

3. Meetings will focus on the presentation of the views of the parent organisations with resulting discussions focussing on development of proposals/recommendations to be taken back to the parent organisations.
4. Generally speaking, any proposals transmitted to the parent organisations should first receive the prior agreement of the Working Party.
5. Consensus agreement on all issues will be sought, where consensus is not reached staff will advise their parent organisations that a consensus view on the issue was not available. Where a recommendation is by majority staff will convey that majority view and the key issues canvassed in the discussion back to their parent organisations.
6. Transparency and openness will assist the work of the Working Party. Relevant documents from each partner will generally be made available to the Working Party. Exceptions to this will be discussed and understood by the Working Party.
7. Formal minutes will be taken for each meeting of the Working Party. The minutes will be made available to the appropriate Committees of the partners and representatives will speak to the minutes as required.
8. Representatives of each partner will make every effort to keep their colleagues on the organisation they represent up to date with issues around the project to ensure good understanding of the project and the reasons why recommendations on actions and priorities are made.
9. Unless agreed through agreed media or other formal communications, internal discussions of the Working Party will be held as confidential to the partners.
10. Any media release or other public communication on the Waitakere Ranges and Foothills Protection Project through partner publications will be discussed and signed off by the members of the Working Party beforehand.
11. Whenever possible meeting documents will be circulated prior to the meeting.

Appendix One – Possible content of Waitakere Ranges and Foothills Heritage Bill

Preamble

The preamble would provide a brief description of the reasons for the legislation, describing the values of the area, it's proximity to Metropolitan Auckland, the threats/risks that this creates and how this intended to be addressed.

Title

It is proposed to call this Bill the Waitakere Ranges and Foothills Heritage Area Bill 2005

Purpose

The Bill would have three purposes:

- establish the Waitakere Ranges and Foothills Heritage Area; and
- identify and recognise the nationally and internationally significant values of the Waitakere Ranges and Foothills Heritage Area; and–
- establish management objectives for the protection of these values

Definition/Interpretation

In order to have robust legislation that can be "given effect to", there would be a requirement to clearly define the terms that are used in the Bill. Therefore terms such as:

Bush living, Coastal environment, Cultural landscape, Cumulative adverse effect, Ecological connections, Freshwater systems, Natural character, Natural ecosystems, Natural features, Natural landscape, Outstanding natural features and landscape, Protection, Restoration, Rural character, Significant indigenous vegetation, Significant habitats of indigenous fauna, Subdivision, use and development, and the Waitakere Ranges and Foothills Heritage Area would be carefully interpreted as to meaning and intent.

Establishment of the Waitakere Ranges and Foothills Heritage Area

This section would formally establish the Waitakere Ranges and Foothills Heritage Area.

Recognition of the key Values of the Waitakere Ranges and Foothills Heritage Area

In order to focus protection there would be a need to clearly identify key values that contribute to the national significance of the Waitakere Ranges and Foothills Heritage Area. These would include:

outstanding natural landscapes; significant indigenous vegetation; outstanding natural features; impressive natural character of the coastal environment; important freshwater systems; high quality terrestrial and aquatic natural ecosystems; significant habitats of indigenous fauna; highly regarded rural character of the Foothills (and its function as a transition and buffer between urban areas and the Waitakere Ranges); the pleasing sense of containment of existing villages; a major catchment area for Auckland's municipal water supply; a critical stormwater management area; an overall subservience of human settlement to the natural character; important ecological connections; a cultural landscape that embodies historic, traditional, cultural and spiritual relationships of people, including the tangata whenua; and a Waitakere Ranges Regional Park that is accessible to the communities of Greater Auckland.

Management Objectives of the Waitakere Ranges and Foothills Heritage Area

This section would provide the policy framework, with the overall objective of achieving permanent protection and, where appropriate, restoration of the key values that are identified. This would include:

avoiding cumulative adverse effects; maintaining and enhancing the effectiveness of management tools; minimising the adverse effects of subdivision, use and development; recognising the very limited capacity of the Waitakere Ranges and Foothills Heritage Area to absorb new development;

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ensuring development remains subservient to the landscape, natural ecosystems, rural character, bush living, coastal environment and cultural landscape by limiting its scale and location; avoiding reductions in the extent and quality of native flora and fauna habitat; requiring active restoration in some instances; taking up opportunities for the expansion of ecological connections through the foothills; ensuring protection of freshwater systems, landforms and soils; safeguarding cultural landscapes; ensuring that the Waitakere Ranges Regional Park continues to be accessible; recognising the regional significance of the area for water supply; and providing for Treaty obligations.

Relationship of the Bill with the Resource Management Act 1991

This section would define the relationship between the Bill and the RMA. It would require all those who prepare or administer RPS and DP to give effect to the policies contained in this legislation, thereby providing for a measure of certainty and permanence in protection of the Heritage Area. It also gives the policy the status of a 'national policy statement'.

Relationship of the Bill with other legislation

This section would recognise that other legislation and processes such as the Local Government Act and the LTCCP also need to be part of the protection framework for the Waitakere Ranges and Foothills Heritage Area.

Transitional Provisions

The intent of this section would be to ensure that immediate protection is provided under this legislation.

Preservation of existing rights

This section would reaffirm existing ownership rights and the rights of tangata whenua to exercise their role as guardians or kaitiaki of their taonga.

Appendix Two Table – Summary of Potential Effects of Legislation on Areas within Waikare Ranges and Foothills Heritage Area

Area	Effects on Policy Basis (top level objectives in District and Regional documents)	Effects on Subdivision	Effects on Land Use
Titirangi/Laingholm	<ul style="list-style-type: none"> Stronger recognition of this area as part of Waikare Ranges Stronger protection focus Stronger and clearer legal ability to develop objectives and policies for area specific issues 	<ul style="list-style-type: none"> In short to medium term little effect on policies and rules Potential effect in longer term should unexpected adverse effects arise Potential immediate effect on exercise of discretion associated with subdivision provisions, for marginal situations 	<ul style="list-style-type: none"> In the short term applications to do activities that are beyond the standards set out in the District Plan are more likely to be refused e.g. applications to clear more bush than is provided for in the rules Resource consents might attract stricter conditions, eg. Requirement to covenant bush or undertake weed control
Oratia	<ul style="list-style-type: none"> Move from consideration of area as just "buffer" to a recognition that the area is an "integral part of the Ranges with buffer function" Stronger protection focus, especially in relation to landscape and amenity values Stronger and clearer legal ability to develop objectives and policies for area specific issues, recognising unique role of Oratia in eastern foothills 	<ul style="list-style-type: none"> In short term, little effect on policies and rules Potential effect in medium to long term of tightening up some aspects of policies and rules There could be an immediate effect on applying existing structure plan rules in situations that are marginal 	<ul style="list-style-type: none"> More detailed assessment of development proposals In the short term applications to do activities that are beyond the standards set out in the District Plan are more likely to be refused e.g. applications to clear more bush than is provided for in the rules Resource consents might attract stricter conditions, eg. requirement to covenant bush or undertake weed control
Swanson	<ul style="list-style-type: none"> Split between areas in and out of Waikare Ranges and Foothills Heritage Area Move from consideration of area as just "buffer" to a recognition that the area is an "integral part of the Ranges with buffer function" Stronger protection focus, especially in relation to landscape and amenity values Stronger and clearer legal ability to develop objectives and policies for area specific issues, recognising unique role of Swanson in eastern foothills 	<ul style="list-style-type: none"> In short to medium term there is not expected to be any change necessary to the Swanson Structure Plan (depending on outcome of Environment Court proceedings) Potential effect in longer term should unexpected adverse effects arise Potential immediate effect on exercise of discretion associated with subdivision (structure plan – if Swanson Structure Plan becomes operative) provisions, for marginal situations 	<ul style="list-style-type: none"> More detailed assessment of development proposals Greater differentiation within area, relating to identified values In the short term applications to do activities that are beyond the standards set out in the District Plan are more likely to be refused e.g. pipe a stream Resource consents might attract stricter conditions, eg. Requirement to undertake restoration of landscape, waterways or native bush
Opanuku	<ul style="list-style-type: none"> Move from consideration of area as just "buffer" to a recognition that the area is an "integral part of the Ranges with buffer function" Stronger protection focus, especially in relation to landscape and amenity values Stronger and clearer legal ability to develop objectives and policies for area specific issues, recognising unique role of Opanuku in eastern foothills 	<ul style="list-style-type: none"> In short to medium term little effect on provisions Could affect decisions around the provision of and/or the nature of any structure plan for this area 	<ul style="list-style-type: none"> More detailed assessment of development proposals Greater differentiation within area, relating to identified values In the short term applications to do activities that are beyond the standards set out in the District Plan are more likely to be refused eg clear more than 300m2 of bush to build a house Resource consents might attract stricter conditions e.g restoration of landscape, waterways or native bush

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<p>'Core' Ranges areas – Waiatarua, Upper Swanson/ Oratia/Opanuku, Scenic Drive, Waitakere Valley, Coastal Areas outside of Coastal Villages</p>	<ul style="list-style-type: none"> • Minor change in policy basis • Clearer identification of nature and constraints of the area • Stronger and clearer legal ability to develop specific objectives and policies for various areas 	<ul style="list-style-type: none"> • In short to medium term little effect on provisions • Potential effect in longer term should unexpected adverse effects arise • Potential immediate effect on exercise of discretion associated with subdivision provisions, for marginal situations 	<ul style="list-style-type: none"> • More detailed assessment of development proposals • May require a reassessment in the District Plan of issues such as site coverage and bulk and location • Greater differentiation within area, relating to identified values • In the short term applications to do activities that are beyond the standards set out in the District Plan are more likely to be refused • Resource consents might attract stricter conditions, e.g. covenanting native bush
<p>Coastal Villages</p>	<ul style="list-style-type: none"> • Much stronger recognition of the nature and constraints of area • Mandate to develop more specific objectives and policies for various coastal villages 	<ul style="list-style-type: none"> • in short to medium term little effect on provisions • Potential effect in longer term should unexpected adverse effects arise • Potential immediate effect on exercise of discretion associated with subdivision provisions, for marginal situations 	<ul style="list-style-type: none"> • More detailed assessment of development proposals • Greater differentiation for each Coastal Village • Non-complying applications more likely to be declined • More stringent conditions attached to consents, e.g. covenanting native bush, location and design of building
<p>Regional Parkland</p>	<ul style="list-style-type: none"> • Stronger recognition of inter-relationship between parkland and private land 	<ul style="list-style-type: none"> • Not applicable 	<ul style="list-style-type: none"> • Any application to clear bush or pipe streams is likely to be more rigorously assessed
<p>Water catchment land</p>	<ul style="list-style-type: none"> • Stronger recognition of inter-relationship between water catchment land and private land 	<ul style="list-style-type: none"> • Not applicable 	<ul style="list-style-type: none"> • Not expected to impact on the use of the area for water supply as this identified as a key value of the Waitakere Ranges and Foothills Heritage Area • Activities that are not related directly to water supply would be assessed against requirements of legislation e.g. more stringent application of Natural Area rules

Appendix Three - Analysis of Waitakere Ranges and Foothills Proposed Legislation - Issues, Outcomes, Method, Content of Legislation and Consequences

Issue	Desired Outcomes	Method	Content of Legislation	Consequences
Resource Management Act (RMA) tools do not provide certainty of protection in the longer term	Certainty is given to longer term goals, policies and provisions	Set the vision for the area through legislation, and require this to given effect through existing RMA mechanisms.	<ul style="list-style-type: none"> Policy statements must give effect to the objectives of the legislation. All reviews and plan changes would have to be consistent with the legislation. Decision makers required to give effect to strengthened policies Inappropriate development would be declined. 	<p>Statutory planning documents and resource consent decisions will have to be consistent with a policy framework specifically established for the Ranges & Foothills</p> <p>There will be a slightly different decision making framework for the area, as opposed to the rest of the city. Partnerships will need to be developed with landowners, and Council Staff and Elected Members will need to familiarise themselves with the decision making framework.</p>
Courts have not given the values of Ranges and Foothills appropriate weight	Values of Ranges and Foothills are legally defined	Clearly identify key values of the Heritage area through legislation, as well as clear definitions of any terms used.	<ul style="list-style-type: none"> "Amenity" interpretation clause in RMA will be more precisely defined in terms of the important values of the Ranges and Foothills 	The Court will be able to interpret the maintenance and enhancement of amenity values (s 7c of the RMA) as referring to the key values of the Ranges and Foothills. Likely to be less interpretation through case law due to use of clearer definitions.
Concern about inconsistent and inappropriate administration of District Plan (DP) provisions	The intent of DP provisions is made clear and consistent implementation is facilitated by requiring that the legislation be referred to when making decisions.	Clear outcomes are identified and linked to defined values in the Legislation, requiring that the DP may be more prescriptive/directive	<ul style="list-style-type: none"> Decision makers must "give effect" to the management objectives of the legislation when making any resource management decisions 	<p>Will require another 'layer' of consideration in decision making</p> <p>Will result in a different decision making regime i.e. not solely effects based.</p>
Change occurs in an incremental and largely ad hoc manner and results in cumulative effects	The overall effect of decision making and change is taken into account and	Ensure management objectives in legislation, and policies in Regional Policy Statement (RPS) and DP provide more consistency and direction	<ul style="list-style-type: none"> The legislation will contain objectives that refer to the whole of the Heritage Area and will provide for high level, strategic direction 	All decision making must give effect to high level management objectives that refer to the whole of the Heritage Area
Regional and national values of Ranges and Foothills are not addressed	The value of the area regionally and nationally is recognised	Establish status and overall objectives for Ranges and Foothills through legislation	<ul style="list-style-type: none"> The Waitakere Ranges and Foothills Heritage Area is established and the management objectives section refers to the regional and national significance of the area. 	Administration of the DP will have to take account of the broader status and regional/national implications when making decisions
Area lacks clear identify	A clear identify is established according to agreed boundaries and well understood values	Create Waitakere Ranges and Foothills Heritage Area and map boundaries	<ul style="list-style-type: none"> Physical boundary of area is identified and a section included that discusses the values of the Heritage Area. 	Will include private and public land. People may incorrectly assume that the land outside the boundary is less valuable.
There is a lack of integrated management between Ranges and Foothills, while respecting the differing character of	Area is managed as an integrated whole and the values of individual areas are enhanced	Develop policies that link the Ranges and Foothills according to an overall vision	<ul style="list-style-type: none"> Legislation includes specific provision identifying relationship between the Ranges and Foothills, while providing for the distinctive character of each 	Statutory decision making will be better informed with decisions affecting the area made according to overall policies and rules.

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each area There is increasing pressure for urban development in the Ranges and Foothills	Areas unsuitable for development are defined and protected. Appropriate densities are determined in a way that recognises the values and constraints of the area.	Develop management objectives in legislation, and policies in the RPS and DP that focus on protection of key values. Prohibit inappropriate subdivision/development	<ul style="list-style-type: none"> • Key values identified Need to minimise subdivision in light of constraints in the ability of the area to cater for future population growth	Urban development pressures will be redirected to appropriate areas within the Metropolitan Urban Limits Rural residential development will only occur to an appropriate density.
Ranges and Foothills are vulnerable because of high rainfall, clay soils and steep topography	Principles help establish the carrying capacity of the Ranges and Foothills for further development	Provide management objectives that recognise the values and constraints of the area and limit development accordingly.	<ul style="list-style-type: none"> • Policies in legislation refer to protection of values such as natural ecosystems, coastal landforms and headlands, fresh water systems and life supporting capacity of water. 	RPS, DP and resource consent decisions must give effect to protection of soil and water resources of Heritage Area
Key values not well understood or protected	Values are clearly identified and linked to management objectives	Provide value statements in legislation and tie these to management objectives	Outline the values, including: <ul style="list-style-type: none"> • Natural landscapes • Native vegetation & habitat • Distinctive character • Ecological connections • Cultural landscapes • Accessibility of Regional Park land • Soil & water conservation • Water supply • Heritage values • Customary importance • Coastal landscapes • Containment of coastal and rural villages • Interrelationship of the landscape values across the area. 	Decisions on RPS & DP provisions, and resource consent applications, will be better focussed where key values require greater protection
The soil and water conservation of the Foothills is compromised	Foothills are protected from intensive or inappropriate development and erosion and sediment discharge is minimised	Devise legislative, RPS and DP policies and controls that ensure water quality, storm water control, etc issues are considered and these values are protected.	The relationship between protecting vegetation, soil and water and managing development is made clear	Will require technical officers and decision makers to make explicit consideration of soil & water issues for every consent Will require comprehensive catchment management planning.
Ecosystems have been fragmented, particularly in Foothills	Ecological corridors are protected and created from the mountains to the sea	Provide a common policy basis for management of the whole of the Heritage Area that encourages retention, regeneration and/or replanting of corridors in selected areas	<ul style="list-style-type: none"> • explicit recognition of the high value of ecological connections, especially in the foothills, with clear management objective of strengthening these • recognition of the role that streams and wetlands play in this regard 	Incentives could be provided to private landowners for restoration of linkages between fragmented ecosystems Likely to be additional consent conditions requiring planting and fencing along waterways etc. Will need to be supported by non-regulatory methods e.g. incentives, landowner education etc.
Subdivision increases lack of harmony in landscape and increased effects	Values of Heritage Area are protected from the adverse effects of subdivision	Provide a framework that recognises the values and constraints of the area and limits development accordingly.	Management objectives would require that cumulative adverse effect of subdivision resulting from inappropriate patterns/intensity are minimised and that decisions reflect limited capacity for further subdivision	Applications for subdivision will be subject to more rigorous assessment
The character and containment of coastal communities is being threatened by development in the surrounding 'greenbelt' and on sensitive headlands	The boundaries of coastal villages are safeguarded against the adverse effects of urban sprawl	Develop a policy that encourages containment of West Coast villages	The management objectives will include a broad policy statement about the need to protect the identity and character of coastal villages	Land on the edge of coastal villages will not be subdivided for urban development. The appropriate edge of the coastal villages will need to be determined.

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The wild and remote qualities of the Ranges/Beaches are under threat	The level of access and facilities provided is appropriate to protecting the key values of particular areas	Policies in legislation will address the effects of capital works such as roading, carparking, tracking, toilets and community facilities	Management objectives would apply to capital works of Council, ARC and other relevant authorities	In some situations capital works would require resource consent and more strict assessment.
The character of rural landscapes in the Foothills is changing and lacks suitable direction	The changing character of rural landscapes is planned and managed in order to safeguard this value	Establish value and management objective statements in legislation, and policies in the RPS and DP to guide development of rural landscapes	The legislation will recognise the core values that give character to the rural landscape and will provide policy direction for retention of these features	Changes to the rural environment are planned and managed through conditions of approval and incentives to retain key landscape features within a suitable type and scale of development
The historic heritage values of the Ranges and Foothills are not properly identified or protected	Historic heritage sites are protected and managed appropriately	include management objectives in legislation that help guide protection of heritage values in the area	Management objectives section would refer to need to identify and protect key heritage sites within the context of other values in the area	DP has a map that identifies heritage sites (where appropriate) and the accompanying policy will outline the level of additional protection desired.
Tangata whenua are concerned that the taonga (treasures) of the Ranges and Foothills is being degraded	Tangata whenua have an active role in protecting their taonga	Establish legislation that fulfils Treaty obligation to protect customary values of Heritage Area	Would contain section requiring process to be developed by Council that provides for Tangata Whenua participation in decision making about sites of special significance to them	Existing processes used by Council to consult with Tangata Whenua may provide for this already
The role of the Ranges and Foothills as a water catchment and supply area requires recognition	The existing designation for water supply and the associated infrastructure is appropriately safeguarded within the values of the heritage area	Provides management objectives in legislation that integrates these considerations	The management objectives will contain policies that recognise the Ranges as a water supply area for Metropolitan Auckland	The requirements of water supply works and maintenance will be provided for. Any significant works beyond the existing designations would need to meet the requirements of the new framework
Need to ensure ongoing local authority commitment to protection of Ranges and Foothills in own practices.	Certainty in community that local authorities will prioritise protection of Ranges and Foothills, and will provide infrastructure and services appropriate to the area	Legislation authorise and requires local authorities to undertake their own activities so as to protect the ranges and foothills	<ul style="list-style-type: none"> • Explicit requirement to take into account provisions of Ranges and Foothills legislation when carrying out functions under the Local Government Act 2002 • Requirement to demonstrate how this is achieved 	<ul style="list-style-type: none"> • Protection of Ranges and Foothills will likely need to be explicitly addressed in Long Term Council Community Plan (LTCCP) • Should lead to longer term increase and certainty in funding for Ranges protection • Could lead to specific section in LTCCP on Ranges and Foothills • Reflected in reporting requirements • Could impact on the nature of infrastructure provision and maintenance e.g. road berms/footpaths and weed control. • May result in a range of other local authority measures e.g. rates remission, support for covenants, development and/or financial contribution policy that reflects specific needs in relation to Ranges and Foothills

Appendix Four – Possible impacts on Subdivision Potential of Proposed Waitakere Ranges and Foothills Legislation

The Foothills Environment

This Human Environment covers the majority of the eastern foothills of the Waitakere Ranges. However, some parts of the landform that is the eastern foothills are identified as either Bush Living or Waitakere Ranges Environment, and these are discussed below. In addition, there are parts of the Foothills Environment that are outside the Waitakere Ranges and Foothills Protection Project area.

The subdivision provisions for the Foothills Environment are of two types. Firstly, subdivision down to 4ha is possible throughout the area, as a Controlled Activity. This means that the Council cannot decline applications to subdivide to 4ha, but can attach conditions to the subdivision to address a range of issues set out in these rules. These conditions can include changes to the alignment of lots and the location and design of roads and driveways. It is not envisaged that the legislation would necessitate any amendments to these parts of the subdivision rules, at least in the short to medium term. However, the emphasis that the legislation places on protection of landscape, amenity and ecosystems could affect how such conditions are applied, although these conditions are quite limited in their effect. For example, more conditions could potentially be placed on the construction material used for driveways, where this is identified as potentially impacting on landscape and amenity. Similarly, the alignment of lots could be influenced.

These provisions in effect only apply to areas where no structure plan has been prepared

Structure Plans in the Foothills

As regards the structure plan provisions - recently, the Waitakere City Council achieved a significant improvement in the subdivision provisions of the Foothills Environment through the addition of a 'Prohibited Activity' for subdivision beyond the density provided for in any structure plan that has been developed. This means that landowners cannot even apply for subdivision beyond these densities. This provision is in keeping with the ethos of the legislation policy (set out above), and thus would not require any change. The Swanson Structure Plan is currently subject to Environment Court proceedings, and consequently this Prohibited Activity status may not apply to this area. Nevertheless, the Waitakere City Council has already resolved to seek a Prohibited Activity status for this area, and is hopeful that this will eventuate through the current process. The Oratia Structure Plan is also not covered by the Prohibited Activity status rule, as this too was the result of a separate Environment Court process. Subdivisions beyond the density shown on the Oratia Structure Plan map are a Discretionary Activity, meaning that the Council can refuse consents if it considers that these would give rise to adverse effects. It is possible that the legislation would give greater impetus to refusing such applications. It is also possible that the Council may consider that such Discretionary applications (i.e. beyond the density of the Oratia Structure Plan) are taking the subdivision levels in the Oratia Structure Plan area beyond its carrying capacity, particularly if the number of applications to go beyond the densities set out in the Oratia Structure Plan increases.

There are a number of areas of the Foothills Environment to which a structure plan has not been applied. In particular, the Opanuku catchment, but also some smaller areas adjacent to the Swanson Structure Plan, and an area in the Anzac Valley (although part of this latter area is currently the subject of an Environment Court appeal that may result in a structure plan over part of this valley). The landscape and amenity protection focus of the legislation, the recognition of the eastern foothills as a part of the Waitakere Ranges and Foothills Heritage Area, and the explicit identification of the limited capacity of the area to absorb more subdivision will affect the policy basis for structure plans in these areas, and/or the decision to prepare a structure plan for these areas. It would also likely affect the nature of any structure plan that applied to these areas, including the number of lots provided for through the structure plan, and would place more

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stringent conditions on any structure plan subdivision. Note that the Waitakere City Council is currently developing its Growth Strategy, and the initial findings of this identify that Waitakere City's future growth is more appropriately located in the first instance within the existing Metropolitan Urban Limits, and then in the north of the City – i.e. not in the Waitakere Ranges and Foothills Heritage Area.

Titirangi/Laingholm

The Titirangi/Laingholm area is within the Metropolitan Urban Limit, and the subdivision provisions for this area have only just been finalised through the Environment Court. The subdivision rules associated with these provisions are quite complicated, but essentially recognise the fact that this area is within the Metropolitan Urban Limit, but also contains extensive areas of significant natural heritage and landscape value. The subdivision provisions distinguish between the northern and southern parts of this area. The northern area (Area 1), abuts the urban area, and drains to the Waitemata via the urban area. The southern area (Area 2) generally contains more bush, and drains to the Manukau Harbour. Generally, smaller lot sizes (down to 2000m²) are possible in the northern area, and larger lots (ranging between 4000m² and 1ha) in the southern. In both areas, the ability to subdivide is influenced by the extent and quality of vegetation on the property, and in all cases replanting and covenants protecting bush are a condition of subdivision (with the covenants effectively precluding further subdivision). It is considered that these provisions generally accord with the intent of the legislation, and thus would not require changing, at least in the short to medium term. However, any subdivision in the Titirangi/Laingholm area is Discretionary, meaning the Council can refuse consent if it considers that this would result in adverse effects, or could reduce the number of lots yielded by a subdivision to reduce adverse effects. The Council has always been clear that it would exercise this Discretion appropriately, to ensure good environmental outcomes. The protection emphasis of the legislation could mean that more marginal applications, particularly those going beyond the density thresholds set out in these rules – i.e. where adverse effects on landscape or ecosystems could be significant - may be declined or reduced.

Waitakere Ranges and Bush Living Environment (outside the Titirangi/Laingholm Area and the Metropolitan Urban Limits)

Properties with these Human Environment identifications are generally heavily vegetated, and frequently are within areas identified as having Outstanding Landscape Values. The former (Waitakere Ranges Environment) are the larger properties (generally larger than 2ha) and most are identified as being within areas of Outstanding Landscape, while the Bush Living Environment properties are generally smaller, and tend to have more of a built-up character. Properties identified as Waitakere Ranges Environment can be subdivided down to 4ha as a Limited Discretionary or to lots averaging 4ha as a Discretionary Activity. Thus, the Council can refuse consent or reduce the number of lots created through a subdivision. Subdivision beyond these standards is a Prohibited Activity. In the Bush Living Environment, the minimum lot size varies from an average of 4000m² to 4ha, depending on the natural values of the property, with subdivision beyond these standards a Prohibited Activity (except in a small area adjacent to the Oratia Structure Plan). It is not envisaged that the legislation would require amendment to these subdivision standards in the short to medium term, particularly given the Prohibited Activity status of subdivisions beyond the standards provided for. There is already quite strong emphasis on such things as landscape and ecosystem protection. However, as with the Titirangi/Laingholm area, the protection emphasis of the legislation, and identification of numerous high values in this area, could result in a more stringent application of the discretion afforded the Council or other decision makers by these rules, with consequent effect on the granting of consent, and the nature of conditions attached to consents.

Coastal Villages Environment

This Environment is comprised of the generally smaller properties of the coastal settlements at Parau, Cornwallis, Huia, Karekare, Piha and Bethells. Provided there is no need to clear native

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vegetation for the house, subdivision down to 4000m² is possible as a Limited Discretionary Activity. As such, Council can refuse consent, or reduce the number of lots created through subdivision. Legislation could affect the way that this discretion is acted upon. Subdivision has not been identified as a significant issue in the Coastal Villages, where the greatest pressures are arising from redevelopment of existing sites, and development of vacant sites. Indeed, only a few lots in the Coastal Environment (~14) have any potential to subdivide under this rule. Thus, it is not envisaged that there would be any need to amend the subdivision standards of the Coastal Villages in the short to medium term (5-10 yrs). However, consideration of the legislation may lead the Council to conclude that there is a need to amend the rule so that subdivision of lots smaller than 4000m² becomes a Prohibited Activity, in line with the Waitakere Ranges and Bush Living Environments, if there was sufficient concern that the Non-complying Activity status was not affording enough protection to this area.

Rural Villages Environment

There are nine Waitakere Rural Village properties proposed for inclusion within the Waitakere Ranges and Foothills Protection Project area within the Anzac Valley. None of these properties has any subdivision potential under the current rules of the Rural Villages Environment. Thus, there is no need to amend the current subdivision rules that affect these properties. Any proposal to do so, however, would need to be considered against the provisions of the legislation.

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