

Council

**Wednesday, 25 May 2005
Commencing at 5.30 pm**

REPORT OF THE MAYOR

**SUPPLEMENT TO THE AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD IN
THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON WEDNESDAY, 25 MAY 2005, COMMENCING AT 5.30 PM.**

PART B - REPORT OF THE MAYOR

NOW IS THE HOUR

At the time of writing we are still considering our decision on the proposed Waitakere Ranges Protection Bill however when this report is received at 25 May Council meeting the decision will have been made. It makes writing this somewhat difficult however I felt compelled to do a final cut for the record and as you will see my whole report is dedicated to the ranges issue - it's just that important.

The debate around the Waitakere Ranges has been ongoing throughout my tenure as Mayor. When I stood for the Mayoralty 13 years ago it was on a platform of environment and the ranges and I guess my success since then shows that Waitakere residents felt those were important issues and have continued to do so.

Now, all these years later, the issue has been our longest and most fraught. Tensions have run high and at times debate has been heated. Now we are due to make a decision as to whether the proposed protection bill goes to Parliament.

Now is the hour so to speak but it's not as though we are short of wisdom around the Council table. A quick calculation shows this Council, including myself, has 217 collective years of local government experience. Not bad for any city to have such a wise group elected at one time.

I don't know about you but I am very conscious we are being closely watched on this issue and not just by the local community. New Zealanders everywhere have taken an interest in the future of the Waitakere Ranges and are watching us now. I recently visited Queenstown, Nelson and Taupo and have talked with Mayors throughout New Zealand about this bill and its implications. I want to assure my Council colleagues there is a positive feeling that this Council chose the right way to go.

I have not used the word 'cut' in my introduction without good reason. That's pretty much where this all started, all those years ago - the fact the ranges were being destroyed, by a thousand cuts. It was the cumulative effect of developments and subdivisions that worried us, and many others, the most.

The Waitakere Ranges Protection Society has advocated for the protection of the wilderness and the heritage of the ranges for many years and I would like to thank them here, especially John Edgar and Kath Dewar. They and their members have worked tirelessly for the Waitakere community and for the preservation of the Waitakere Ranges.

I would also like to thank former Speaker of the House Jonathan Hunt and the local Labour MPs David Cunliffe, Lynne Pillay and Chris Carter, as well as John Tamihere, who have been supportive of this council led project.

Jonathan actually proposed such a bill in 1972 but it failed to attract the attention of the local council at the time. He has had many wise words on the issue for us, his colleagues and the wider community. He urged us to focus on the purpose of the proposed bill rather than the detail, the nuances and its verbiage. Wise words indeed.

I would also like to acknowledge Helensville National MP John Key who, although his electorate just fringes on the area, took the time for an extensive briefing at which he acknowledged the draft bill was an impressive piece of work.



Thanks also to all those who have made submissions on the issues - from both sides of the camp. No Council can do its job properly without listening to the community and thus hearing what that community thinks and how that community feels.

But mostly I would like to thank you, the Councillors. Thank you for your persistence and dedication and your commitment to finding out all the relevant information and asking all the relevant questions. This has been a complex issue and you are to be congratulated for your determination to get all the facts and form your own opinions. Many of you have worked with Graeme Campbell and had new ideas on how such a bill may be changed, addressed or better balanced. It was important you realised the responsibility of debate and knowledge and I am proud of your performance.

I am also proud that while we've had external help and advice we've done most of this in house, on our own. We had the vision, we saw the direction we wanted to take and we took leadership of the project. I want to make this clear. This has and always has been a Council led project. No-one has "pulled our strings". Nor have we danced to anyone else's tune. We have acted independently and used our own initiative and again I would like to thank Councillors for working in such a commendable way.

I was pleased when we agreed earlier this year the issue needed to be brought to a conclusion and that in getting to that point more consultation was required. I have absolutely no doubt the consultation done by this Council has been extensive and robust. I seriously doubt there is anyone in this city not aware of the proposed bill and the issues involved. We gathered the facts, we consulted, we listened, we heard and we considered.

We reviewed more than 3500 written responses that showed majority support for legislation to be pursued (71 percent). We heard that independent research conducted for both Waitakere City and the Auckland Regional Council supported legislation. And we heard opposition to the proposed bill from local landowners and others who presented a petition with 1000 signatures. I don't think anyone can say we did not fully and utterly explore the proposed course of action.

Now, in all honesty, I think we have heard enough. It is time to act. We have deliberated long enough.

It's a very rare politician indeed that can please all of the people all of the time and I think we are all too well aware of that. But that's the nature of the game and I think we know that too. And so, here we are. Decision time. I know you have all given serious, serious consideration to this issue and for that I, and the Waitakere community, are grateful. It's not been an easy process and I applaud your consideration of the issue.

I also want to say I will respect the decision you make. Not everyone will be happy but I am sure that with the decision behind us we will continue to be a Council whose Councillors have excellent working relationships. A Council the local community can be rightfully proud of.

And now for some words from a number of people outside this Council whose opinions and views I hold in high regard.

Sir Edmund Hillary (Mountaineer)

As you probably know, I heartily support the establishment of the Waitakere Heritage Area. It is a magnificent piece of coastline and forest and Auckland is very fortunate to have it so close. The west coast of the Waitakere Ranges together with its surrounding hills is a wild and beautiful area that should be carefully protected.



Right Hon Jonathan Hunt (Former Speaker of the House, NZ Ambassador in London)

Legislation to protect the west coast and foothills is an excellent idea which would help develop Waitakere as a true eco-city. The four independent polls conducted over the past year show there is every justification for pushing ahead with what is in the best interest of everyone in this area.

Kevin Ireland (Author, Poet, Journalist)

I believe that this area should not be allowed to become just another suburban development of the Auckland region, but should be preserved for all Aucklanders to visit and enjoy as a wilderness area. I also believe this needs to be done now, and for all time.

Mike Lee (Auckland Regional Council Chairman)

The Auckland Regional Council is standing shoulder to shoulder with Mayor Bob Harvey, a majority of Waitakere City Councillors, local MPs and a clear majority of Waitakere residents to protect the Waitakere Ranges and foothills from a 'death by a thousand cuts'. The Waitakere Ranges Protection Bill sends a clear message against further subdivision and inappropriate development of this much loved scenic area.

Graeme Dingle (Author, Mountaineer, Explorer)

Auckland's wild west coast, and its surrounds, is a unique and natural wonder with its rugged coast and bush shrouded ranges. It is vital these features be protected for the benefit of future generations so I support the proposed legislation.

David Harré (Historic Places Trust and Long-Time Oratia Resident)

Our west coast and foothills need protection beyond local body time-scales. Legislation is the only way to achieve it.

Michael Jones (Former All Black)

The Waitakere Ranges are a treasure and icon, not only to the west, but to the Auckland region and to New Zealand. Any initiative to protect and sustain this wonderful area for the generations to come, I wholeheartedly support.

The Topp Twins (Entertainers)

As the Topp Twins, we have toured the world and seen some beautiful places, with the Waitakeres being one of the most magnificent native forests and coastlines. It must be saved at all costs. We totally support this being enshrined in law.

Ray Sefo (Boxer with Five World Title Belts, K-1 World Finalist)

The Waitakere Ranges is the final frontier of Auckland and its protection is very important to all of us.



John Law (Mayor Rodney District)

The Rodney District Council would like to thank the Waitakere City Council and the Auckland Regional Council for its acknowledgement of the 3800 hectares of ranges and foothills which fall within the Rodney District and for its inclusive approach to the watching brief Rodney has exercised. The Council is keenly aware that if it wishes to be a party to the bill, this is the opportunity. It is an opportunity which is contingent on the decisions of the Waitakere City Council and the Auckland Regional Council. We also know that our own analysis shows that the characteristics of the ranges and foothills that are valued in the Rodney District are indeed under threat. In response, Council is considering being a party to the proposed Bill and has reserved its decision to 26 May 2005.

If Council does decide to be a party to the bill, this proposed inclusion is highly important but is not expansive in the Council's Landscape Protection Zone and study area. This is an appropriate response at this time. Consultation with the Rodney community to date has been aligned with its watching brief and has been far less expansive than in Waitakere City.

I certainly acknowledge the very involved and committed consultation that you have completed in Waitakere City and which you will consider in making your decision. I have requested our Council be fully briefed on your decision of 24 May 2005 as an important consideration in our own deliberation on the matter on 26 May 2005.

Gary Taylor (QSO, JP)

They say that good things take time.

The idea of a Heritage Area for the Waitakere Ranges was first suggested around 1981. Now nearly 25 years later the council has the chance to show real leadership and make the vision a reality. The Heritage Area will of course be a living, working environment - one in which people will exercise their rights as landowners and farm and run lifestyle blocks as before. What it will hopefully prevent though, is continual subdivision and fragmentation of the area into smaller and smaller lots - steps along the inevitable pathway to urbanisation.

I would like to offer my personal congratulations to those who have shown leadership and courage in this matter. It hasn't always been easy. There are some who see only the returns from subdivision and have lost sight of the big picture. But they are a small minority. Most sensible people see the Heritage Area as a great way forward for Waitakere City and a means of providing greater clarity about the future for the ranges. The decision Council is to consider is one with a high moral purpose behind it - enabling future generations of our people to enjoy the outstanding qualities of the area as we have all done.

I wish you all well in your decision-making.

David Cunliffe (MP)

Nothing other than legislation fixes the problem of "cumulative effects" or "death by a thousand cuts". There are already many hundreds of buildable subdivided sites in the ranges and that won't change. But future consenting processes need to occur with the "big picture" in mind. Once the ranges are gone they are gone forever. There will always be new pressure to subdivide and develop. We need to manage these for the long term.

Public opinion on the issue varies but five scientific polls show a minimum of $\frac{2}{3}$ and maximum of 81 percent support legislation, including by a clear majority of local landowners. The issue has seen a number of large public meetings, with a record 800 turning out to support the bill and about 500 against. Community consultation in phase one also reflected about 80 percent support for a long term legislative solution. No bill is perfect but doing nothing is worse. This is our lifetime opportunity to leave a lasting legacy to our children and theirs.



Tim Shadbolt (Former Waitemata Mayor and Invercargill Mayor)

If a city or region is going to mean anything, have a future or provide sustenance for its people it must have an identity that it protects at all costs. Kaikoura has its whales, Queenstown its ski slopes, Rotorua its thermal pools and west Auckland its magnificent Waitakere Ranges and west coast beaches. Even though I am now a proud Southlander my spirit will always feel part of the commune at Huia, the family bach at Piha and the suburban home at Kaurilands. In an era of revolutionary changes these mountains were a sanctuary for the soul. Love them. Cherish them. Enjoy them. Protect them.

Jonah Lomu (sporting legend)

As a proud Aucklander and New Zealander, I have taken great interest in the campaign to protect the Waitakere Ranges. This iconic area with its beautiful native forests, hills and rugged west coast beaches is loved by Aucklanders of all ages. It's important we take good care of this area for the benefit of our kids. We are only guardians of such natural treasures.

Dr J Morgan Williams (Parliamentary Commissioner for the Environment)

It was in June 2000 I first became aware of growing concern in the Auckland region for the future of Waitakere Ranges and maintenance of its highly valued landscape and human heritage qualities. Discussions with Waitakere City Council representatives, community groups and landowners revealed concern for an area, embracing the regional park, water catchment areas and largely privately owned land of the eastern foothills and valleys. This land was at risk of devaluation from the cumulative effects of individual subdivision and development resource consent decisions. An investigation of sustainable development in peri-urban areas undertaken in 2001 included the Waitakere Ranges as a case study. This confirmed the Waitakere Ranges as a regionally significant Auckland landscape.

The 2001 study raised questions about the ability of established management systems, principally the Resource Management Act 1991 and the Local Government Act 1974, to deliver sustainable environmental outcomes in the Waitakere Ranges. The area crossed three local government jurisdictions and there appeared to be no effective mechanism to provide consistency of management and balancing of changing Council agendas at the local level. Further consideration of the issue was undertaken in a 2003 study looking at icon landscapes in the United Kingdom, Canada and South Africa. Like the Waitakere Ranges these landscapes included significant areas of privately owned land. The study found that icon landscapes require a high degree of Government intervention if ecological, aesthetic, open space, recreation, public access and cultural heritage values are to be protected. In the light of these studies my conclusion is that legislation is necessary for achieving environmentally sustainable development of the Waitakere Ranges.

The invitation from Members of Parliament to prepare and submit a local bill for consideration by the House of Representatives is an opportunity for the people of Waitakere to develop a long-term vision for the Waitakere Ranges. It provides an opening to establish additional mechanisms complementing and strengthening those of the Resource Management Act 1991 and the Local Government Act 2002. Ensuring that the bill complements the Local Government Act is vital because this act is an integral part of the management framework. However a prescriptive planning approach is only part of the answer. Planning needs to be supported by other initiatives such as flexible public-private partnerships, incentives for private landowners and public education.

I therefore commend the development of a local bill for favourable consideration by Councillors.



Sam Neill (Actor and Winemaker)

The protection of the wonderful, mysterious Waitakere Ranges deserves our urgent and staunch support.

Lynne Pillay (MP)

The long-term protection of the Waitakere Ranges (by way of a local bill) is a key issue for Waitakere City Council. The decision of whether to proceed with legislation has been the culmination of more than two years work on a project that has been 'in waiting' for more than 30 years.

The proposed legislation has unanimous support from all the Waitakere elected MPs, Auckland Regional Council and the vast majority of west Aucklanders, including landowners in the foothills. I have been appalled at the scare mongering and false information put out by a self interested minority.

I commend Waitakere City Council, both Councillors and staff, for the tremendous effort and funding that has been put into ensuring members of the community are fully informed of the facts and 'have their say'.

The Waitakere Ranges are not the only beautiful landscape in New Zealand but they are unique in that they have the country's major city on their doorstep - it is inevitable that there will be increasing pressure from development and subdivision; in fact we are experiencing it now. I believe we owe it to ourselves and our communities to protect our city's greatest natural treasure for generations to come.

Chris Carter (MP)

I am grateful to the Waitakere City Council and to Mayor Bob Harvey for taking the initiative on this issue by seeking to pursue a local bill. It certainly has the support of a vast majority of local residents, as my Te Atatu Community Survey has shown. Once passed, this landmark legislation will prevent the ranges from suffering a death by thousand cuts. It is a step long overdue and one that will have my full support in Parliament.

Paul Walbran (Auckland Regional Council)

Few people disagree that the Waitakere Ranges should be protected from urbanisation. The key question is how do we manage the transition from the urban area of our city to its iconic backdrop? The current district plan, as a result of the extensive consultation during its development, provides a broadly accepted means of achieving this. However, it is not a fail-safe mechanism and is vulnerable on two counts: Subdivision or development proposals outside of its rules (via non complying activities or private plan changes) and the 10 yearly review process. The legislation being considered addresses both these weaknesses by providing a framework in which such matters could be considered while at the same time having little effect on the great majority of consent applications which meet the intent of the district plan and fall within its rules.

Our western urban boundary is now at its natural limit if we are to achieve that widely accepted outcome of keeping urbanisation out of the ranges. If we are to be successful in managing that transition we must act now - if we don't, then even in 10 years time it may be too late.



John Edgar (President Waitakere Ranges Protection Society)

As Morgan Williams predicted four years ago; if the whole of the Waitakere Ranges area - including the foothills - is not given permanent protection, then the private land will come, in our lifetimes, to be suburbia. It is time to respect the will of the majority - including the majority of foothills landowners - and ensure our rural land stays rural for future generations. This matter has been the main focus of the Waitakere Ranges Protection Society over the past two years and we will continue to make it a priority until permanent protection is achieved. As a fully volunteer-run organisation we only have limited resources. We need to focus those resources on the other threats to the ranges which concern the people of Waitakere - threats from plant and animal pests and from unmanaged visitor growth. But we will continue to focus on inappropriate development until permanent protection is achieved because this threat is the most pressing.

And this threat is the most irreversible. Once concrete is down it stays down. We are very hopeful Waitakere City will continue its path to permanently protect the Waitakere Ranges and will vote to send the draft bill to Parliament for further work.

Annie Whittle (Actor)

I have lived in the Waitakere Ranges for 20 years. They are the living, breathing heart of Waitakere City. They define and enrich us. As residents we have an incontrovertible responsibility to protect this treasure from exploitation and vilification.

Mary Woodward (Author)

I support the Waitakere Ranges Heritage Area Bill because I believe legislation alone can ensure a vision I have for a vital community living and working in an environment close to nature and unspoiled by runaway development. Only legislation of this nature can remove the subjective application of planning bylaws by all-too-human planners who are vulnerable to pressure from developers, themselves under pressure from a burgeoning population.

Sandra Coney (Auckland Regional Council)

In the weekend I went and visited Waikumete Cemetery where my mother has just been buried with my Dad. The grave site was chosen years ago for its vista up to the Waitakere Ranges my parents loved. How different that view is from when we buried Dad in 1976. Now there is only a thin strip of green behind the sea of houses, and that thin strip is dotted with shiny rooves. Let's save what we still have for our children's children. The next generation will applaud our foresight in holding the line, just as we thank earlier ones for creating the Centennial Memorial Park.

Neil Finn (World Famous Musician)

The Waitakere Ranges are natural treasure for all the people of Auckland and visitors from afar. Being only 30 minutes from Auckland they offer a tranquil and beautiful retreat from the boxed in nature of the urban sprawl. It's good for the soul to walk around in there and I would strongly support the move to prevent these ranges being cut up and spoiled by further development.

Dick Hubbard (Mayor Auckland City)

Thank you for demonstrating your stewardship, leadership and custodial role in protecting the Waitakere Ranges. They are obviously a major asset for the whole region including all of our residents in Auckland City. We wish to acknowledge our appreciation for the proactive work you are doing to ensure the protection of these mountains and their surrounding foothills for future generations. We realise that this is not an easy task and there will be differences of opinion about how to do this.



Although we have not formally discussed this at an Auckland City Council meeting I believe I can say that the majority of Councillors support measures to protect this wonderful asset. Personally, I do support the special legislation approach you are proposing. We need to clearly reinforce the special nature and values of this place and make sure there are no gaps in its protection.

Let me remind you of the famous quote from a well known conservationist which goes something like this .. "Those that push for conservation may make uncomfortable neighbours but they make very good ancestors".

Mike Chunn (Former Split Enz Musician and Play It Strange Chief Executive Officer)

I have been visiting and staying at Bethells Beach on the Waitakere coast since 1958. The true wonder of that scenic wonderland is that it is mostly unchanged. A true rarity in today's world. Nestled against the great Waitakere Ranges, Bethells finds itself protected by these hills and hence it is imperative the environment is maintained; that there is a stability across the entire forest-lands for ever.

Without a strong policy on this, man in his ways will encroach and the gradual decline will begin. The time is right to consolidate the future of the Waitakere Ranges.

So there you have it - endorsements from some of New Zealand's most eminent people across all spheres of expertise and excellence.

In conclusion, I believe the deliberations, communications and consultation around this issue have been done well and with great understanding to our community. In that regard I would like to acknowledge the sterling work of Ann Magee, Graeme Campbell and their team - Fiona Johnston, Yvonne Rooney, Jenny Fuller, Bob Drey, Kim Morrese, Matt Heale, Jane Wallace, Julie Preston, Claudine Gysberts, Owena Schuster, Dai Bindoff, Wally Thomas, Craig Myles, Graeme McCarrison and his team, Philip Brown and his team and Emma Mosely, Simpson Grierson. Thanks also to Chief Executive Officer, Harry O'Rourke for his overall leadership and support.

I would also again like to acknowledge the Waitakere community, those who have opposed the bill and those who have supported it. They have made their views known and they have made their views known with strength and the courage of their convictions.

Now it is time and the hour is upon us to make a decision future generations I believe will acknowledge and applaud us for. I have carefully read, as I am sure you all have, the draft bill and it is best summed up in a newsletter from one of our communities which said this bill was in no way draconian or tyrannical. The newsletter said the bill does not give or will give the Council power to take away anything that is an inherited right and / or a right felt dear. It simply deals with the cumulative effect - not birds, cats, dogs, letterboxes, the colour of the roof or the paint of the weatherboards.

In fact the bill deals with the future in its noblest form. It acknowledges with respect the people who have lived in the ranges, those who live there now and those who will live there in the future in the lifestyle they have chosen, a lifestyle which can still be enhanced by new economic initiatives that are the right fit with this magnificent area. The bill also deals with keeping the foothills of the Waitakere Ranges as a green, lush and glorious legacy to future generations.

The ranges and the foothills are now in our hands.

RECOMMENDATION

That the Report of the Mayor be received.

RA Harvey, QSO, JP
MAYOR OF WAITAKERE CITY