

### **Area 1: Upper Paremuka/Babich Area B:**

The northern-most cluster of sites is bounded by Sturges Road, Candia Road, Tasman Road, and the MUL. This land is approximately 40ha and forms the Upper Paremuka Catchment, the remainder of which is urbanised. This area is the subject of a District Plan appeal that predates the WRHA Act. Nevertheless the ARPS and Waitakere Plan Change 16 provisions that seek to limit capacity would apply to any future consideration of development on the land. The primary need here is to address the District Plan appeal in a manner that will protect the environmental values of the area whilst not impacting on the wider valley. Its location within a separate storm water and visual catchment from the rest of the Valley and its close physical and visual relationship with the urban area adjacent suggests that the outcome in this area can be considered separately from the rest of the Valley. The identification of this area in the Landscape Study as being High and Elevated Sensitivity is related to the vegetated visual backdrop to the Lake Panorama area – initial proposals from the appellants have recognised this feature and seek to accommodate new development within a restored and revegetated landscape.

### **Area 2: Opanuku Sturges:**

The middle cluster of sites identified abuts the MUL adjacent to the Sturges valley and South Kensington Way. The portions of these sites that are less sensitive to change do not align with property boundaries and are in multiple land ownership. Presently the dwellings associated with these properties are on the Henderson Valley Road frontage, with the rear of the properties physically and practically separated from the dwelling/front area by the Opanuku Stream and associated reserves. The eastern most property is the largest site and is adjacent to a rather abrupt urban edge with potential access off a road reserve on South Kensington Way. The need here is to soften the abrupt urban/rural interface through environmental enhancement and improve public access (and council contractor) to the existing stream reserves and public land in this area. It is considered possible that allowing the 'landlocked' rear portion of these sites to be used for rural residential development, accessed from South Kensington Road, within a significantly revegetated landscape (the area is currently grazed but has operated as a kiwifruit orchard previously) will reduce the visual impact of the recent development on the urban side to be reduced in visual impact, and secure a long term rural/urban boundary. This will also remove the necessity for stream crossings and grazing currently impacting on the margins of the Opanuku Stream, and enable the connection of the Opanuku Esplanade with the existing EcoWater owned properties in the floodplain to the east. Access for the rear sites from South Kensington will require careful consideration and cooperation amongst landowners as the properties run north/south, with access required to come from the east to the west, across multiple properties. An area specific rules package may be necessary to ensure an integrated and sequenced approach is taken, particularly around access.

### **Area 3: Lower Henderson Valley Road:**

The south-eastern Cluster of sites that are less sensitive to change are located in the lower Henderson Valley Road area. Again the portions of these sites that are less sensitive to change do not align with property boundaries and are in multiple land ownership. However each site does have access directly to Henderson Valley Road (with the exception of one property with access to Forest Hill Road). In this area there is a need to maintain a rural visual backdrop to the urban area and enhance what environmental values exist, though the topography and layout with the existing row of houses on Henderson Valley Road will reduce much of the visual impact of widely spaced houses to the rear. In this area a number of the sites within the area shown are already at 2Ha or have existing levels of residential development that would preclude enabling further development. However, some sites are presently vacant or have potential for a number of new sites without impacting negatively on rural character.

## **Implementation:**

It is not anticipated that a district plan change would be required in the short term to provide greater guidance for the sites adjacent to the urban edge. The northern most cluster will be guided by the resolution of the existing district plan appeal. The middle and south-eastern clusters can be guided by including clear policies in the LAP about the outcomes anticipated on these sites. Currently it is a non-complying activity to develop in these areas to a density greater than one dwelling per 4.0ha. Because none of the sites have the potential to be subdivided now (they are all less than 8.0ha) a non-complying activity consent would be required.

An application for a non-complying activity is likely to be notified, and the LAP policies could form “another matter”<sup>28</sup> to be considered as part of the assessment of that resource consent.

### **4.3.3. Subdivision - The Proposed Response**

As noted above there is no need to undertake immediate District Plan changes in order to implement the LAP. However it is necessary that the LAP provides greater clarity about the subdivision outcomes anticipated in the Foothills Environment in Henderson Valley/Opanuku.

The WRHA Act and the ARPS require that the Henderson Valley/Opanuku area remains rural and that the capacity to absorb future subdivision is limited to that already provided by the 4.0ha density currently provided in the District Plan (at least in the short to medium term).

There is also an active requirement that heritage features are protected, restored and enhanced. A review of potential capacity, landscape sensitivity, and other technical work indicates that a structure plan is not necessary for the wider catchment in order to achieve these statutory requirements and to appropriately manage future subdivision in the area. On the larger sites in Henderson Valley/Opanuku, that are subject to the most significant potential for change, it is important that the protection and enhancement of features present on each site is provided for as subdivision occurs so that heritage features are appropriately managed. Clusters of sites along the urban edge also need better management in order to achieve the relevant outcomes anticipated in the WRHA Act whilst acknowledging that these areas are considerably impacted in their rural character by proximity to urban areas.

Wider areas in the HVO area can be managed within the existing District Plan framework. Accordingly, the following policy should be added to the LAP:

Policy 19: Henderson Valley/Opanuku will remain a rural area. Development of a Structure Plan is not necessary to manage subdivision. Instead, subdivision will be managed by retaining the existing District Plan subdivision provisions applying to the Valley apart from those areas identified on Figure 45 and described below;

- (i). A site specific approach will be taken, within the existing capacity limits provided by the Waitakere City Operative District Plan (2003), on identified “Large Property Management Areas” (see Figure 45) to:
  - protect, restore and enhance heritage features;
  - promote the retention of rural character and the productive use of rural land;
  - ensure that building platforms and associated development areas are carefully located to avoid undermining sensitive and clearly visible landscape features (such as ridges);
  - establish amenity plantings along ridgelines to create a skyline backdrop to soften and compartmentalise new development;
  - provide opportunities for the consolidation and/or clustering of development in less visible locations so as to leave significant areas of land available for productive rural activities and/or to minimise the effect of development on sensitive landscapes;

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<sup>28</sup> Refer section 104(1)(c) Resource Management Act 1991

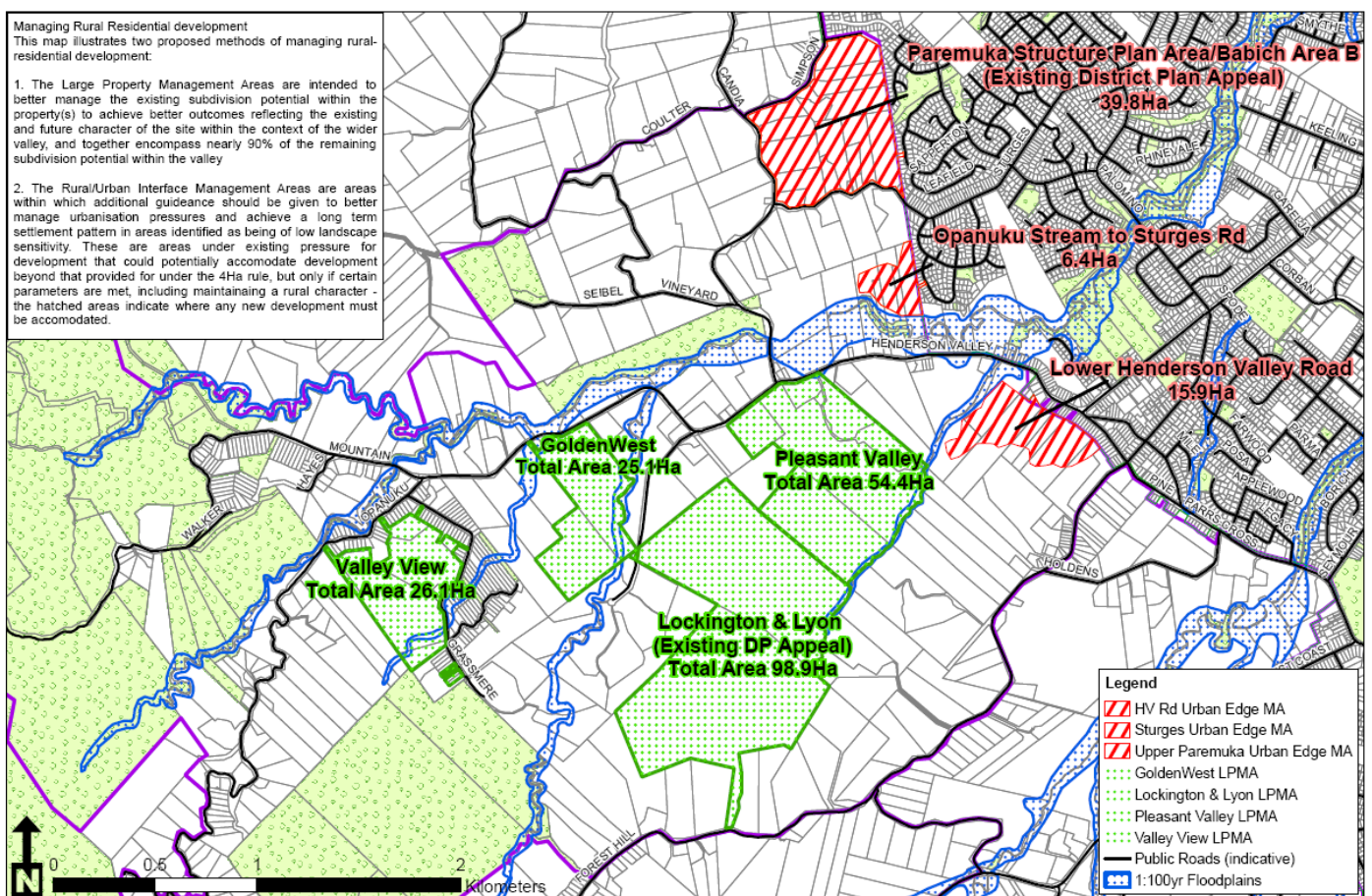
- minimise driveways running laterally across exposed slopes and promote the sharing of access and infrastructure;
- maintain rural roadscares and landscapes;
- manage building design and appearance;
- protect and enhance remnant indigenous vegetation, and connect these remnants with restored and replanted stream riparian margins;
- where appropriate, establish rural public walking trails, and
- maintain the pattern of resulting settlement through consent notices or other similar legal mechanisms.

(ii). in identified “Rural/Urban Interface Areas” (see Figure 44 above) subdivision will be managed to:

- provide a buffer and transition between urban and rural,
- maintain a permanent contrast between urban and rural, and
- achieve the relevant matters outlined in Policy 19 (i) above.

**Supporting Policies:**

A38. Amend the relevant District Plan subdivision policies and provisions to give effect to Policies P19(i) in the short to medium term, and Policy 19 (ii) in the medium to long term.



**Henderson Valley/Opanuku**

Figure XX: Proposed Large Property Management Areas (LPMA) and Rural/Urban Interface Management Areas (RIMA)

**Figure 45: Proposed Large Property Management Areas**

## **4.4. WAITAKERE RANGES PLAN CHANGES**

In February 2010 a number of Waitakere District Plan Changes were notified that directly affect the Henderson Valley/Opanuku area. Plan Changes 35 and 36 was publicly notified on Wednesday 10 February 2010. Submissions closed on Friday 12 March 2010.

The Further Submission period was publicly notified on Wednesday 28 April 2010. Submissions were due to close on Wednesday 12 May 2010 however the closing date for Further Submissions was extended to Friday 4 June 2010 at 5.00pm.

### **4.4.1. Plan Change 35**

Plan Change 35 Waitakere Ranges Heritage Area District Plan Section, Oratia Local Area Plan, Waiatarua Local Area Plan and Oratia Rural Village has three main elements, only the first of which is directly relevant to Henderson Valley/Opanuku. The other two aspects are illustrative of the incorporation of LAP Objectives and Policies relating to land use and resource management into the relevant District Plan:

- (1) To establish a new Policy Section 5B in the District Plan that recognises and protects the heritage features of the Waitakere Ranges Heritage Area;
- (2) To include in the District Plan those elements of the Oratia and Waiatarua Local Area Plans that relate to the management of natural and physical resources; and
- (3) Provide for the establishment of a neighbourhood-scale rural village in Oratia to serve the needs of the local community.

### **4.4.2. Plan Change 36**

Plan Change 36: Rural Activities and Social, Cultural and Economic Wellbeing of the people and communities in the Waitakere Ranges Heritage Area, supports the establishment of a limited range of non-residential activities on privately owned land in the Waitakere Ranges Heritage Area to provide for the economic wellbeing of landowners, particularly within the rural areas of the foothills. These economic activities must be consistent with the character of the WRHA (e.g. small scale bed and breakfast accommodation, produce sales, artists studios etc).

Proposed Plan Change 36 proposes to improve the regulatory provisions within the Waitakere Ranges Heritage Area associated with rural activities, the enabling of future uses of rural land to retain a rural character, and to provide for the social, cultural and economic wellbeing of the people and communities in the Waitakere Ranges Heritage Area.

Presently any activity that is not a 'home occupation' or a 'rural activity' is considered to be a non-complying activity – there is no graduation between 'permitted activities' (for which no consent is required) and Non-Complying Activities (which the District Plan does not provide for) to consider or give guidance to small scale activities that may be appropriate in these areas.

The Plan Change proposes to amend rules for the Foothills, Coastal Village, Bush Living and Waitakere Ranges Environments.

Plan Change 36 was publicly notified on Wednesday 10 February 2010. Submissions closed on Friday 12 March 2010. The Further Submission period was publicly notified on Wednesday 28 April 2010. Submissions were due to close on Wednesday 12 May 2010 however the closing date for Further Submissions was extended to Friday 4 June 2010 at 5.00pm.