

The park is subject to the Regional Parks Management Plan (RPMP) which defines the nature of the works proposed for the park. Excerpts of the RPMP that apply to the Waitakere Ranges Regional Park are attached as Appendix E. This outlines the envisaged works for the Waitakere Ranges Regional Park over a 10 year period.

It should be noted that the RPMP in its entirety applies to the management of the park. A key and central theme of the RPMP is to minimise development on the park in order to maintain its intrinsic qualities, and in particular, its wilderness qualities and the sense of remoteness that is apparent in many parts of the parkland. The park is also within the Waitakere Ranges Heritage Area. The ARC is obliged to give effect to the purpose and objectives of the Waitakere Ranges Heritage Area Act 2008 which is designed to protect the heritage features of the park.

Vehicle access and parking will generally be limited to maintaining existing arrival points to the parkland, with limited upgrading where demand requires. The track systems are extensive, extending over 240 kilometres in length, and there are no plans to significantly extend these. Works relating to tracks will involve maintenance and re-routing to reduce erosion, to avoid sensitive ecosystems such as wetlands or prevent the spread of pathogens, such as Kauri-dieback disease. Public facilities are generally of a small scale and limited to notice boards, toilets, shade shelters, signs and park furniture such as picnic tables and seats at the main arrival areas and visitor nodes on the park.

In order to carry out the works smoothly new conditions are proposed for the designation. These specify when an outline plan should be exempt and when one should be submitted. Currently all works are subject to the natural and human environment rules, objectives and policies, which given the nature of the works required to carry out park operations is not practical. These proposed conditions for the new designation are attached as Appendix F.

3. The environmental effects of the public work.

The Waitakere Ranges Regional Park consists of a large contiguous tract of native forest which contains a number of unique forest and coastal ecosystems, including extensive wetlands, coastal dunes and cliffs, lakes and waterways. The park is habitat to a number of rare and threatened plant and animal species. The park has high scenic value and contains a number of unique landscape features, such as volcanic rock

outcrops, coastal cliffs and wetlands. It also contains numerous archaeological sites, features of value to tangata whenua and remnants of the early European settlement and industry, such as forestry. These values and features are defined in greater detail in the RPMP. As pointed out above, the overall intention of park management is to protect these features and qualities.

The extent of proposed works is limited, but it is inevitable that some works, and maintenance of the existing infrastructure, will impact on the environment of the park. The nature of these impacts falls into two categories. These are the impacts on the park and impacts generated outside the park. Impacts on the park environment will involve mainly the disturbance to soil and vegetation, discharges to land and water and visual impacts of development. The nature of impacts off the park will involve factors such as traffic generation and impacts at the boundary of the park such as noise, downstream impacts on waterways and visual impacts.

4. Mitigation of the environmental effects of the works.

The ways in which any adverse environmental effects will be mitigated fall into two categories. They are;

a) Effects within the park

- i) All works are subject to a statutory management document, namely the Regional Parks Management Plan, which is prepared through public consultation in terms of Section 83 of the Local Government Act 2002 and Section 41 of the Reserves Act 1977. Of particular note is the threatened plant inventory and management strategy which is designed to prevent the inadvertent removal of threatened plants during the development and maintenance of infrastructure, and in particular, works on tracks. (Extracts of the relevant sections of the Regional Parks Management Plan are attached as Appendix E)
- ii) All works are subject to the Waitakere Ranges Heritage Area Act 2008, which is designed to promote the protection and enhancement of its heritage features for present and future generations. The ARC must demonstrate that all decisions made in relation to the parkland have given effect to the purpose and objectives of the Waitakere Ranges Heritage Area Act 2008.
- iii) All works are subject to the proposed conditions outlined in Appendix F which define the thresholds at which the works will be either subject to an Outline Plan in terms of Section 176 A of the Resource Management Act 1991 or resource consents.

- iv) All works are subject to the rules of regional plans in relation to the disturbance of land (sedimentation), discharges to land air or water, works within the coastal marine area or a stream bed. These rules apply also to effects generated outside the park
- v) All works are subject to the procedures and requirements of the Historic Places Act 1993, the Biosecurity Act, including the Regional Pest Management Strategy, and the Forest and Rural Fire Act 1977

b) Effects outside the park

- i) All works are subject to the proposed conditions outlined in Appendix F which define the thresholds at which the works will be either subject to an Outline Plan in terms of Section 176 A of the Resource Management Act 1991 or regional resource consents
- ii) All works are subject to the Waitakere Ranges Heritage Area Act 2008, which is designed to promote the protection and enhancement of its heritage features for present and future generations. The ARC must demonstrate that all decisions made in relation to the parkland have given effect to the purpose and objectives of the Waitakere Ranges Heritage Area Act 2008
- iii) All works are subject to the rules of regional plans in relation to the disturbance of land (sedimentation), discharges to land air or water, works within the coastal marine area or a stream bed. These rules apply also to effects generated outside the park

5. Alternative sites, routes, and methods

It is neither necessary nor appropriate to consider alternative sites as the land is unique and has been acquired for the use, benefit and enjoyment of the public of the region for regional parks purposes. It contains one of the two largest contiguous areas of native forest in the region and has unique intrinsic natural, cultural and scenic values

6. The public work and designation are reasonable and necessary

The public work and designation are reasonable and necessary for achieving the objectives of the requiring authority because:

- a) The land is held and managed for the use, benefit and enjoyment of the wider public of the Auckland region as part of a regional parks network

- b) The land is subject to a Long Term Council Community Plan and Annual Plans which sets out the funding and development priorities for the manage the regional parks network as a whole
- c) The designation brings all land held for regional park purposes in the Waitakere Ranges within the same management and statutory framework
- d) The designation acknowledges the statutory framework provided by the Waitakere Ranges Heritage Area Act 2008
- e) The current designation includes rules that are inappropriate and unnecessary for the proper management of a large forested park with remote and rugged settings

7. The need for resource consents

It is not anticipated that there will be a need for additional resource consents unless the proposed works falls within the rules of a regional plan. Any works required outside the designation will be subject to the rules in the district plan, and resource consents will be submitted if and when required.

7. Consultation

Consultation has been undertaken with parties that are likely to be affected. These include the following;

- a) Te Kawerau a Maki and Ngati Whatua have been consulted about the intention to issue a notice of requirement as part of the review of the Waitakere Ranges Regional Park section of the RPMP undertaken in 2007 and more recently in preparation of the review of the entire RPMP, which was released for public comment in October 2009. A letter informing iwi of this is included as Appendix D.
- b) Te Kawerau a Maki, Ngati Whatua and Ngati Whatua o Kaipara kit e Tonga have all been sent a copy of this Notice of Requirement and a letter outlining ARC's intentions. To date no response has been received from iwi. These letters have been included as Appendix D.
- c) Watercare Services Limited (refer Appendix D).
- d) Department of Conversation (verbal agreement has been received; a formal letter is being prepared and will be forwarded once it has been received)
- e) QEII Trust (refer Appendix D)

Auckland Regional Council attaches the following information required to be included in this notice by the district plan, regional plan, or any regulations made under the Resource Management Act 1991

Appendix A: Legal Description of properties included in the Notice of Requirement.

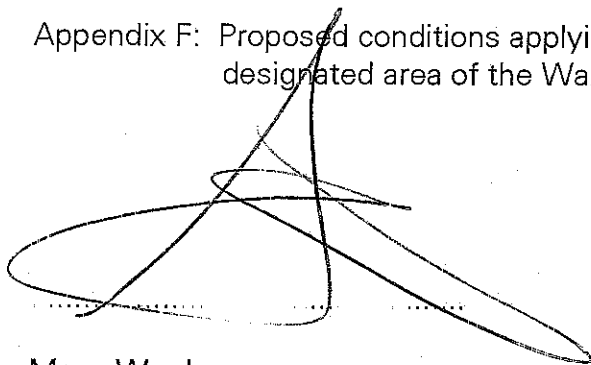
Appendix B: Map showing land that is the subject of the Notice of Requirement.

Appendix C: Certificate of Titles for new land to be designated

Appendix D: Letters from affected parties and letters to iwi.

Appendix E: Extract from the Regional Parks Management Plan relating to the management of the Waitakere Ranges Regional Park.

Appendix F: Proposed conditions applying to works to be carried out within the designated area of the Waitakere Ranges Regional Parkland



Mace Ward
General Manager, Parks

19 January 2010

Date