



**Waitakere City Council**

*Te Taiao o Waitakere*

## **PROPOSED PLAN CHANGE 35**

### **Waitakere Ranges Heritage Area District Plan Section 5B, Oratia & Waitarua Local Area Plans and Oratia Rural Village**

**Prepared in fulfilment of Section 32 of the Resource Management  
1991**

**1 February 2010**

Proposed Plan Change 35: To insert a new section 5B to the Waitakere District Plan Policy Section including 5B.1 Waitakere Ranges Heritage Area, 5B.2 Local Area Planning and Section 5B.3 for the Local Area Plans. The Plan Change includes the first two Local Area Plans for Oratia (5B.3.1) and Waiatarua (5B.3.2). Amendments to the methods of the District Plan are included and additional methods proposed to provide for the development of Oratia Rural Village.

It should be noted that under s86B of the Resource Management Act, a rule in a proposed plan has legal effect only once a decision on submissions relating to the rule is made and publicly notified.

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# Analysis under Section 32 of the Resource Management Act 1991

## EXECUTIVE SUMMARY

### Proposed Plan Change

Proposed Plan Change 35 proposes to establish a new Policy Section 5B, entitled 'Waitakere Ranges Heritage Area'. This would be an addition to the current issues, objectives and policies of the Waitakere District Plan. It would incorporate into the District Plan objectives and heritage features of the Waitakere Ranges Heritage Area as described in the Waitakere Ranges Heritage Area Act 2008, together with those elements of the Oratia and Waiatarua Local Area Plans (LAPs) that relate to the management of natural and physical resources.

Objectives and heritage features from the Waitakere Ranges Heritage Area Act 2008 (WRHAA) are proposed in section 5B.1. An explanation of Local Area planning, a description of the content of the Local Area Plans and an explanation of the reasons for the statements of character and amenity for each local area is proposed in section 5B.2. Resource management matters from the LAPs are included in proposed section 5B.3. Proposed sections 5B.3.1 and 5B.3.2 will provide for the Oratia Local Area Plan and Waiatarua Local Area Plan respectively, introducing amendments to the rules and assessment criteria of the District Plan to ensure that the character and amenity statements are considered as part of the assessment of resource consent applications and appropriate provision is made for other resource management issues raised in the LAPs.

The proposed Plan Change also includes provisions for Oratia Rural Village.

### Local Area Plans

LAPs have been prepared for Oratia and Waiatarua. These plans were adopted by Council on 3 December 2009 pursuant to the WRHAA and the Local Government Act 2002 (LGA) and followed extensive community consultation including community meetings, open days and workshops, meetings with residents and ratepayer groups, and a hui.

The purpose of the LAPs is to promote the objectives of the WRHAA, particularly by providing long-term objectives in relation to the future character and amenity of the areas to which the LAP applies. LAPs also identify and describe the various heritage features that exist within each area. The heritage features identified within Oratia and Waiatarua are as follows:

- Oratia and Opanuku Streams and their tributaries
- quietness and darkness of the Waitakere Ranges.
- wilderness experiences, wildness, recreation,
- the subservience of the built environment to the natural
- history, culture, tangata whenua
- past human activities
- distinctive communities
- Waitakere Ranges Regional Park (and Arataki)
- terrestrial and aquatic ecosystems of prominent indigenous character.

- natural landforms and landscapes
- the buffer provided by the foothills between metropolitan Auckland and the forested ranges and coast.
- the public water supply catchment, which includes a small part of Waiaatarua.

Future character and amenity statements were developed as part of the LAPs. The desired future for Oratia is focused on restoring the environment, maintaining Oratia's rural character, maintaining a distinct urban-rural edge and strengthening the role of Oratia Village and the Tangata Whenua relationship with the area.

The desired future for Waiaatarua centres strongly on maintaining its forested character and scenic beauty and restoring the environment. The 'work from home' focus will be maintained and community facilities will continue to be valued.

New and amended District Plan objectives, policies and rules are proposed as part of Plan Change 35 to achieve the desired future character and amenity of the Oratia and Waiaatarua local areas.

### **Section 32 Analysis**

Plan change 35 proposes fifteen new objectives, twelve of which relate to the inclusion of the Waitakere Ranges Heritage Area provisions through the District Plan, two relate specifically to the Oratia Local Area and one to the Waiaatarua Local Area. Each objective has been assessed against the purpose and principles of the RMA, and the proposed plan change is considered to be consistent with these. The proposed plan change provides for the unique environment, character and amenity of the Heritage Area and the two local areas to be recognised and activities within these areas managed in a way that is sensitive to the values associated with their particular features. Development consistent with the Plan Change would allow for the local community to provide for their social, cultural, and economic well being.

Section 32 of the RMA also requires an assessment of whether, having regard to efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives. Other methods (i.e alternatives to those put forward by the plan change) were considered and examined in terms of their various merits. A cost/benefit analysis was undertaken for each alternative.

Proposed plan change 35 proposes new policies for the Oratia and Waiaatarua local areas and these were assessed against the objectives. It was concluded that the proposed plan change is the most robust approach because it identifies the ways in which the desired future character and amenity of Oratia and Waiaatarua can be implemented through the District Plan. Further, the proposed objectives and policies provide a guiding method to test whether proposed activities appropriately manage adverse effects and would achieve the desired future character and amenity of the areas.

### **Other Statutory Assessments**

Additional statutory assessments were made including Sections 7 & 8 of the WRHAA, the Auckland Regional Policy Statement, the New Zealand Coastal Policy Statement, the Hauraki Gulf Marine Park Act and the Regional Parks Management Plan.

The relevant objectives and policies of the proposed plan change are considered to be consistent with the national significance and heritage features of the particular areas to which the plan change relates and the relevant objectives of the WRHAA.

It was concluded that the objectives, character and amenity statements and policies contained in the proposed plan change give effect to the relevant objectives of the Regional Policy Statement and are not inconsistent with the provisions of the NZ Coastal Policy Statement, the Hauraki Gulf Marine Park Act or the Regional Parks Management Plan. Further, it was concluded that the proposed plan change is consistent with the relevant objectives of the District Plan.

Overall, the proposed plan change is considered to be consistent with sound resource management practice across the region. It is not contrary to the purpose or principles of the RMA and is appropriate in terms of effectiveness and efficiency of Council exercising its functions.

Opportunities for input on the proposed plan change will be available through the public notification process.

## **1. Introduction**

This report provides a background to proposed Plan Change 35 which proposes to establish a new section 5B entitled Waitakere Ranges Heritage Area as an addition to the current issues, objectives and policies of the District Plan and incorporate elements of the Oratia and Waitatarua LAPs that relate to the management of natural and physical resources into the District Plan.

This report has been prepared to fulfil the requirements of Section 32 of the Resource Management Act 1991 (RMA) and Section 11 of the WRHAA. Section 32 of the RMA requires that an evaluation of the proposed plan change be undertaken, and that a report summarising the evaluation be available for public inspection at the time the plan change is publicly notified.

## **2. Background, Location and Description of Sites and Surrounds**

### **Waitakere Ranges Heritage Area Act 2008**

The Waitakere ranges Heritage Area Act 2008 (WRHAA) received royal assent on 8 April 2008. This legislation recognises the national, regional, and local significance of the Heritage Area and promotes the protection and enhancement of its heritage features for present and future generations.

The WRHAA responds to concerns expressed by the community and statutory bodies about the adverse cumulative effects that urban growth is having on the natural, rural and coastal landscape and the ecological, historic, and cultural heritage of the area, and the difficulties in managing such effects under the current regulatory framework.

Section 25 of the WRHAA provides for the development of Local Area Plans within the distinctive communities of the Heritage Area. The purpose of a LAP is to -

- (a) promote the purposes of the WRHAA and its objectives, and
- (b) provide objectives (particularly long-term objectives) in relation to-
  - (i) the future amenity, character, and environment of the local area to which the LAP applies; and
  - (ii) the well-being of the local community within that area (including its economic and social wellbeing); and
- (c) Inform decision-making processes that relate to the heritage area.

Section 28(1) of the WRHAA provides that 'A territorial Authority may include in its district plan any part of a LAP that relates to managing the use, development or protection of natural and physical resources'.

Local Area Plans have been prepared for Oratia and Waiatarua. These plans were adopted by Council on 3 December 2009 pursuant to the WRHAA and the Local Government Act 2002 (LGA).

### **Waitakere Ranges Heritage Area**

The Waitakere Ranges and foothills boundary (Waitakere Ranges Heritage Area) is identified in Policy Map X and in the Waitakere Ranges Heritage Area Act 2008 as Area A shown on SO Plan 361780, Area B shown on SO Plan 361452, Area C shown on SO Plan 361452, Area A shown on SO Plan 64997.

The Waitakere Ranges and its foothills and coasts comprise an area of some 27 720 ha of public and private land located between metropolitan Auckland and the west coast. The area is of local, regional, and national significance.

The area is outstanding in northern New Zealand for its terrestrial and aquatic ecosystems, which include large continuous areas of primary and regenerating lowland and coastal rainforest, wetland, and dune systems with intact ecological sequences. The Waitakere Ranges Heritage Area contains distinctive and outstanding flora, fauna, and landscapes:

The Waitakere Ranges (part of a remnant volcanic landform) are the western visual backdrop to metropolitan Auckland. Their forested hills and coastal vistas are essential to the identity of both Waitakere City and metropolitan Auckland. The foothills and coastal areas are a combination of rural, urban, and natural landscapes that create an important transition and buffer zone to the forested part of the Ranges.

The Waitakere Ranges Heritage Area has a long and rich human history. It is a distinctive cultural domain for Maori and lies within the rohe of both Te Kawerau a Maki and Ngati Whatua. European settlement began more than 160 years ago with one of the first attempts at organised colonial settlement of New Zealand made in the south of the area, at Cornwallis in 1841. A century of resource exploitation followed that has left its mark on the whole area.

The Waitakere Ranges Heritage Area includes the Waitakere Ranges Regional Park. The Park, protected at local, regional, and national levels, is an area of some 17,000 ha, established over a period of 110 years through gifts, grants, purchases, and vestings (including legislation promoted by Auckland City Council in 1941 to create the Auckland Centennial Memorial Park, commemorating the centenary of the Metropolitan District of Auckland).

The Waitakere Ranges also contribute to metropolitan Auckland's water supply. They are a water catchment and the location for a series of storage and supply systems that have sustained, and continue to sustain, metropolitan Auckland since 1902.

In 2005, more than 21,000 people lived in the Waitakere Ranges Heritage Area (outside the Regional Park), mostly in forest dominated urban, rural, or coastal communities.

The Waitakere Ranges Heritage Area is subject to development and urban intensification pressures. These pressures are compounded by the Waitakere Ranges Heritage Area's proximity to metropolitan Auckland, and threaten to undermine the unique natural, landscape, cultural, historic, and community features of the area, including its farming and rural character.

## Oratia and Waiatarua

The Oratia Local Area is located in the eastern foothills of the Waitakere Ranges within the Heritage Area, between the boundary of the Auckland metropolitan area and the forested 'core' of the Heritage Area. Its upper valleys form part of the visual backdrop of the Waitakere Ranges. Outside the village, Oratia is characterised by low density settlement with few urban-scale activities. Buildings in Oratia still reflect the area's rural history and are subservient to the natural and rural landscapes. Dwellings and packing sheds in the lower valley are often clearly visible from the roads, with expansive views between buildings of open rural and natural landscapes. Although many sites in the valley are served with a reticulated water supply, reticulated wastewater infrastructure is generally absent. Roads are often winding, without formal concrete kerbs, gutters or footpaths. Low levels of street lighting, low density settlement and houses screened by vegetation contribute to a relatively dark night sky and a sense of sparse settlement, particularly in the rural and forested areas of the 'upper valley' and 'forested core' (although these areas also include isolated historic pockets of suburban-scale residential in a forested setting distant from urban services and amenities).

Oratia rural village is the historic centre of the local area. Centred on the primary school, it is today a loose assemblage of buildings and activities (hall on the site of the first coop packing shed, dairy, the petrol station, the cemetery, the bowling club, the church, the orchard shop). It has a recognisable village form, but incomplete, disconnected with gaps to view rural Oratia through.

The Waiatarua local area is located at the top of the Waitakere Ranges, within the upper valley and forested core in the south east of the Heritage Area. Waiatarua encompasses the Scenic Drive ridge and the forested upper reaches of the Oratia and Opanuku Stream catchments.

The area is a landscape of national and regional significance. It has outstanding scenic beauty, and forms the dramatic visual backdrop to metropolitan Auckland. It has outstanding views from its elevated location to metropolitan Auckland, the Waitemata Harbour and the Waitakere Ranges.

### **Oratia and Waiatarua Local Area Plans (statutory plans under the WHAAA)**

Oratia and Waiatarua contain values of regional and national significance which are under threat from adjacent urban pressures. Community consultation undertaken as part of the development of the LAPs acknowledged this pressure, and was clear that both areas' distinctive character and landscapes should be protected from the threat of cumulative one-off decisions which may result in the unintended loss of valued character and amenity.

The proposed Oratia and Waiatarua LAPs have been prepared to promote the purpose of the WRHAA and its objectives. The LAPs will inform decision making processes related to the Oratia and Waiatarua areas by establishing long-term objectives in respect of the areas' future amenity, character, and environment.

The LAPs:

- define the local area and identify the extent and nature of the heritage features existing in those areas.
- seek to identify what should be protected and enhanced to hand on to future generations.
- outline how the objectives of the WRHAA will be promoted in Oratia and Waiatarua

- identify the distinctive natural, cultural, and physical qualities and characteristics of the areas that contribute to their long-term character and amenity. As a guide, the expression 'long-term' is taken to mean beyond a period of 50 years and the LAPs seek to establish the elements to be protected and enhanced and the outcomes that should be expected in that future.
- provide a level of certainty to the community by establishing objectives and policies to inform decision making in relation to the amenity, character, and the environment of Oratia and Waiatarua.
- provide a statement of the future that is expected so that decisions can be made about whether activities and proposals contribute to or detract from the achievement of that desired future.
- provide a goal-orientated approach to managing adverse effects, particularly cumulative effects.

Significant resource management issues such as the potential degradation of the Oratia and Waiatarua natural environment and adverse effects on valued heritage features through inappropriate activities and further development are recognised and managed through local area planning.

### Council Resolutions

The Policy and Strategy Committee provided direction on the location and process for the development of the LAPs. On 7 August 2008 the Committee resolved to:

3. **Agree** to adopt the Local Area Plans under the Waitakere Ranges Heritage Area Act 2008 report for the purpose of engaging with communities on the purpose of Local Area Plans and the process of developing Local Area Plans.
4. **Agree** that the priority area for an initial Local Area Plan under the Waitakere Ranges Heritage Area Act 2008 be the Foothills area as outlined in option 3 of the report and that a report regarding the process and priorities for this be reported back to the Policy and Strategy Committee meeting scheduled to be held on Thursday, 4 September 2008.

1300/2008

On 4 September 2008 the Policy and Strategy Committee further resolved to:

2. **Agree** that the first Local Area Plan should be prepared for the Oratia Local Area, because this is a distinct local area where the Local Area Plan process will reveal many issues that are common to the wider "Foothills" area.
3. **Agree** that the process for undertaking the preparation of the Local Area Plan should include:
  - preliminary research on the characteristics and issues of the area that includes economic analysis;
  - definition of the local area, in consultation with the local and wider community; and
  - an informed but open and participative "enquiry by design" process, similar to the process that has been used to develop plans for New Lynn and Westgate.

1522/2008

On 6 August 2009 the Policy and Strategy Committee resolved to adopt the Oratia and Waiaatarua LAPs for the purposes of consultation. The resolution directed officers to prepare plan changes to implement the LAPs. The resolution stated:

“The Policy and Strategy Committee resolved to:

1. **Receive** the Oratia And Waiaatarua Local Area Plans report.
2. **Approve** the proposed Oratia And Waiaatarua Local Area Plans for the purposes of public consultation in accordance with the Waitakere Ranges Heritage Area Act 2008, the Local Government Act 2002, and the Resource Management Act 1991.
3. **Agree** to delegate to the Chairman of the Policy and Strategy Committee final approval of any minor amendments to the proposed Oratia And Waiaatarua Local Area Plans made prior to public consultation.
4. **Direct** the Chief Executive Officer to report back to the Policy and Strategy Committee on the submissions received through the consultation process in accordance with the statutory guidelines outlined in the Waitakere Ranges Heritage Area Act 2008, the Local Government Act 2002, and the Resource Management Act 1991 and any proposed amendments to the Oratia And Waiaatarua Local Area Plans.
5. **Direct** the Chief Executive Officer to prepare an Oratia And Waiaatarua Local Area Plans plan change to the Waitakere District Plan in accordance with sections 11 and 27 of the Waitakere Ranges Heritage Area Act 2008, and that the proposed plan change be reported back to the Policy and Strategy Committee in accordance with the statutory process outlined in the Waitakere Ranges Heritage Area Act 2008, and the Resource Management Act 1991.
6. **Agree** to recommend to the Planning and Regulatory Committee that the Oratia And Waiaatarua Local Area Plans plan change to the Waitakere District Plan is a priority, and request that it be notified in late 2009.
7. **Note** that the statutory process for the Oratia And Waiaatarua Local Area Plans may be affected by signalled changes to Auckland governance and potentially to the Resource Management Act 1991.”

1352/2009

On 3 December 2009 the Policy and Strategy Committee resolved to adopt the Oratia and Waiaatarua LAPs subject to recommended amendments as a consequence of submissions. The resolution stated

*The Policy and Strategy Committee resolved to:*

1. **Approve** the amendments to the Oratia and Waiaatarua Local Area Plans drafted in response to matters raised in submissions as identified and attached at pages A318 to A350 including a new action “review the access routes associated with heavy vehicles in Oratia and Waiaatarua.”
2. **Approve** the adoption of the Oratia and Waiaatarua Local Area Plans, including any amendments approved in resolution 2 above, in accordance with the Waitakere Ranges Heritage Area Act 2008 and the Local Government Act 2002.

3. **Agree** to delegate to the Chairman of the Policy and Strategy Committee final approval of any further minor amendments to the adopted Oratia and Waiaatarua Local Area Plans made prior to it being published.
4. **Direct** the Chief Executive Officer to prepare an Oratia and Waiaatarua Local Area Plans Implementation Report to identify and prioritise actions for consideration by the Long Term Council Community Plan and Annual Plan Committee in preparing in the Annual Plan 2010/2011 and as a resource for the Auckland Council in the preparation of the Long Term Council Community Plan 2012-2022.

On 8 December 2009 the Planning and Regulatory Committee approved Plan Changes 35, 36 and 37 for public notification. The resolution stated:

1999/2009

The Planning and Regulatory Committee resolved to:

1. **Receive** the Proposed Plan Changes 35, 36 and 37: Amendments to the Waitakere District Plan for the Waitakere Ranges Heritage Area report.
2. **Agree** to delegate to the Chairman of the Planning and Regulatory Committee final approval of any minor amendments made prior to public notification of proposed Plan Change 35 (Waitakere Ranges Heritage Area District Plan Section 5B and Oratia and Waiaatarua Local Area Plans), proposed Plan Change 36 (Rural Activities and Economic Wellbeing in the Waitakere Ranges Heritage Area), proposed Plan Change 37 (Titirangi Village and Variation 1 to Plan Change 17), and the background and section 32 analysis reports.
3. **Agree** that pursuant to the First Schedule to the Resource Management Act 1991, that proposed Plan Change 35 (Waitakere Ranges Heritage Area District Plan Section 5B and Oratia and Waiaatarua Local Area Plans), proposed Plan Change 36 (Rural Activities and Economic Wellbeing in the Waitakere Ranges Heritage Area), and proposed Plan Change 37 (Titirangi Village and Variation 1 to Plan Change 17) be publicly notified in early 2010 on a Citywide basis.

### LAPs Background Reports

The background report, which was compiled to provide the basis for development of the Local Area Plans, contains a suite of comprehensive information about the Waitakere Ranges heritage Area, including social, cultural, heritage and environmental information. It also outlines statutory documents relevant to the local areas.

Boundaries around local areas were established to focus the LAPs and their vision for the future. The boundaries delineate the land within the Waitakere Ranges Heritage Area to which the LAP relates. In determining the extent of the boundaries, a range of matters were considered, in addition to the consultation, in order to establish appropriate boundaries. Boundaries were based on the maps provided by the community during consultation and a combination of other issues such as extent of the local issues and heritage features that would benefit from the LAP, existing natural & physical patterns (topography, roads etc), residential development, distinctive communities and administrative boundaries e.g. residents and ratepayers, school zones, District Plan zones, metropolitan urban limits. The Oratia Local Area boundary is identified on proposed Policy Map 5B.3.1 and Waiaatarua boundary on proposed Policy Map 5B.3.2.

## Heritage Features of Oratia and Waiatarua

The heritage features of the local areas were identified and described. These features are valued and recognised for the contribution they make to the significance of the local area (on a local, national and/or regional scale).

The heritage features identified within the Oratia local area are summarised as follows :

- The terrestrial and aquatic ecosystems of prominent indigenous character
- The natural landforms and landscapes that contrast and connect with each other, and which collectively give the area its distinctive character.
- The naturally functioning Oratia Stream and its tributaries which originate in the Waitakere Ranges.
- The quietness and darkness of the Waitakere Ranges.
- Wilderness experiences, wildness, recreation,
- The subservience of the built environment to the area's natural and rural landscape.
- The historical, traditional, and cultural relationships of people, communities, and tangata whenua with the area and their exercise of kaitiakitanga and stewardship.
- Evidence of past human activities, including those in relation to timber extraction, gum digging, flax milling, mineral extraction, intensive farming and orcharding.
- The distinctiveness of the community - Oratia is a distinctive place, with its own unique identity and strong sense of community.
- The Waitakere Ranges Regional Park (and Arataki) and its importance as an accessible public place with significant natural, historical, cultural and recreational resources

The heritage features identified within the Waiatarua local area are summarised as follows :

- The terrestrial and aquatic ecosystems of prominent indigenous character.
- The natural landforms and landscapes that contrast and connect with each other, and which collectively give the area its distinctive character.
- The naturally functioning Oratia and Opanuku Streams and their tributaries which originate in the Waitakere Ranges.
- The quietness and darkness of the Waitakere Ranges.
- Wilderness experiences,
- The subservience of the built environment to the area's natural and rural landscape.
- The historical, traditional, and cultural relationships of people, communities, and tangata whenua with the area and their exercise of kaitiakitanga and stewardship.
- Evidence of past human activities, including those in relation to timber extraction, gum digging, flax milling, mineral extraction and intensive farming and orcharding.
- The distinctiveness of the community - Waiatarua is a distinctive place with its low density dispersed settlement spread out as a ribbon along the ridgelines of the Waitakere Ranges.
- The Waitakere Ranges Regional Park and its importance as an accessible public place with significant natural, historical, cultural, and recreational resources.
- The public water supply catchment, into which small parts of Waiatarua drain.

## Statements of Existing and Desired Future Character and Amenity

The key issues in the character and amenity statements for Oratia are landscape and landform, building, infrastructure and activities, gateway to rural Waitakere, the natural environment and the village as community focus.

The desired future for Oratia is centred on restoring the environment, maintaining Oratia's rural character and maintaining a distinct rural-urban edge while identifying future rural uses to provide people with opportunities to experience history, food, wine, art, culture, gardens, ecology, landscape, health and wellbeing and the outdoors. The Village continues to be very important to the community and will strengthen in its focus, but remain contained.

For Waiatarua, the key matters addressed in the character and amenity statements are landscape and landform, natural environment, buildings, infrastructure and activities and community facilities.

The desired future for Waiatarua strongly centres on maintaining its forested character and scenic beauty and restoring the environment. The 'work from home' focus will be maintained and community facilities will continue to be valued.

New and amended District Plan objectives, policies and rules are proposed as part of Plan Change 35 to achieve the desired future character and amenity of the Oratia and Waiatarua local areas.

## LAP Objectives and Policies

Objectives, policies and actions establish how the valued elements of Oratia's and Waiatarua's existing character and amenity will be recognised protected, restored and enhanced and how the desired future character and amenity is to be achieved. These are described in the Local Area Plans adopted by the Policy and Strategy Committee on 3 December 2009.

## **Related Plan Changes**

Council has also notified plan changes 36 and 37 to the District Plan. Plan Change 36 addresses rural activities and the social, cultural and economic wellbeing of people and communities in the Heritage Area. Plan Change 36 addresses resource management issues relating to Titirangi village.

## **3. Description of Proposed Plan Change 35**

### Waitakere Ranges Heritage Area

Plan Change 35 introduces new policy Section 5B Waitakere Ranges Heritage Area to section 5 of the District Plan. Section 5B.1 incorporates the objectives and the heritage features of the WRHAA into the District Plan. Section 5B.1 includes an introduction to the Heritage Area, the policy position on the Heritage Area from the WRHAA and a statement of issues (5B.1.1). Section 5B.1.2 includes the objectives and heritage features from the WRHAA as objectives of the District Plan.

## Local Area Planning

Section 28 of the WRHAA provides for matters relating to the management of natural and physical resources within a LAP to be included in the District Plan as a plan change. Section 5B.2 of proposed plan change 35 provides an explanation of the policy position and content of Local Area Plans. This section establishes the role and function of the statements of character and amenity and future character and amenity in the District Plan and regulatory processes.

### Oratia Local Area

Section 5B.3.1 includes the statements of character and amenity, future character and amenity, issues, objectives and policies for the Oratia Local Area. Section 5B.3.1 includes those parts of the Oratia LAP that relate to managing the use, development or protection of natural and physical resources in the Oratia Local Area. It seeks to achieve the community's desire for the enhancement of Oratia Rural Village, as expressed in the Oratia LAP, as a small-scale rural village, and a community and service focal point. In summary, each section identifies:

- 5B.3.1.2. A statement of existing character and amenity:

Describes the existing character and amenity of Oratia, which is defined by distinctive qualities, including its rich rural heritage, its landform and landscape (ranging from the rural, undulating foothills to the steeper upper valleys with their forests and ridgelines), sparse building and settlement (more rural than urban-based activities and buildings), its position as a 'gateway' to rural Waitakere, its diverse natural environment and the Village as the community focal point.
- 5B.3.1.3. A statement of the desired future character and amenity:

Future character and amenity builds on the existing. The community has identified a desired future in which the character and amenity values are retained and enhanced and residential, economic and recreation activities exist in harmony and in sympathy with the environment. This statement of the desired future for Oratia will be used to evaluate and guide development and activities in the area by both public and private landowners. The key elements of the future character and amenity statement are:

  - Maintaining Oratia's rural character by retaining rural landscape in the lower valley, and the open rural areas on the ridgelines of the upper valley, retaining, managing and planting fruit trees and exotic windbreak trees in these areas, ensuring new development is subservient to the natural environment achieving a sense of spaciousness through the location and design of buildings, structures, rural infrastructure and vegetation and retaining and enhancing heritage sites.
  - Restoring the environment by allowing the forested upper slopes to continue to grow and flourish, improving stream terrestrial habitats and stream quality and managing the extent of weeds and pests.
  - Maintaining a distinct urban-rural edge by avoiding urban-scale activities and urban landscapes in Oratia
  - Maintaining the vegetated backdrop to rural Oratia.
  - Providing for the future use of Oratia's rural land in order to retain a rural character and a worked-in landscape in Oratia. Providing for the establishment within the rural parts of Oratia of a diverse range of new small-scale rural business activities with an intensity, character and context appropriate for a rural area, that would allow opportunities for people to experience history, food, wine, art, culture, gardens, ecology, landscape, health and wellbeing and the outdoors

- Provision of further off road pedestrian and cyclist\_connections from nodes of activity to the rural areas within and through Oratia and beyond.
- Strengthening the role of Oratia rural village by maintaining the village and school as the community focus, and allowing the village to continue to provide for community wellbeing with the careful clustering of activities and spacing of buildings to ensure the village remains compatible with the area's character.

A number of objectives and policies are contained within the proposed Plan Change which will implement the desired future character and amenity of Oratia. These are summarised as follows:

- Objective 5B.3.1.5.1 Oratia Local Area. This objective recognises the contribution that the heritage features, character and amenity of Oratia make to the national significance of the Waitakere Ranges and foothills.
- Objective 5B.3.1.5.2 Oratia Rural Village. This objective provides for the neighbourhood-scale rural village in Oratia that supports the social, economic and cultural wellbeing of the community and is clearly connected to the history, community, and rural character of the area.
- Policy 5B.3.1.6.1. This policy seeks to avoid cumulative adverse effects on Oratia's rural character and amenity and ensure any activities contribute to the achievement of desired future character and amenity, by:
  - Maintaining links with Oratia's productive past (by maintaining, for example, orchard remnants & vineyards);
  - Designing new development to be subservient to the rural landscape;
  - Where practicable, protecting, re-using, restoring and/or enhancing existing rural buildings;
  - Maintaining a sense of rural spaciousness;
  - Maintaining a clear boundary between metropolitan Auckland and rural Oratia
  - Careful management of development within rural view shafts;
  - Maintaining the rural character and appearance of any fence on private property;
  - Avoiding any further loss of significant areas of indigenous vegetation and indigenous habitat;
  - Promoting the establishment of off-road walking and cycle trails.
- Policy 5B.3.1.6.2. This policy seeks to avoid urban-style infrastructure in Oratia and retain indigenous vegetation to ensure the retention of the rural character and amenity and heritage features of the area. This is achieved by :
  - Retention, enhancement and maintenance of indigenous vegetation in the steeper areas of the valley and along stream margins;
  - Avoiding any further loss of significant indigenous vegetation and indigenous fauna habitat, beyond that provided for in the District Plan;
  - Promoting the establishment of off-road walking and cycle trails;
  - Avoiding transport infrastructure of an urban scale and character, such as concrete footpaths and concrete curb and channel;
  - Except in the Oratia Rural Village, avoiding the establishment of reticulated wastewater infrastructure. The requirement to provide on-site sewerage infrastructure services is intended to reinforce the rural character of the area.
- Policy 5B.3.1.6.3. This policy deals directly with the Oratia Structure Plan and ensures that subdivision is in accordance with this.

- Policy 5B.3.1.6.4. This policy is concerned with the discrete area bounded by Pine Avenue, Forest Hill Road and Holdens Road which falls outside the Oratia Structure Plan boundary, and was not therefore considered along with the rest of the valley as part of the structure plan process. Special provision is therefore made for this area. The policy will assess applications against specific matters.
- Policy 5B.3.1.6.5. This policy deals with subdivision in Oratia. Subdivision within Oratia shall be in accordance with the relevant District Plan provisions, provided that:
  - It is recognised that, in order to protect the area’s rural character and amenity, and achieve Oratia’s desired future rural character and amenity Oratia has little capacity to absorb further subdivision beyond that provided for in the Oratia Structure Plan.
  - A precautionary approach is taken to ensure that the subdivision does not damage the area’s heritage features or detract from or undermine, the achievement of the desired future character and amenity of Oratia.
  - In the Oratia rural village, limited subdivision will be provided for to enable development to proceed in accordance with the provisions relating to the Oratia Rural Village Non-Residential Activity Overlay.
  - It encourages the retention and enhancement of rural landscapes through the management of existing, and replanting of exotic vegetation.
  - It avoids transport infrastructure of an urban scale and character.
- Policy 5B.3.1.6.6 relates specifically to Oratia Rural Village and seeks to manage development in the village to: protect, restore and enhance its heritage features, particularly the rural views to the north; ensure a neighbourhood-scale rural village form; enhances amenity and character; supports the social, economic and cultural well-being of the community; supports its role as a gateway to the Waitakere Ranges Heritage Area; maintains a separation from metropolitan Auckland by its form, location and scale of activity; and becomes a focus for local creative endeavour and innovation.

The Plan Change also amends the following planning maps:

- Natural Area Maps F7, F8, G7, G8, G9, H6, H8 are proposed to be amended to identify the boundary of the Oratia Local Area. New Policy Map 5B.3.1 also identifies the Oratia Local Area.
- Amendments to the Human Environment Map F8 identifies the Oratia Rural Village Non-Residential Activity Overlay.
- New Policy Map 5B.3.1.2 identifies Oratia rural view shafts.

### Waiatarua Local Area

Section 5B.3.2 includes the statements of character and amenity, future character and amenity, issues, objectives and policies for the Waiatarua Local Area. In summary:

- 5B.3.2.2. Provides a statement of existing character and amenity of Waiatarua:

Describes the existing character and amenity of Waiatarua, which is defined by distinctive qualities, including its position at the ‘heart’ of the Waitakere Ranges and its heavily forested landscape containing primary and regenerating tracts of indigenous bush. Its landscape is nationally significant and forms a dramatic backdrop to metropolitan Auckland. Waiatarua is quiet and tranquil and has distinctive low-density residential settlement. Buildings are subservient to the natural landscape. Waiatarua has a good range of community facilities and places to meet, and a strong sense of community.

- 5B.3.2.3. Provides a statement of the desired future character and amenity of Waiatarua:

Future character and amenity builds on the statement of existing character and amenity.. The community has identified a desired future in which the character and amenity values are retained and enhanced and any residential, economic and recreation activities exist in harmony and in sympathy with the environment. This statement of the desired future for Waiatarua will be used to evaluate and guide development and activities in the area by both public and private landowners. The key elements of the future character and amenity statement are:

- to maintain existing character by retaining the forest cover as the dominant feature
- to restore the environment by allowing forests to increase in prominence and reduce the number and extent of weeds and pests, and by restoring and protecting heritage sites
- Waiatarua will continue to have a high proportion of residents working from home, drawn to the lifestyle. Business activities will be based around existing facilities, with other small-scale home-based activities related to the area's outstanding beauty and recreation value.
- by valuing community facilities the Waiatarua community will continue to value, maintain and enhance existing community facilities

A number of objectives and policies are contained within the proposed Plan Change which will implement the desired future character and amenity of Waiatarua. These are summarised as follows:

- Objective 5B.3.2.5.1 Waiatarua Local Area. This objective recognises the contribution that the heritage features, character and amenity of Waiatarua make to the national significance of the Waitakere Ranges and foothills, and to that end ensures that any subdivision, use or development within Waiatarua retains and enhances Waiatarua's character and amenity and contributes to the achievement of Waiatarua's desired future character and amenity.
- Policy 5B.3.2.6.1. This policy seeks to avoid cumulative adverse effects on Waiatarua's environment, character and amenity and to ensure that any activities contribute to the achievement of Waiatarua's desired future character and amenity. Activities within Waiatarua will contribute to the achievement of Waiatarua's desired future character and amenity in particular by retaining vegetation, retaining and enhancing intact terrestrial and aquatic ecosystems and habitat, retaining natural landscape character, designing and locating new development to be subservient to the natural environment, maintaining public views off-road and avoiding transport infrastructure of an urban scale. Off-road tracks are also seen as contributing to desired future character and amenity of the area.
- Policy 5B.3.2.6.2. This policy seeks to ensure subdivision within Waiatarua is in accordance with the relevant District Plan provisions, provided that a precautionary approach is taken to ensure that the subdivision does not damage the area's heritage features or detract from or undermine, the achievement of the desired future character and amenity of Waiatarua.

The Plan Change amends the following planning maps:

- Natural Area Maps F4, F6, F7, G6, G7, H6 are amended to identify the boundary of the Waiatarua Local Area.
- New Policy Map 5B.3.2 also identifies the Waiatarua Local Area.

## Amendments to Rules and Assessment Criteria

Plan Change 35 proposes to amend rules and assessment criteria of the District Plan to reflect the character and amenity statements, objectives and policies and to ensure these are considered as part of the assessments of resource consents. The amendments also anticipate the inclusion of future plan changes for further local areas within the Heritage Area. In summary, the amendments to rules and assessment criteria are:

- Amendments to the Foothills Environment rules for residential activities, buildings and fences and noise. Additions include new assessment criteria across several existing rules to ensure the proposals contribute to the achievement of character and amenity statement and cross-references (new) Section 5B.3. Amendments add a new rule to the Foothills subdivision section which incorporates the Oratia Rural Village Non-Residential Overlay, and a new assessment criterion for subdivision in the Oratia and Waiatarua local areas. Amendments to the definitions section of the District Plan define the Oratia and Waiatarua local areas and the 'Oratia Rural Village Non-Residential Activity Overlay.'

### Oratia Rural Village Non-Residential Activity Overlay

- Plan Change 35 proposes to provide for the wellbeing of the Oratia Community by enabling the continued development of Oratia Rural Village. Centred on the school, hall, domain, packing sheds, dairy and fruit shop, the proposed Plan Change provides for additional non-residential activities to be established within a defined area in an orchard or vineyard setting. The proposed plan change is directive in its controls to achieve low-density rural style development within the village.
- Proposed Foothills Environment Rule 8B controls the extent of development by establishing three areas within the area of the Oratia Rural Village Non-Residential Activity Overlay. Each area has a maximum number of buildings located within it. In addition, each building is restricted in its size, and activities are also restricted as to their overall scale, so that the village achieves a low density form within a spacious landscape. Buildings and development is a restricted discretionary activity. The activities within buildings are permitted subject to compliance with performance standards as to their size.
- Area 1 has an area of 8340 m<sup>2</sup>. It is bounded to the north-west by the riparian area for a stream associated with the Oratia Structure Plan and to the north-west by the Oratia Hall and domain. The area provides for four buildings to be developed, with each building having a maximum size of 300 m<sup>2</sup> and limited to one storey in height. This equates to a maximum site coverage of approx 14% and Area 1 includes areas of existing orchard and adjoins an orchard and vineyard. Activities within the buildings, except for a restaurant can have a maximum size of 150 m<sup>2</sup>.
- Area 2 has an area of 3768 m<sup>2</sup> and adjoins the area recently purchased by Council for an extension to the Oratia domain, has an area limited by its depth from West Coast Road and includes the Garelja packing shed opposite the intersection with Shaw Road and an existing residential dwelling. Opportunities for a total of three buildings are created, inclusive of the existing two buildings. Again buildings have a maximum size of 300 m<sup>2</sup> and activities within the buildings, except for a restaurant can have a maximum size of 150 m<sup>2</sup>.

- Area 3 has an area of 12410 m<sup>2</sup> and includes the existing packing shed, dairy and fruit shop located on the southern side of West Coast Road. This area adjoins to school located to the east, although an existing buildings is located between the two which is proposed to be excluded from the Overlay. The area provides for eight buildings (inclusive of the three existing buildings), with each building having a maximum size of 300 m<sup>2</sup>. This equates to a maximum site coverage of approx 21% (inclusive of the three existing buildings) and Area 3 includes areas of existing orchard and adjoins an orchard. Activities within the buildings are limited in their scale.
- The provisions provide for non-residential activities to be located with the Overlay. These include retail, commercial and service activities. The activities are controlled by the size of the tenancy which they occupy.
- Buildings and development require limited discretionary activity resource consent. Performance standards for buildings establish a maximum size of 300 m<sup>2</sup> and require buildings within the Overlay to be separated from each other by at least 15 metres, to have a front yard with the road of 5 metres and not have a facade fronting the road greater than 20 metres in width. This is in order to ensure buildings develop in the form of a spacious rural village, as opposed to a mainstreet form of development common in urban areas. Further, glazing of building road facades is limited to 25% to ensure a high proportion of solid to void..
- Assessment criteria seek to provide for rural design outcomes in the village, to ensure that the focal point for the Oratia community has a design that relates to rural character. Important to achieving this is the requirement in the policies and assessment criteria for development to retain, replant and manage an area of orchards and vineyards so the buildings sit as a cluster of activity within a productive landscape, with view shafts between buildings to maintain views from West Coast Road to the forested escarpment of the Oratia stream. Assessment criteria also seek the provision of, or maintenance of opportunities to establish rural walkways and trails connecting to the Oratia network being established by the implementation of the Oratia Structure Plan and the Oratia Local Area Plan.

#### **4. Resource Management Act 1991**

The RMA provides a legislative framework for the sustainable management of natural and physical resources in New Zealand. The purpose of the RMA is to promote the sustainable management 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 wellbeing, and for their health and safety. Part II (Sections 5-8) sets out the Purpose & Principles of the RMA.

Section 5 (2) defines the purpose of the RMA, sustainable management as:

*“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 wellbeing 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.”*

Section 6 outlines Matters of National Importance that must be recognised and provided for:

*“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 habitats 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, site, waahi tapu and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use and development*
- (g) the protection of recognised customary activities.”*

Section 7 sets out Other Matters that must be given particular regard including:

- (a) “Kaitiakitanga;*
- (aa) The ethic of Stewardship;*
- (b) The efficient use and development of natural and physical resources;*
- (ba) The efficiency of the end use of energy;*
- (c) The maintenance and enhancement of amenity values;*
- (d) Intrinsic values of ecosystems;*
- (e) Repealed*
- (f) Maintenance and enhancement of the quality of the environment;*

Section 8 of the RMA requires that the principles of the Treaty of Waitangi be taken into account.

Part IV of the RMA relates to functions, powers and duties of Central and Local Government.

Councils' functions are outlined in Section 31 as the control of actual and potential effects of the use, development or protection of land and associated natural and physical resources in order to achieve the purpose of the RMA. Council is to establish, implement and review objectives, policies and methods to achieve this and can also include rules, which prohibit, regulate or allow activities. The District Plan is a tool to assist Council in achieving its functions. Section 31(1) of the RMA outlines Council's functions as follows:

- (a) The establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
- (b) The control of any actual or potential effects of the use, development, or protection of land, including the for the purpose of-*
  - (i) the avoidance or mitigation of natural hazards; and*
  - (ii) the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances;*
  - (iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:*
  - (iii) the maintenance of indigenous biological diversity:*
- (c) Repealed*

- (d) *The control of the emission of noise and the mitigation of the effects of noise:*
  - (e) *The control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:*
  - (f) *Any other functions specified in this Act.*
- (2) *The methods used to carry out any functions under subsection (1) may include the control of subdivision*

The purpose of a district plan as outlined in section 72 of the RMA is to assist Council to carry out its functions in order to achieve the purpose of the RMA. Section 74 (1) of the RMA is the statutory basis on which Council undertakes changes to its plan. Section 74(1) states that:

*“A territorial authority shall prepare and change its district plan in accordance with its functions under section 31, the provisions of Part II, a direction given under section 25A(2), its duty under section 32, and any regulations.”*

Therefore before adopting an objective, policy or rule or other method in the District Plan a rigorous assessment under Section 32 of the RMA must be carried out. Section 32 (3-6) states:

- (3) *An evaluation must examine –*
  - (a) *the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
  - (b) *whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*
- (3A) *The subsection applies to a rule that imposes a greater prohibition on an activity to which a national environmental standard applies than any prohibition or restriction in the standard. The evaluation of such a rule must examine whether the prohibition or restriction it imposes is justified in the circumstance of the region or the district.*
- (4) *For the purposes of the examinations referred to in 3 and 3A, an evaluation must take into account –*
  - (a) *the benefits and costs of policies, rules, or other methods; and*
  - (b) *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*
- (5) *The person required to carry out an evaluation under subsection (1) must prepare a report summarising the evaluation and giving reasons for that evaluation.*
- (6) *The report must be available for public inspection at the same time as the document to which the report relates is publicly notified or the regulation is made.*

Part V of the RMA relates to Standards, Policy Statements and Plans. Section 74 (1) has been mentioned above, however the remainder of that section of the RMA is also relevant to plan changes:

- (2) *In addition to the requirements of section 75(3) and (4), when preparing or changing a district plan, a territorial authority shall have regard to—*
  - (a) *Any—*
    - (i) *Proposed regional policy statement; or*
    - (ii) *Proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and*

- (b) Any—
    - (i) Management plans and strategies prepared under other Acts; and
    - (ii) repealed
    - (iia) Relevant entry in the Historic Places Register; and
    - (iii) Regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Maori customary fishing),—  
to the extent that their content has a bearing on resource management issues of the district; and
  - (c) The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.
- (2A) A territorial authority must, when preparing or changing a district plan, take into account any relevant planning document recognised by an iwi authority, and lodged with the authority, to the extent that its content has a bearing on resource management issues of the district.
- (3) In preparing or changing any district plan, a territorial authority must not have regard to trade competition.

In respect of district plans, Section 75 states that:

- (1) A district plan must state –
  - (a) the objectives for the district; and
  - (b) the policies to implement the objectives; and
  - (c) the rules (if any) to implement the policies
- (2) A district plan may state -
  - (a) the significant resource management issues for the district; and
  - (b) the methods, other than rules, for implementing the policies of the district; and
  - (c) the principal reasons for adopting the policies and methods; and
  - (d) the environmental results expected from the policies and methods; and
  - (e) the procedures for monitoring the efficiency and effectiveness of the policies and methods; and
  - (f) the processes for dealing with issues that cross territorial authority boundaries; and
  - (g) the information to be included with an application for resource consent; and
  - (h) any other information for the purpose of the territorial authority's functions, powers, and duties under this Act.
- (3) A district plan must give effect to—
  - (a) any national policy statement, and;
  - (b) any New Zealand coastal policy statement, and;
  - (c) any regional policy statement.
- (4) must not be inconsistent with-
  - (a) a water conservation order; or
  - (b) a regional plan for any matter specified in section 30(1).
- (5) A district plan may incorporate material by reference under Part 3 of Schedule 1.

Section 76(3) requires that in making a rule, a territorial authority is to have regard to the actual or potential effect of activities on the environment.

## 5. Section 32 Analysis

In achieving the purpose of the RMA, Section 32 requires that before notifying a proposed Plan Change Council must carry out an evaluation of the alternatives, benefits and costs of the proposed plan change. Council's obligations under section 32 are divided into five parts that comprise the following:

- examining the extent to which each objective is the most appropriate way to achieve the purpose of the RMA;
- examining whether, having regard to efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives;
- taking into account the benefits and costs of the policies, rules or other methods;
- taking into account the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods; and
- summarising the evaluation and reasons for evaluation.

### 5.1 The extent to which the proposed objectives are necessary and the most appropriate way to achieve the purpose of the Act

#### 5.1.1 Purpose of the RMA

Section 32 of the RMA requires an evaluation to examine whether the objective is the most appropriate way to achieve the purpose of the Act. The purpose of the Act as outlined in Section 5 is to promote the sustainable management of natural and physical resources. In this 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 wellbeing 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.

*Natural and physical resources* are defined by the Act to include land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures

'*Environment*' is defined in the RMA as *including—*

- (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*

'*Amenity values*' are defined as 'those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes'.

#### 5.1.2 Proposed Objectives

The Plan Change proposes fifteen new objectives, twelve of which relate to the maintenance of the Waitakere Ranges Heritage Area through the District Plan, two relate specifically to the Oratia Local Area and one to the Waiatarua Local Area.

### **5.1.3 Objectives – Plan Change Section 5B.1.2**

The twelve objectives in Section 5B.1.2 of the proposed plan change, which relate to the Waitakere Ranges Heritage Area as a whole, are set out in table 1 together with an examination of whether the objective is the most appropriate way to achieve the purpose of the RMA, including the Section 6 and Section 7 matters set out above.

Section 5B.1 of the plan change and the Objectives in Section 5B.1.2 are based on Sections 7 and 8 of the WRHAA, and provide for objectives relating to the Heritage Area to be inserted in the District Plan. The objectives in Section 5B.1.2 apply to the whole of the Heritage Area, including all of the individual local areas as set out in Section 5B.3.

Proposed objectives set out in Section 5B.1.2 of the plan change directly give effect to the WRHAA, and introduce outcomes based on the value of the natural environment and features, and the character and amenity of the Heritage Area. The heritage area is of national, regional and local significance, and the proposed district plan objectives 5B.1.2.1 to 5B.1.2.8, 5B.1.2.11 and 5B.1.2.12 define more explicitly for the Heritage Area the ways in which the natural and physical resources of the area would be sustained, the life supporting capacity of the air, water, soil and ecosystems safeguarded and adverse effects on the environment (including amenity) avoided.

Because the WRHAA particularises the matters contained in Part II of the RMA which need to be considered within the boundaries of the Heritage Area, these objectives are considered to be necessary and the most appropriate way to achieve the purpose of the RMA.

**Table 1: The extent to which the proposed objectives in 5B.1.2 are the most appropriate way to achieve the purpose of the RMA**

Proposed Objective	Examination of whether the objective is the most appropriate way to achieve the purpose of the Act
<p><b>Objective 5B.1.2.1</b> To protect, restore, and enhance the nationally significant Waitakere Ranges Heritage Area and its heritage features, which individually or collectively contribute to its significance. The heritage features of the Waitakere Ranges Heritage Area are:</p> <p>(a) its terrestrial and aquatic ecosystems of prominent indigenous character that—</p> <p>(i) include large continuous areas of primary and regenerating lowland and coastal rainforest, wet land, and dune systems with intact ecological sequences:</p> <p>(ii) have intrinsic value:</p> <p>(iii) provide a diversity of habitats for indigenous flora and fauna:</p> <p>(iv) collect, store, and produce high quality water:</p> <p>(v) provide opportunities for ecological restoration:</p> <p>(vi) are of cultural, scientific, or educational interest:</p> <p>(vii) have landscape qualities of regional and national significance:</p> <p>(viii) have natural scenic beauty:</p> <p>(b) the different classes of natural landforms and landscapes within the Waitakere Ranges Heritage Area that contrast and connect with each other, and which collectively give the area its distinctive character:</p> <p>(c) the coastal areas, which—</p> <p>(i) have a natural and dynamic character; and</p> <p>(ii) contribute to the area’s vistas; and</p> <p>(iii) differ significantly from each other:</p> <p>(d) the naturally functioning streams that rise in the</p>	<p>Proposed Objective 5B.1.2.1 directly gives effect to Section 7 of the WRHAA (National significance and heritage features of heritage area), introducing outcomes for the Heritage Area into the District Plan, based on the heritage features listed in Section 7. The Heritage Area is of national significance, and proposed district plan objective 5B.1.2.1 defines more explicitly for the Heritage Area the ways in which the natural and physical resources would be sustained, the life supporting capacity of the air, water, soil and ecosystems safeguarded and adverse effects on the environment (including amenity) avoided.</p> <p>Because the WRHAA particularises the matters contained in Part II of the RMA which need to be considered within the boundaries of the Heritage Area, these objectives are considered to be necessary and the most appropriate way to achieve the purpose of the RMA.</p> <p>This objective also addresses a number of RMA Section 6 and 7 matters, which are important to achieving the purpose of the RMA, as follows:</p> <ul style="list-style-type: none"> <li>▪ RMA Section 6(a) (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). The following parts of proposed objective 5B.1.2.1 are relevant to this matter of national importance: (a)(i), (a)(vii), (a)(viii), (b), (c), (d), (f), (i), and (n).</li> <li>▪ RMA Section 6(b) (the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development) The following parts of proposed objective 5B.1.2.1 are relevant to this matter of national importance: (c)</li> <li>▪ RMA Section 6(c) (the protection of significant areas of vegetation and fauna habitat). The following parts of proposed objective 5B.1.2.1 are relevant to this matter of national importance: (a)</li> <li>▪ RMA Section 6(d) (the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers): The following parts of proposed objective 5B.1.2.1 are relevant to this matter of national importance: (m)</li> <li>▪ RMA Section 6(e) (the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga). The following parts of proposed objective 5B.1.2.1 are relevant to this matter of national importance: (j)</li> <li>▪ RMA Section 6(f) (the protection of historic heritage from inappropriate subdivision, use and development). The following parts of proposed objective 5B.1.2.1 are relevant to this matter of national importance: (a)(vi), (k).</li> <li>▪ RMA Section 7(a) (Kaitiakitanga); The following parts of proposed objective 5B.1.2.1 are</li> </ul>

Proposed Objective	Examination of whether the objective is the most appropriate way to achieve the purpose of the Act
<p>eastern foothills and contribute positively to downstream urban character, stormwater management, and flood protection:</p> <p>(e) the quietness and darkness of the Waitakere Ranges and the coastal parts of the Waitakere Ranges Heritage Area:</p> <p>(f) the dramatic landform of the Ranges and foothills, which is the visual backdrop to metropolitan Auckland, forming its western skyline:</p> <p>(g) the opportunities that the area provides for wilderness experiences, recreation, and relaxation in close proximity to metropolitan Auckland:</p> <p>(h) the eastern foothills, which—</p> <p>(i) act as a buffer between metropolitan Auckland and the forested ranges and coasts; and</p> <p>(ii) provide a transition from metropolitan Auckland to the forested ranges and coast:</p> <p>(i) the subservience of the built environment to the Waitakere Ranges Heritage Area's natural and rural landscape, which is reflected in—</p> <p>(i) the individual identity and character of the coastal villages and their distinctive scale, containment, intensity, and amenity; and</p> <p>(ii) the distinctive harmony, pleasantness, and coherence of the low density residential and urban areas that are located in regenerating (and increasingly dominant) forest settings; and</p> <p>(iii) the rural character of the foothills to the east and north and their intricate pattern of farmland, orchards, vineyards, uncultivated areas, indigenous vegetation, and dispersed low density</p> <p>(j) the historical, traditional, and cultural relationships</p>	<p>relevant to this Section 7 matter: (j).</p> <ul style="list-style-type: none"> <li>▪ 7(aa) (The ethic of stewardship); The following parts of proposed objective 5B.1.2.1 are relevant to this Section 7 matter: (j).</li> <li>▪ 7b (The efficient use and development of natural and physical resources); The following parts of proposed objective 5B.1.2.1 are relevant to this Section 7 matter: (n) - the efficient use and development of the water supply catchment.</li> <li>▪ 7c (The maintenance and enhancement of amenity values); The following parts of proposed objective 5B.1.2.1 are relevant to this Section 7 matter: (a)(i), (a)(vii), (b), (c), (e), (f), (g), (h), (i), (k), (m).</li> <li>▪ 7d (Intrinsic values of ecosystems); The following parts of proposed objective 5B.1.2.1 are relevant to this Section 7 matter: (a)(ii).</li> <li>▪ 7(f) (Maintenance and enhancement of the quality of the environment); The following parts of proposed objective 5B.1.2.1 are relevant to this Section 7 matter: (a)(i – iv), (a)(vii), (a)(viii), (c), (d), (e), (f), (g), (h), (i), (n).</li> </ul> <p>▪</p> <p>Much of the Waitakere Ranges Heritage Area is identified as outstanding landscape and there are, within the area, many outstanding natural features. Much of the heritage area is also covered in significant areas of vegetation and fauna habitat. The proposed objective would assist in achieving the protection of outstanding natural features and landscapes in the heritage area and would ensure that areas of important flora and fauna are appropriately recognised, enhanced and protected from inappropriate development.</p> <p>It is considered that a District Plan objective that seeks that all of the heritage features of the nationally significant Waitakere Ranges Heritage Area, as identified in Section 7 of the WRHAA, be protected, restored, and enhanced, is important to the sustainable management of the Heritage Area, and in accord with the purpose of the RMA.</p>

Proposed Objective	Examination of whether the objective is the most appropriate way to achieve the purpose of the Act
<p>of people, communities, and tangata whenua with the Waitakere Ranges Heritage Area and their exercise of kaitiakitanga and stewardship:</p> <p>(k) the evidence of past human activities in the Waitakere Ranges Heritage Area, including those in relation to timber extraction, gumdigging, flax milling, mineral extraction, quarrying, extensive farming, and water impoundment and supply:</p> <p>(l) its distinctive local communities:</p> <p>(m) the Waitakere Ranges Regional Park and its importance as an accessible public place with significant natural, historical, cultural, and recreational resources:</p> <p>(n) the public water catchment and supply system, the operation, maintenance, and development of which serves the people of Auckland.</p>	
<p><b>Objective 5B.1.2.2</b> To ensure that impacts on the Waitakere Ranges Heritage Area as a whole are considered when decisions are made affecting any part of it.</p>	<p>Objective 5B.1.2.2 is based on an objective set out in Section 8 (b) of the WRHAA, and provides for this Heritage Area objective to be inserted in the District Plan, strengthening existing District Plan protection for the Heritage Area.</p> <p>This is an additional matter which needs to be specifically considered within the boundaries of the Heritage Area. This proposed objective recognises and provides for RMA matters of national importance set out in sections 6(a), 6(b), 6(c), and 6(f), and RMA Section 7 matters 7(c), 7(d), and 7(f), within the Heritage Area. This objective is considered to be necessary and the most appropriate way to achieve the purpose of the RMA.</p>
<p><b>Objective 5B.1.2.3</b> To adopt the following approach when considering decisions that threaten serious or irreversible damage to a heritage feature:</p> <p>(i) carefully consider the risks and uncertainties associated with any particular course of action; and</p> <p>(ii) take into account the best information available; and</p> <p>(iii) endeavour to protect the heritage feature.</p>	<p>Objective 5B.1.2.3 is based on an objective set out in Section 8 (c) of the WRHAA, and provides for this Heritage Area objective to be inserted in the District Plan, strengthening existing protection for the Heritage Area. These are additional matters which need to be specifically considered within the boundaries of the Heritage Area, and are provided for by the WRHAA. This proposed objective recognises and provides for RMA matters of national importance set out in sections 6(a), 6(b), 6(c), and 6(f), and RMA Section 7 matters 7(c), 7(d), and 7(f), within the Heritage Area. This objective is considered to be necessary and the most appropriate way to achieve the purpose of the RMA.</p>

Proposed Objective	Examination of whether the objective is the most appropriate way to achieve the purpose of the Act
<p><b>Objective 5B.1.2.4</b> To recognise and avoid adverse potential, or adverse cumulative, effects of activities on the Waitakere Ranges Heritage Area's environment (including its amenity) or its heritage features.</p>	<p>Objective 5B.1.2.4 is based on an objective set out in Section 8 (d) of the WRHAA, and provides for this Heritage Area objective to be inserted in the District Plan, strengthening existing protection for the Heritage Area. This is an additional matter which needs to be specifically considered within the boundaries of the Heritage Area, and is provided for by the WRHAA. This proposed objective recognises and provides for RMA matters of national importance set out in sections 6(a), 6(b), 6(c), and 6(f), and RMA Section 7 matters 7(c), 7(d), and 7(f), within the Heritage Area. This objective is considered to be necessary and the most appropriate way to achieve the purpose of the RMA.</p>
<p><b>Objective 5B.1.2.5</b> To recognise that, in protecting the heritage features, the Waitakere Ranges Heritage Area has little capacity to absorb further subdivision.</p>	<p>Objective 5B.1.2.5 is based on an objective set out in Section 8 (e) of the WRHAA, and provides for this Heritage Area objective to be inserted in the District Plan, strengthening existing protection for the Heritage Area. This is an additional matter which needs to be specifically considered within the boundaries of the Heritage Area, and is provided for by the WRHAA,. This proposed objective recognises and provides for RMA matters of national importance set out in sections 6(a), 6(b), 6(c), and 6(f), and RMA Section 7 matters 7(c), 7(d), and 7(f), within the Heritage Area. This objective is considered to be necessary and the most appropriate way to achieve the purpose of the RMA.</p>
<p><b>Objective 5B.1.2.6</b> To ensure that any subdivision or development in the Waitakere Ranges Heritage Area, of itself or in respect of its cumulative effect,— (i) is of an appropriate character, scale, and intensity; and (ii) does not adversely affect the heritage features; and (iii) does not contribute to urban sprawl.</p>	<p>Objective 5B.1.2.6 is based on an objective set out in Section 8 (f) of the WRHAA, and provides for this Heritage Area objective to be inserted in the District Plan, strengthening existing protection for the Heritage Area. This is an additional matter which needs to be specifically considered within the boundaries of the Heritage Area, and is provided for by the WRHAA. This proposed objective recognises and provides for RMA matters of national importance set out in sections 6(a), 6(b), 6(c), and 6(f), and RMA Section 7 matters 7(c), 7(d), and 7(f), within the Heritage Area. This objective is considered to be necessary and the most appropriate way to achieve the purpose of the RMA.</p>
<p><b>Objective 5B.1.2.7</b> To maintain the quality and diversity of landscapes in the Waitakere Ranges Heritage Area by— (i) protecting landscapes of local, regional, or national significance; and (ii) restoring and enhancing degraded landscapes; and (iii) managing change within a landscape in an integrated way, including managing change in a rural landscape to retain a rural character.</p>	<p>Objective 5B.1.2.7 is based on an objective set out in Section 8 (g) of the WRHAA, and provides for this Heritage Area objective to be inserted in the District Plan, strengthening existing protection for the Heritage Area. This is an additional matter which needs to be specifically considered within the boundaries of the Heritage Area, and is provided for by the WRHAA. This proposed objective recognises and provides for RMA matter of national importance set out in section 6(b), and RMA Section 7 matters 7(f), within the Heritage Area. This objective is considered to be necessary and the most appropriate way to achieve the purpose of the RMA.</p>
<p><b>Objective 5B.1.2.8</b> To manage aquatic and terrestrial ecosystems in the Waitakere Ranges Heritage Area to protect and enhance indigenous habitat values, landscape values, and amenity values.</p>	<p>Objective 5B.1.2.8 is based on an objective set out in Section 8 (h) of the WRHAA, and provides for this Heritage Area objective to be inserted in the District Plan, strengthening existing protection for the Heritage Area. This is an additional matter which needs to be specifically considered within the boundaries of the Heritage Area, and is provided for by the WRHAA.. This proposed objective recognises and provides for RMA matters of national importance set out in</p>

Proposed Objective	Examination of whether the objective is the most appropriate way to achieve the purpose of the Act
	sections 6(b), 6(c), and 6(f), and RMA Section 7 matters 7(d), and 7(f), within the Heritage Area. This objective is considered to be necessary and the most appropriate way to achieve the purpose of the RMA.
<p><b>Objective 5B.1.2.9</b> To recognise that people live and work in the Waitakere Ranges Heritage Area in distinct communities, and to enable those people to provide for their social, economic, environmental, and cultural wellbeing.</p>	Objective 5B.1.2.9 is based on an objective set out in Section 8 (i) of the WRHAA, and provides for this Heritage Area objective to be inserted in the District Plan. Proposed objective 5B.1.2.9 would ensure that people that live and work in the heritage are enabled to provide for their social, economic and cultural well-being in accordance with Section 8(j) of the WRHAA and Section 5 of the RMA. Because this is an additional matter which needs to be specifically considered within the boundaries of the Heritage Area, and is provided for by the WRHAA, this objective is considered to be necessary and the most appropriate way to achieve the purpose of the RMA.
<p><b>Objective 5B.1.2.10</b> To provide for future uses of rural land in order to retain a rural character in the Waitakere Ranges Heritage Area.</p>	Objective 5B.1.2.10 is based on an objective set out in Section 8 (j) of the WRHAA, and would provide for this Heritage Area objective to be inserted in the District Plan, strengthening the ability to provide for rural activities which would retain rural character in the Heritage Area. This is an additional matter which needs to be specifically considered within the boundaries of the Heritage Area, and is provided for by the WRHAA. This proposed objective recognises and provides for RMA Section 7 matters 7(c), and 7(f), within the Heritage Area. This objective is considered to be necessary and the most appropriate way to achieve the purpose of the RMA.
<p><b>Objective 5B.1.2.11</b> To protect those features of the Waitakere Ranges Heritage Area that relate to its water catchment and supply functions.</p>	Objective 5B.1.2.11 is based on an objective set out in Section 8 (k) of the WRHAA, and would provide for this Heritage Area objective to be inserted in the District Plan, strengthening existing protection for the Heritage Area, and specifically the water supply catchment. This is an additional matter which needs to be specifically considered within the boundaries of the Heritage Area, and is provided for by the WRHAA. This proposed objective recognises and provides for RMA matters of national importance set out in sections 6(a), 6(b), 6(c), and 6(f), and RMA Section 7 matters 7(b), 7(c), 7(d), and 7(f), within the Heritage Area. This objective is considered to be necessary and the most appropriate way to achieve the purpose of the RMA.
<p><b>Objective 5B.1.2.12</b> To protect in perpetuity the natural and historic resources of the Waitakere Ranges Regional Park for their intrinsic worth and for the benefit, use, and enjoyment of the people and communities of the Auckland region and New Zealand.</p>	Objective 5B.1.2.12 is based on an objective set out in Section 8 (l) of the WRHAA, and would provide for this Heritage Area objective to be inserted in the District Plan, strengthening existing protection for the Waitakere Ranges Regional Park within the Heritage Area. This is an additional matter which needs to be specifically considered within the boundaries of the Heritage Area, and is provided for by the WRHAA. This proposed objective recognises and provides for RMA matters of national importance set out in sections 6(a), 6(b), 6(c), and 6(f), and RMA Section 7 matters 7(d), and 7(f), within the Waitakere Ranges Regional Park in the Heritage Area. This objective is considered to be necessary and the most appropriate way to achieve the purpose of the RMA.

#### 5.1.4 Objectives – Oratia and Waiaatarua Local Areas

The table below assesses the three new objectives proposed for Oratia and Waiaatarua in Section 5B.3 of the plan change, against their appropriateness in terms of the purpose of the RMA, including whether the objectives take cognisance of the matters in sections 6 and 7. of the RMA that must be recognised, provided for or had particular regard to.

**Table 2 The extent to which the proposed Oratia and Waiaatarua local area objectives in 5B.3.1 and 5B.3.2 are the most appropriate way to achieve the purpose of the RMA**

Proposed Objective	Examination of whether the objective is the most appropriate way to achieve the purpose of the Act.
<b>Objectives relating to the Oratia Local Area</b>	
<p><b>5B.3.1.5.1 Oratia Local Area</b>            To recognise the contribution that the heritage features, character and amenity of Oratia make to the national significance of the Waitakere Ranges and foothills. To ensure any subdivision, use or development within the <i>Oratia Local Area</i> retains and enhances Oratia's character and amenity and contributes to the achievement of Oratia's desired future character and amenity (see section 5B.3.1.3)</p>	<p>Objective 5B.3.1.5.1 is based on Section 25 of the WRHAA, which provides for Local Area Plans to develop objectives (particularly long-term objectives) in relation to the future amenity, character and environment of the Local Area. A statement of the desired future character and amenity of Oratia, as developed by the community through the Oratia LAP process, is set out in Section 5B.3.1.3 of the proposed plan change. It is referenced by the objective as a means of ensuring that proposed development either contributes to, or does not detract from, the future character and amenity of Oratia.</p> <p>The maintenance and enhancement of amenity values are key to protecting the future character of Oratia and the provisions of the proposed plan change will provide a framework for this. In the RMA, the term 'amenity values' is used to describe those parts of the environment that constitute the natural and physical qualities and characteristics of an area that contribute to peoples' appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes. The term embraces both natural elements such as forests, streams and landforms, and human-made elements, such as hedgerows, land uses, buildings and roads. It also includes the arrangement or disposition of those things, their design, prominence and effect on the landscape. In making decisions about the use of land and resources under the RMA, consideration must be given to the adverse effects that an activity might have on the environment, including amenity.</p> <p>This proposed objective provides for a long term objective for the character and amenity of the Oratia Local Area as outlined in the LAP, to be reflected in the District Plan, strengthening existing protection for the character and amenity of the area.</p> <p>This objective also addresses a number of RMA Section 6 and 7 matters, which are important to achieving the purpose of the RMA, as follows:</p> <ul style="list-style-type: none"> <li>▪ RMA Section 6(b) (the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development) Proposed Section 5B.3.1.3 (i) 'Achievement of a rural character' of the Statement of Oratia's Desired Future Character and Amenity, will serve to strengthen the District Plan provisions that seek to ensure this matter of national importance is recognised and provided for in Oratia.</li> </ul>

Proposed Objective	Examination of whether the objective is the most appropriate way to achieve the purpose of the Act.
	<ul style="list-style-type: none"> <li>▪ RMA Section 6(c) (the protection of significant areas of vegetation and fauna habitat). Proposed Section 5B.3.1.3 (ii) 'Restoration of the Environment' of the Statement of Oratia's Desired Future Character and Amenity, will serve to strengthen the District Plan provisions that seek to ensure this matter of national importance is recognised and provided for in Oratia.</li> <li>▪ RMA Section 6(d) (the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers): Proposed Section 5B.3.1.3 (iv) 'Future Rural Uses' of the Statement of Oratia's Desired Future Character and Amenity, makes provision for off-road recreation trails, and will serve to strengthen the District Plan provisions that seek to ensure this matter of national importance is recognised and provided for in Oratia.</li> <li>▪ RMA Section 6(e) (the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga). As noted Iwi who are kaitiaki have been consulted. Proposed Section 5B.3.1.3 (vi) 'Strengthening Tangata Whenua Relationship with the area' in the Statement of Oratia's Desired Future Character and Amenity, will serve to strengthen the District Plan provisions that seek to ensure this matter of national importance is recognised and provided for in Oratia.</li> <li>▪ RMA Section 6(f) (the protection of historic heritage from inappropriate subdivision, use and development). Proposed Section 5B.3.1.3 (i) 'Achievement of a rural character' of the Statement of Oratia's Desired Future Character and Amenity, provides for heritage buildings and sites to be protected, reused, restored, enhanced and celebrated, and will serve to strengthen the District Plan provisions that seek to ensure this matter of national importance is recognised and provided for in Oratia.</li> <li>▪ RMA Section 7(a) (Kaitiakitanga) and 7(aa) (the ethic of stewardship). Proposed Section 5B.3.1.3 (vi) 'Strengthening Tangata Whenua Relationship with the area' of the Statement of Oratia's Desired Future Character and Amenity, will serve to strengthen the District Plan provisions that seek to ensure these Section 7 matters are had regard to in Oratia.</li> <li>▪ RMA Section 7(b) (The efficient use and development of natural and physical resources). The plan change would seek to ensure that the natural and physical resources unique and special to the Oratia area would be maintained, enhanced and managed appropriately through managing development in a manner that does not detract from the rural character of the lower and mid Oratia area and the bush character of Upper Oratia.</li> <li>▪ RMA Section 7c (The maintenance and enhancement of amenity values). Maintenance and enhancement of amenity values in Oratia is the main point of this objective. Proposed Section 5B.3.1.3 - the Statement of Oratia's Desired Future Character and Amenity, provides for a statement of character and amenity to be inserted in the District Plan. The intention is to measure proposals for the area against this statement to assess whether they contribute to, or detract from this desired amenity. This objective would significantly strengthen the District Plan provisions that seek to ensure amenity values are recognised and provided for in Oratia. As part of the proposed plan change, new rules and assessment criteria designed to ensure that land use and development contributes towards the retention and enhancement of character and amenity would assist in ensuring that character &amp; amenity values are maintained. In particular, the statement of Oratia's desired future character and amenity sets out significant elements of rural character and addresses the need to maintain a distinct urban-rural edge, with rural character maintained on the heritage side of the boundary. The desired future of Oratia would also see the strengthening of the role of the Oratia Rural</li> </ul>

Proposed Objective	Examination of whether the objective is the most appropriate way to achieve the purpose of the Act.
	<p>Village within clear boundaries, to provide for non-residential activities such as small-scale convenience, arts and crafts, service and café/restaurant activities, and to strengthen its focus as a place to meet, celebrate and socialise.</p> <ul style="list-style-type: none"> <li>▪ RMA Sections 7d (Intrinsic values of ecosystems) and Section 7(f) (Maintenance and enhancement of the quality of the environment). Proposed Section 5B.3.1.3 (ii) 'Restoration of the environment' of the Statement of Oratia's Desired Future Character and Amenity, will serve to strengthen the District Plan provisions that seek to ensure these Section 7 matter is had regard to in Oratia.</li> </ul> <p>It is considered that a goal-oriented District Plan objective that seeks to provide a long-term statement of character and amenity in Oratia will significantly strengthen the protection, restoration and enhancement of the heritage features of this part of the nationally significant Waitakere Ranges Heritage Area, and as such, is important to the sustainable management of the Heritage Area, and in accord with the purpose of the RMA. Because this is an additional matter to be specifically considered within the Oratia Local Area, and is provided for by the WRHAA, this objective is considered to be necessary and the most appropriate way to achieve the purpose of the RMA.</p>
<p><b>5B.3.1.5.2 Oratia Rural Village</b> To provide for a neighbourhood-scale rural village in Oratia that supports the social, economic and cultural wellbeing of the community and is clearly connected to the history, community, and rural character of the area.</p>	<p>WRHAA Section 8 'Heritage Area Objectives', Objective 8(i) is 'to recognise that people live and work in the area in distinctive communities and to enable those people to provide for their social, economic, environmental and cultural wellbeing.' This particularises elements of section 5 of the RMA for the Heritage Area. Section 7(2)(l) of the WRHAA recognises distinctive communities, which acknowledges those element of the existing environment which characterise and identify communities within the Heritage Area. This includes that the village is the historic centre of the local area. Oratia is considered to be a village because it includes local services and retail, celebrations of the past (memorials), civic and community buildings (halls, clubs, schools) and that it has a walking scale. These are components that differentiate this place from other places in Oratia.</p> <p>Centred on the primary school, the village is today a loose assemblage of buildings and activities (hall on the site of the first coop packing shed, the cemetery, the bowling club, the church, the orchard shop, school, dairy). It has a recognisable village form or focal point distinct in its level of development within the wider rural area of Oratia, and distinct of the predominantly residential areas of the adjoining urban development within the MUL.</p> <p>Provision to enhance and provide for a neighbourhood-scale rural village in Oratia arises out of the desire of the local community, as recorded in the Oratia LAP developed under the WRHAA, to extend the amenity of the area by further strengthening and expanding the role of the Oratia Rural Village. The amenity of the village would include 'neighbourhood-scale' convenience and service activities, with a focus towards the needs of the local community, residents of the Waitakere Ranges Heritage Area and visitors and a stronger focus as a place to meet, celebrate and socialise.</p> <p>This objective also addresses a number of RMA Section 7 matters, which are important to achieving the purpose of the RMA, as follows:</p> <ul style="list-style-type: none"> <li>▪ RMA Section 7(b) (The efficient use and development of natural and physical resources). The plan change would seek to ensure that the physical resources unique and special to the Oratia village would be</li> </ul>

Proposed Objective	Examination of whether the objective is the most appropriate way to achieve the purpose of the Act.
	<p>maintained, enhanced and managed appropriately through managing development in a manner that does not detract from the character of the area and enhances opportunities to provide for the wellbeing of the community.</p> <ul style="list-style-type: none"> <li>▪ RMA Section 7(c) (The maintenance and enhancement of amenity values). The desired future of Oratia would also see the strengthening of the role of the Oratia Rural Village within clear boundaries. Strengthening and expanding the village would enable the people of Oratia to better provide for their social, economic and cultural wellbeing in line with the Section 5 purpose of the RMA, and having regard to RMA Section 7(c) 'the maintenance and enhancement of amenity values'. The village has a recognisable form, but incomplete, disconnected with gaps to view rural Oratia through. The Village is a valued place in the community, providing a centre for local facilities, meeting and socialising. The existing Village retains rural characteristics, however it has a cluster of buildings and activities focussed within the area of West Coast Road and Shaw Road.</li> <li>▪ Section 7(f) (Maintenance and enhancement of the quality of the environment).</li> </ul> <p>It is recognised that in this area incremental urban development has resulted in the MUL adjoining the area that has acted as the traditional centre of the Oratia community and that the Oratia petrol station, while an historic development, is now located as a schedule site within the District Plan within the MUL. However, the existing school, kindergarten, diary, fruit shop, packing sheds being used for non-residential activities, hall and play centre are located outside the MUL, to the north and west of the school.</p> <p>The views north from the village to the forested escarpment, with open rural land in the foreground, make an important contribution to the rural character of this locality and the identity of the village.</p> <p>The rural Village is proposed located on rural land (Foothill Environment) and as outlined in the Section 32 analysis on the policy and rules relating to the proposed Oratia Rural Village, provisions of the Plan Change would ensure that the village is of an appropriate character given its existing pattern of built development (refer above for existing activities), scale and intensity, and would not adversely affect the heritage features of Oratia.</p> <p>The existing pattern of development demonstrates that rural areas require activities to serve rural people, that activities also depend on the unique character and amenity of rural locations and that existing activities have formed a focal point. Supporting the sustainability of local communities implies the provision of activities, facilities and services that serve the local communities needs, and also provides opportunities for activities and innovation in rural areas to cluster around the focal point which is also on a significant route into the Waitakere Ranges Heritage Area.</p> <p>Case law has also indicated (Cornerstone, Runciman, Ballantyne) that many activities are inherently neither urban nor rural. This implies that activities are associated with people and communities, and that it is possible to manage their form and effects in respect to their character, intensity, scale and context. These are all matters relevant to the objective which seeks a 'neighbourhood scale' village.</p>

Proposed Objective	Examination of whether the objective is the most appropriate way to achieve the purpose of the Act.
	<p>It is therefore considered that the Oratia Rural Village objective would be beneficial for the people and community of Oratia, while at the same time adequately safeguarding the ecosystems, natural and physical resources, and amenity and heritage values of the area. Particular attention is required to amenity values, which needs to be considered in the context of the existing activities, character and amenity in the village, In this way, any adverse effects on the environment (including rural amenity) can be avoided or mitigated.</p> <p>A District Plan objective is considered appropriate to make provision for a strengthened and expanded rural village in Oratia. The promotion of wellbeing within the Oratia Local Area through the Oratia village objective is considered to be an appropriate means to achieve the purpose and principles of the RMA and the purpose and objectives of the WRHAA.</p>
Objective relating to the Waiaatarua Local Area	
<p><b>5B.3.2.5.1 Waiaatarua Local Area</b> To recognise the contribution that the heritage features, character and amenity of Waiaatarua make to the national significance of the Waitakere Ranges and foothills. To ensure any subdivision, use or development within the <i>Waiaatarua Local Area</i> retains and enhances Waiaatarua's character and amenity and contributes to the achievement of Waiaatarua's desired future character and amenity (see section 5B.3.2.3)</p>	<p>The maintenance and enhancement of amenity values is key to protecting the future character and heritage features of Waiaatarua and the provisions of the proposed plan change will provide a framework for this. For a description of the RMA term 'amenity values' see the examination of Objective 5B.3.1.5.1 above in this section. In making decisions about the use of land and resources under the RMA, consideration must be given to the adverse effects that an activity might have on the environment, including amenity.</p> <p>Objective 5B.3.2.5.1 is based on Section 25 of the WRHAA, which provides for Local Area Plans to develop objectives (particularly long-term objectives) in relation to the future amenity, character and environment of Local Areas. The Proposed plan change sets out a statement of Waiaatarua's existing character and amenity in Section 5B.3.2.2. A statement of the desired future character and amenity of Waiaatarua, as agreed by the community through the Waiaatarua LAP process, is set out in Section 5B.3.2.3 of the proposed plan change, and represents the vision of Waiaatarua into the long-term future. This statement is referenced by objective 5B.3.2.5.1 as a means of ensuring that proposed development either contributes to, or does not detract from, the future character and amenity of Waiaatarua.</p> <p>This proposed objective provides for a long term objective for the character and amenity of the Waiaatarua Local Area as outlined in the LAP, to be reflected in the District Plan, strengthening existing protection for the character and amenity of the area.</p> <p>This objective also addresses a number of RMA Section 6 and 7 matters, which are important to achieving the purpose of the RMA, as follows:</p> <ul style="list-style-type: none"> <li>▪ RMA Section 6(b) (the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development). Through the Local Area Plan process, unique natural features and landscapes of the Waiaatarua area have been identified. The proposed plan change would seek to ensure that these are protected, restored and enhanced. The importance of landscape and landform to Waiaatarua's character and amenity is outlined in part (i) of the statement of existing character and amenity in proposed Section 5B.3.2.2. The Statement of Waiaatarua's Desired Future Character and Amenity sets states that the community has identified a desired future where Waiaatarua should generally remain the</li> </ul>

Proposed Objective	Examination of whether the objective is the most appropriate way to achieve the purpose of the Act.
	<p>same as it is now, with very little change other than continued growth of the forest. Protection of outstanding natural features and landscapes is thus central to the future character, and this objective will serve to strengthen the District Plan provisions that seek to ensure this matter of national importance is recognised and provided for in Oratia.</p> <ul style="list-style-type: none"> <li>▪ RMA Section 6(c) (the protection of significant areas of vegetation and fauna habitat). Proposed Section 5B.3.2.3 (i) ('Maintenance of a forested character' and (ii) 'Restoring the Environment', will serve to strengthen the District Plan provisions that seek to ensure this matter of national importance is recognised and provided for in Oratia.</li> <li>▪ RMA Section 6(e) (the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga). Proposed Section 5B.3.2.3 (vi) 'Strengthening Tangata Whenua Relationship with the area' in the Statement of Waiatarua's Desired Future Character and Amenity, will serve to strengthen the District Plan provisions that seek to ensure this matter of national importance is recognised and provided for in Waiatarua.</li> <li>▪ RMA Section 7(a) (Kaitiakitanga) and 7(aa) (the ethic of stewardship). Proposed Section 5B.3.2.3 (vi) 'Strengthening Tangata Whenua Relationship with the area' of the Statement of Waiatarua's Desired Future Character and Amenity, will serve to strengthen the District Plan provisions that seek to ensure these Section 7 matters are had regard to in Waiatarua.</li> <li>▪ RMA Section 7c (The maintenance and enhancement of amenity values). Maintenance and enhancement of amenity values in Waiatarua is the main point of this objective. Proposed Section 5B.3.2.3 - the Statement of Waiatarua's Desired Future Character and Amenity, enables a statement of character and amenity to be inserted in the District Plan. The intention is to measure proposals for the area against this statement to assess whether they contribute to, or detract from this desired amenity. This objective would significantly strengthen the District Plan provisions that seek to ensure this matter of national importance is recognised and provided for in Waiatarua.</li> <li>▪ RMA Sections 7d (Intrinsic values of ecosystems) and Section 7(f) (Maintenance and enhancement of the quality of the environment). Proposed Section 5B.3.2.3 (i) 'Maintenance of a forested character' and (ii) 'Restoration of the environment' of the Statement of Waiatarua's Desired Future Character and Amenity, will serve to strengthen the District Plan provisions that seek to ensure these Section 7 matters are had regard to in Waiatarua.</li> </ul> <p>The proposed plan change adopts a comprehensive approach to identification and sustainable management of natural and physical resources that contribute to the character and amenity of Waiatarua. The goal-oriented District Plan objective that provides a long-term statement of character and amenity in Waiatarua would significantly strengthen the protection, restoration and enhancement of the heritage features of this part of the nationally significant Waitakere Ranges Heritage Area. As such, it is important to the sustainable management of the Heritage Area, and accords with the purpose of the RMA. Because this is an additional matter to be specifically considered within the Waiatarua Local Area, and is provided for by the WRHAA, this objective is considered to be necessary and the most appropriate way to achieve the purpose of the RMA.</p>

The proposed plan change objectives are considered to be consistent with the purpose and principles of the RMA. The unique environment, character and amenity of the Heritage Area and the local areas are recognised and activities within them would be managed in a way that is sensitive to the values associated with their particular features. Development consistent with the Plan Change would allow for the local community to provide for their social, cultural, and economic well being while protecting, restoring and enhancing the heritage features of the Heritage Area and local areas.

**5.1.5 Whether, having regard to efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives (s32(3)(b))**

Council is required to have regard to other methods that may be used in achieving the objectives of the Proposed Plan Change. This includes non-statutory methods such as education, provision of services, advocacy, incentives and the like. Other methods could be taking no action at all (that is. removing all rules) or retaining the existing rules (the status quo).

An assessment is required of the proposal. Tables 3 and 4 assess the efficiency and effectiveness of the proposed policies for the Oratia and Waiatarua Local Areas respectively.

Section 32 of the RMA requires an evaluation to examine whether the policies and methods take into account their benefits and costs, as well as the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies and methods.

**Table 3 Assessment of efficiency and effectiveness of policies and achievement of objective – Oratia Local Area.**

Proposed Policies	Efficiency and Effectiveness	Most appropriate for achieving the objective
<p><b>5B.3.1.6 Policies: Oratia Local Area</b></p>		
<p><b>5B.3.1.6.1</b>            Activities (including subdivision), within the <i>Oratia Local Area</i> shall contribute to the achievement of Oratia’s desired future rural character and amenity (see section 5B.3.1.3) by:</p> <p>(i) Maintaining links with Oratia’s productive past, including:</p> <ol style="list-style-type: none"> <li>a. retaining and maintaining, where practicable, remnants of former orchards, vineyards and shelterbelts, and</li> <li>b. designing landscape elements in new development to reflect Oratia’s orchard and viticulture past;</li> </ol>	<p>Objective 5B.1.2.1(i)(iii) is concerned with the rural character of the foothills to the east and north of the Waitakere Ranges Heritage Area and their intricate pattern of farmland, orchards, vineyards, uncultivated areas, indigenous vegetation and dispersed low density settlement with few urban scale activities. Further, Objective 5B.1.2.7(iii) is concerned with the management of change within the landscape. 5B.3.1.2 identifies the rich productive history of Oratia.</p> <p>The proposed policy would effectively meet these objectives by retaining and enhancing elements of the landscape such as remnant orchards and shelterbelts that have been identified as key to defining Oratia’s past and future character and amenity. In particular, the desired future character and amenity includes opportunities for people to connect with and experience Oratia’s history, food, wine, art, culture, gardens, ecology, landscape, health and wellbeing and the outdoors.</p>	<p>The proposed policy provides guidance for managing land-use activities that may affect the natural landscape character and is considered the most appropriate way of achieving the proposed Objectives.</p>
<p>(ii) Designing new development to be subservient to the rural landscape;</p>	<p>Objective 5B.1.2.1 (i) is concerned with the subservience of the built environment to the natural environment of the Waitakere Ranges. The importance of landscape and landform is also recognised within the statement of existing character and amenity, along with the importance of the natural environment.</p> <p>The proposed policy recognises the importance of ensuring the natural and rural character and landscapes of Oratia remains dominant, thus achieving the desired future rural character and amenity 5B.3.1.3(i) Achievement of a rural character, which incorporates a key statement that new development will be designed to be subservient to the rural and natural landscape.</p>	<p>The proposed policy would provide guidance for managing the effects of new development so that it is in keeping with the existing landscape (not dominant to it).</p>
<p>(iii) Where practicable, protecting, re-using, restoring and/or enhancing existing rural buildings;</p>	<p>Objective 5B.1.2.1 (i) is concerned with the subservience of the built environment to the natural environment of the Waitakere Ranges and Objective 5B.1.2.6 is concerned with the effect of new development on heritage features and ensuring this development is of appropriate character, scale and intensity.</p> <p>By focusing on the re-development of existing buildings, the proposed Policy would meet these objectives which seek to manage potential adverse effects, thereby meeting</p>	<p>The proposed policy would be the most appropriate way in which to provide guidance for encouraging the re-development of</p>

Proposed Policies	Efficiency and Effectiveness	Most appropriate for achieving the objective
	desired future character and amenity.	existing buildings where practicable.
(iv) Maintaining a sense of rural spaciousness through the careful placement and design of buildings, structures, rural infrastructure and vegetation;	<p>Objective 5B.1.2.6 seeks to ensure any subdivision or development is of an appropriate character, scale, and intensity; (ii) does not adversely affect the heritage features; and (iii) does not contribute to urban sprawl. It is also recognised that changes of rural land use need to retain rural character.</p> <p>It is considered that the proposed policy would promote appropriate design principles to achieve this objective, thereby ensuring the future character and amenity statement is recognised.</p>	The proposed policy would promote and support appropriate design of buildings and structures within the landscape to achieve these objectives.
(v) Maintaining a clear boundary between metropolitan Auckland and rural Oratia along the Waitakere Ranges Heritage Area boundary, and reinforcing this boundary through ensuring design and placement of rural activities and associated infrastructure on the rural side of the Heritage Area boundary;	<p>Objective 5B.1.2.1 recognises the eastern foothills, which act as a buffer between metropolitan Auckland and the forested ranges and coasts provide a transition from metropolitan Auckland to the forested ranges and coast.</p> <p>It is considered that the proposed policy would recognise and support one of the key statements of Oratia's desired future character and amenity statement which retains Oratia's role as a gateway, marking a distinct change from metropolitan Auckland to the Waitakere Ranges (refer 5B.3.1.3 (iii) - A distinct urban-rural edge). The urban-rural boundary is preserved. The proposed policy recognises the need to maintain this boundary by appropriate management and placement of rural activities. Special consideration to Oratia Rural Village is provided in Policy 5B.3.1.6.6.</p>	The proposed policy would provide support for the management of existing and new rural activities.
(vi) Management of development within identified rural view shafts within the <i>Oratia Local Area</i> (refer Policy Map 5B.3.1.2);	<p>Open and spacious views form part of Oratia's existing character and amenity and their protection is implicitly promoted throughout the Objectives, including in particular 5B.1.2.1 (f) which identifies the dramatic landform of the Ranges and foothills, as the visual backdrop to metropolitan Auckland. and 5B.1.2.7 which seeks to maintain quality and diversity of landscapes in the Ranges by protecting landscapes of local, regional, or national significance.</p> <p>The proposed policy specifically recognises these Objectives by managing development within the identified rural view shafts and provides a specific policy map, thereby ensuring that key views are managed as part of the desired future character and amenity for Oratia. In particular 5B.3.1.3 (iii) A Gateway to Rural Waitakere, recognises the importance of open and spacious views from Parrs Cross Road/Pine Avenue southwards across the rural Oratia valley in defining the visual edge of metropolitan Auckland.</p>	The proposed policy achieves the objective by managing development within the identified view shafts together with the with the supporting Policy Map 5B.3.2

Proposed Policies	Efficiency and Effectiveness	Most appropriate for achieving the objective
(vii) Maintaining the rural character and appearance by managing the location of close board or solid fences on land within 5 metres of a road boundary;	<p>Objective 5B.1.2.7 seeks to maintain the quality and diversity of landscapes in the Waitakere Ranges Heritage Area by managing change within a landscape in an integrated way, including managing change in a rural landscape to retain a rural character. Achievement and maintenance of Oratia's rural character is identified as key to providing desired future rural character and amenity.</p> <p>The proposed policy would achieve this Objective by providing for appropriate fencing which would be compatible with rural character. This is in keeping with the future character and amenity statement which continues to achieve rural character for Oratia (in particular 5B.3.1.3 (i) – Achievement of a rural character, which seeks to ensure new development is designed to be subservient to the rural and natural landscape and a sense of spaciousness achieved through the location and design of buildings, structures, rural infrastructure and vegetation. Generally front yards in the lower valley of Oratia are characterised by an open interface with the road berm. Fences are minimised and expansive open views are afforded. This is recognised in the character and amenity statements. Some recent development has introduced close board fences on the property boundary and this introduces elements to the landscape which impact on the open spacious nature of many of the rural views from the roads.</p>	It is considered that the proposed policy is the most appropriate means of achieving this objective.
(viii) Avoiding any further loss of significant areas of indigenous vegetation and indigenous habitat; and	<p>Native forest, regenerating areas of indigenous vegetation, Oratia Stream and its tributaries have intrinsic value and provide habitats for indigenous flora and fauna. This is recognised particularly in Objective 5B.1.2.1 which seeks to protect, restore, and enhance heritage features, including terrestrial and aquatic ecosystems in all their forms.</p> <p>The proposed policy recognises the value of vegetation and habitat by seeking to avoid any further loss of trees. This should provide support for managing development which requires removal of vegetation, thereby ensuring the ongoing recognition of a key heritage feature in terms of future character and amenity. Refer in particular to 5B.3.1.3 (ii) – restoration of the environment, which anticipates indigenous vegetation increasing in prominence and quality, ecological corridors extending and stream margins throughout the valley having continuous indigenous vegetation cover.</p>	It is considered that the proposed policy is the most appropriate means of achieving this objective.
(ix) Promoting the establishment of off-road walking and cycle trails.	<p>Objective 5B.1.2.1 (g) provides for opportunities for wilderness experiences, recreation, and relaxation in close proximity to metropolitan Auckland and also (m) recognises the Waitakere Ranges Regional Park and its importance as an accessible public place with significant natural, historical, cultural, and recreational resources.</p> <p>The proposed policy seeks to promote this objective by providing opportunities for</p>	It is considered that the proposed policy is the most appropriate means of achieving this objective.

Proposed Policies	Efficiency and Effectiveness	Most appropriate for achieving the objective
	recreational trails. Further, it supports the future character and amenity statement 5B.3.1.3 iv - Future rural uses which anticipates that Oratia will be appreciated by people seeking rest, respite and recreation, with off road recreation trails for pedestrians and cyclists connecting metropolitan Auckland. Some of these trails can be achieved through the implementation of the Oratia Structure Plan and the network of esplanade reserves, others will require direct discussions with landowners as to the opportunities to provide off-road trails.	
<p><b>5B.3.1.6.2</b> Activities (including subdivision) in the <i>Oratia Local Area</i>, will have particular regard to the achievement of the desired future character and amenity of Oratia (refer section 5B.3.1.3) by, in particular:</p> <p>i. Retention, enhancement and maintenance of indigenous vegetation in the steeper areas of the valley and along stream margins;</p> <p>ii. Avoiding any further loss of significant indigenous vegetation and indigenous fauna habitat, beyond that provided for in the District Plan;</p>	<p>Objective 5B.1.2.6 To ensure that any subdivision or development in the Waitakere Ranges Heritage Area, of itself or in respect of its cumulative effect,— (i) is of an appropriate character, scale, and intensity; and (ii) does not adversely affect the heritage features; and (iii) does not contribute to urban sprawl.</p> <p>Indigenous vegetation is a key heritage feature in Oratia and activities including subdivision and other activities may threaten this if not appropriately managed. The proposed policies recognise the need to retain and enhance vegetation particularly in steeper areas or near streams, thereby providing guidance for the management of land-use activities. Further the proposed policies support the desired future character and amenity statement in which the environment, character and amenity of Oratia are retained and enhanced, and dwellings, and appropriate rural business and recreation activities exist in harmony and in sympathy with the environment. In particular 5B.3.1.3(ii) – (restoration of the environment), seeks the retention of vegetation cover.</p>	It is considered that the proposed policies are the most appropriate means of achieving the Objective.
iii. Promoting the establishment of off-road walking and cycle trails;	<p>As above, objective 5B.1.2.1 (g) provides for opportunities for wilderness experiences, recreation, and relaxation in close proximity to metropolitan Auckland and also (m) recognises the Waitakere Ranges Regional Park and its importance as an accessible public place with significant natural, historical, cultural, and recreational resources.</p> <p>The proposed policy seeks to promote this objective by providing opportunities for recreational trails. Further, it supports the future character and amenity statement 5B.3.1.3 iv - Future rural uses which anticipates that Oratia will be appreciated by people seeking rest, respite and recreation, with off road recreation trails for pedestrians and cyclists connecting metropolitan Auckland.</p>	It is considered that the proposed policy is the most appropriate means of achieving this objective.
iv. Avoiding transport infrastructure of an urban scale and character, such as	Objective 5B.1.2.7 seeks to maintain the quality and diversity of landscapes in the Waitakere Ranges Heritage Area by (iii) managing change within a landscape in an	It is considered that the proposed policy

Proposed Policies	Efficiency and Effectiveness	Most appropriate for achieving the objective
concrete footpaths and concrete curb and channel; and	<p>integrated way, including managing change in a rural landscape to retain a rural character.</p> <p>The proposed policy would deal with the provision of transport infrastructure in a way that ensures it is compatible with rural character and amenity. Further, it supports the future character and amenity statement 5B.3.1.3 (i) Achievement of a rural character seeks to ensure new development is designed to be subservient to the rural and natural landscape, and a sense of spaciousness will be achieved through the location and design of buildings, structures, rural infrastructure and vegetation.</p>	is the most appropriate means of achieving this objective.
v. Avoiding the establishment of reticulated wastewater infrastructure, except in the Oratia Rural Village Non-Residential Activity Overlay area.	The proposed policy is considered to meet the objective 5B.1.2.4 which seeks to recognise and avoid adverse potential, or adverse cumulative, effects of activities on the Waitakere Ranges Heritage Area's environment (including its amenity) or its heritage features. The proposed policy avoids the establishment of reticulated wastewater infrastructure (apart from in the Village where the school and the hall are already served by infrastructure), which may have the potential to affect the Heritage Features in terms of cumulative effects. The proposed policy provides an overall intention for the avoidance of reticulated wastewater in the wider Oratia area which is in keeping with its desired future character and amenity, particularly 5B.3.1.3 i) - achievement of a rural character, which anticipates new sites will be self servicing in terms of wastewater treatment.	It is considered that the proposed policy is the most appropriate means of achieving this objective.
<b>5B.3.1.6.3</b> The <i>Oratia Structure Plan</i> shall be given effect to within the Structure Plan boundaries.	The proposed policy supports Objective 5B.1.2.5 which recognises that, in protecting the heritage features, the Waitakere Ranges Heritage Area has little capacity to absorb further subdivision. The policy upholds the provisions of the Oratia Structure Plan and recognises that further sites therein will be developed in accordance with its provisions. (Refer also to further discussion below relating to proposed policy 5B.3.1.6.5)	It is considered that the proposed policy is the most appropriate means of achieving this objective.
<b>5B.3.1.6.4</b> In considering subdivision within the triangle bounded by Pine Avenue, Forest Hill Road and Holdens Road, applications will be assessed against whether the subdivision: i. contributes to the achievement of Oratia's desired future rural character and amenity (see section 5B.3.1.3); ii. accords with a density that is no	<p>This proposed policy deals with defined, discrete 'triangle' of land. Even though this is excluded by the Oratia Structure Plan (OSP), it is covered in the Oratia Local Area Plan. The policy would provide a means to consider non-complying resource consent applications for subdivision. The area is zoned Foothills Environment and subdivision beyond 4 ha is a non-complying activity. The adjoining land within the OSP provides for countryside living subdivision densities (small rural holdings). If subdivision were to occur in this area, the policy provides guidance as to the manner in which the application should address matters of character and amenity.</p> <p>The WRHAA recognises that there are limited opportunities for subdivision. The potential subdivision of this land should occur in a manner consistent with the OSP.</p>	It is considered that the proposed policy is the most appropriate means of achieving this objective.

Proposed Policies	Efficiency and Effectiveness	Most appropriate for achieving the objective
<p>greater than the average density for the <i>Oratia Structure Plan</i>;</p> <p>iii. locates building platforms away from roads;</p> <p>iv. promotes the productive use of land; and</p> <p>v. promotes the protection, restoration and enhancement of the area's heritage features, streams, wetlands and green network.</p>		
<p><b>5B.3.1.6.5</b> Subdivision within <i>Oratia local area</i> shall be in accordance with the relevant District Plan provisions, provided that:</p> <p>i. It is recognised that, in order to protect the area's rural character and amenity, and to achieve Oratia's desired future rural character and amenity (see section 5B.3.1.3), Oratia has little capacity to absorb further subdivision beyond that provided for in the <i>Oratia Structure Plan</i>;</p>	<p>The proposed policy supports Objective 5B.1.2.5 which recognises that, in protecting the heritage features, the Waitakere Ranges Heritage Area has little capacity to absorb further subdivision. The policy effectively upholds the provisions of the Oratia Structure Plan and recognises that further sites therein will be developed in accordance with its provisions.</p>	<p>It is considered that the proposed policy is the most appropriate means of achieving this objective</p>
<p>ii. A precautionary approach is taken to ensure that the subdivision does not damage the area's heritage features or detract from or undermine the achievement of the desired future character and amenity of Oratia (see section 5B.3.1.3);</p>	<p>Objective 5B.1.2.6 seeks to ensure that any subdivision or development in the Waitakere Ranges Heritage Area, of itself or in respect of its cumulative effect, (i) is of an appropriate character, scale, and intensity; and (ii) does not adversely affect the heritage features; and (iii) does not contribute to urban sprawl.</p> <p>The precautionary approach is considered to be necessary to meet future desired character and amenity, including 5B.3.1.3 in which (from a contextual perspective) the community has identified a desired future for Oratia in which the environment, character and amenity are retained and enhanced. Dwellings, and appropriate rural business and recreation activities exist in harmony and in sympathy with the environment and the amenity of the local area. Further, rural character would be achieved by ensuring new</p>	<p>It is considered that the proposed policy is the most appropriate means of achieving this objective</p>

Proposed Policies	Efficiency and Effectiveness	Most appropriate for achieving the objective
	development is subservient to the rural and natural landscape. It is considered that the proposed policy would support the objectives for appropriately-scaled development by adopting a precautionary approach.	
iii. In the Oratia Rural Village, limited subdivision will be provided to enable development to proceed in accordance with the provisions relating to the <i>Oratia Rural Village Non-Residential Activity Overlay</i> ;	The proposed policy would support objective 5B.1.2.9 which recognises that people live and work in the Waitakere Ranges Heritage Area in distinct communities, and to enable those people to provide for their social, economic, environmental, and cultural wellbeing. It provides for a small area of expansion of the Oratia Rural Village.	It is considered that the proposed policy is the most appropriate means of achieving this objective
It encourages the retention and enhancement of rural landscapes through the management of existing vegetation and replanting of exotic vegetation; and	<p>The proposed policy supports particularly objective 5B.1.2.1 (i) the subservience of the built environment to the Waitakere Ranges Heritage Area's natural and rural landscape, which is reflected in - (iii) the rural character of the foothills to the east and north and their intricate pattern of farmland, orchards, vineyards, uncultivated areas, indigenous vegetation, and dispersed low density settlement with few urban scale activities. Objective 5B.1.2.7 is also supported by this policy, in particular (iii) managing change within a landscape in an integrated way, including managing change in a rural landscape to retain a rural character.</p> <p>Exotic vegetation is regarded as an important component of Oratia's rural landscape, including remnant shelter belts and exotic specimen trees. The proposed policy supports the retention of this vegetation and promotes the replanting of further exotic vegetation where subdivision and development may affect this. The policy is in keeping with the anticipated future character and amenity which, in achieving rural character, 5B.3.1.3 (i) exotic vegetation and productive rural activities will continue to contribute to the area's rural landscape and character. New plantings of fruit trees, vines and shelter belts together with managed remnants of exotic vegetation from former vineyard and orchard activities will form part of the layout of new development, enabling it to integrate well into Oratia's rural landscape.</p>	It is considered that the proposed policy is the most appropriate means of achieving this objective
v. It avoids transport infrastructure of an urban scale and character.	<p>Objective 5B.1.2.7 seeks to maintain the quality and diversity of landscapes in the Waitakere Ranges Heritage Area by (iii) managing change within a landscape in an integrated way, including managing change in a rural landscape to retain a rural character.</p> <p>The proposed policy would support this objective in the context of further development and subdivision. It deals with the issue of transport infrastructure in a way that ensures it is compatible with rural character and amenity. Further, it supports the future character</p>	It is considered that the proposed policy is the most appropriate means of achieving this objective

Proposed Policies	Efficiency and Effectiveness	Most appropriate for achieving the objective
	and amenity statement 5B.3.1.3 (i) Achievement of a rural character seeks to ensure new development is designed to be subservient to the rural and natural landscape, and a sense of spaciousness will be achieved through the location and design of buildings, structures, rural infrastructure and vegetation.	
<p><b>5B.3.1.6.6</b> Oratia rural village shall be developed in a manner that:</p> <ol style="list-style-type: none"> <li>a. protects, restores and enhances its heritage features, particularly as can be seen in rural views to the north;</li> <li>b. ensures the qualities of a neighbourhood-scale rural village form, amenity, and character are enhanced;</li> <li>c. supports the social, economic and cultural well-being of the Oratia community;</li> <li>d. supports its role as a gateway marking the edge between the metropolitan area and the Waitakere Ranges Heritage Area;</li> <li>e. maintains a distinction from metropolitan Auckland by its form, location and scale of activity;</li> <li>f. becomes a focus for local creative endeavour and innovation; and</li> <li>g. contributes to the achievement of the desired future character and amenity of Oratia (see section 5B.3.1.3).</li> </ol> <p>This development is to be achieved by:</p> <ol style="list-style-type: none"> <li>i. enabling small-scale non-residential activities within the <i>Oratia Rural Village Non-</i></li> </ol>	<p>Section 7(2)(l) of WRHAA recognises that distinctive communities are a heritage feature of the Heritage Area that contributes to its national, regional and local significance. Objective 8(a) of the WRHAA seeks to protect, restore and enhance heritage features, which includes distinctive communities. Objective 8(i) recognises that people live and work in the area and that their wellbeing should be enabled. (refer also Objectives 5B.1.2.1(i) and 5B.1.2.9).</p> <p>Through the Oratia LAP the community identified an historic failure of planning to recognise and provide for activities to serve their community clustered around the area known as the Oratia village. Review of previous consultation, including the Oratia Structure Plan, indicated a strong community desire for a neighbourhood scale rural village focal point to provide local facilities and services. The community also indicated that this matter was not addressed through the structure plan process, as this structure plan became a more significant debate about subdivision, as opposed to initial community expectation that matters of long term sustainability would be addressed. Community meetings initiated in November 2008 indicated a strong desire by the community to enhance the village and for this to have a uniquely rural aesthetic, different from metropolitan Auckland. The community identify the focal point by describing it as a 'village'. It was identified as having a walkable form between the existing elements, with community and commercial activities focussed in a specific geographic location.</p> <p>The adopted Oratia LAP recognised this through the existing character and amenity statement and the future character and amenity statement. Submissions on the proposed LAP from residents supported this proposal. Policy P18 of the LAP states: <i>"Plan and develop the rural village of Oratia as a distinctive rural community and service centre different from metropolitan Auckland"</i>.</p> <p>Oratia rural village is an existing resource which supports community wellbeing. It has been the centre of the Oratia community since the community existed. The Oratia Village and school will continue to be the centre of the community. The existing context is described in the discussion of the objective in Table 1 above, and in section 5B.3.1.2(v) of the Plan Change.</p>	<p>It is considered that the proposed policy is the most appropriate means of achieving this objective</p>

Proposed Policies	Efficiency and Effectiveness	Most appropriate for achieving the objective
<p><i>Residential Activity Overlay;</i></p> <ul style="list-style-type: none"> <li>ii. recognising the contribution the school, <i>Open Spaces Environment</i> and community facilities make to the community and village;</li> <li>iii. limiting the scale and intensity of activities and buildings to maintain a low density and spacious rural village character;</li> <li>iv. promoting the reuse of existing buildings;</li> <li>v. ensuring that high standards of design are achieved that reinforces the rural setting, and contributes to the character and amenity of the village;</li> <li>vi. ensuring adequate separation between buildings and within Areas 1 and 2 of the <i>Oratia Rural Village Non-Residential Activity Overlay</i> limiting buildings to a one storey form to maintain views shafts to the surrounding rural landscapes;</li> <li>vii. recognising the availability of on-street car parks to support the function of the village and its activities;</li> <li>viii. providing landscape enhancements that reflect the horticultural-based productive history and character of Oratia;</li> <li>ix. providing a limited extension to reticulated wastewater infrastructure to serve the village;</li> <li>x. maintaining a clear boundary</li> </ul>	<p>A significant issue in the policy debate both at the Regional Policy Statement and District Plan levels is whether Oratia Village, as it is now and is proposed to be through the LAP and Plan Change is a rural activity or an urban activity, or as this plan change proposes in a rural village providing neighbourhood scale activities for its community and visitors to the Heritage Area and its location is centred on existing village activities.</p> <p>Some activities in the area of the existing village are clearly related to rural activities. This includes the productive use of land for orchards and vineyards. Some activities such as the fruit shop have a connection with rural activities through the sale of rural produce. Other activities in the rural village relate to the provision of activities that serve communities. These activities service the community of Oratia, and adjoining areas located in proximity to the village. They also provide services (dairy, school, kindergarten, play centre, service station) to the wider community of the Heritage Area and the dairy and service station to visitors accessing the Heritage Area using West Coast Road. A range of these activities are considered to be neither urban or rural, but are activities that are associated with people and communities (ie. they are activities that are found both in urban neighbourhood scale local shops and in rural communities and rural service centres). The scale, intensity and character of these activities is a consequence of their context.</p> <p>The proposal to enhance the village, in accordance with the RMA, WRHAA, the Oratia LAP and the objectives of the plan change, will contain village development within clear boundaries, and will attract a range of activities including small-scale convenience, arts and crafts, service and café/restaurant activities. To support the wellbeing of the community, the village will have a stronger focus as a place to meet, celebrate and socialise, providing neighbourhood-scale functions associated with the Oratia community.</p> <p>The provisions proposed for the Village locate the focus on future non-residential activities in accordance with the Oratia Rural Village Non-Residential Activity Overlay. Design charettes held with the March 2009 Community Meetings indicated a design preference from participants for the village to have a distinction from the adjoining urban area that protrudes into Oratia and adjoins the school. While it was recognised that the service station provides services to the Oratia community, the design expectation was that the village could develop in a unique manner as opposed to a typical urban solution</p>	

Proposed Policies	Efficiency and Effectiveness	Most appropriate for achieving the objective
<p>xi. between rural Oratia and the Oratia rural village; and avoiding signs dominating the visual amenity of the village.</p>	<p>expressed by the corner shop. The hall, kindergarten, playcentre, dairy, and fruit shop were seen as the current focus on activity not associated with the school, and these activities exist within and adjoin orchards and vineyards, and look onto the vegetated escarpment which provides a significant visual amenity and unique identity to Oratia.</p> <p>Visually the hall, dairy and fruit shop are separated from the MUL as the landscape undulates, and from these locations urban development associated with the MUL is not generally visible because of topography and vegetation. This visual separated was considered to be important in fulfilling a community desire for a village with rural elements in its character and design. The plan change also proposed to cluster activity around the current commercial and community focal point of Oratia.</p> <p>The policies seek that the Village will be grounded in its local history, maintaining a rural character and form through the careful clustering of activities and spacing of buildings. Urban style retail with a strip of shops was considered inappropriate for the Oratia context. Existing buildings are encouraged to be reused and new development is proposed by the policy and rules to be small-scale and integrate with the character of the Village and its location. Large-scale activities more appropriate to an urban area will be avoided through a focus on building size and size of activity, and limitations on the number of buildings. Car parking areas and infrastructure will reflect the area's character and the design of existing car parking facilities associated with the dairy and fruit shop, with an approach that seeks to avoid kerb and channel and design outcomes typical of an urban neighbourhood shop which is generally devoid of open space and vegetation. The approach is supported by looking towards low impact stormwater outcomes and a preference to developments semi-permeable surfaces.</p> <p>Reticulated services will be managed to support the development of the Village provided that its form is contained and the pattern of development maintains its local character. Reticulated infrastructure currently serves the community facilities located outside the MUL.</p> <p>The policy sets parameters for the enhancement of the Oratia rural village in a way that ensures the achievement of a small-scale rural village form, character and amenity, and maintains a differentiation from metropolitan Auckland and integrates with the surrounding rural landscape. The rural village will continue to be low density, with small low scale buildings and activities, separated from one another and located in a</p>	

Proposed Policies	Efficiency and Effectiveness	Most appropriate for achieving the objective
	<p>productive landscape setting. This involves the continued use of existing orchards, or the replanting of new fruit trees on vines so that the village is integrated within an orchard and/or vineyard landscape to reflect the horticultural traditions and history of Oratia.</p> <p>A low density village with buildings separated from one another maintains rural views shafts to the surrounding rural landscape and the escarpment to the north which significantly contribute to the character of the village. In order to ensure the village retains a low density form, policies promote the use of existing buildings and limit the total number and size of additional buildings that can locate in the Oratia Rural Village Non-Residential Activity Overlay.</p> <p>In enhancing the village the policy approach, advancing the matters from the community consultation, design charette and the Oratia LAP seeks to maintain the existing walkable form of the village, acknowledge existing infrastructure in place such as the on-street car parks and improve the gateway function of the village and its own amenity and identity through street tree plantings, footpaths and street furniture. As a pedestrian oriented environment, and even villages in the rural context display, their walkability is important to their function, form and amenity, and creates a distinction with surrounding rural areas which have a predominance of rural activities and dwellings.</p> <p>The Rural Village does not alter the residential subdivision provisions of the OSP. Residential development within the village is not anticipated.</p> <p>The proposed policy is considered to be the most efficient and effective way to achieve Objective 5B.3.1.5.2. The existing Oratia village is unique in the region in that it services a significantly dispersed community and the final point in located adjoining the MUL. However, as a community Oratia is rural and distinct from metropolitan Auckland. To achieve the purpose of the RMA and the WRHAA the plan change proposes unique designed based approaches to achieve community wellbeing within the important rural landscape.</p>	

**Table 4 Assessment of efficiency and effectiveness of policies and achievement of objective – Waiaatarua Local Area.**

Proposed Policies	Efficiency and Effectiveness	Most appropriate for achieving the objective
<p><b>5B.3.1.6 Policies: Waiaatarua Local Area</b></p>		
<p><b>5B.3.2.6.1</b>            Activities (including subdivision), within the <i>Waiaatarua Local Area</i> shall contribute to the achievement of Waiaatarua’s desired future character and amenity (see section 5B.3.2.3), in particular by:</p> <ul style="list-style-type: none"> <li>i. Retention and enhancement of indigenous vegetation;</li> <li>ii. Retention and enhancement of intact terrestrial and aquatic ecosystems and habitat;</li> <li>iii. Retention and enhancement of the natural landscape character;</li> <li>iv. Designing and locating new development to be subservient to the natural environment;</li> <li>v. Locating new development so that adjoining homes are afforded privacy;</li> <li>vi. Maintaining identified public view shafts from the Scenic Drive (Appendix K);</li> <li>vii. Avoiding transport infrastructure of an urban scale and character, such as concrete footpaths and concrete kerb and channel;</li> <li>viii. Limiting the provision of new street lighting; and</li> <li>ix. Avoiding the establishment of</li> </ul>	<p>Native forest, regenerating areas of indigenous vegetation, have intrinsic value and provide habitats for indigenous flora and fauna. This is recognised particularly in Objective 5B.1.2.1 which seeks to protect, restore, and enhance heritage features, including terrestrial and aquatic ecosystems in all their forms. The objective also seeks to protect the naturally functioning streams which contribute positively to downstream urban character, stormwater management, and flood protection.</p> <p>In particular, objective 5B.1.2.1 (i) is concerned with the subservience of the built environment to the natural environment of the Waitakere Ranges. The importance of landscape and landform is also recognised within the statement of existing character and amenity, along with the importance of the natural environment.</p> <p>Objective 5B.1.2.7 seeks to ensure that landscapes are maintained, by managing the change within those landscapes. It is considered that the proposed policy would support this Objective by avoiding elements of ‘urban’ nature in new activities and development.</p> <p>The policy recognises those elements important to the achievement of the future character and amenity statement for Waiaatarua in section 5B.3.2.3.</p>	<p>It is considered that the proposed policy is the most appropriate means of achieving this objective</p>

<p>reticulated wastewater infrastructure.</p>		
<p><b>5B.3.2.6.2</b>  Subdivision within Waiatarua shall be in accordance with the relevant District Plan provisions, provided that a precautionary approach is taken to ensure that the subdivision does not damage the area's heritage features or detract from or undermine, the achievement of the desired future character and amenity of Waiatarua (see section 5B.3.2.3).</p>	<p>Objective 5B.1.2.6 seeks to ensure that any subdivision or development in the Waitakere Ranges Heritage Area, of itself or in respect of its cumulative effect, (i) is of an appropriate character, scale, and intensity; and (ii) does not adversely affect the heritage features; and (iii) does not contribute to urban sprawl.</p> <p>The precautionary approach is considered to be necessary to meet future desired character and amenity, including 5B.3.2.3 in which (from a contextual perspective) the community has identified a desired future for Waiatarua in which the environment, character and amenity are retained and enhanced.</p>	<p>It is considered that the proposed policy is the most appropriate means of achieving this objective</p>

Council is required to have regard to other methods that may be used in achieving the objectives of the Proposed Plan Change.

## **Local Area Plans**

The consideration of alternatives is outlined below:

### **1. Retaining Status Quo (no policies and character and amenity statements)**

Because of the strength of the development pressures and the sensitivity of areas within the Heritage Area, particularly those areas adjacent to the MUL, a high level of certainty in the District Plan is considered desirable. Without character and amenity statements, it is uncertain how cumulative and precedent adverse effects would be managed effectively. It is considered that retaining the status quo would result in uncertainty in this regard. Character and amenity statements are key to establishing long-term objectives, and provide a guide to decision-making to ensure the desired futures for Heritage Area local areas are met. If the status quo were retained, it is likely that many of the heritage features would be unintentionally lost or compromised.

### **2. The Proposed Plan Change – proposed policies and statement of character and amenity consistent with Local Area Plans and the WRHAA.**

The Proposed Plan Change is considered to be the most robust approach to achieve better alignment between the District Plan and the purpose and objectives of the WRHAA and Local Area Plans developed under this Act. It seeks to identify the heritage features of Oratia and Waiatarua, which are valued because of the contribution they make to the Heritage Area as a whole. Further, it identifies the ways in which the desired future character and amenity of Oratia and Waiatarua can be implemented through the District Plan to ensure appropriate outcomes. The proposed objectives and policies and the character and amenity statements provide a guiding method to test whether proposed activities appropriately manage adverse effects and would achieve the desired future character and amenity of the areas.

### **3. Non-Statutory Methods**

The four key components to the Local Area Plans are:

- the boundary.
- identification of features important to and valued by the community.
- descriptions of existing and future character and amenity.
- the objectives, policies and actions proposed to achieve the desired future character and amenity.

While the proposed plan change is the preferred method of achieving many of the actions of the Oratia and Waiatarua Local Area Plans, there are also many non-statutory methods listed. It was not intended that Council be the only party implementing the list of objectives, policies and actions, as community-ownership of desired outcomes is highly desirable. Non-statutory methods of implementing the Local Area Plan objectives and policies will therefore be recognised and promoted. Further, the community is encouraged to consider further actions which may be appropriate to achieve the desired future character and amenity for Oratia and Waiatarua, for example through Heritage Area Covenants, weed control and pest management.

## **Oratia Rural Village**

### **4. No Rules or Policies for Oratia Rural Village**

The assemblage of buildings and facilities known as Oratia Village is identified through the Oratia LAP as the community focal point of Oratia. The community through the LAP process has indicated that it wishes to see the village strengthened, with a variety of local facilities and services to provide for community wellbeing. Provision for a strengthened Oratia rural village should be achieved through robust policy and rules to ensure the village area is contained, and development within it is managed to be consistent with the desired character and amenity of the area, as set out in the Oratia LAP.

Without policy guidance additional development within the village may not occur, with non-complying consent provisions creating barriers to the effective provision of activities that support the wellbeing of the community. With no policy and rules, further development may be ad-hoc and result in inappropriate outcomes inconsistent with the desired character and amenity of the area. The inability to provide local facilities and services for this community is considered to undermine the wellbeing of this community and those communities of the Heritage Area that use Oratia as a service centre.

It is recognised that existing activities in the village provide for the wellbeing of the community (dairy, service station, community facilities) These activities are located inside and outside the MUL. It is also recognised residents of Oratia, Waiatarua and other places in the Heritage Area utilise Henderson, Glen Eden or New Lynn for retail and service activities. Oratia is unlikely to develop as a neighbourhood focal point with a full range of retail and services to meet community needs. Nor is this necessary, for example services such as a dentist are available in the larger centres located within the urban areas. The proximity of the urban area of Oratia means that residents can access a range of retail, services and community facilities. However, as with many communities (whether they are urban, settlements or rural communities), it is desirable to provide opportunities for local retail and services, along with a focal point for local business activity in close proximity to a community. This improves local wellbeing, sustainability and can reduce the length of vehicle trips.

The WRHA provides for recognition of distinctive communities and for the social, cultural and economic wellbeing of the people and communities of the Heritage Area. This includes the distinctive village of Oratia. The community consider that their village is a feature of the Heritage Area that should be protected, restored and enhanced. No additional rules, or a reliance on existing rules will maintain the status quo of existing activities. This will not achieve the Objective, Policy or the future character and amenity statement for Oratia.

This option is not considered to be efficient and effective in achieving the objective.

### **5. Locate the village within the MUL**

The service station and a number of other non-residential activities are located on the urban edge of the Heritage Area, fronting West Coast Road. These activities are located within the MUL, and the petrol station while on a Living Environment site is scheduled for that activity. An option exists to enhance the Oratia village by locating additional activity on Living Environment sites within the MUL.

The village which in spatial terms includes both activities within the MUL and outside of it, making Oratia unique in that the village supports both its local urban and rural populations, as these residents all have a focus towards this focal point for retail,

services, community facilities and the school. The community does not draw distinctions on what activities they can access on the basis of the MUL policy.

Oratia has historically been, and continues to be, recognised as a rural community. Its character, amenity and identity comes from its productive uses of rural land (apples, vineyards, coops). This is recognised in the character and amenity statements. During consultation the community identified that the village should clearly connect with and reflect the area's rural history, character and identity. Options for the centre of the community were discussed and generally it was considered that in order to enhance the rural identity of the village that any new development should be focussed around the dairy, fruit shop, hall and play centre.

A design charette explored the location for the village and the preferred outcome was the location that the community indicated had opportunities to enhance the rural character, amenity and identity of Oratia (as proposed with the plan change).

The option of development within the MUL was not considered appropriate as it would result in an urban form of development, particularly given the existing intensity of built development on those properties associated with the services station and its surrounds. There would be little opportunity to develop a village focal point which could incorporate elements of Oratia's rural landscape and heritage. The existing provisions of the District Plan for the service station are considered appropriate in maintaining that activity.

The community considered that the focal point of the village was already towards the school, playcentre, hall, dairy and fruit shop where opportunities for walking between activities exist. Further, additional land has been purchased by Council around the hall to expand the domain to provide enhanced recreational facilities for the community, and this resource was seen to be integral to the centre of the village.

While this option could provide for the wellbeing of the community, it was not considered to be the most efficient or effective as it does not promote a rural village form of development or recognise the clustering of existing activities towards the west of West Coast Road.

## **6. Proposed Rules and Policies for Oratia Rural Village**

The proposed rules and policies for Oratia Village are considered to be the most effective method of achieving the desired future character and amenity for the area. They provide a robust regulatory framework that allows limited, small-scale growth in the existing Village.

Community meetings initiated in November 2008 indicated a desire by the community to enhance the village and for this to have a uniquely rural aesthetic, different from metropolitan Auckland. The adopted Oratia LAP recognised this through the existing character and amenity statement and the future character and amenity statement. Submissions on the proposed LAP from residents supported this proposal. Policy P18 of the Oratia LAP states: *“Plan and develop the rural village of Oratia as a distinctive rural community and service centre different from metropolitan Auckland”*.

Design charettes held with the March 2009 Community Meetings indicated a design preference for the village to have a distinction from the adjoining urban area that protrudes into Oratia and adjoins the school. While it was recognised that the service station provides services to the Oratia community, the design expectation was that the village could develop in a unique manner as opposed to a typical urban solution expressed by the corner shop. It was also recognised that the service station sits outside the Heritage Area and is already accommodated in the District Plan.

The hall, playcentre, dairy, and fruit shop were seen as the current focus of activity, and these activities exist within and adjoin orchards and vineyards, and look onto the vegetated escarpment which provides a significant visual amenity and unique identity to Oratia village.

Visually the hall, dairy and fruit shop are separated from the MUL as the landscape undulates, and from these locations urban development associated with the MUL is not generally visible because of topography and vegetation. This visual separation was considered to be important in fulfilling a community desire for a village with rural elements in its character and design.

The policies seek that the Village will be grounded in its local history, maintaining a rural character and form through the careful clustering of activities and spacing of buildings. Urban style retail in the form of a strip of shops was considered inappropriate for the Oratia context. Existing buildings are encouraged to be reused and new development is proposed to be small-scale and integrate with the character of the Village and its location. Large-scale activities more appropriate to an urban area will be avoided through a focus on building size and size of activity, and limitations on the number of buildings. Car parking areas and infrastructure will reflect the area's character and the design of existing car parking facilities associated with the dairy and fruit shop.

The outcomes sought by the LAP would be effectively achieved through the provision of rules and assessment criteria relating to Oratia Rural Village. The provisions are considered the most efficient and effective means of achieving the objective and the future character and amenity statements which have a focus on enhancing a rural village.

### **5.1.6 Benefits and costs of policies, rules or other methods (S32(4)(a))**

The following methods have been identified and are considered below:

- proposed plan change – proposed policies and statement of character and amenity consistent with Local Area Plans and the WRHAA.
- retain status quo
- no rules or policies for Oratia Rural Village
- locate the village within the MUL
- proposed rules and policies for Oratia Rural Village

#### **5.1.6.1 The Proposed Plan Change**

##### Benefits

- The Proposed Plan Change would ensure that an appropriate planning regime (objectives, policies, rules and assessment criteria) is in place to ensure that use and development in these Local Areas maintains and enhances the identified heritage features, character and amenity of the area, thus providing a greater level of certainty that the desired future character and amenity of Oratia and Waiaatarua, as identified through the LAPs, would be achieved.
- The Proposed Plan Change would provide effective guidelines to manage the cumulative effects of development and land-use on identified Heritage Features within the Local Areas.
- Heritage Features are identified as the valued characteristics of an area important for long-term character and amenity. Protection of them from unintended loss, and from adverse cumulative effects of inappropriate land-use and activities is considered to be an imperative component of local-area planning.

- The rural urban edge is recognised and protected through provision of policies that guide the appropriate placement and scale of activities and further development to ensure 'rural character' is achieved.
- The Proposed Plan Change can be developed within the existing resources of the Council.
- The Proposed Plan Change is consistent with the provisions of Part II of the RMA, the Auckland Regional Policy Statement and the policies and objectives of the District Plan.
- The notified plan change would provide a further opportunity for public input and this is an efficient use of Council resources.
- The WRHAA, through Parliamentary process, established expectations for Local Area Plans and the proposed Plan Change would meet these expectations. In effect, a 'tailor-made' set of provisions is developed for the local areas, resulting in the creation of unique character and desired expectations.

#### Costs

- The cost of training staff and providing guidance on the proposed Plan Change. This is considered to be a minimal cost.
- Possible increased cost to the Council if appeals to the proposed Plan Change are made.
- Possible downstream costs for resource-users to challenge the proposed Plan Change.
- Possible additional costs for the community to comply with additional provisions that the Plan Change imposes. However, this is also considered to be minimal given that many of the proposed provisions offer alternatives to those which are existing and do not introduce highly-prescriptive regulation.

#### **5.1.6.2 Retain Status Quo**

##### Benefits

- There would be negligible financial costs (either to the Council or the community) associated with retaining the status quo.
- The existing objectives and rules have already been through the statutory planning process.

##### Costs

- Even though financial costs to the Council and community would be negligible in terms of not implementing a Plan Change and retaining status quo, it is considered that there would be environmental, social and economic costs if this were the case.
- The community, through extensive consultation, has expressed a desire to protect the heritage features of the Waiatarua and Oratia local areas. To achieve this, the need to implement further guiding policies, objectives and rules is necessary.
- Further, there may be ongoing social costs if status quo was retained. The proposed Plan Change recognises and provides for appropriately-scaled business innovation, for example, and recognises the need to strengthen and reinforce community. Broader and community-focused economic opportunities would be provided, over and above what the status quo offers.
- A diminished relationship between the community and the available natural and physical resources (which have been identified as significant) may occur. This is difficult to quantify in financial terms, but would be a very real cost to the community over time if this relationship was progressively undermined.

### **5.1.6.3 No Rules or Policies for Oratia Rural Village**

#### Benefits

- There would be negligible financial costs (either to the Council or the community) if no further rules or assessment criteria were implemented for the Village.
- The existing objectives and rules have already been through the statutory planning process.

#### Costs

- The Village currently has a loose 'village form' but is incomplete and disconnected. If no rules were implemented, the village would be developed in a manner that may not be sustainable and may undermine its desired future character and amenity.
- A level of uncertainty about how the Village would 'look and feel' in 50 years' time would prevail if no rules were implemented.
- A decline in wellbeing in the Oratia community from a failure to provide for activities that support community wellbeing.

### **5.1.6.4 Locate the village within the MUL**

#### Benefits

- Would allow some development to occur that supports the wellbeing of the Oratia community.

#### Costs

- The Village currently has a loose 'village form' but is incomplete and disconnected. The focus on the village (community and commercial activity) is towards to dairy, hall and fruit shop. Development within the MUL would not contribute to and reinforce the rural identity of Oratia.
- A level of uncertainty about how the rural Village would 'look and feel' in 50 years' time would prevail if the village located within the MUL.
- Potential failure to achieve the desired future character and amenity statement which recognises Oratia as an important rural community.

### **5.1.6.5 Proposed Rules and Policies for Oratia Rural Village**

#### Benefits

- Proposed rules and policies ensure that an appropriate planning regime is in place for the Village so that all its key features are maintained and enhanced, while its future development is appropriately-controlled so that certainty about how it will 'look and feel' in 50 years' time is achieved.
- Proposed Rules and Policies would provide effective guidelines to manage the cumulative effects of development and land-use on identified Heritage Features of the Village and beyond.
- Proposed provisions would allow appropriately scale development to occur that supports the wellbeing of the Oratia community.
- The proposed Rules and Policies can be developed within the existing resources of the Council.
- The notified plan change for new Rules and Policies for Oratia Village would provide a further opportunity for public input and this is an efficient use of Council resources.
- The proposed Rules and Policies for the Village would meet the established expectations for the Local Area Plan.

#### Costs

- The cost of training staff and providing guidance on the proposed Plan Change to impose new Rules and Policies for Oratia Village.

- Possible increased cost to the Council if appeals to the proposed Plan Change are made.
- Possible downstream costs for resource-users to challenge the proposed Plan Change.
- Possible additional costs for the community to comply with additional provisions that the Plan Change imposes. However, this is also considered to be minimal given that many of the proposed provisions offer alternatives to those which are existing and do not introduce highly-prescriptive regulation.

#### **5.1.7 The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods (s32(4)(b))**

It is considered that Council has both certain and sufficient information, and has utilised this information in the preparation of the Proposed Plan Change, regarding the subject matter (including policies, rules and other methods) of this Plan Change. Therefore, it is not considered necessary to investigate the risk of acting or not acting as outlined in s32(4)(b) of the RMA, and ultimately no further assessment is deemed necessary in this regard.

#### **5.1.8 Summary of evaluation and reasons for evaluation**

The proposed plan change is considered to be the most effective means of implementing many actions of the LAPs for Oratia and Waiatarua. The “do nothing” or “retain existing rules” alternatives are not considered to be efficient or effective, as they would challenge the integrity and accuracy of the District Plan and may eventually lead to degradation of the character and amenity of two distinct and unique areas. The proposed Plan Change is considered to be the best option available.

It is considered that the above evaluation fulfils Council’s requirements with regard to section 32 of the Act, and that the analysis of alternatives benefits and costs has been carefully undertaken and summarised accordingly. Further, this evaluation will be available for public inspection at the same time as the Proposed Plan Change is publicly notified.

### **5.2 Assessment of Actual or Potential Adverse Effects on the Environment**

Under Section 31 of the Act Council’s function includes “*the control of any actual or potential effects of the use, development, or protection of land*”. Section 76(3) requires that in making a rule, a territorial authority is to have regard to the actual or potential effect of activities on the environment. Likewise, section 5(2)(c) provides for avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Local Area Plans seek to achieve the purpose and objectives of the WRHAA by providing long-term certainty about the character of the local areas and avoiding adverse cumulative effects of development on their amenity and character. It is considered that the proposed Plan Change provides appropriate mechanisms (though new objectives, policies and rules) which will appropriately manage the actual and potential adverse effects on the environment.

To also achieve this, ‘amenity’ has been clearly defined and set out for each of the local areas so that it can be planned for and considered when future decisions are made. It is considered that there are no adverse environmental effects that will be generated by this proposed rule and rule amendments, and additional assessment criteria.

**Table 5 The following is a summary of the findings of the background reports undertaken for Oratia and Waiaatarua Local Area Plans.**

Subject	Report
History	<p>The Waitakere Ranges Heritage Area Act identifies several features that relate to history and are applicable to the Oratia &amp; Waiaatarua areas. These are:</p> <ul style="list-style-type: none"> <li>• 7(2)(j) the historical, traditional, and cultural relationships of people, communities, and tangata whenua with the area and their exercise of kaitiakitanga and stewardship.</li> <li>• 7(2)(k) the evidence of past human activities in the area, including those in relation to timber extraction, gum-digging, flax milling, mineral extraction, quarrying, extensive farming, and water impoundment and supply.</li> <li>• 7(2)(m) the Waitakere Ranges Regional Park and its importance as an accessible public place with significant natural, historical, and recreational resources.</li> </ul> <p>Numerous research papers on Oratia and Waiaatarua history were utilised to gather a background on past human culture of the areas. District Plan information (both Operative and previous), along with the details contained in the information pack for the 'Waitakere Ranges Heritage Area' was also used. European and Maori settlement history was documented as part of the background reports. European occupation began in the Oratia area in the 1830s with kauri logging and pit-sawing stations set up in the Oratia Valley around 1845. Te Kawerau a Maki and Ngati Whatua both have kaitiaki relationship with the area.</p> <p>The following publications were also summarised:</p> <ul style="list-style-type: none"> <li>• Waitakere Ranges (Harvey, 2006)</li> <li>• Song of Two Waters: An Early History of Waiaatarua (J.Wade, 1997)</li> </ul> <p>Cultural heritage sites were also documented and mapped as part of the background reports. There are numerous sites ranging from buildings to the cemetery which depict strong cultural heritage in the area. (Cultural heritage assessments were commissioned by Waitakere City Council and also include sites for possible future inclusion in the District Plan). Archaeological sites are not included in the assessments but were covered in the New Zealand Archaeological Association's Site Recording Scheme Update Project carried out in Waitakere City in 2007.</p> <p>Maori history is a work in progress and is currently being re-written as part of the District Plan.</p>
Community	<p>Section 7(2)(l) of the Waitakere Ranges Heritage Area Act includes the "distinctive local communities" as a feature of the Act.</p> <p>As part of the background papers, statistics were gathered and collated and describe the following community information for Oratia and Waiaatarua:</p> <ul style="list-style-type: none"> <li>▪ population</li> <li>▪ ethnic groups</li> <li>▪ education</li> <li>▪ income</li> </ul>

Subject	Report
	<ul style="list-style-type: none"> <li>▪ families</li> <li>▪ age distribution</li> <li>▪ employment/business</li> <li>▪ social infrastructure</li> <li>▪ Oratia School (distribution of attending students etc)</li> </ul> <p>Subdivision potential and location of vacant lots were also described and mapped as part of the background report. There is little further scope for subdivision in the Waiatarua area (information taken directly from the District Plan's subdivision control rules). The Oratia Structure Plan (OSP) was operative in 2003 and prescribes the potential subdivision for Oratia.</p> <p>Transport infrastructure data was gathered as part of the background report, using details from the regional public transport data on bus schedules and other local information about transport usage. Overall the bus services are poor but under-utilised. The nearest train station is Sunnyvale which has good potential for increased patronage. Footpaths, cycling routes and transport linkages were also identified and mapped as part of the background papers for Oratia &amp; Waiatarua.</p> <p>In terms of overall community data and regional growth potential, the Regional Growth Strategy (1999) states the following for the Waitakere Ranges:  “more intense development can exacerbate water pollution and have other effects on the environment through the concentration of people and activities. It is vital more intensive development is managed in a manner that minimises or mitigates such effects. Taking this approach, together with the consideration of the other desired regional outcomes, the Growth concept does not anticipate further development in the Waitakere or Hunua Ranges. These areas are highly valued as high quality native forest, important terrestrial ecological resources and recreational reserves. They are protected regional parks or local reserves. The foothills in Waitakere City are also a valuable buffer and foreground to the Waitakere Ranges... The Growth Concept recognises the value of streams as an important urban amenity which is highly susceptible to degradation by stormwater runoff from impervious urban surfaces.”</p>
Ecology	<p>Features of the Waitakere Ranges Heritage Area Act 2008 relating to ecological value include:</p> <ul style="list-style-type: none"> <li>• Section 7(2)(a) its terrestrial and aquatic ecosystems of prominent indigenous character that- <ul style="list-style-type: none"> <li>(i) include large continuous areas of primary and regenerating lowland and coastal rainforest, wetland, and dune systems with intact ecological sequences:</li> <li>(ii) have intrinsic value:</li> <li>(iii) provide a diversity of habitats for indigenous flora and fauna:</li> <li>(iv) collect, store, and produce high quality water:</li> <li>(v) provide opportunities for ecological restoration:</li> <li>(vi) are of cultural, scientific, or educational interest:</li> <li>(vii) have landscape qualities of regional and national significance:</li> <li>(viii) have natural scenic beauty.</li> </ul> </li> </ul> <p>The ecology and natural features (including terrestrial and aquatic ecology) of the Oratia &amp; Waiatarua areas were mapped and</p>

Subject	Report
	<p>described from various sources including:</p> <ul style="list-style-type: none"> <li>▪ District Plan (including maps of natural areas)</li> <li>▪ Protected Natural Areas Programme (PNAP)</li> <li>▪ Ecology of Waitakere's Rural Areas Report (Kingett Mitchell Ltd, 2007)</li> <li>▪ Waitakere City Biodiversity Monitoring Programme, Envirologic, Summer 2006/07</li> </ul> <p>Project Twin Streams research documents including :</p> <ul style="list-style-type: none"> <li>▪ Waitakere Freshwater Fisheries Monitoring Programme (Boffa Miskell 2007)</li> <li>▪ 'Project Twin Streams Catchment Monitoring Sediment Quality Monitoring Report, 2005-2006 Kingett Mitchell Ltd</li> <li>▪ Project Twin Streams Catchment Monitoring Water Quality Monitoring Report, 2005-2006 Kingett Mitchell Ltd</li> <li>▪ Waitakere Freshwater Fisheries Monitoring Programme, Boffa Miskell 2007</li> </ul> <p>Overall the findings indicated good ecological values with potential in terms of increasing green linkages and buffers between the forested upper reaches of both Waiatarua and Oratia with the more populated foothills. Water quality generally decreases from headwaters to the urban streams.</p>
Recreation & Parkland	<p>Features in the Waitakere Ranges Heritage Area Act 2008 relating to recreation include:</p> <ul style="list-style-type: none"> <li>• 7(2)(g) the opportunities that the area provides for wilderness experiences, recreation, and relaxation in close proximity to metropolitan Auckland.</li> <li>• 7(2)(m) the Waitakere Ranges Regional Park and its importance as an accessible place with significant natural, historical, cultural and recreational resources.</li> </ul> <p>Waitakere City Council manages a number of reserves and parks in the Oratia &amp; Waiatarua areas while land close to the Scenic Drive is managed by the Auckland Regional Council as part of the Waitakere Ranges Regional Park. As part of the background reports, the parks, esplanades and reserves areas (including those used for various recreation purposes) were mapped and described, using information from Council's GIS and District Plan, and the Regional Parks Management Plan.</p> <p>In Waiatarua, the closest 'activity nodes' in terms of ARC-administered park are: Parkinsons Lookout, Rose Hellaby House, Arataki Visitors Centre, Fairy Falls, and Spragg Bush.</p> <p>In Oratia, the three closest 'activity nodes' are Parkinsons Lookout, Rose Hellaby House and Arataki Visitors Centre. A foot-track also exists between Arataki and Parker Rd.</p> <p>The parks and reserves managed by Waitakere City Council within the Oratia &amp; Waiatarua areas include the following:</p> <p>Rimu Esplanade, Ruru Reserve, Nicholas Reserve, Oratia Hall Reserve , Shaw Rd Reserve, Oratia Esplanade Reserve, West Coast Rd Esplanade, Cochrane Stream Esplanade Reserve, Carter Rd Esplanade, Handley Plantation Reserve, Kauri Reserve and Kauri</p>

Subject	Report
	<p>Plant Reserve, Driving Reserve, Mountain Reserve, Waiatarua Reserve, Tawari Reserve, Taumata Scenic Reserve, Bendalls Esplanade Reserve, Pareira Esplanade, Taumata Scenic Reserve, Bendalls Esplanade Reserve, Douglas Scenic Reserve and Raroa Park Reserve Bush Rd Reserve.</p> <p>A range of recreational opportunities exist in the Oratia area including : Glen Eden walkers and Waiatarua walkers, Glen Eden runners and New Lynn runners, cycling groups, Farmers market and Settlers market, Oratia District School, Oratia Bowling Club, Indoor Bowls, Folk Museum, Kindergarten, Playgroup, Scouts, girl guides centre (Otimai), United Soccer and Sports Club, Spinning and Craft Group.</p> <p>In Waiatarua the recreational opportunities include: Waiatarua table tennis club, Waiatarua Volunteer Fire brigade, Waiatarua walkers, cycling groups, playcentre, Waiatarua table tennis club and Waiatarua Performing Arts Society.</p> <p>The Waitakere Ward Local Reserves Management Plan is currently being prepared and covers some of the Oratia reserves including the Oratia Hall Reserve and Oratia Drive Accessway. A Reserve Management Plan for the Oratia/Opanuku Stream Corridor, planned for 2009/2010 has been deferred.</p>
Landscape & Landform Features	<p>The Waitakere Ranges Heritage Area Act 2008 has the following features relating to landscape and landform in the Waitakere Ranges:</p> <ul style="list-style-type: none"> <li>• 7(2)(b) the different classes of natural landforms and landscapes within the area that contrast and connect with each other, and which collectively give the area its distinctive character.</li> <li>• 7(2)(f) the dramatic landform of the Ranges and foothills which is the visual backdrop to metropolitan Auckland, forming its western skyline.</li> <li>• 7(2)(e) the quietness and darkness of the Waitakere Ranges;</li> <li>• 7(2)(h) the eastern foothills, which – <ul style="list-style-type: none"> <li>○ (i) act as a buffer between metropolitan Auckland and the forested ranges and coasts; and</li> <li>○ (ii) provide a transition from metropolitan Auckland to the forested ranges and coast;</li> </ul> </li> <li>• 7(2)(i) the subservience of the built environment to the area’s natural and rural landscape, which is reflected in- <ul style="list-style-type: none"> <li>○ (ii) the distinctive harmony, pleasantness, and coherence of the low-density residential and urban areas that are located in regenerating (and increasingly dominant) forest settings; and</li> <li>○ (iii) the rural character of the foothills to the east and north and their intricate pattern of farmland, orchards, vineyards, uncultivated areas, indigenous vegetation, and dispersed low-density settlement with few urban-scale activities.</li> </ul> </li> </ul> <p>The Regional Policy Statement defines the majority of the Waitakere Ranges as an area of significant natural landscape quality. The core ranges, upper slopes of the foothills and some of the lower slopes are denoted as Outstanding Landscapes. Further, the Waitakere City District Plan also describes much of the Oratia and Waiatarua areas as outstanding landscapes. (Refer to the District Plan Policy Maps for accurate delineation).</p>

Subject	Report
	<p>The report by Melean Absolum Ltd 'Waitakere Ranges Landscape Study: Stage 1' identified and described the landscape features of the Oratia &amp; Waiatarua areas and was used as part of the research for the background reports.</p> <p>In Oratia, the three identified landscape units are: core ranges (extensive, dominant native vegetation), upper foothills (similar to core ranges in terms of vegetation &amp; landform but with increased development therein) and lower foothills, which are generally less steep, have patchy vegetation and east-facing with horticultural activities dominating</p> <p>In Waiatarua, the two main landscape units are Core Ranges (dominant native vegetation) and upper foothills (containing many of the characteristic of the Core Ranges however development within the bush clad slopes is more extensive than in the Core Ranges.</p> <p>The report also identified possible/potential threats to the landscape values of both Oratia &amp; Waiatarua. These included inappropriate development resulting in small lot sizes and inappropriate scale/colour of buildings, the introduction of 'urban' details, removal of vegetation (both native and exotic) and earthworks.</p> <p>Detailed information on the landscape units specific to the Oratia and Waiatarua areas are found appended in the background reports.</p>
Community Meeting product	<p>Extensive community and interested party consultation was undertaken as part of the preparation of the LAPs and this is ongoing with the commencement of work associated with the Local Area Plans for the remainder of the foothills.</p>

The Proposed Plan Change is not considered to result in adverse effects on the environment. The objectives and policies, and the manner in which new assessment criteria consider statements of future character and amenity is considered to result in positive outcomes in respect to the management of cumulative effects.

In respect to Oratia Rural Village, the Council considers that potential adverse effects from the enhancement of the existing village can be managed through an integrated approach to the development. The Plan Change requires resource consent for buildings and development. This allows the assessment of matters including built form, location, landscaping, car parking, access, infrastructure, stormwater management and enhancement plantings. The approach has been to maintain discretion to manage the effects of development.

The existing village is a cluster of activities that has a different character from the adjacent urban area within the MUL and the surrounding rural landscape. The village has a rural character, although this is distinct and different because of the activities that exist there. These include the school, hall, domain, play centre, dairy, packing sheds, fruit shop. The overall village area includes the cemetery, bowling club, Albion Vale and museum, further packing sheds, some areas of residential and the service station and other activities located inside the MUL.

The plan change anticipates the enhancement of the village to provide positive outcomes for the community. This will involve additional buildings and provisions requiring the careful siting of buildings to manage visual effects on road-scapes and to retain important rural views. The provisions limit the number of buildings, their size and the proximity of one building to another. Further provisions require careful management of car parking, access, outdoor storage, rubbish and landscaping. This is to retain the rural context of the village and to ensure that the enhancements have a character that is assimilated into landscape. Through these techniques the Council considers that development in the village can manage its adverse effects on the environment.

West Coast Road is a significant gateway to the Heritage Area. It is well used by vehicle traffic and Council considers that it has capacity to accommodate any additional vehicle traffic from development. The Council considers that the village will have positive effects on land use and transport integration as it will support the provision of local services and facilities that reduce the need for vehicle trips to other centres in the urban areas. Discretion is maintained to ensure that development can provide safe and appropriate vehicle access and appropriate provision of car parking. It is noted that there is a considerable amount of car parking on the public roads associated with the existing community activities and school. The policy approach provides flexibility in its approach to car parking to ensure that an oversupply of spaces does not result and that the formation of spaces is appropriate to the village's context.

Assessment criteria and discretions for the village rules require the consideration of appropriate methods to manage water supply, stormwater, riparian planting, wastewater and solid waste management.

Setbacks from boundaries, noise provisions, outdoor storage provisions and landscaping, along with limitations on the scale, height and location of buildings will manage effects on adjoining properties.

### **5.3 Assessment under Sections 74 and 75 of the Act**

The Proposed Plan Change is considered to be consistent with sound resource management practice across the region. The Proposed Plan Change is consistent with

national policy statements, being the Coastal Policy Statement, proposed and operative and regional planning documents, being the Auckland Regional Policy Statement.

## **6 Waitakere City District Plan**

### **6.1 Existing District Plan Objectives/Policies/Rules**

The general themes of the District Plan objectives and policies that apply to the Proposed Plan Change are outlined in the Table 6 below. It is considered that the Proposed Plan Change is consistent with the following objective of the District Plan for the following reasons:

**Table 6 Assessment of the Plan Change Against the Existing District Plan Objectives.**

Objective	Consistency with Proposed Plan Change
<p><b>Objective 1</b></p> <p>1. To manage the effects of landuse on the environment and, in particular, avoid, remedy or mitigate effects on the quality and quantity of the City's water resource, including maintaining;</p> <ul style="list-style-type: none"> <li>• the life-supporting capacity of water;</li> <li>• the ability to use aquatic ecosystems as a food source;</li> <li>• the availability of water as a healthy place of recreation.</li> </ul>	<p>It is considered that the proposed plan change is consistent with this Objective because:</p> <p>The proposed objectives and policies provide for the protection, restoration and enhancement of Heritage Features which include aquatic ecosystems. Refer in particular to proposed Objective 5B.1.2.1 (a), (d) and (n). Further, proposed Objectives 5B.3.1.5.1 Oratia Local Area and 5B.3.2.5.1 Waiatarua Local Area refer to the recognition of the heritage features and the need to protect these to achieve future character and amenity for both areas.</p>
<p><b>Objective 2</b></p> <p>To protect the City's native vegetation and fauna habitat, including protection:</p> <ul style="list-style-type: none"> <li>• the quality and resilience of the resource;</li> <li>• the variety and range of species and their contribution to the biodiversity of the City; their ecological integrity;</li> <li>• their healthiness as a potential source of harvest for cultural purposes.</li> </ul>	<p>It is considered that the proposed plan change is consistent with this Objective because:</p> <p>The proposed objectives and policies provide for the protection, restoration and enhancement of Heritage Features which include native vegetation and terrestrial ecosystems. Refer in particular to proposed Objective 5B.1.2.1 (a). Further, proposed Objectives 5B.3.1.5.1 Oratia Local Area and 5B.3.2.5.1 Waiatarua Local Area refer to the recognition of the heritage features and the need to protect these to achieve future character and amenity for both areas. Subsequent proposed policies 5B.3.1.6.1 5B.3.1.6.2 (Oratia) refer directly to the prevention of loss of indigenous vegetation. And proposed policy 5B.3.2.6.1 (Waiatarua) also refer directly to retaining and enhancing native vegetation.</p>
<p><b>Objective 3</b></p> <p>To maintain the life-supporting capacity of the City's land resource.</p>	<p>It is considered that the proposed plan change is consistent with this Objective because:</p> <p>Proposed objective 5B.1.2 provides a number of guidelines for the enhancement, protection and restoration of heritage features throughout the Heritage Area. The heritage features themselves form the basis of life-supporting elements (for example, water and ecosystems) and are an imperative part of the current and future character and amenity of the local areas. The Objective is further supported by many of the policies relating to Oratia and Waiatarua (for example, 5B.3.1.6.2 (Oratia) and 5B.3.2.6.1 (Waiatarua))</p>
<p><b>Objective 4</b></p> <p>To manage the effects of land use on the environment and, in particular, to maintain air quality, including contributing to the maintenance of the atmosphere at a local, national and global level.</p>	<p>It is considered that the proposed plan change is consistent with this Objective because:</p> <p>The proposed objectives and policies provide for sensitive land-use throughout the Heritage Area. Although air-quality is not specifically outlined, appropriate land-use has a positive impact on all aspects of the environment, air-quality included, and this is inherent in Objectives 5B.1.2.1 (a) and 5B.1.2.4</p>
<p><b>Objective 5</b></p> <p>To protect processes of natural regeneration within the</p>	<p>It is considered that the proposed plan change is consistent with this Objective because:</p> <p>The proposed objectives and policies provide for the protection, restoration and enhancement</p>

Objective	Consistency with Proposed Plan Change
<p>City, and promote and maintain links between areas of significant and outstanding native vegetation and fauna habitat, so that their resilience is protected and enhanced.</p>	<p>of Heritage Features which include native vegetation and terrestrial ecosystems. Refer in particular to proposed Objective 5B.1.2.1 (a). Further, proposed Objectives 5B.3.1.5.1 Oratia Local Area and 5B.3.2.5.1 Waiatarua Local Area refer to the recognition of the heritage features and the need to protect these to achieve future character and amenity for both areas. Subsequent proposed policies 5B.3.1.6.1 &amp; 5B.3.1.6.2 (Oratia) refer directly to the prevention of loss of indigenous vegetation etc). And proposed policy 5B.3.2.6.1 (Waiatarua) also refer directly to retaining and enhancing native vegetation.</p>
<p><b>Objective 6</b> To maintain the form, integrity and extent of the City's outstanding natural features (landforms, geological sites, representative and high fertility soil types) and, in the case of the City's high fertility soils, to maintain their availability for use by future generations.</p>	<p>It is considered that the proposed plan change is consistent with this Objective because: Proposed objective 5B.1.2 provides a number of guidelines for the enhancement, protection and restoration of heritage features throughout the Heritage Area. Objective 5B.1.2.1 refers directly (vii) to landscape qualities of national and regional significance. Notable landforms and landscapes and areas of scenic beauty are heritage features within the local areas and the need to protect and preserve these as part of future character and amenity is identified and achieved through various supporting policies included in the proposed plan change (in particular refer to 5B.3.1.6.5 (Oratia) and 5B.3.2.6.1 (Waiatarua)).</p>
<p><b>Objective 7</b> To preserve and enhance the natural character of the City's coastal environment and lakes, rivers and wetlands and their margins, including preserving the action on the land of those processes which form that natural character.</p>	<p>It is considered that the proposed plan change is consistent with this Objective because: The proposed objectives and policies provide for the protection, restoration and enhancement of Heritage Features which include coastal areas 5B.1.2.1.(c) as well as aquatic ecosystems of prominent indigenous character (a).</p>
<p><b>Objective 8</b> To protect and maintain those aspects of the environment that are of significance to tangata whenua, including:</p> <ul style="list-style-type: none"> <li>• protecting the spiritual dimension and the mauri (life force) of natural and physical resources and of humans;</li> <li>• recognising and protection the kaitiaki of these resources and significant sites and waahi tapu within the City;</li> <li>• providing for those institutions that are integral to the relationship of tangata whenua with their environment; in a way that promotes the expression and practice of kaitiakitanga (guardianship).</li> </ul>	<p>It is considered that the proposed plan change is consistent with this Objective because: The historical, traditional, and cultural relationships of people, communities, and tangata whenua with the Waitakere Ranges Heritage Area and their exercise of kaitiakitanga and stewardship have been recognised as a heritage feature and are provided for as part of the proposed plan change (refer proposed objective 5B.1.2.1 (j)). Further, proposed policies reflect the need to maintain and protect features of cultural significance as part of future character and amenity of Oratia and Waiatarua.</p>
<p><b>Objective 9</b></p>	<p>It is considered that the proposed plan change is consistent with this Objective because:</p>

Objective	Consistency with Proposed Plan Change
<p>To protect the quality and significance of the City's outstanding landscapes, including maintaining:</p> <ul style="list-style-type: none"> <li>• the form and significance of these landscapes elements that define each landscape;</li> <li>• the landscape character that is associated with each landscape and contributes to its uniqueness and value for residents</li> </ul>	<p>Proposed objective 5B.1.2 provides a number of guidelines for the enhancement, protection and restoration of heritage features throughout the Heritage Area. Objective 5B.1.2.1 refers directly (vii) to landscape qualities of national and regional significance. Oratia and Waiatarua have unique landscapes which are identified as heritage features for both areas. The importance, for example, of maintaining view shafts within and from Oratia and Waiatarua has been identified as a key feature and reflected in a specific map to accompany the proposed policy. Notable landforms and landscapes and areas of scenic beauty are heritage features within the local areas and the need to protect and preserve these as part of future character and amenity is identified and achieved through various supporting policies included in the proposed plan change (in particular refer to 5B.3.1.6.5 (Oratia) and 5B.3.2.6.1 (Waiatarua).</p>
<p><b>Objective 10</b></p> <p>To maintain and enhance those natural and physical characteristics (amenity values) that contribute to the wellbeing of residents and workers, including maintaining:</p> <ul style="list-style-type: none"> <li>• an acceptable level of quiet and freedom</li> <li>• from nuisance created by noise, odour, dust and vibration;</li> <li>• adequate levels of daylight and sunlight in dwellings;</li> <li>• adequate levels of darkness for sleep;</li> <li>• a safe environment;</li> <li>• an accessible environment, which includes enhancing public access to and along the coast and waterways and between areas of public land;</li> <li>• adequate levels of on-site privacy;</li> <li>• healthy air quality.</li> </ul>	<p>It is considered that the proposed plan change is consistent with this Objective because:</p> <p>Many elements of proposed objectives and policies relate to wellbeing of people and communities. For example, proposed objective 5B.1.2.9 which recognises that people live and work in the Waitakere Ranges Heritage Area in distinct communities, and seeks to enable those people to provide for their social, economic, environmental, and cultural wellbeing. Oratia and Waiatarua are distinct communities. In this way, the desired future character and amenity is achieved (future rural uses for Oratia, for example, are included specifically in its future character &amp; amenity statement and includes the ability for small-scale, low impact rural activities, health and wellbeing, recreation and cultural experiences that will enhance social and economic well-being). These are in turn reflected in the policies. Increased public walkways and cycleways are also promoted via proposed policy 5B.3.1.6.1 for example.</p>
<p><b>Objective 11</b></p> <p>To achieve a quality of settlement and associated activities within each of the Human Environments which is sympathetic to, and protects and enhances, the dominant natural and physical (including building) features which contribute to the amenity of an area, including maintaining and enhancing:</p>	<p>It is considered that the proposed plan change is consistent with this Objective because:</p> <p>In particular, the proposed plan change deals with Objective 11 (5) : the complex, mixed landscapes of the foothills by recognising their distinct and unique landscape and landform characteristics as heritage features. Both Oratia and Waiatarua's landscapes have been identified as unique and nationally important. Strengthening the role of Oratia Village is identified as a key element in future character and amenity, while ensuring rural character is not compromised and that the built environment remains subservient to the rural and natural</p>

Objective	Consistency with Proposed Plan Change
<ol style="list-style-type: none"> <li>1. the quality and character of different patterns of settlement within the City's intensively settled residential areas;</li> <li>2. the pedestrian-oriented amenity values of the town centres and the character of those areas as retail centres;</li> <li>3. the utilitarian nature and character of the industrial areas;</li> <li>4. the natural and physical features that give each rural and coastal village its particular and unique character;</li> <li>5. the pastoral/rural character of the northern parts of the City</li> <li>6. the complex, mixed landscapes of the foothills</li> </ol>	<p>landscape. These elements are reflected in several policies including 5B.3.1.6.1. Waiatarua is also identified as a distinct community with specific needs for future character and amenity, including proposed policy 5B.3.2.6.1, for example, which seeks to ensure new development is subservient to the natural environment.</p> <p>Of further importance and relevance to Objective 11 is the need to protect Oratia's role as a gateway marking a distinct change from metropolitan Auckland to the Waitakere Ranges Heritage Area. Where Oratia is adjacent to the metropolitan urban limits, a dramatic boundary will be maintained and the rural character of the views southwards will be maintained. To preserve this urban-rural boundary of Oratia, urban-scale activities will be avoided in the rural landscape. The vegetated backdrop within the rural landscape will be maintained. This is also provided for in the proposed policies and objectives.</p>
<p><b>Objective 12</b></p> <p>To manage the effects of activities on the City's valued heritage in a way that:</p> <p>maintains its variety and complexity;</p> <ul style="list-style-type: none"> <li>• recognises and protects its national, regional and local significance;</li> <li>• protects the links between particular heritage objects and the surrounding context;</li> <li>• integrates heritage with people's everyday lives where possible and appropriate.</li> <li>• whether there is any change in the circumstances that has resulted in a reduction of significance since the item was listed in the District Plan;</li> <li>• whether any building can be economically adapted for re-use;</li> <li>• whether any item can be relocated on or offsite, and the impact that relocation would have on the heritage significance of the object;</li> <li>• whether any alteration to the area can be made that retains the heritage significance of the object while accommodating the objectives of the applicant.</li> </ul>	<p>It is considered that the proposed plan change is consistent with this Objective because:</p> <p>The importance of built/cultural heritage is reflected throughout the proposed plan change. Built heritage features are an importance component of the desired future character and amenity of both Oratia and Waiatarua. In particular, policy 5B.3.1.6.1 (Oratia) seeks to maintain the strong links with the historical past, including by retaining and maintaining remnants of former orchards, vineyards and shelterbelts, and designing landscape elements in new development to reflect Oratia's orchard and viticulture past, and by protecting, re-using, restoring and/or enhancing existing rural buildings, any of which have heritage significance. Any change to heritage buildings would be undertaken in accordance also with existing District Plan provisions.</p>

## 7 Other Statutory Assessments

### 7.1 Waitakere Ranges Heritage Area Act 2008

The Proposed Plan Change is located entirely within the Waitakere Ranges Heritage Area. Section 11 of the WRHAA requires that:

#### **11 District plans**

(1) *When preparing or reviewing a district plan that affects the heritage area, a territorial authority **must give effect to** the purpose of this Act and the objectives.*

(2) *The requirements in subsection (1) are **in addition** to the requirements in sections 74, 75, and 79 of the Resource Management Act 1991.*

(3) *When evaluating a proposed district plan, change, or variation that affects the heritage area, a territorial authority must examine whether the plan, change, or variation is the **most appropriate way to achieve the objectives** (having regard to the purpose of this Act).*

(4) *The requirements in subsection (3) are in addition to the requirements in section 32(3) of the Resource Management Act 1991.*

[emphasis added]

The purpose of the WRHAA is to:

- (a) *recognise the national, regional, and local significance of the Waitakere Ranges Heritage Area; and*
- (b) *promote the protection and enhancement of its heritage features for present and future generations. (section 3 Waitakere Ranges Heritage Area Act 2008)*

The Proposed Plan Change seeks to provide greater policy guidance in relation to the management of the distinctive natural, cultural, and physical qualities and characteristics of the areas that contribute to their long-term amenity. It also seeks to provide the guidelines for how these objectives can be met, thus informing decision-making in relation to what should be protected and enhanced.

The assessment in tables 7 and 8 considers that the Plan Change better provides for the protection and enhancement of the heritage features within the Waitakere Ranges Heritage Area and therefore gives effect to the purpose and objectives of the WRHAA. The proposed methods of the Plan Change are considered the most appropriate way to achieve the objectives of the WRHAA.

Section 5B.1 and Objectives in Section 5B.1.2 originate from sections 7 and 8 of the WRHAA. These provisions are included to provide objectives in the District Plan relating to the Heritage Area and to form the basis of Section 5B.3 relating to individual local areas. In this case section 5B.1 is considered to directly give effect to the WRHAA, and has the WRHAA provides additional matters beyond the RMA to consider in the Heritage Area, to be necessary and the most appropriate way to achieve the purpose of the RMA. Tables 7 and 8 assesses the plan change provisions proposed for Oratia and Waiatarua and Section 5B.3 against section 7 and 8 of the WRHAA.

**Table 7 Section 7 of Waitakere Ranges Heritage Area Act 2008 – Assessment of Section 5B.3**

National Significance & heritage feature of the Heritage Area	Relevance of the Feature to this Plan Change	Comments
<p>a) its terrestrial and aquatic ecosystems of prominent indigenous character that –</p> <ul style="list-style-type: none"> <li>i) include large continuous areas of primary and re-generating lowland and coastal rainforest, wet land, and dune systems with intact ecological sequences:</li> <li>ii) have intrinsic value:</li> <li>iii) provide a diversity of habitats for indigenous flora and fauna:</li> </ul>	Relevant	<p>This is particularly relevant for the Waiatarua area due to its significant forests and contiguous regenerating native vegetation. Oratia and Waiatarua also contains tracts of forest and regenerating vegetation, especially in the upper valley. These areas have been identified as having heritage significance and implicitly include areas with intrinsic value and habitat for native and exotic fauna. Inappropriate activities and use of the land may adversely affect this heritage feature. Oratia’s heritage features include its human culture and history, its cultural heritage, its ecological and natural features and its distinct landscape and landforms. Waiatarua’s landscape and landforms, its significant natural environment its distinct building, infrastructure and activities and community facilities make up its heritage features. Particular proposed objectives and policies are concerned with the protection and management of these heritage features (refer in particular to Oratia Local Area Objective 5B.3.1.5 and policies 5B.3.1.6, 5B.3.1.6.2, 5B.3.1.6.3, 5B.3.1.6.5 and 5B.3.1.6.6 and Waiatarua Local Area Objective 5B.3.2.5 and policies 5B.3.2.6 and 5B.3.2.6.2)</p>
<p>iv) collect, store, and produce high quality water:</p>	Relevant	<p>Parts of Waiatarua drain into the public water supply catchment. It is important for drinking water quality that this catchment area is managed so that there is minimal disturbance of the existing forested cover, and enhancement of the forest cover is undertaken where appropriate. Water quality in the Oratia and Opanuku Streams and a number of their tributaries located in the Oratia and Waiatarua Local Areas is also largely dependent on maintaining and enhancing vegetated cover, particularly on riparian margins. Plan Change 35 recognises the value to the character and amenity of retaining and enhancing indigenous vegetation and restoring stream margins, and strengthens the existing District Plan provisions through the assessment criteria.</p>
<p>v) provide opportunities for ecological restoration:</p>	Relevant	<p>The indigenous character of the Oratia and Waiatarua areas is recognised as able to be significantly enhanced and improved through various actions of the LAP. The proposed plan change recognises this opportunity.</p>
<p>vi) are of cultural, scientific, or educational interest:</p>	Relevant	<p>Continued recognition &amp; protection of these particular heritage features will be enabled through the proposed plan change.</p>
<p>vii) have landscape qualities of regional and national significance:</p>	Relevant	<p>Oratia’s distinct landscape character lies in its diversity from urban to rural, with forests and streams. It serves as a gateway to the Waitakere Ranges</p>

National Significance & heritage feature of the Heritage Area	Relevance of the Feature to this Plan Change	Comments
		and west coast beaches. Waiatarua's particular landscape qualities lie in its heavily forested ridgelines, valleys and ravines which have regional and national significance. If development and use of the land is inappropriate, these important heritage features may be compromised.
viii) have natural scenic beauty:	Relevant	Both areas have considerable natural scenic beauty which are evident in the heritage features identified.
b) the different classes of natural landforms and landscapes within the area that contrast and connect with each other, and which collectively give the area its distinctive character:	Relevant	In Waiatarua, this comprises ridgelines, steep slopes, valleys and ravines, and the dominant forested areas. In Oratia, three distinct landform/landscapes are present: the predominantly rural undulating 'lower valley', the steeper rural 'upper valley' and the 'forested core' of the Waitakere Ranges. The proposed Plan Change will promote this distinct character. For example, ensuring that new development is subservient to the natural landscape & compatible with existing development.
c) the coastal areas, which – i) have a natural and dynamic character; and ii) contribute to the area's vistas; and iii) differ significantly from each other	No relevant	The local areas in section 5B.3 Plan do not encompass coastal areas within the Heritage Area.
d) the naturally functioning streams that rise in the eastern foothills and contribute positively to downstream urban character, stormwater management, and flood protection:	Relevant	The streams in the Waiatarua and Oratia areas have not been dammed for water supply purposes and contribute positively to downstream ecology, urban character, stormwater management, and flood protection. The proposed Plan Change would facilitate outcomes to ensure the ongoing protection and enhancement of streams and stream corridors (through environmental restoration and reduction in environmentally damaging weeds & pests, for example). Both Oratia and Waiatarua have important stream networks which comprise a rich diversity of indigenous flora and fauna. particular policies seek to enhance, maintain and restore stream corridors within these local areas, for example Policy 5B.3.2.6.1 (Waiatarua local area) and policy 5B.3.1.6.1 (Oratia Local area)
e) the quietness and darkness of the Waitakere Ranges and the coastal parts of the area:	Relevant	The upper valley of Oratia typically has low-density settlement and Waiatarua is characterised by a low-density community within a forested environment. The Plan Change will manage development & land-use activities in a way that does not compromise the quietness and darkness of the Ranges environment. The provision is not relevant to the lower Oratia

National Significance & heritage feature of the Heritage Area	Relevance of the Feature to this Plan Change	Comments
		Valley which is a settled rural area.
f) the dramatic landform of the Ranges and foothills, which is the visual backdrop to metropolitan Auckland, forming its western skyline:	Relevant	The upper Oratia Valley and Waiatarua (on the ridgeline) form part of the visual backdrop to Auckland. Both areas are subject to urban pressures and land-uses which may threaten these valued landscape features. The Plan Change introduces policies and objectives which promote their protection. Oratia's role as a gateway marking a distinct change from metropolitan Auckland to the Waitakere Ranges Heritage Area will be clearly defined, articulated and reinforced by rural activities and landscape enhancements within the boundaries of the Heritage Area. Waiatarua's position as a prominent vegetated backdrop to Auckland will be maintained. This is supported by particular proposed policies 5B.3.1.6.1 (Oratia Local Area) and 5B.3.2.6.1 (Waiatarua Local Area).
g) the opportunities that the area provides for wilderness experiences, recreation, and relaxation in close proximity to metropolitan Auckland:	Relevant	There are numerous opportunities within the Oratia & Waiatarua areas for wilderness experiences and recreation. These are reflected in many provisions of the Plan Change, by the identifications of various recreational attributes of the areas and by providing opportunities for people to connect with the natural environment. It is noted that the WRHAA requires that this feature be protected, restored and enhanced. The Plan Change supports this through seeking to create opportunities for recreation activities compatible with rural character in Oratia. Off road recreation trails for pedestrians and cyclists will connect metropolitan Auckland to Oratia and Arataki, the Waitakere Ranges Regional Park and Scenic Drive. Trails will also run north from Oratia through the foothills to Swanson and south to Titirangi. These trails will connect nodes of rural activity. This is supported by proposed Policy 5B.3.1.6.1 (Oratia Local Area).
h) the eastern foothills, which -		
i) act as a buffer between metropolitan Auckland and the forested ranges and coasts; and	Relevant	Oratia & Waiatarua mark a distinct change and transition from metropolitan Auckland to the Ranges & through the Plan Change this will be defined & articulated by (for example) identifying & preserving key views, and ensuring urban-scale activities are avoided in the rural landscape. The vegetated backdrop within the rural landscape will be maintained, as will the forested upper reaches of the Oratia Valley and the Waiatarua ridgeline. In Oratia, indigenous vegetation will increase in prominence and quality, creating
ii) provide a transition from metropolitan Auckland to the forested ranges and coast:	Relevant	

National Significance & heritage feature of the Heritage Area	Relevance of the Feature to this Plan Change	Comments
		extensive ecological corridors. Stream margins throughout the valley will have continuous indigenous vegetation cover, improving habitat and water quality. The number and extent of weeds and pests will be reduced through active management. The character and amenity of Waiatarua in particular will continue to be derived from retaining and enhancing its forested character, scenic beauty, quiet, darkness and sense of enclosure. This is further supported by proposed policies 5B.3.2.6 (Waiatarua Local Area) and 5B.3.1.6 (Oratia Local Area)
i) the subservience of the built environment to the area's natural and rural landscape, which is reflected in –	Relevant	Future changes of rural landuse to enable a diversity of rural activities in Oratia while retaining a rural character and the subservience of built development to the natural and rural landscapes would be provided for by the Plan Change. In terms of Waiatarua, the existing development is well-screened and nestled into a forested landscape and would continue to be. There exists little opportunity for further subdivision. Any future development will be avoided to maintain a low density residential community, with buildings subservient to the natural landscape in a manner consistent and compatible with existing patterns of development. This is further supported by particular proposed policy 5B.3.2.6.
i) the individual identity and character of the coastal villages and their distinctive scale, containment, intensity, and amenity; and	Not relevant	The current Plan Change does not encompass coastal areas within the Heritage Area.
ii) the distinctive harmony, pleasantness, and coherence of the low-density residential and urban areas that are located in regenerating (and increasingly dominant) forest settings; and		There are no urban areas in Oratia or Waiatarua. There are some clusters or more intensive suburban housing that was historically developed in the area. The majority of the forested and bush-clad areas in Oratia and Waiatarua have low density large lot development which is self servicing in infrastructure. The upper reaches of the Oratia Valley and Waiatarua in particular have little or no opportunity for further subdivision. Buildings are nestled into a forested setting and will remain well-screened.
iii) the rural character of the foothills to the east and north and their intricate pattern of farmland, orchards, vineyards, uncultivated areas, indigenous vegetation, and dispersed low-density settlement with few urban-scale activities:		Rural character has been identified as a key feature for preservation in the lower (Oratia) valley and open rural areas on ridgelines. The Plan Change will provide for rural activities to continue to contribute to the area's rural landscape and character. In the lower valley and the open rural areas on the ridgelines of the upper valley, exotic vegetation and productive rural activities will continue to contribute to the area's rural landscape and character. New

National Significance & heritage feature of the Heritage Area	Relevance of the Feature to this Plan Change	Comments
		development (for both Oratia and Waiatarua) will be subservient to, not dominant over, the natural environment. The area of the village surrounding the school has a distinctly different level of built development from other areas in Oratia Valley. This is because activities have clustered in these locations, close to the road, while remaining parts of sites distant from the road have a clear rural character, much of which does not include buildings.
j) the historical, traditional, and cultural relationships of people, communities, and tangata whenua with the area and their exercise of kaitiakitanga and stewardship:		The Plan Change will recognise the kaitiaki role of Tangata Whenua in Oratia and Waiatarua, both areas of which have significance to iwi. Archaeological sites will be protected.
k) the evidence of past human activities in the area, including those in relation to timber extraction, gum-digging, flax milling, mineral extraction, quarrying, extensive farming, and water impoundment and supply:		The Plan Change enables recognition of and preservation of past human activities particularly relevant to the Oratia & Waiatarua areas such as certain heritage buildings and sites which will be protected, reused, restored, enhanced and celebrated.
l) its distinctive local communities:		<p>Both Oratia &amp; Waiatarua have distinct local communities and the Plan Change recognises that people live and work in these areas. Elements of the Plan Change will enable these communities to provide for their social, economic, environmental, and cultural wellbeing. The existing Oratia Rural Village is reinforced to provide for the wellbeing of the local community. A strong boundary will be maintained between the village and the surrounding rural area, reinforced by careful rural design and placement of landscape, buildings and activities on the rural side of the boundary.</p> <p>Analysis has indicated that there is a distinct village centre with the clustering of buildings and activities. The community have indicated that this village is highly valued, although it is absent many activities considered necessary for community wellbeing.</p>
m) the Waitakere Ranges Regional Park and its importance as an accessible public place with significant natural, historical, cultural, and recreational resources:		It is considered that the proposed Policy & Rules would meet this objective. Rural trails assist in managing effects on the Regional Park by providing alternative recreational experiences. The Plan Change has appropriate regard to the current Regional Parks Management Plan. The LAPs acknowledge that cycling activity is not provided for in the Regional Park, however cycling is a significant activity on Scenic Drive and opportunities

National Significance & heritage feature of the Heritage Area	Relevance of the Feature to this Plan Change	Comments
		<p>exist to link via pedestrian and cycle trails with the Twin Stream Cycle network that connects Sunnyvale Train Station, Henderson and the CBD.</p> <p>The Plan Change and LAPs identifies local areas, their heritage features and their character and amenity and future character and amenity. Section 26(c) of the Act refers directly to “adjacent to or includes a part of the Waitakere Ranges Regional Park”. Heritage features such as ecosystems run through both public and private land within Oratia Valley and Waiatarua. The Plan Change and LAPs provide opportunities for the integrated management of effects on heritage features. The Regional Parks Management Plan only applies to land within the Park, however there are issues at the boundary with the Park on the adjoining land that can affect the Park (eg. environmentally damaging weeds and pests) that requirement integrated management. LAPs bridge the gap in the establishment of long term outcomes for the consideration of heritage features. The Regional Park land also forms part of the overall ecological and stormwater catchments.</p>
<p>n) the public water catchment and supply system, the operation, maintenance, and development of which serves the people of Auckland.</p>	<p>Partially relevant</p>	<p>Minor parts of Oratia and Waiatarua local areas drain into the public water supply catchment. The proposed Policy and Rules framework for both areas seeks to restore and enhance the natural environment, which in turn will ensure water-quality.</p>

**Table 8 Section 8 Waitakere Ranges Heritage Area Act 2008 – Assessment of Section 5B.3**

Objectives (Section 8)	Proposed Plan Change giving effect to the WRHAA
a) to protect, restore, and enhance the area and its heritage features:	Objectives set out in Section 5B.1 relate to the whole of the Waitakere Ranges Heritage Area and through Section 5B.3 would seek to enhance and protect the particular heritage features of Oratia and Waiatarua. For example, policy 5B.3.1.6.1 relates specifically to Oratia and 5B.3.2.6.1 to Waiatarua. Both policies seek to avoid cumulative effects on character and amenity and therefore protect and preserve the identified heritage features.
b) to ensure that impacts on the area as a whole are considered when decisions are made affecting any part of it:	Proposed policies and amended rules will provide robust guidance for resource consent assessments in the context of the areas as a whole.
c) to adopt the following approach when considering decisions that threaten serious or irreversible damage to a heritage feature:	
i) carefully consider the risk and uncertainties associated with any particular course of action; and	Proposed policies 5B.3.1.6.1 - 5B.3.1.6.6 (Oratia) and 5B.3.2.6.1-5B.3.2.6.2 (Waiatarua) enable a robust assessment of the effects of activities and land-use on heritage features the local areas. It is considered that the risks and uncertainties can thus be assessed in a more rigorous and appropriate manner.
ii) take into account the best information available; and	The proposed Plan Change has been developed as a result of extensive consultation with community and stake-holders and has incorporated as much up to date information as possible (through the development of the background reports).
iii) endeavour to protect the heritage features:	As in (a) above, the proposed objectives, policies and rules will take into consideration the identified heritage features of both Oratia and Waiatarua so that any potential adverse effects are more rigorously assessed.
d) to recognise and avoid adverse potential, or adverse cumulative, effects of activities on the area's environment (including its amenity) or its heritage features:	As in (a) above, the proposed Plan Change recognises the need to avoid cumulative effects on character and amenity through inappropriate land-use and development, and adopts new policies as guidance to avoid this.
e) to recognise that in protecting the heritage features, the area has little capacity to absorb further subdivision:	There is limited opportunities for subdivision in Waiatarua or Oratia, other than that previously identified and provided for as part of the District Plan / Oratia Structure Plan. Therefore, the proposed Plan Changes implicitly recognises that Oratia and Waiatarua has little capacity for further subdivision, and implicitly recognises the requirement to give effect to the Oratia Structure Plan. Proposed policy 5B.3.2.6.2 (Waiatarua) adopts a precautionary approach to subdivision beyond that already provided for by the existing District Plan Rules. Proposed Policy 5B.3.1.6.5 (Oratia) similarly adopts a precautionary approach, and this needs to be read in conjunction with policies relating to the Oratia Structure Plan.
f) to ensure that any subdivision or development in the area, of itself or in respect of its cumulative effect, -	

Objectives (Section 8)	Proposed Plan Change giving effect to the WRHAA
i) is of an appropriate character, scale, and intensity; and	Proposed Policy 5B.3.1.6.1 seeks to avoid cumulative adverse effects on Oratia's rural character by providing for the careful placement and design of buildings and designing new development to be subservient to the natural environment, for example. Proposed Policy 5B.3.2.6 seeks to avoid cumulative adverse effects of development in Waiatarua by enhancement and retention of indigenous vegetation and, ensuring development is subservient to the natural environment.
ii) does not adversely affect the heritage features; and	As explained above, it is recognised that there is limited scope for further subdivision in Oratia and Waiatarua other than that already provided for under the District Plan and Oratia Structure Plan. Proposed Policy 5B.3.1.6.5 for Oratia takes a precautionary approach for further subdivision to avoid damaging the area's heritage features or compromise the area's desired future character and amenity. Proposed Policy 5B.3.2.6.1 for Waiatarua seeks to avoid urban-style infrastructure and maintain the forested nature of the area as this is important to protect the area's heritage features.
iii) does not contribute to urban sprawl:	The proposed Policies recognise the need to contain and manage the sprawl of development within the Oratia and Waiatarua areas. The character and amenity of both areas is clearly stated and policy guidelines proposed to ensure that these are not compromised. In particular, for example, proposed Policy 5B.3.1.6.6, which is concerned with the development of Oratia Rural Village, seeks to retain and enhance the existing Village and enable for further appropriate development which is contained and does not expand into the surrounding rural areas. The policies seek a village that is distinctly different from urban development in the MUL by its design, character and form.
g) to maintain the quality and diversity of landscapes in the area by:	
i) protecting landscapes of local, regional, or national significance; and	The landscape features of both Oratia and Waiatarua are significant and have been identified as a valued element that helps define the character and amenity of these areas. The proposed Policies recognise the value of landscapes and seek to provide a variety of methods to protect them such as careful management of development within identified view shafts (proposed Policy 5B.3.1.6.1 – Oratia) and retention and enhancement of the natural landscape character (proposed Policy 5B.3.2.6.1 – Waiatarua). The Oratia policies recognise the importance of rural character and landscapes in defining the edge to metropolitan Auckland and in providing a unique landscape between Auckland and the forested Waitakere Ranges.
ii) restoring and enhancing degraded landscapes; and	As part of the identification of desired future character and amenity for both Oratia and Waiatarua, restoration of the environment was a key consideration. Active management to reduce weeds and pests is desired. The Proposed Rules and Policy framework for Oratia and Waiatarua provide opportunities for this, along with the existing provisions of the District Plan.
iii) managing change within a landscape in an integrated way, including managing change in a rural landscape to retain a rural character:	It is considered that the proposed Policy and Rules framework will provide opportunities for managing change in an integrated manner. It is recognised that limited further scope for subdivision exists in Oratia and that the rural landscape (particularly in Oratia) will be protected and retained. This is achieved through ensuring that subdivision contained within the Oratia

Objectives (Section 8)	Proposed Plan Change giving effect to the WRHAA
	<p>Structure Plan responds to rural character, appropriately located building platforms, enhances rural character through maintaining exotic vegetation and replanting new vegetation to reflect the historic pattern of shelter belts and fields, avoids urban style gates and infrastructure and subdivision is sensitively designed in prominent rural view shafts. For example, proposed Policy 5B.3.1.6.1 seeks to avoid cumulative adverse effects on Oratia’s rural character and amenity and to ensure that any activities contribute to the achievement of Oratia’s desired future character and amenity.</p>
<p>h) to manage aquatic and terrestrial ecosystems in the area to protect and enhance indigenous habitat values, landscape values, and amenity values:</p>	<p>The natural environment (including aquatic and terrestrial ecosystems) are recognised in both Oratia and Waiatarua as important elements making up part of the existing character and amenity of the areas. Proposed Policies recognise and provide for enhancement of the natural environment, with particular guidelines for avoiding further loss to significant native vegetation (proposed Policy 5B.3.1.6.1 – Oratia, for example) and the importance of retention of and enhancement of forests and terrestrial and aquatic ecosystems (proposed Policy 5B.3.2.6.1 for Waiatarua).</p>
<p>i) to recognise that people live and work in the area in distinct communities, and to enable those people to provide for their social, economic, environmental, and cultural well-being:</p>	<p>Both Oratia and Waiatarua have a strong sense of community and the proposed Policy and Rules framework recognises and provides for this.</p> <p>Proposed Policy 5B.3.1.6.6 for Oratia, for example, provides specifically for the enhancement of Oratia Rural Village, recognising its importance to the local community. A new rule will also be provided for activities and development in Oratia Rural Village. Rule 8B introduces the main provisions for Oratia Rural Village. These seek to enhance the rural village centred on the existing community and commercial focal point. In order to reflect the rural character of Oratia, the village is proposed to be low density, low scale and limited in its size and intensity of activity to ensure that development contrasts with the adjoining MUL, and relates to the Oratia community and Oratia’s role as a rural gateway to the Heritage Area. The village involves the maintenance and enhancement of an orchard landscape, achieving a low density built form that provides for small scale activities to support the social, cultural and economic wellbeing of residents.</p> <p>In Waiatarua, the proposed Policy framework recognise that activities should be centred around existing ones, and that further business opportunities will be home-based and small-scale.</p> <p>Policy 5B.3.2.6.1 (Waiatarua Local Area) seeks to This policy seeks to avoid cumulative adverse effects on Waiatarua’s environment, character and amenity and maintain the existing distinct local community of Waiatarua.</p>
<p>j) to provide for future uses of rural land in order to retain a rural character in the area:</p>	<p>Future land uses in Oratia will achieve ongoing rural character. This is defined as a key component of the desired future character and amenity of the Oratia area. It is considered that the proposed Policy framework will provide a framework to assist in the consideration of</p>

Objectives (Section 8)	Proposed Plan Change giving effect to the WRHAA
	<p>applications for future rural activities. This will allow the consideration of whether development is subservient to the natural environment, and that urban-scale development will be avoided in the rural landscape. It will also assist in the achievement of Objectives 8(a) and 8(i) of the WRHAA as it relates to heritage feature 7(2)(g). Uses that are acknowledged in the character and amenity statements include rural activities, farmers markets, creative endeavour, health and wellbeing etc. Plan Change 36 introduces further objectives, policies and methods relating to rural activities and the wellbeing of people and communities in the Heritage Area that are relevant to Plan Change 35. In particular, policy 5B.3.1.6.1 ensures new development is subservient to the natural environment</p>
<p>k) to protect those features of the area that relate to its water catchment and supply functions:</p>	<p>Minor parts of Oratia and Waitatarua drain into the public water supply catchment. The proposed Policy and Rules framework for both areas seeks to restore and enhance the natural environment, which in turn will ensure water-quality. They seek to avoid opportunities for urban scale development, to limit overall development to be subservient to the natural and rural environment and to maintain and enhance terrestrial and aquatic ecosystems.</p>
<p>l) to protect in perpetuity the natural and historic resources of the Waitakere Ranges Regional Park for their intrinsic worth and for the benefit, use, and enjoyment of the people and communities of the Auckland region and New Zealand.</p>	<p>It is considered that the proposed Policy &amp; Rules would meet this objective. Off road recreation trails for pedestrians and cyclists will increasingly connect people to the Waitakere Ranges Regional Park. This provides an alternative to motor vehicles. Rural trails can also assist in managing effects on the Regional Park by providing alternative recreational experiences. The Plan Change has appropriate regard to the current Regional Parks Management Plan. The LAPs acknowledge that cycling activity is not provided for in the Regional Park, however cycling is a significant activity on Scenic Drive and opportunities exist to link via pedestrian and cycle trails with the Twin Stream Cycle network that connects Sunnyvale Train Station, Henderson and the CBD.</p>

## **7.2 Auckland Regional Policy Statement**

The Auckland Regional Policy Statement (ARPS) seeks to maintain a quality environment for the Auckland Region and at the same time, maintain and enhance opportunities for the region's future growth. The ARPS provides a resource management framework under the RMA for managing environmental effects within the Region associated with urban and rural development. The ARPS, which became operative in 1999, provides an overview of the resource management issues for the Auckland region and sets out the objectives and policies to achieve the purpose of the RMA and that give the overall strategic direction to achieve integrated management of the natural and physical resources of the region.

The ARPS comprises four parts: Regional Overview and Strategic Direction; Resource Management Matters of Significance to Iwi; Transport and Energy; and Environmental Protection. Each part identifies issues, objectives, policies, methods, reasons and the environmental results anticipated as a result of implementation of the RPS. The proposed plan change is considered to give effect to these objective as it provides for the identification of heritage features within the local areas in the context of local area planning, and provides objectives, policies and rules to ensure that the cumulative adverse effects on these are avoided. The assessment of the objectives follows in Table 9.

**Table 9 Assessment Against the Auckland Regional Policy Statement**

<b>OBJECTIVE</b>	<b>PROPOSED PLAN CHANGE</b>
<p>Chapter 2 - Regional Overview &amp; Strategic Direction (sets out the strategic direction for the Auckland Region). Specifically, Objective 2.5.1 (3, 5, 6, 7, 8, &amp; 9) and policies 2.5.2, &amp; 2.6.4 (rural areas)</p>	<p>The plan change addresses the intention behind the Chapter 2 objectives and policies which generally describe the conflict between urban growth and the natural environment. This includes addressing those matters of regional and national importance in respect to the natural and physical resources of the Heritage Area.</p> <p>Section 7(2)(l) of the WRHAA recognises distinctive communities, which acknowledges those elements of the existing environment which characterise and identify communities within the Heritage Area. This includes Oratia village as the historic centre of the local area. Centred on the primary school, it is today a loose assemblage of buildings and activities (hall on the site of the first coop packing shed, the cemetery, the bowling club, the church, the orchard shop, school, dairy). It has a recognisable village form distinct in its level of development within the wider rural area of Oratia, and distinct from the predominantly residential areas of the adjoining urban development within the MUL.</p> <p>Provision for a neighbourhood-scale rural village in Oratia arises out of the desire of the local community, as recorded in the Oratia LAP developed under the WRHAA, to extend the amenity of the area by further strengthening and expanding the role of the Oratia Rural Village. The amenity of the village would include 'neighbourhood-scale' convenience and service activities, with a focus towards the needs of the local community, residents of the Waitakere Ranges Heritage Area and visitors and a stronger focus as a place to meet, celebrate and socialise.</p> <p>It is recognised that in this area incremental urban development has resulted in the MUL adjoining the village. The village has acted as the traditional centre of the Oratia community and the Oratia petrol station, while an historic development, is now located as a schedule site within the District Plan within the MUL. However, the existing school, kindergarten, dairy, fruit shop, packing sheds being used for non-residential activities, hall and play centre are located outside the MUL, to the north and west of the school.</p> <p>The village is unique in that it already exists, it is the traditional focal point of the community, the MUL has crept to its edge and it sits within a rural landscape that is protected by the WRHAA. The WRHAA introduces specific objectives relevant to the village which the Council considers should be implemented. The community have indicated a strong desire for the enhancement of the village and the form that this should take.</p> <p>The Council considers that this is a unique situation in the region, with a community focal point and rural community located on the edge of the MUL. While some may believe that the village represents a challenge to the integrity of the MUL, the Council believes that with careful design and a clear policy framework the matters in the ARPS, WRHAA and Oratia LAP can be carefully</p>

OBJECTIVE	PROPOSED PLAN CHANGE
	<p>balanced and that intent of all three documents can be achieved. The Council considers that the village relates to its rural community, and that the existing resources of the village should be protected, restored and enhanced in accordance with the objectives of the WRHAA. A village with unique rural character and identity can be managed through the framework of the proposed plan change, in a manner that ensures a clear distinction between the MUL and urban policies and those relating to the Heritage Area.</p>
<p>Chapter 6 - Protection of Natural and Cultural Heritage Areas of the Region - see in particular Objective 6.3 (relate to protection, preserving, maintaining all heritage resources), and Policies 6.4.10, 6.4.1 (heritage preservation and protection) and 6.4.19 (landscape).</p>	<p>Proposed Objective 5B.3.1.5.1 (Oratia Local Area) recognises the contribution that the heritage features, character and amenity of Oratia make to the national significance of the Waitakere Ranges. Subsequent relevant policies include 5B.3.1.6.1 which seeks to avoid cumulative adverse effects on Oratia's rural character and amenity (including identified natural and cultural heritage features).</p> <p>Proposed Objective 5B.3.2.5.1 (Waiatarua Local Area) recognises the contribution that the heritage features, character and amenity of Waiatarua make to the national significance of the Waitakere Ranges and foothills. Subsequent proposed policy 5B.3.2.6.1 seeks to avoid cumulative adverse effects on Waiatarua's environment, character and amenity and to ensure that any activities contribute to the achievement of Waiatarua's desired future character and amenity, thereby avoiding effects on natural and cultural heritage features of the area.</p>
<p>Chapter 8 – Water Quality – see in particular Objective 8.3 (to maintain/enhance water quality etc) and Policy 8.4.4 (development and re-development, and controlling the effects of this, Policy 8.4.16 (sewage reticulation and disposal) and Policy 8.4.21 (areas susceptible to water degradation).</p>	<p>The relevant proposed policies are: 5B.3.1.6 (Oratia Local Area) which avoids the loss of further vegetation and manages the adverse cumulative effects on natural ecosystems, thereby ensuring long-term water quality within the receiving environment). Also proposed policy 5B.3.2.6 (Waiatarua Local Area) which seeks to maintain and restore the natural environment including terrestrial and aquatic ecosystems which in turn will have a positive effect on receiving environment and water quality.</p>

### **7.3 New Zealand Coastal Policy Statement**

The purpose of the NZCPS is to set out policies relating to the coastal environment in order to achieve the purpose and principles of the RMA. Under s.55 of the RMA, councils are now required to “give effect to” the proposed NZCPS. This is a more robust obligation than was previously required under the RMA, which stated that council policies and plans not be ‘inconsistent with’ the NZCPS. The WRHAA also requires that “particular regard” be had to the NZCPS when considering resource consents (s.13).

Statutory linkages to the WRHAA are to be noted as most of the coastal environment in Waitakere is within the Waitakere Ranges Heritage Area. The proposed Plan Change contains relevant objectives relating to management of the coastal environment, in particular ensuring the built environment remains subservient to the natural and coastal environment, and recognising and providing for the distinct scale, containment, intensity and amenity.

### **7.4 The Hauraki Gulf Marine Park Act**

Section 9(3) of the Hauraki Gulf Marine Park Act 2000 (HGMPA) states that a territorial authority must ensure that any part of a District Plan that applies to the Hauraki Gulf, its islands, and catchments, does not conflict with section 7 and 8 of the HGMPA.

Sections 7 and 8 recognise the national significance of the Hauraki Gulf and specify a suite of management objectives for persons exercising powers or carrying out functions under the RMA 1991, and other legislation. In particular, section 7 states that the interrelationship between the Hauraki Gulf, its islands, and catchments and the ability of that interrelationship to sustain the life supporting capacity of the environment of the Hauraki Gulf and its islands, are matters of national significance.

It is considered that the proposed Plan Change is not inconsistent with the provisions of the HGMPA.

### **7.5 The Conservation Act 1987**

The Conservation Act 1987 was developed to promote the conservation of New Zealand's natural and historic resources. Its key functions are the management for conservation purposes of all land and natural and historic resources held under the Conservation Act, preservation of indigenous freshwater fisheries, protection of recreational freshwater fisheries and freshwater fish habitats, conservation advocacy; promotion of the benefits of international co-operation on conservation matters, promotion of the benefits of the conservation of natural and historic resources in New Zealand, the provision of educational and promotional conservation information, fostering recreation and allowing tourism on conservation land, providing the use is consistent with the conservation of the resource, and provision of advice to the Minister.

It is considered that the proposed Plan Change is not inconsistent with the provisions of the Conservation Act. In particular, the proposed Plan Change recognises the special and unique nature of natural and historic resources within the local areas and although these may not directly belong to conservation estate, the consequential benefits to the wider Heritage Area values would be realised through the ongoing protection provided for by the Plan Change.

## **7.6 Reserves Act 1977**

The Reserves Act has three main functions - to provide for the preservation and management of areas possessing some special feature or values (such as areas with recreation, education, or wildlife habitat values), to ensure the preservation of representative natural ecosystems or landscapes and the survival of indigenous species of flora and fauna, both rare and commonplace and to ensure, as far as practicable, the preservation of access for the public to the coastline, islands, lakeshore and riverbanks.

The proposed Plan Change recognises the importance of reserves within the local areas. The various special features and values of reserves (for example, as refuges for wildlife and seed sources for regeneration and for the contribution they make to the landscape values of the area) have been acknowledged as part of the Plan Change and it is therefore considered that it is not inconsistent with the provisions of the Reserves Act 1977.

## **7.7 Local Government Act 2002**

It is considered that the proposal is not inconsistent with the provisions of the Local Government Act 2002, in particular Part 6 of the Act which specifically requires local authorities to undertake public consultation in accordance with the principles set out, (which include providing easy-to-understand summaries of plans and proposals, encouraging community participation and establishing all practical options to deal with issues and carefully assess them). The Act also requires that processes be put in place to consult with iwi.

Comprehensive consultation during the preparation of the proposal was undertaken through the local area plan process (including regular provision of feedback to the community on progress with the plan process) and also during extensive involvement of the community in the preparation and advancement of the WRHAA through Parliament. Local iwi were consulted (including direct conversation with representatives and through hui).

## **8. Non-statutory Planning Assessments**

### **8.1 Agenda 21 and The Eco City**

Agenda 21 was the outcome of the United Nations "Earth Summit" held in Rio de Janeiro, Brazil in 1991. The summit established an international agreement to integrate environmental and developmental concerns to achieve sustainable development. The implementation of this is encapsulated in a document entitled Agenda 21.

As part of Waitakere's eco-city concept, Waitakere City Council agreed to implement at the local level the goals and programs proposed under Agenda 21. The Proposed Plan Change represents sustainable management of the city's land resource.

### **8.2 Waitakere Long Term Council Community Plan**

The 10 year Long Term Council Community Plan (LTCCP) covers the first decade of Council's 20 year Strategic Direction. The purpose of the LTCCP is to:

- describe the activities of the Council;
- describe the community outcomes desired for the city;
- provide integrated decision making (between the Council and the community) and co-ordination of resources;
- provide a long term focus for the Council's decision and activities;
- provide a basis for accountability to the Waitakere City community; and
- provide an opportunity for community participation.

The Long Term Council Community Plan has 14 community outcomes that set out the Council's goals and actions for managing the social, economic and environmental wellbeing of the City.

The "Urban and Rural Villages" outcome identifies the need for the Council to provide for town centres that are thriving places, with exciting options for people to live, work and play. The proposal seeks to enhance the form, function and amenity of Oratia Rural Village, whilst providing a clearer direction for future development. The proposal will also strengthen, build on, and capitalise on those unique elements that result from the village's location, history and character.

The "Strong Economy" outcome supports a local economy which is sustainably prosperous with abundant good quality local jobs and strong businesses. The proposal seeks built on the existing community environment, by creating quality space for locals, visitors and businesses to live, work and interact.

It is also considered that the proposal is not inconsistent with the "Green Network" outcome, as the proposal seeks to preserve the amenity of the natural environment. The special, forested character of Waiatarua and the upper foothills of Oratia contribute significantly to the biodiversity of the areas and the Ranges as a whole and this is recognised in the proposed objectives and policies. Restricted growth and protection of this area is part of the Growth Management Strategy and the corollary to the urban intensification objectives of the Council. As the urban part of the City intensifies, the strategic importance of the unspoiled coast, the protected ranges and the rural foothills will grow.

### **8.3 Regional Parks Management Plan**

The Regional Parks Management Plan (RPMP) sets out how the ARC intends to manage the majority of parks that form part of the Auckland regional parks network over the next five years. The Plan guides the ARC's day-to-day and long-term management of these parks and sets a context for their future use and the conservation of the natural and cultural resources found within them.

Section 16 of the RPMP sets out objectives and policies on the interaction between park land and private land, with an emphasis on encouraging cooperation between ARC and its neighbours on public access, pest control and maintenance of ecological corridors, amenity values and landscapes. The Plan Change seeks to protect, restore and enhance the heritage features of the Waitakere Ranges Heritage Area, the Oratia Local Area and the Waiatarua Local Area. The proposed Plan Change is not considered to be inconsistent with any of the objectives or policies of the RPMP.

## **9. Consultation**

Consultation during the preparation of the proposed Plan Changes was undertaken through the Oratia and Waiatarua LAP process, meetings with interested persons and groups, meetings with the Auckland Regional Council, and during extensive involvement of the community in the preparation and advancement of the WRHAA through Parliament.

A summary of the consultation undertaken to date as part of the proposed Plan Change is summarised below, and a comprehensive list of consultation is contained in the background report supporting the adopted LAPs.

## Waitakere Ranges Heritage Area Bill

The heritage features and objectives of the WRHAA were developed through the Parliamentary process. This involved the sponsoring of a Local Bill to Parliament, its first reading, the consideration of the Bill by the Local Government and Environment Select Committee, the second and third reading, before royal assent. The preparation of the Bill and the consideration of the policy response to the issues identified in the Waitakere Ranges and foothills involved extensive community consultation between 2003 and 2007.

Matters identified at the local level were the need for more certainty in the planning process as to the outcomes that are expected. There was concern at the potential for cumulative effects to undermine the features of the Waitakere Ranges and foothills that are valued by the community. Cumulative effects of activities or 'death by a thousand cuts' was a matter of great concern as the pressures for the urbanisation of the Waitakere ranges and foothills were considered.

## Oratia & Waiatarua Local Area Plans

Extensive consultation with the Oratia and Waiatarua communities has occurred since the early 90's on issues associated with the future of these communities, including the following which took place prior to the Local Area Plan consultation.

- |             |  |
|-------------|--|
| 1992/1993   | Consultation prior to drafting the district plan including surveys by Oratia Residents and Ratepayers and Waitakere City Council.  |
| 1995 – 1997 | Oratia Structure Plan (OSP) public meetings, surveys, liaison groups and submission process. During the preparation of the OSP, the Council consulted with land owners, interest groups, statutory bodies and the Oratia community. Between the end of 1993 and 1995 intensive work was carried out with the community. Local residents attended meetings, took part in surveys and liaison groups, and completed questionnaires about the attributes and qualities of the area that they value. They also identified the level of services and amenity that they believe is appropriate to retain the character of Oratia. Residents identified many valued features. |
| 2001-2004   | Oratia Reserves and Public Access Plan. Extensive community consultation was undertaken regarding the Oratia Reserves and Public Access Plan. Four drafts of this plan were prepared.  |
| 2003-2005   | Lower Oratia Reserves Management Plan (outside Heritage Area) combined with Project Twin Streams walk and cycleways consultation.  |
| 2003        | Telephone surveys on public perceptions of the Waitakere Ranges and community workshops on values and threats.   |
| 2004        | Waitakere Ranges Workshops – Oratia community  |
| 2005        | ARC telephone survey on protection of the Ranges and foothills. Public open days and meetings were also held.  |

2008-2009 Community & stakeholder consultation as part of the Oratia and Waiatarua Local Area Plan process. Consultation included the following:

*Nov 2008 Community Meeting & Open Day*  
*March 2009 Oratia District School Workshop*  
*March 2009 Community Enquiry Workshop*  
*May 2009 Oratia Residents & Ratepayers Assoc. AGM*  
*May 2009 Hui at Hoani Waititi Marae*

The issues identified in these meetings is summarised with the consultation reports that accompany the Local Area Plans.

2009 In February 2009, Council held a community session in Waiatarua where participants gave a clear message that they see their area as quite distinct from Oratia and wanted to preserve that separate identity. Discussions showed that, for the most part, people want to keep Waiatarua the way it is. They identified a number of key values and attributes in their community – both in terms of what they liked, and what they disliked and would like to see change.

2009 May and September 2009 - Waiatarua Residents & Ratepayers meeting. Various further issues discussed, including the proposed boundary area for the LAP. Discussions were also held with the Henderson Valley Residents and Ratepayers regarding the boundary of Henderson Valley and Waiatarua.

2009 August to September 2009. The draft Oratia and Waiatarua Local Area Plans were notified for public submissions pursuant to the WRHAA and LGA. 34 submissions were received and these were reported to the Policy and Strategy Committee on 3 December 2009.

Council staff have engaged in discussions with tangata whenua, Te Taumata Runanga Committee, Hoani Waititi Marae and the Maori community of Waitakere. Discussions with Te Kawerau a Maki and Ngati Whatua utilised the Council's fortnightly iwi consultation meeting during which LAP matters were raised and discussed. Council staff also provided regular updates and sought feedback from the Hoani Waititi Marae committee, and provided regular updates on the project to Te Taumata Runanga and the Chairman, Warahi Paki.

Further opportunities for residents and any other interested party will be available to those persons through the public notification process of this Plan Change.

## 10. Conclusion

A summary of consultation undertaken to date has been provided and it is evident that the proposed Plan Change process would allow the general public and statutory or non-statutory bodies with wider interests to be involved in decision-making.

The section 32 analysis has identified that the proposed Plan Change would enable the Council to manage land resources efficiently whilst meeting the purpose of the RMA by allowing sustainable management of natural and physical resources. The section 32 analysis also concludes that the objective is the most appropriate way to achieve the purpose of the RMA, that the policies achieve the objectives and that the methods are the most effective and efficient means to achieve the policies and provide for the sustainable management of natural and physical resources, and the wellbeing of the community.

The proposed Plan Change is consistent with any relevant statutory or non-statutory document as discussed above. In addition, it is considered that there will be no adverse environmental effects generated as a result of the proposed Plan Change. The Plan Change represents the most appropriate way to manage adverse effects from development and to direct outcomes desired by the community.

# Appendix 1

## Adopted Oratia and Waiaatarua Local Area Plans