



**AGENDA FOR A MEETING OF THE POLICY AND STRATEGY COMMITTEE TO BE HELD  
AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,  
WAITAKERE, ON THURSDAY, 7 AUGUST 2008  
COMMENCING AT 9.30 AM**

---

**TABLE OF CONTENTS**

<b><u>ITEM</u></b>		<b><u>PAGE NO.</u></b>
1	<b>APOLOGIES</b>	<b>1</b>
2	<b>URGENT BUSINESS</b>	<b>1</b>
3	<b>CONFLICTS OF INTEREST</b>	<b>1</b>
4	<b>CONFIRMATION OF MINUTES</b>	<b>1</b>
5	<b>WAITAKERE RANGES HERITAGE AREA ACT 2008</b>	<b>2</b>
6	<b>LOCAL AREA PLANS UNDER THE WAITAKERE RANGES HERITAGE AREA ACT 2008</b>	<b>14</b>
7	<b>DRAFT ENVIRONMENT STRATEGY REPORT</b>	<b>28</b>
8	<b>DRAFT LOCAL ACTION FOR BIODIVERSITY - BIODIVERSITY ACTION PLAN REPORT</b>	<b>32</b>
9	<b>HOT ROT PROCESS TO COMPOST DISPOSABLE NAPPIES</b>	<b>35</b>
10	<b>METROPOLITAN URBAN LIMIT SHIFT - INTEGRATED CATCHMENT MANAGEMENT PLAN RESOURCE CONSENT CONDITIONS</b>	<b>41</b>
11	<b>PROPOSED WAITAKERE AGRICHEMICAL REDUCTION POLICY</b>	<b>45</b>
12	<b>DRAFT REGIONAL ARTERIAL ROAD PLAN</b>	<b>50</b>
13	<b>FINALISING THE WAITAKERE DISABILITY PLAN</b>	<b>59</b>
14	<b>ROYAL COMMISSION - ISSUES AND UPDATES</b>	<b>61</b>

**AGENDA FOR A MEETING OF THE POLICY AND STRATEGY COMMITTEE TO BE HELD  
AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,  
WAITAKERE, ON THURSDAY, 7 AUGUST 2008  
COMMENCING AT 9.30 AM**

---

**1 APOLOGIES**



**2 URGENT BUSINESS**

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the Committee by resolution so decides; and
- (ii) the Chairman has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion and decision, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting.

The Committee may make a decision on a matter determined to be urgent.

**NOTE:** Urgent Business need not be dealt with now and may be delayed until later in the meeting.



**3 CONFLICTS OF INTEREST**

The Council has acknowledged in its Code of Conduct that Elected Members need to be vigilant to stand aside from decision making when a conflict arises between their role as a member of the Council and any private or other external interest they might have. This note is provided as a reminder to members to check that no such conflicts arise in relation to any items on this agenda.



**4 CONFIRMATION OF MINUTES**

Meeting Minutes - Thursday, 3 July 2008

**RECOMMENDATION**

It is recommended that the Policy and Strategy Committee resolve to:

**Receive** the minutes of the meeting of the Policy and Strategy Committee held on Thursday, 3 July 2008, as circulated, and that they be taken as read and now be confirmed.



## 5 WAITAKERE RANGES HERITAGE AREA ACT 2008

### GLOSSARY

Auckland Regional Council	(ARC)
Local Area Plan/s	(LAP/s)
Local Government Act 2002	(LGA)
Policy and Strategy Committee	(the Committee)
Resource Management Act 1991	(RMA)
Rodney District Council	(RDC)
Waitakere City Council	(the Council)
Waitakere Ranges Heritage Area Act 2008	(the Act)
Waitakere Ranges Heritage Area Bill	(the Bill)
Waitakere Ranges Heritage Area	(Heritage Area)
Local Government and Environment Select Committee	(Select Committee)

### EXECUTIVE SUMMARY

The Waitakere Ranges Heritage Area Act 2008 (the Act) was passed on 2 April 2008 and received royal assent on 8 April 2008. The Act allows for a greater level of protection for the heritage values of the Waitakere Ranges (Heritage Area). The Waitakere Ranges Heritage Area Bill (the Bill), leading to the Act, was a local Bill jointly promoted by Waitakere City Council (the Council), the Auckland Regional Council (ARC), and Rodney District Council (RDC).

This report presents the Policy and Strategy Committee (the Committee) with an analysis of the Act, its implications, requirements and potential opportunities for its implementation by the Council. The Act will be predominantly implemented by the councils within the framework of existing legislation. Relevant legislation includes the Resource Management Act 1991 (RMA) and the Local Government Act 2002 (LGA). The Act must be considered in the preparation and review of the Auckland Regional Policy Statement, the Auckland Regional Growth Strategy, the Council District Plan, the RDC District Plan and in making a decision on resource consents, designation and heritage orders in the Heritage Area (sections 13 to 15). Pursuant to section 17, the Act's purpose and objectives must be considered when making any decision that relates to the Heritage Area under the LGA.

The Act has implications for the Council as a policy maker, as a decision maker on resource consent applications, and as an advocate during statutory consultation processes. It also has implications for the Council in the provision of infrastructure and services and the management of Council-owned land in the Heritage Area.

New tools are created under the Act to help recognise and promote the protection and enhancement of the Heritage Area including Heritage Area covenants, Local Area Plans (LAPs) and the use of deeds of acknowledgement to recognise the relationships between Tangata Whenua and any public land. The Act also requires compulsory monitoring and joint reporting by the Council, ARC and RDC on the state of the environment of the Heritage Area and progress to achieving its objectives.

The future of the Political Liaison Group (comprising the Councillors from the Council, ARC and RDC, local Members of Parliament and stakeholders) active during the Waitakere Ranges and Foothills Protection Project should also be considered. On 1 July 2008 the ARC's Regional Strategy and Planning Committee resolved to write to the Council and RDC to initiate a dialogue on the future of the Political Liaison Group, on the basis of ensuring there is integration and alignment between the councils in the implementation of the Act.

Officer training on the requirements of the Act has been undertaken with those Council officers charged with the day to day administration of the Act's requirements (e.g. consents) and customer services. Public information has been prepared and further information will be continued to be developed to ensure residents, applicants and interested parties are aware of the Act's purpose and requirements.

### **RECOMMENDATION**

It is recommended that the Policy and Strategy Committee resolve to:

**Receive** the Waitakere Ranges Heritage Area Act 2008 report.

### **BACKGROUND**

#### **Waitakere Ranges and Foothills Protection Project**

1. The proposal for new legislation was a component of the Waitakere Ranges and Foothills Protection Project. The goal of this project is:

*“Through a partnership of iwi, Waitakere City Council, Auckland Regional Council, Rodney District Council and local members of Parliament, and in close consultation with stakeholders, to find and implement ways of achieving better long-term protection for the natural and landscape values of the Waitakere Ranges and West Coast.”*

2. The Waitakere Ranges and Foothills Protection Project, initiated by the Council, commenced in 2002 and following research and community consultation, a number of regulatory and non-regulatory options, including the concept of new legislation were discussed.
3. The other elements of the project package to achieve greater protection for the area included:
  - Changes to the Auckland Regional Policy Statement and the Council District Plan;
  - The establishment of a trust;
  - Seeking World Biosphere Reserve status;
  - Long term planning through Long Term Council Community Plans;
  - Voluntary methods and incentives; and
  - Establishment of core Council officer teams, particularly in consent administration.
4. Officer resources were primarily directed towards supporting the progress of the Bill through Parliament and its final assent. Now that this milestone has been achieved, officers are focussed on the implementation of the Act. This matter is addressed below from paragraph 27.

#### **Political Liaison Group**

5. In April 2003, a Political Liaison Group was established for the project, composed of Waitakere Councillors and councillors from the ARC and later also RDC, local Members of Parliament Lynne Pillay and David Cunliffe, and representatives of Te Kawerau a Maki and Ngati Whatua.

6. While each council has an officer group supporting their respective council, the three council's officer groups collaborated on managing the overall process, and supporting the Political Liaison Group through a joint officers group. Once work on processing and consulting on a Bill started, the legal firm Simpson Grierson was engaged jointly by the councils to draft the legislation and organise its notification. They then represented the councils during the Local Government and Environment Select Committee (Select Committee) process and negotiations with Parliamentary and Ministerial Officials.
7. The process that lead to the development of the Bill involved a large number of community groups, stakeholders, political representatives and central and local government officials.

#### **Select Committee Process**

8. The Bill was introduced to Parliament, sponsored by Lynne Pillay, Member of Parliament for Waitakere, on 1 February 2006. The Bill received its first reading on Wednesday, 22 February 2006 and was referred to the Select Committee.
9. The promoters of the Bill lodged a comprehensive joint submission with the Select Committee in support of the Bill. The Select Committee held public hearings on the 20 and 21 July 2006 at the Waitakere Trust Stadium and 3 August 2006 in Wellington. The hearings were well attended by both those supporting and opposing the Bill. The promoters of the Bill were represented by Mayor Bob Harvey, Chairman Mike Lee and the then Rodney District Mayor John Laws, who gave a joint 20 minute presentation.
10. Officers of the three promoting councils were twice invited to Wellington to brief the Select Committee and directly answer questions. The first briefing was on 15 June 2006, prior to the public hearings, and comprised a presentation and questions (although time was limited). Comprehensive written responses to all the questions were prepared and provided to the Select Committee.
11. Following the completion of the public hearings, the Select Committee forwarded 21 further questions for the promoters to prepare written responses to, and invited officers to Wellington to speak to the questions on 3 August 2006. The House granted an extension for the Select Committee's report on the Bill to November 2006. The Select Committee directed that Parliamentary officials work with the Bill's promoters until the end of January 2007, in the preparation of the officers' final reports to the Select Committee. In this period there was intensive dialogue with a number of ministries and departments to resolve issues, and positions reached were reported to delegated Councillors for approval. The Select Committee reported to the House on 24 May 2007.

#### **Second Reading, Committee of the House and Third Reading**

- A1-A25
12. The Bill received its second reading on 19 September 2007. The House in Committee debated the Bill part by part on 20 February and 12 March 2008. Supplementary Order Papers were promoted by a number of Members during the Second Reading and Committee of the House stages, with amendments by the Government, Pita Sharples (Maori party) and Taito Philip Field being adopted by the House. The content of the Supplementary Order Papers were subject to considerable negotiation between the respective members and the promoters prior to their tabling in the House. The Bill received its third reading on 2 April 2008 and passed by 61 to 60 votes. A copy of the Act is attached at pages A1 to A25 of the supplement.

### Previous Council Resolutions

13. At the Council meeting of 24 May 2005 it was resolved:

*“That the Waitakere Ranges Heritage Area Bill report be received.”*

862/2005

14. The City Development Committee meeting of 7 December 2006 resolved:

*“2. That the City Development Committee authorises Council officers to undertake targeted discussions with key stakeholders on the draft Local Area Management Plan policy framework and report back to Council on the initial feedback prior to any formal consultation.”*

2500/2006

15. The outcomes of the discussions are reported to the Committee in an associated agenda report on Local Area Plans and the Waitakere Ranges Heritage Area Act 2008.

### Purpose and Significance of the Act

16. The purpose of the Act (section 3(1)) 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.”*

17. To achieve this, the Act (section 3(2)):

*“(a) establishes the Waitakere Ranges heritage area; and  
(b) states its national significance; and  
(c) defines its heritage features; and  
(d) specifies the objectives of establishing and maintaining the heritage area; and  
(e) provides additional matters for the Auckland Regional Council, Rodney District Council, Waitakere City Council, and certain other persons to consider when making a decision, exercising a power, or carrying out a duty that relates to the heritage area.”*

18. The Act recognises the national, regional and local significance of the Heritage Area, incorporating the Waitakere Ranges as well as the coastal villages (e.g. Piha, Karekare and Huia etc) and parts of the foothills (e.g. Oratia, Opanuku and Swanson, etc).

19. The Act will meet the challenge of maintaining the character of the rural, coastal and bush areas of the Heritage Area on the doorstep of New Zealand's biggest and fastest growing City. The new legislation responds to concerns 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.

20. The Act will function to develop a future benchmark of what the people of the Waitakere ranges would like their communities and environment to be in 10, 50 and 100 years time, preserving the existing character of the communities and the transition from the city's urban areas to the Heritage Area's rural, bush and coastal areas.

#### **Amendments made to the Bill through the Parliamentary Process**

21. A comprehensive and lengthy parliamentary process involving a public hearing, written public submissions and consultation with, and consideration by, Select Committee Members, other Members of Parliament as well as input by Parliamentary and Ministerial advisers, resulted in a number of amendments to the Bill as proposed by the promoters. In accordance with the normal Parliamentary process, the changes have come about in response to suggestions received from four main sources:

- Amendments arising from public submissions on the original Bill;
- Amendments suggested by parliamentary officials and advisers (including the Ministry for the Environment, the Ministry of Local Government, the Ministry of Justice, and the Department of Conservation);
- Drafting and formatting amendments recommended by Parliamentary Counsel; and
- Further amendments proposed through Supplementary Order Papers by Members of Parliament after the Bill was reported back from the Select Committee.

22. While multiple individual amendments have been made to the wording, format and drafting of the Bill, all the changes accord with and retain the intent of the original policy statement prepared at the Bill's introduction into Parliament by the promoters. Critically, the Act retains and delivers on the original purpose:

*"To recognise the national, regional and local significance of the Waitakere Ranges Heritage Area and promote the protection and enhancement of its heritage features for present and future generations."*

23. The 27,720 hectares Heritage Area, with the boundary jointly determined and promoted by the Councils, has been established. The fundamental goal of the councils to seek a special statute that contains as high a statutory test as possible that will ensure the critical issues are fully and properly considered during resource consent applications, plan preparation processes and relevant local government decisions in the Heritage Area, has been achieved.
24. The final form of the Act fits within the existing statutory framework (including the RMA and the LGA) and adopts the current drafting conventions.
25. Helpfully, the parliamentary process has resulted in a more polished and overall improved piece of legislation that has been robustly and thoroughly considered and debated by all stakeholders.
26. The versions of the Bill that were prepared following the Select Committee stage and the Committee of the House stage show wholesale strike outs and insertions into the Bill. This is somewhat misleading as it doesn't reflect the actual number, extent or significance of the amendments. The legislative drafting process requires that whole clauses be deleted even when only one or two words have been changed.

- A26-A44 27. In general, the amendments made to the Bill during the Parliamentary process have not changed the effect or policy intent of the Act. Rather, the amendments have been made to clarify the wording and ensure the Act is consistent with the existing general laws including the RMA and the LGA. In particular, the purpose of the Bill and the central clauses containing the heritage features and the objectives have been retained although once again some minor wording refinements for clarification and consistency purposes have been made. A full analysis of the amendments made to each Clause of the Bill along with a discussion of the significance of each amendment is attached at pages A26-A38. A section by section analysis of the Act based on the clause by clause analysis that was included in the Bill as introduced into Parliament is provided at pages A39 to A44 of the supplement.

## DECISION MAKING

### Issues

#### Implementation Requirements of the Act

28. The Act will be implemented by the Council, ARC and RDC as well as other parties, including the Department of Conservation, landowners within and adjoining the Heritage Area, and Tangata Whenua. The Act operates predominantly within the framework of existing legislation, including the RMA and the LGA.
29. In relation to the RMA, the Act requires that its purpose and objectives are given effect to in the preparation and review of the district plans and plan changes (section 12) and on decision making on designations and heritage orders (section 15). The Council must have particular regard to the Act's purpose and objectives on the consideration of applications for resource consents lodged since its enactment (sections 13 and 14).
30. Under the Act, additional tools are created to help recognise and promote the protection and enhancement of the heritage area. The Act allows for the use of Heritage Area covenants, to be entered into between a landowner and the relevant council (section 23). Covenants are not compulsory and may include, amongst other things, contributions by the councils to assist with the management of the subject land in achieving the purposes of the Act and its objectives.
31. The Act also provides for the preparation of LAPs (sections 25 to 28) so as to inform decision making processes as they relate to particular local areas. The LAPs are to be prepared in consultation with local communities with the purpose of establishing goals for the future amenity, character and environment of the local area and to provide for the community's well being. The agenda report titled "Local Area Plans under the Waitakere Ranges Heritage Area Act" address LAPs in further detail.
32. Relationships between Tangata Whenua and any public land in the Heritage Area may be recognised through a deed of acknowledgement (sections 29 to 32). The purpose of deeds is to identify opportunities for Tangata Whenua to contribute to the management of this land.
33. In addition, the Act requires compulsory monitoring (section 34) including the state of the environment within the Heritage Area, the progress made in achieving the objectives of the Act and the impact on funding of giving effect to the Act. The Council, ARC and RDC must monitor and every five years jointly produce, and each adopt, the report on monitoring and state of the environment.

34. Pursuant to section 17, the Act's purpose and objectives must be considered when making any decision that relates to the Heritage Area under the LGA.

### **Responsibilities of the Council**

35. While the Act will not substantially change 'what' the Council does, it does effect 'how' the Council does things. There are implications for Council as a policy maker, as a decision maker on resource consent applications, as an advocate during statutory consultation processes undertaken by ARC and RDC as well as having implications for the Council as the owner of land within the Heritage Area.

### **District Plan**

36. The Council as a policy maker is required under the provisions of the Act to consider the purpose and objectives of the Act in the preparation and review of the District Plan and in the preparation of proposed plan changes. The review of the District Plan is due in 2013. All plan changes that affect land or activities in the Heritage Area need to demonstrate in the section 32 analysis that the change must give affect to the purpose of the Act and the objectives. When evaluating a district plan, change or variation the Council must consider whether the plan, change or variation is the most appropriate way to achieve the objectives of the Act (having regard to its purpose). Recently Plan Change 26 which include minor amendments to the human environment rules included a section 32 assessment against the Act, and officers have updated the relevant templates to include the requirements of the Act.

### **Resource Consents**

37. The Act provides an overarching and complementary layer of policy and objectives providing guidance to the Council, ARC and RDC when making decisions that relate to the Heritage Area under the RMA. The Act works largely within the framework of the RMA by overlaying the Act's purpose and objectives (including consideration of the heritage features) on the RMA process.
38. The Act came into effect from Wednesday, 9 April 2008. It is forward looking and only applies to resource consents and planning documents lodged or notified from Wednesday, 9 April 2008.
39. Sections 3, 7, 8, 13 and 14 of the Act are the most relevant to the preparation of resource consent applications for activities in the Heritage Area. The Act does not generate new resource consent triggers and relies on the District Plan to determine whether consent is required or not, and where consent is required its activity status. For activities that require resource consent it adds additional matters for consideration by Council in making a decision. The Council expects that applications within the Heritage Area will be prepared giving particular consideration to the tests established by section 13 of the Act. The Act works well with the existing policies of the District Plan and as a consequence it doesn't create a significant amount of extra assessment or consideration.
40. In preparation for the commencement of the Act, officers had been organising systems, training and public information on the Act and its requirements for the resource consent process. Briefings were held for Councillors and officers, particularly resource planners. Assessment processes, forms and report templates were also updated to ensure consistency in the use and interpretation of the Act. The Strategic Advisor: Waitakere Ranges has been supporting the resource planners through review of applications, joint review sessions to discuss any issues resulting from proposals and in the peer review of reports.

41. The aim has been to establish systems and processes to ensure that resource consent applications are appropriately considered against the legislation with the minimum of additional time involved in processing. Anecdotally it has been reported that the processes are working well, the requirements of the Act have not affected statutory timeframes and the use of templates and assistance of officers in training and support of the resource planners is ensuring that no significant costs are occurring. This matter is being monitored to ensure that the systems and processes are effective.
42. Public information on the Act has been made available, including advice on what to consider when applying for resource consent. Further information will be developed and made available on Council's website and through customer services. Customer services managers have been briefed and enquiries dealt with using this new information. Electronic systems have been updated to illustrate the boundary on the geographic information system maps and the online District Plan illustrates the Heritage Area, with hard copy updates planned for the next printing. A newsletter is being prepared and will be sent to residents of the Heritage Area advising them on the requirements of the Act.

### **Local Area Plans**

43. The LAPs are a method for local planning introduced by the Act. LAPs are intended to contribute to achieving the purpose of the Act and its objectives, particularly those relating to the Heritage Area's distinctive communities. They allow the recognition of the wellbeing and amenity of local areas and communities within the national interest expressed elsewhere in the Act. LAPs are not to be in conflict with that wider interest, but to have their own place within that framework.
44. LAPs are a new mechanism specifically framed around the geography, heritage and social conditions of the Heritage Area and the objectives of the Act. LAPs were included in the Act to allow the localising of the Act's objectives and the identification of distinctive local heritage features. They will also recognise that there are different opportunities and constraints in each area and community, and quite different elements that contribute to the character and amenity of these areas.
45. LAPs will address and contribute towards the achievement of:
  - i) Long-term certainty about the character of the area and long-term consistency of approach by regulatory agencies and land-use planning.
  - ii) The avoidance of adverse cumulative effects of development on the amenity, environment and liveability of places in the Heritage Area.
  - iii) Defining "amenity" and "future amenity", so that they have improved certainty of meaning. That is, so that 'amenity' is no longer treated as just an ephemeral, subjective, personal and changing matter, but one that can be measured, planned for, and used to give long-term confidence.
  - iv) Enunciating the parameters and boundaries of "transition" from historical but redundant rural character to new, vital rural character in the foothills to maintain a qualitatively different (non-urban) edge to metropolitan Auckland.
  - v) Providing for the limits to growth of isolated and confined coastal villages, the rural foothills and those parts of the Heritage Area inside the Metropolitan Urban Limits around Titirangi.
  - vi) Bridging the policy gap and making policy connections between land-use planning and social, economic, environmental and cultural wellbeing of communities in the Heritage Area.

- vii) Ensuring the maintenance and enhancement of community distinctiveness, character and identity within the Heritage Area framework.
  - viii) Framing futures for these areas that take a sustainable development approach, where people are the centre of concern, and where people have the expectation to live healthy, productive lives in harmony with nature.
46. A separate report is included in this agenda on the implementation of the LAP provisions of the Act.

### **Related Projects in the Waitakere Ranges Heritage Area**

#### **Rural Economic Development**

47. The Act recognises that, while the majority of the Area needs to be protected, people also live and work in the Area's distinctive communities. Objective 8(i) seeks to provide for these people's social, economic, environmental and cultural well-being. Objective 8(j) also recognises that to retain a rural character in the Foothills provision needs to be made for 'future rural uses'.
48. The current policies and rules of the District Plan only provide for horticulture, agriculture, filming and home occupations. Non-Residential Activities (other than home occupations) which may be appropriate in the Heritage Area fall into the discretionary or non-complying activity status. The District Plan is silent on matters of appropriate scale, context and location for non-residential activities; there is the potential for this lack of guidance to lead to inappropriate proposals for development.
49. The Foothills and Countryside Environments of the District Plan provide an edge to the urban areas of the City and, in the case of the Foothills, provide a buffer of rural land between the urban area and the Auckland Regional Park. Land use activities in the Foothills have changed over time, overcome by economic changes in production, scale and competition, with many of the farms and orchards now not productively used, or managed as lifestyle properties. The Act recognises that in order to maintain a rural character, planning frameworks need to manage the transition to future rural uses, rather than necessarily protecting the existing uses. The question is what uses are appropriate and how are these encouraged through relevant strategies, policies and rules (and inappropriate activities discouraged).
50. The challenge in providing for economic and non-residential activities is twofold. Firstly, there is the need to ensure that any activities are of an appropriate scale, context and character so as to manage their effects and ensure that "urban activities" - i.e. activities that have an urban character because of their nature, scale or context - are not inappropriately located in the Heritage Area. Secondly, many individuals and communities in the Heritage Area do not want additional non-residential activities because of potential effects on character and amenity.
51. To advance the requirements of the Act, the Waitakere Ranges Visitor Strategy (a joint project between ARC and the Council), the City's Economic Development Strategy and to develop LAPs for communities in the Heritage Area, the Council needs to undertake studies and engage the community in the consideration of what activities provide for the wellbeing of the Area's distinctive communities and in the case of the Foothills what could be considered a future rural land use.

52. Consequently, the Council has engaged Dr Morgan Williams (former Parliamentary Commissioner for the Environment) to undertake interviews with stakeholders and produce a conceptual, aspirational study of the opportunities that can be achieved in Waitakere now it has a Heritage Area enshrined in the Act. It will address the relationship between the Heritage Area and the rest of the City and region as well as examining the potential for further evolution of rural activities within the area. The context for the study will be one of sustainable development. This is to signal that while the intent of the Act is to protect a range of important values, it is also about enabling ongoing utilisation of privately held lands within the Heritage Area.
53. Further research will also be undertaken to identify the types of activities that could be appropriate to be provided for in the Heritage Area and to establish a vision as to what the future rural uses of the area may be. This research will be reported to the Committee in February 2009.

### Technical Reports

54. The Council has commissioned three landscape assessments as part of the Waitakere Ranges and Foothills Protection Project and related to evidence prepared for the Local Government (Auckland) Amendment Act 2004 hearings. Two further studies were also prepared as part of the Council's submissions and hearing evidence to the ARC's Plan Change 6 and 8 to the Auckland Regional Policy Statement. These studies were undertaken by Melean Absolum Limited Landscape Architects and are titled:

- Waitakere Ranges Landscape Study (Stage 1), August 2004;
- Auckland Regional Policy Statement: Plan Change 8 - Outstanding Natural Landscapes, October 2005;
- A45-A68 • Waitakere City's Coastal Villages Landscape Assessment - Part 1, Piha, December 2005 is attached at pages A45 to A68 of the supplement;
- A69-A126 • Rural Landscape Assessment & Appendix, October 2006 is attached at pages A69 to A126 of the supplement; and
- A127-A189 • Waitakere City's Coastal Villages Landscape Assessment - Part 2, February 2008 is attached at pages A127 to A189 of the supplement.

55. These reports:
- Identified appropriate landscape units across the Heritage Area;
  - Identified the character in the context of the location and landscape units identified;
  - Identified the quality of the landscape units and their sensitivity to change, particularly increased residential density and changes in land use;
  - Discussed the role of the foothills and coastal villages in relation to the Ranges, in landscape terms, including consideration of whether some parts of the areas have a greater relationship than others;
  - Identified different management approaches within areas not identified as Outstanding Landscape in order to ensure protection of areas of Outstanding Landscape;
  - Reviewed past landscape work in the foothills (a total of 11 reports); and
  - Identification of a boundary, from a landscape perspective, for the Waitakere Ranges.

- 56 The reports form the basis of a body of information and research on the landscape characteristics of the Heritage Area.
- A190-A248 57. The Council also commissioned an ecological assessment of Waitakere's Rural Areas. The study was undertaken by Sarah Flynn of Golder Associates (formerly Kingett Mitchell Ltd). The study is titled "Ecology of Waitakere's Rural Areas" dated October 2007 are attached at pages A190 to A248 of the supplement.
58. The study was prepared in response to Council's request to clarify the environmental context of the rural parts of the City as components of the Green Network. The study divided the City's rural areas into 6 geographic zones. These zones were defined primarily by water catchments. Consideration was also given to existing land use and the level of modification within each zone. Each geographic zone (e.g. Western Coastal Area) was then further subdivided into Ecological Units (e.g. Piha and Karekare) and the ecological features of each were documented. Broad vegetation types/habitats were described and a summary of stream health (if known) and fauna presence (again if known) were also presented. Most of the data was obtained from previous research and as such the report provides a summary of ecological characteristics in the rural area. The report also provided an overview of any land use opportunities or constraints for each ecological unit as well as potential restoration opportunities.

#### **Community Information Packs**

59. In partnership with the West Coast Plan Liaison Group, the Council is preparing 2000 community information packs which will be available to homeowners in the Heritage Area. The packs include information on a wide range of actions that landowners can undertake to protect their local area, including weed eradication, pest management and wastewater system upgrades. This information is likely to be distributed during August 2008 and is part of Council's advocacy role in ensuring that residents have the information necessary to manage their local area.

#### **STRATEGIC CONTEXT**

60. The purpose of the Act is to recognise the national, regional and local importance of the Heritage Area, and to promote the protection and enhancement of its heritage features for present and future generations.
61. The protection of the Heritage Area is a central objective of the "Green Network" Platform of the Council's Long Term Council Community Plan 2006-2016. The 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.
62. The Waitakere Ranges and Foothills Protection Project complements the Growth Management Strategy, the Auckland Regional Growth Strategy, and policies in the Auckland Regional Policy Statement. The Act seeks to avoid unplanned creeping urban expansion, beyond the Metropolitan Urban Limits, that would destroy the rural and natural character of the Heritage Area. At the same time, the continued existence and sustainable development of the diverse local communities in the area is also an objective of the Act.

## CONSULTATION

63. During the development of the Bill, the promoters made efforts to contact, and consult with, every landowner. The councils have kept all landowners informed of the project since legislation was first proposed in December 2004. During the development of the legislation landowners received invitations from the councils' to participate through questionnaires, written submissions and to attend 38 public meetings. Six surveys were commissioned to canvass the appropriateness of a legislative response to the issues facing the Heritage Area. The councils believe that the majority of landowners and the community generally do agree with the legislation.
64. After the first reading, the Bill was referred to the Select Committee, which sought written submissions and in July 2006, heard oral submissions from those who expressed an interest, including those who opposed the Bill. The Select Committee considered the submissions and reported back to Parliament with a recommendation of support of the Bill. The Select Committee's report noted that the Council had consulted extensively on the proposed legislation.
65. It is noted that there are specific consultation requirements in the Act for Tangata Whenua, namely Te Kawerau A Maki and Ngati Whatua. These consultation requirements relate to opportunities to participate in the implementation of the Act where it relates to public land (section 33) and in the Local Area Plan process (section 26). A partnership agreement exists between Council and Te Kawerau A Maki and the Mayor has written to Ngati Whatua seeking a discussion on their involvement in the implementation of the Act.

## RESOURCES

66. No additional resources are required to implement this course of action. The promotion of the Bill and its implementation is funded in the Annual Plan 2008/2009 and planned for in the Long Term Council Community Plan 2006-2016. Funding for LAPs is \$100,000 per year for seven years.
67. Funding for implementation of LAPs will be considered on a year by year basis in the Annual Plan as the LAPs are developed in the implementation plan.

## IMPLEMENTATION ISSUES

68. Implementation issues are addressed in paragraphs 27 to 45 above.

**Report prepared by:** Mark Tollemache, Strategic Advisor, Waitakere Ranges.



6 **LOCAL AREA PLANS UNDER THE WAITAKERE RANGES HERITAGE AREA ACT 2008**

**GLOSSARY**

Auckland Regional Council	(ARC)
Integrated Catchment Management Plan/s	(ICMP/s)
Local Area Plan/s	(LAP/s)
Local Government Act 2002	(LGA)
Policy and Strategy Committee	(the Committee)
Resource Management Act 1991	(RMA)
Rodney District Council	(RDC)
Waitakere City Council	(the Council)
Waitakere Ranges Heritage Area Act 2008	(the Act)
Waitakere Ranges Heritage Area Bill	(the Bill)
Waitakere Ranges Heritage Area	(Heritage Area)

**EXECUTIVE SUMMARY**

The purpose of this report is to enable the Council to make a decision on the timing and sequence of the development of the first Local Area Plans (LAPs), as provided for by the Waitakere Ranges Heritage Area Act 2008 (the Act).

The report addresses the LAP requirements of the Act, describes the investigations undertaken by Council officers in preparation for development of the LAPs, proposes policies in respect to how Council may develop a LAP, and describes options for sequencing and timing of the initial LAPs.

The options for sequencing and timing of LAPs are proposed to be discussed in the workshop during the course of the Policy and Strategy Committee (the Committee) meeting.

**RECOMMENDATIONS**

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Local Area Plans under the Waitakere Ranges Heritage Area Act 2008 report.
2. **Agree** priority areas for the initial Local Area Plans and adopt a sequence in which those plans will be developed.
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.

**BACKGROUND**

**Previous Council Resolutions**

1. At the Council meeting of 24 May 2005 it was resolved:

*“That the Waitakere Ranges Heritage Area Bill report be received.”*

862/2005

which addressed the provision of Local Area Management Plans, a precursor of LAPs.

2. The City Development Committee meeting of 7 December 2006 resolved:

*“2. That the City Development Committee authorises Council officers to undertake targeted discussions with key stakeholders on the draft Local Area Management Plan policy framework and report back to Council on the initial feedback prior to any formal consultation.”*

2500/2006

### **Introduction**

3. The Act was enacted on 9 April 2008. The Act has as its purpose the recognition of the national, regional and local significance of the Waitakere Ranges Heritage Area (Heritage Area) and the protection and enhancement of its heritage features for present and future generations.
4. Section 25 of the Act provides for the preparation of LAPs. LAPs are a new planning mechanism specifically framed around the geography, heritage and social conditions of the Heritage Area and the objectives of the Act. LAPs were included to localise the Act's objectives and to identify distinctive local heritage features. The LAPs will also recognise that there are different opportunities and constraints in each community, and quite different elements that contribute to the character and amenity of these distinctive communities. A LAP is concerned with long-term community planning and certainty, and will have a focus on addressing matters within a local area beyond the planning horizon of the District Plan.
5. LAPs address the issues raised by the community during the extensive consultation undertaken by the Bill's promoting councils (Waitakere City Council (the Council), Auckland Regional Council (ARC) and Rodney District Council (RDC) between 2002 and 2005.

### **Policy Position**

6. LAPs are an essential element, designed to counterbalance the national interest of the Act with guidance on what the features and objectives of the Act mean in a local context. LAPs have an important role to play in the implementation of the Act. As expressed in correspondence to the Local Government and Environment Select Committee during the consideration of the Bill, LAPs will address and contribute towards the achievement of:
- i) Long-term certainty about the character of the area and long term consistency of approach by regulatory agencies and land use planning.
  - ii) The avoidance of adverse cumulative effects of development on the amenity, environment and liveability of places in the Heritage Area.
  - iii) Defining “amenity” and “future amenity”, so that they have improved certainty of meaning. That is, so that ‘amenity’ is no longer treated as just an ephemeral, subjective, personal and changing matter, but one that can be measured, planned for, and used to give long-term confidence.
  - iv) Enunciating the parameters and boundaries of “transition” from historical but redundant rural character to new, vital rural character in the foothills to maintain a qualitatively different (non-urban) edge to metropolitan Auckland.
  - v) Providing for the limits to growth of isolated and confined coastal villages, the rural foothills and those parts of the Heritage Area inside the Metropolitan Urban Limits around Titirangi.

- vi) Bridging the policy gap and making policy connections between land-use planning and social, economic, environmental and cultural wellbeing of communities in the Heritage Area.
- vii) Ensuring the maintenance and enhancement of community distinctiveness, character and identity within the Heritage Area framework.
- viii) Framing futures for these areas that take a sustainable development approach, where people are the centre of concern, and where people have the expectation to live healthy, productive lives in harmony with nature.

## DECISION MAKING

### Issues

#### Requirements of the Act

A1-A25

7. The text of Sections 25 to 28 of the Act is attached at pages A1 to A25 of the supplement. Section 25 of the Act provides for Council to prepare and adopt a LAP for a local area that is within the Heritage Area. The purpose of a LAP is to:
  - i) Promote the purpose of the Act and its objectives (from section 8).
  - ii) Provide objectives, particularly long-term objectives relating to the *future* amenity, character and environment of the local area; and the wellbeing (including social and economic wellbeing) of the local community.
  - iii) Inform decision-making processes.
8. Section 25(3) and 25(4) establish that a LAP must:
  - Define the local area;
  - Identify the heritage features (listed in section 7);
  - Localise and promote the objectives (listed in section 8);
  - Identify the distinctive natural, cultural, or physical qualities or characteristics of the local area that contribute to the local area's long-term pleasantness or aesthetic coherence or cultural or recreational attributes;
  - Establish objectives and policies in relation to amenity, character and the environment.
9. A LAP may also identify issues associated with the provision of future services. This may have implications for the Annual Plan, Asset Management and Long Term Council Community Plan.
10. Section 26 establishes the requirements for the preparation of a LAP. The Act empowers Council to determine for itself the process of preparing a LAP, however it must:
  - Encourage interested or affected persons to participate and contribute;
  - Comply with the principles of consultation in section 82 of the Local Government Act 2002 (LGA);
  - Have regard to the current Management Plan for the Waitakere Regional Park where it includes parkland or adjoins the park; and
  - Consult with Tangata Whenua.

11. In respect to the implementation of a LAP, section 28 establishes that the Council may include in its District Plan any part of a LAP that relates to a resource management purpose. Section 28 is achieved through a plan change in accordance with the first schedule of the Resource Management Act 1991 (RMA) (and section 11 of the Act requires that the objectives of the Act are *given effect* to by the plan change). A LAP does not have a set duration and may be reviewed, amended or revoked. Where resource management aspects of the LAP are included in a District Plan, this provision will be subject to the ten year review requirements of the RMA.

#### **Content of a LAP**

12. It is important that a LAP should not be seen as a 'blank slate' or 'open cheque book' to re-litigate issues such as subdivision already addressed through the District Plan and location-specific structure plans. As part of the LAP process, Council would need to identify 'bottom-line' statutory requirements with respect to giving effect to the objectives of the Act and the existing requirements of other Council policies and management plans. LAPs do not undo any existing structure plan and their use does not forgo opportunities to develop future structure plans (as these are a tool in the District Plan). The consequence of a LAP process could be the development of a structure plan in a selected area, although the Act does recognise that there are 'limited' opportunities for further subdivision in the Heritage Area.
13. A LAP does not have to be a large or complicated document. It needs to be written in a manner that allows it to inform other decision making processes and be readily accessible. It must fulfil the requirements of the Act, giving effect to the objectives of section 8 while being relevant to that community. A LAP may be supported by a wide range of background investigations or technical reports.
14. Likewise, a LAP need not be restricted to environmental or resource management considerations. They are intended to be an integrated community planning tool, identifying local social, economic, cultural and environmental futures. As such, they may contain elements relevant to the LGA, RMA and other statutory responsibilities of Council. It is suggested that they may also include undertakings made by the community to be implemented through a community-based plan (similar to existing plans in some communities).

#### **Sequencing of LAPs**

15. The Council needs to determine what areas are priorities for LAPs and the sequence in which the first or initial LAPs will be developed. The sequence of LAPs will depend on the urgency of the issues facing the area, whether there is a need to first test the LAP tool, and whether the necessary background work that informs the LAP is completed or underway.
16. To some extent the costs and benefits of preparing LAPs and the promotion of community outcomes are similar. LAPs are a long-term community planning tools which are designed to promote sustainable development at a local level. As such they are expected to deliver benefits in all the areas for which they are prepared, and to deliver on community outcomes.

#### **Boundaries of a LAP**

17. A prerequisite for the development of a LAP is the identification of a geographic boundary in which the LAP will apply. This is important in establishing the extent of heritage features covered by the LAP and in incorporating the outcomes in the District Plan.

18. By definition the LAPs are “local” plans. The Council needs to determine, in consultation with the community, where the boundaries of a LAP extend to. This can be determined in the development of individual LAPs with a broad indication of LAP boundaries illustrated in the proposed policy framework. Factors in determining the location and extent of a LAP include:
- i) Extent of the local issues and heritage features that would benefit from the LAP;
  - ii) Existing natural and physical patterns;
  - iii) Distinctive communities e.g. Titirangi, Laingholm, Parua, Huia, Cornwallis, Piha, Karekare, Te Henga, Oratia, Opanuku, Swanson, Waiatarua; and
  - iv) Sizing the LAP for efficiency and effectiveness.

#### **Criteria for selection of priority areas for LAPs**

19. The Council needs to determine where LAPs should be located and under what circumstances a LAP would be developed. It is unrealistic in the short to medium term for every location in the Heritage Area to be subject to a LAP, and in many cases it may not be necessary. All the potential LAPs can not be developed at once, it will be important to clearly communicate how the timing and under what circumstances LAPs will be developed.
20. There are a number of distinctive communities in the Heritage Area. A best case scenario could allow a LAP to be commenced every six months, requiring six to seven years to complete a LAP for each of the communities in the Heritage Area. This will be subject to annual budget commitments and available resources, along with the complexity of the issues within each community.
21. For the purposes of the workshop, the following criteria are suggested as a basis of determining how the Council may select which local areas are prioritised for the initial preparation of a LAP:
- i. Whether local guidance is desirable to better protect the Heritage Area at this point in time, particularly in relation to:
    - managing the cumulative and precedent effects of development on the landscape, the desired future character and amenity of the area, and the ecological and biological environment;
    - maintaining a rural character for the communities in the foothills;
    - maintaining low density urban areas and coastal villages in which the built environment is subservient to the natural landscape;
    - managing activities adjacent to the boundary between urban and rural areas (particularly in relation to the Metropolitan Urban Limit boundary); and
    - protecting heritage features.
  - ii. Are there issues or characteristics of the area that require the integrated approach now provided by LAPs?
  - iii. Are there other existing processes (statutory and non-statutory) that can now resolve the identified issues (e.g. a plan change) or are there issues and outcomes that can only be effectively managed through an integrated approach?
  - iv. Is there a need for more certainty now to assist in managing land use and subdivision activities/applications?

- v. Is there an identified gap in, or a need to reinforce, the objectives or policies of the District Plan in a particular area?
- vi. Does a LAP add value to other statutory and non-statutory strategies and processes in a particular area ahead of other areas?
- vii. Is there an immediate need to articulate a vision for that community?
- viii. Is there a willingness or urgency from the community to participate in the LAPs process?
- ix. How do members of the community view LAPs? Is there a willingness to participate in the first LAPs and?
- x. What is the likely degree of complexity of the LAP process in that community and the availability of resources and information?

### **Timeframes**

22. The length of time required for the development of a LAP is less certain and will be different for each community reflecting the complexity of issues, the background research and analysis that is required to inform the LAP process, statutory processes for consultation and hearings, and whether or not there are appeals under the RMA. As a guide timeframes could be:
  - Research and development - three to six months;
  - First phase of public engagement and development of issues/vision/objectives - three months;
  - Notification of LAP and Plan Change for submissions, further submissions and hearing/decision - six to nine months; and
  - Potential Appeals under the RMA (12 to 36 months).
23. Because of the time involved in the stages for research, public consultation and preparation of the LAP, the Council can probably only undertake two a year.

### **Options Identified**

24. Council officers have identified a number of location options for the initial LAPs. These are:

#### **Option 1 - West Coast**

- Prepare the first LAP for the West Coast with sub chapters for Te Henga/Bethells, Piha and Karekare. (or prepare individual LAPs for each of these communities in sequence).

#### **Option 2 - Titirangi/Laingholm**

- Prepare the first LAP for the Titirangi/Laingholm area.

#### **Option 3 - Foothills**

- Prepare the first LAP for the foothills area with chapters on Henderson Valley, Oratia, Swanson and Anzac Valley (or prepare individual LAPs for each of these communities in sequence).

#### **Option 4 - Manukau Harbour**

- Prepare the first LAP for the Manukau Harbour coastal village communities with sub chapters for Huia, Cornwallis and Parau (or prepare individual LAPs for each of these communities in sequence).
25. There are a variety of potential sequencing options, which include working through the geographic locations identified above in sequence, or by developing LAPs on the basis of a West Coast and Manukau Harbour sequence and Foothills sequence. The extent of time and resources involved in each LAP will be different and an allocation of priority between the West Coast and Foothills may need to be considered.

#### **Consideration of Options**

26. The potential options are addressed below:

#### **Option 1 - West Coast**

27. The preparation of the first LAP for the West Coast with sub chapters for Te Henga, Piha and Karekare (or individual LAPs for each) has the merit of dealing first with an area that has pressing issues, including redevelopment of existing sites and construction of minor household units, visitor pressures, wastewater issues and weed control and ecological restoration.
28. Developing LAPs for the coastal villages within the framework of a LAP for the wider area is logical given that background work to inform the LAPs will need to look at the whole of the West Coast.
29. Many of the heritage features that the Act seeks to protect are present in the West Coast and a first LAP in this area would fulfil the Act's purpose to protect, restore and enhance those features for present and future generations.
30. The development of a LAP for the West Coast will be informed by the West Coast Plan 2001, which was the product of extensive consultation. Karekare has its own Community Management Plan finalised in 1988 and updated in 2002.
31. In the course of community discussions about priorities for LAPs some groups suggested that Karekare would be a good location for the first LAP, given the existence of the Karekare Community Management Plan, and given that there may be fewer contentious issues in the community. There was a feeling that it was most important that the first LAP should be a successful 'model' for subsequent LAPs.
32. The main argument for not prioritising the West Coast is the general reluctance of the West Coast communities to be the first LAP areas. Discussions also highlighted recent divergent views within the Piha community over the Piha Café proposal.
33. Further, issues of coastal character and protection of native vegetation can be addressed directly in the District Plan through a plan change process, without necessarily requiring a LAPs process to initiate this.

### Option 2 - Titirangi/Laingholm

34. Subdivision provisions for Titirangi and Laingholm have recently been agreed by an Environment Court consent order. Discussions with the Titirangi Residents & Ratepayers Association identified a need for a dialogue on whether additional methods are required to retain the subservience of the built form to the natural landscape and on the distinctiveness of local communities (both heritage features referred to in section 7 of the Act). Both areas are within the Metropolitan Urban Limits and also within the Heritage Area and there is merit in addressing the issues of urban development within the bush living environment. Both areas have issues with poor beach water quality, weed infestations and potential for ecological restoration.
35. Titirangi is one of the 'gateways' to the heritage area, a busy community with many visitor attractions. Town centre planning for the village could be a key component of the LAP. This area has the largest population in the Heritage Area and potential for future growth (both in the size of households and the development of remaining subdivision potential and vacant lots) and this will create additional demand for services and amenities in the town centre and community facilities. Titirangi has an existing town centre plan, although this may need refreshing.
36. From community discussions on LAPs priorities, the Titirangi Residents & Ratepayers Association was enthusiastic about the first LAP being developed in Titirangi.
37. Titirangi/Laingholm issues may lack the urgency of those on the West Coast or in the foothills. As areas within the Metropolitan Urban Limits, they are unique in the Heritage Area and lessons learned from LAPs here might not be readily transferable to other areas.

### Option 3 - Foothills

38. Opportunities for identifying 'future rural uses' and rural economic development in the foothills are being explored in the background reports that will inform the visitor strategy project and the City's economic development project.
39. The Act recognises that, while the majority of the Heritage Area needs to be protected, people also live and work in the Foothills. Objective 8(i) seeks to provide for these people's social, economic, environmental and cultural well-being. Objective 8(j) also recognises that to retain a rural character in the Foothills provision needs to be made for 'future rural uses'.
40. Land use activities in the Foothills have changed over time, overcome by economic changes in production, scale and competition, with many of the farms and orchards now not productively used, or managed as lifestyle properties. The Act recognises that in order to maintain a rural character, planning frameworks need to manage the transition to future rural uses, rather than necessarily protecting the existing uses. The question is what uses are appropriate and how are these encouraged through relevant strategies, policies and rules (and inappropriate activities discouraged).
41. In Oratia there is a need to plan for the Oratia Village and determine its future, whether being a rural Foothills village or a part of urban Waitakere. There is considerable cultural heritage in the area and the consideration of future amenity and identity could benefit from a LAP process.

42. The Project Twin Streams Integrated Catchment Management Plan (ICMP) is being developed with the final report expected in 2010. Since the ICMP needs to be informed by future land uses, there is an opportunity to jointly develop this plan with any LAPs process for the Foothills
43. Henderson Valley Residents Association expressed an interest in the area being prioritised for a LAP. However, they have also expressed concern at the historic dominance of subdivision issues in planning for the Foothills. Individual landowners have also made submissions to the annual plan and made representation to the Council about the preparation of the structure plan for Henderson Valley and Opanuku.
44. There is a need for an integrated approach to the Foothills, reflecting the comment from the Structure Plan Review (2003) that structure planning should be informed by a clear vision for the wider area. Discussions on the vision for the area would benefit from the completion of investigations as to the potential future economic activity that landowners and Council may wish to promote in the Foothills.
45. During discussions on LAPs with groups in the Foothills, some residents described themselves as 'burnt out' by the structure plan processes in Oratia and Swanson. There was a view from many people that the LAPs process in the Foothills should be deferred. However, there may be opportunities to stage the development of the LAPs in the Foothills through firstly engaging the community on the issues of 'future rural uses' of land and economic development opportunities, a process that is beginning as reported in the previous agenda item titled "Waitakere Ranges Heritage Area Act 2008" Report.

#### **Option 4 - Manukau Harbour**

46. The Manukau Harbour communities share common concerns that could be dealt with in the context of a LAP including failure of wastewater, the prospect of redevelopment of sites and construction of minor household units, high visitor numbers, weeds and the need for ecological restoration.
47. Development of a LAP covering the Manukau Harbour coastal village communities (those outside the Metropolitan Urban Limits - e.g. Huia, Parau and Cornwallis) may allow consideration of landscape issues shared by the ARC and Council and the consideration of most appropriate use of the farmland owned by ARC in that area.
48. Issues in these communities are less pressing than those on the West Coast or in the Foothills communities and any minor issues can be resolved through existing processes. Issues of coastal character and protection of native vegetation can be addressed directly in the District Plan through a plan change process, without necessarily requiring a LAPs process to initiate this.

#### **STRATEGIC CONTEXT**

49. The protection of the Waitakere Ranges and Foothills is a central objective of the "Green Network" Platform of the Long Term Council Community Plan 2006-2016. The 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.

50. The Waitakere Ranges and Foothills Protection Project complements the Growth Management Strategy, the Auckland Regional Growth Strategy, and policies in the Auckland Regional Policy Statement. The Act seeks to avoid unplanned creeping urban expansion, beyond the Metropolitan Urban Limits, that would destroy the rural and natural character of the Waitakere Ranges and Foothills. At the same time, the continued existence and sustainable development of the diverse local communities in the area is also an objective of the Act.
51. The eastern part of the Heritage Area is included in the drainage catchment of the Hauraki Gulf Marine Park. The purpose of the Act accords with the purpose and objectives of the Hauraki Gulf Marine Park Act 2000.

## CONSULTATION

### Community consultation to determine LAPs priorities

52. During the period February to April 2008 Council officers reported to the Waitakere Community Board and engaged a number of community groups in discussions on priority areas for LAPs. This was in accordance with the resolution passed by the City Development Committee as under:

*“2. That the City Development Committee authorises Council officers to undertake targeted discussions with key stakeholders on the draft Local Area Management Plan policy framework and report back to Council on the initial feedback prior to any formal consultation.”*

2500/2006

53. Officers sought comment from those groups on what issues in the local communities are relevant to the prioritisation of LAPs, and whether they had a view on which locations and communities should be involved in the first LAPs. These meetings were not intended to be formal consultations, but simply discussions with groups and individuals that had indicated through the process of developing the Bill a desire to be involved or an interest in the LAPs.
54. Groups and individuals who participated in discussions included the Waitakere Community Board, Oratia Residents and Ratepayers Association, Titirangi Residents and Ratepayers Association, Piha Residents and Ratepayers Association, Henderson Valley Residents Association, Preserve Swanson Foothills Society, Structure Plan Advocated Network, Vitasovic family, Waitakere Ranges Protection Society, West Coast Plan Liaison Group and the Auckland Regional Council.
55. Many groups expressed reservations about being ‘guinea pigs’ in the new LAP process, preferring that their communities were considered after lessons had been learned elsewhere. Some participants suggested that LAPs development should be delayed to allow healing of divisions in the community over the Bill development, structure plans and resource consents. A small number of groups suggested that their community could be ideal for the first LAP and showed considerable interest in participating. Some groups in the Foothills expressed interest in the consideration of rural economic development and future rural uses as a precursor to developing a LAP.

56. Areas identified from discussions (and not necessarily by residents of that community) included:
- **Piha** - Issues identified included housing demand in Piha and the accompanying redevelopment of baches and the development of vacant sites, threats to landscape and the resource consent for the Piha Café. Residents noted issues of 'burn out'.
  - **Karekare** - was identified as a relatively 'easy' first LAP, given that the community already has its own Community Management Plan (drafted in 1988 and revised consistently since). It was seen as a community which would readily engage in consultation and provide a successful and relatively uncontroversial first LAP, a model for subsequent LAPs. It is noted that Karekare was often suggested by those who resided elsewhere. Residents of Karekare suggested the community was wary of Council as a result of the consultation process for the toilet facilities.
  - **Titirangi** - was proposed as one of the priority areas, due to future pressures on the village centre, a need to define amenity in the context of its unique urban and bush setting and the potential redevelopment of existing housing in the future. A later meeting with the Residents and Ratepayers group revealed a willingness to participate in the first LAP.
  - **Henderson Valley** - was suggested as an early LAP although many residents expressed concerns that a LAP here could open the way for subdivision. Some individuals also suggested that subdivision was warranted and sought a structure plan process. There were suggestions that lessons learned here could inform LAPs for other areas in the foothills, especially around providing opportunities for 'future rural uses'.
  - **Oratia** - Oratia may benefit from the consideration of opportunities for rural economic development. There was concern that the community was 'burnt out' by the structure plan process, that there was a lack of trust with Council and the community needed a break before engaging in LAPs.
  - **Manukau Harbour Coastal Villages** - No direct discussions were undertaken with groups from this area. Indirect discussions occurred through the West Coast Plan Liaison Group and with the Auckland Regional Council.
57. A number of key process themes resulted from the discussions:
- The need for Council to engage communities in developing LAPs;
  - The need for more information on LAPs to be provided to communities; and
  - The need for more dialogue between communities and Council.

#### **Consultation with Tangata Whenua**

58. Section 26(d) of the Act establishes that in preparing a LAP Council must consult with Tangata Whenua, namely Ngati Whatua and Te Kawerau A Maki. Council has a partnership agreement with Te Kawerau A Maki and the Mayor has written to Ngati Whatua seeking a dialogue on how a partnership can be developed around the Act. There is currently no agreed protocol for communication with either iwi in respect to the Act. An agreement on such a protocol should be a priority. Council officers will seek advice from both, Te Kawerau a Maki and Ngati Whatua o Orakei, via existing consultation channels. A meeting is also to be arranged with Te Runanga o Ngati Whatua. Council officers will report the outcomes to the Committee.

59. The requirements of section 26(d) are in addition to the requirements of section 33 which requires:

*“(1) In addition to any specific opportunities for contribution identified in a deed of acknowledgement under section 29(5)(d), a local authority must establish and maintain processes to provide opportunities for Ngati Whatua and Te Kawerau A Maki to contribute to the decision making processes of the local authority in its implementation of this Act.*

*(2) For the avoidance of doubt, subsection (1) does not apply to a decision of a local authority in relation to land that is held in fee simple by any person other than the Crown or a local authority (for example, a decision in relation to a consent, permit, or authorisation).”*

### **Community Engagement and Consultation Processes for Developing a LAP**

60. There has been considerable community involvement to date in the Waitakere Ranges and Foothills Protection Project. The identification of issues and community desires will be important to developing local long term visions, as well in articulating that vision in the District Plan or other Council strategies.

61. Noting that a LAP is not a replacement for other existing processes (both under the RMA and LGA), the Council needs to provide clear protocols to guide community engagement and participation to ensure that a community's input to the process is effective and addresses those matters relevant to the Act. This includes the participation of the Waitakere Community Board.

62. In preparing a LAP, section 26 allows Council to decide for itself the process that it uses, but it must:

*“(a) ensure that the process encourages interested or affected persons to participate in and contribute to the LAP's preparation, amendment, revocation, or replacement;*

*(b) comply with the principles of consultation in section 82 of the Local Government Act 2002;*

*(d) consult with tangata whenua, namely Ngati Whatua and Te Kawerau A Maki.*

*[emphasis added]”*

63. The **principles of consultation** are broad but generally reflect section 26(a), but include requirements to:

- Provide the public, Maori, affected or interested persons access to information (including on the purpose of consultation and scope of decisions);
- Encourage the public, Maori, affected or interested persons to express their views (Council must determine affected persons and level of interest);
- Provide opportunities for the public, Maori, affected or interested persons to express views;
- These views must be received by Council with open mind and given due consideration;
- The Council must provide persons with decisions and reasons for the decision;
- The Council has discretion to determine a consultation process to achieve principles; and
- The significance of a matter or decision triggers the special consultative procedures of Section 83 of the Local Government Act.

64. There are *three* distinct processes involved in the development of a LAP. The first is engagement with the community, the second and third are statutory requirements involving decision making pursuant to section 82 of the LGA and the First Schedule of the RMA. As there are a number of different opportunities for the community to participate (or be consulted), these need to be carefully managed to avoid consultation fatigue and ensure the effectiveness of the process.
65. Therefore it is proposed that the statutory LGA and RMA consultation processes and hearings are run in parallel, in a similar manner to that achieved under the Local Government (Auckland) Amendment Act 2004 plan change hearing process. By allowing a parallel process of hearings, the overall process achieves a level of coordination between the resource management and local government processes and the respective issues that are addressed.
66. The first phase is proposed as active engagement of the community (including local residents, the region's residents, Tangata Whenua, recreation users, interested groups, statutory authorities etc). This needs to be tailored to each community, however there needs to be a level of consistency to ensure the widest possible participation. Key questions and tasks for the community to consider include:
- identification of the local area and its boundaries;
  - identifying heritage features valued by that community;
  - identification of local amenity and potential opportunities and threats to those heritage features and that amenity;
  - expressing a vision of the future of that locality, including accommodating different perspectives; and
  - identification of methods to achieve that future vision.
67. Engagement with the community, in addition to the formal opportunity to submit and participate in a hearing, is proposed through such methods as:
- Drop in days;
  - Public meetings;
  - Charrettes, focus groups and public workshops;
  - Cottage meetings and stakeholder/interested party meetings; and
  - Letter drops and questionnaires.
68. The process (as a template for tailoring to each individual community and LAP) is proposed as follows:
- i) Identification of location for LAP.
  - ii) Council research and preparation of information on that locality.
  - iii) Invitation for community to participate in the LAP and its development (outlining process, timelines, inputs seeking, outcomes anticipated). There is a need to inform the community what the Council is seeking from them, what they are being asked to contribute to, the provision of information to inform their participation and the parameters of the Act and its objectives.
  - iv) Opportunities provided to participate through a variety of face to face meetings / Community Workshop / Focus Groups / Meetings / Interviews.
  - v) Preparation of draft LAP and plan change (including section 32 material pursuant to the RMA).
  - vi) Test draft LAP with focus groups / identified interest parties.

- vii) Council adopts draft LAP for consultation (potentially with clear distinction between LGA and RMA elements to support formal consultation process).
- viii) Council notifies the specific aspects of the LAP under the LGA (in a manner consistent with section 82 of the LGA) and the First Schedule of the RMA (including for further submissions under the RMA).
- ix) Council hearing on submissions with hearing and reporting split into LGA components and RMA components. This joint hearing approach needs to be carefully managed and considered and further advice will be required.
- x) Council decision on submissions to LGA and RMA components of a LAP (with resource management issues incorporated into District Plan through the plan change).
- xi) Potential for Appeals to the plan change elements of the LAP to Environment Court (under the RMA).
- xii) Review and evaluation of process and outcomes and lessons learnt to apply to subsequent LAPs. This is undertaken at the completion of the LAP.
- xiii) Consideration of location for the next LAP.

## RESOURCES

- 69. The Long Term Council Community Plan 2006-2016 has budgeted \$100,000 annually for seven years to allow the development of LAPs in the various communities of the Heritage Area.
- 70. Funding for implementation of LAPs will be considered on a year by year basis in the Annual Plan as the LAPs are developed in the implementation plan.

## IMPLEMENTATION ISSUES

- 71. Issues that may affect Council's ability to implement LAPs include:
  - i) Completion of the technical work required to inform LAPs (for example ICMPs, investigation of wastewater issues).
  - ii) Progress with research on rural economic development opportunities and the Waitakere Ranges visitor strategy framework.
  - iii) Integration of LAPs with other Council and community initiatives in the local area (for example the Ranges Neighbourhood Initiative and Project Twin Streams).
  - iv) Coordinating approaches to the Heritage Area between the Council, ARC and RDC and ensuring that information relevant to the development of LAPs is shared.
  - v) Availability of Council officers from various disciplines to participate in and contribute to the development of LAPs.
  - vi) The willingness of communities and Tangata Whenua to participate in the LAPs process.

**Report prepared by:** Fenella Thomas, Strategic Advisor: Waitakere Ranges and Mark Tollemache, Strategic Advisor: Waitakere Ranges.



## 7 DRAFT ENVIRONMENT STRATEGY REPORT

### GLOSSARY

Long Term Council Community Plan 2009-2019 (LTCCP)

### EXECUTIVE SUMMARY

The purpose of this report is to present to the Policy and Strategy Committee the draft Environment Strategy for comment and approval as a working draft for further consultation.

The draft Environment Strategy provides a brief snapshot of the current state, key issues and impacts on, and goals for managing the natural environment of Waitakere, management and use of natural resources such as air and water, and the minimisation of waste.

The draft Environment Strategy has had input from the wider Strategic Planning Unit, EcoWater, Parks Planning and Parks and Open Space and Solid Waste.

### RECOMMENDATIONS

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Draft Environment Strategy Report.
- A249-A288 2. **Approve** the draft Environment Strategy attached at pages A249 to A288 of the supplement is a working draft to consult through the Long Term Council Community Plan 2009-2019 process.

### BACKGROUND

1. At its meeting of 5 June 2008, the Policy and Strategy Committee resolved to:  
  
"2. **Approve** the move to a framework of seven strategic directions configured around the areas of social, economic, cultural, environmental, transport, growth management and governance."  
  
900/2008
- A289-A313 2. The draft Environment Strategy attached at pages A289 to A313 of the supplement does not set a new direction but builds on the current strategic platforms: Green Network, Three Waters, Sustainable Energy and Clean Air and Zero Waste.

### DECISION MAKING

#### Issues

3. In order to cover the range of issues effectively, the draft Environment Strategy is in two parts: (1) Green Network which addresses the natural resources in Waitakere, and (2) Air, Water, Waste which addresses emissions to air, water quality and waste management as environmental resource use issues.

## Green Network

The focus of the Council's 20-50 year strategy for the Green Network is based on protecting areas of high value such as the Waitakere Ranges and foothills, coastal areas, streams, wetlands and bush remnants throughout the city, and to work with the community to enhance and restore degraded areas. In addition, the Council aims to continue to improve access to the natural environment, and enable people to enjoy that environment, bringing nature into everyday life.

5. The draft vision of the draft Environmental Strategy: Green Network is for: Native forests full of native birds linking streams full of native fish, contributing to a resurgence of the whitebait shoals in the harbours.
6. Draft goals of the draft Environmental Strategy: Green Network are:
  - To maintain, protect and enhance the Green Network while the City continues to develop and change;
  - Community embracing stewardship of the Green Network;
  - Efficient and effective pest management to support native biodiversity; and
  - To anticipate climate change in the management and maintenance of biodiversity and ecosystem services.

- A252-A288
7. Objectives are listed on pages 13 and 14 of the Green Network section attached at pages A252 to A288 of the supplement. Objectives cover:
    - City-wide network of ecological linkages;
    - Protect as wide a range as possible of natural areas;
    - Natural elements of the Green Network within town centres, suburbs and villages;
    - Restoration programmes to improve and create linkages;
    - Opportunities for people to enjoy nature in parks;
    - Waitakere's image strongly identified with its ecological character;
    - Understanding of, and interaction with, the Green Network is continually improving;
    - All people have the opportunity to experience and enjoy the Green Network;
    - Work in partnership with iwi;
    - Actively promote stewardship of the Green Network;
    - People aware of and connected to the biodiversity of the City;
    - Restore and protect native forest quality;
    - Ensure recovery of indicator species populations;
    - Ensure survival of re-introduced species;
    - Carbon sinks that maximise the ecological benefits;
    - Prepare for new pest incursions; and
    - Monitor changes in biodiversity.

### Air, Water, Waste

8. The long term strategy for Waitakere's environmental resources is to reduce our ecological footprint through:
  - Reducing carbon dioxide emissions by minimising private vehicle use, increasing passenger transport use and using electricity from renewable resource generation. To become a low carbon city, Waitakere will need to explore options for offsetting emissions;
  - Conservative and innovative water use which also requires fully integrating management of drinking water, rain water and wastewater; and
  - Not generating waste unnecessarily, and regarding wastes as resources for further use.
9. Draft vision for the draft Environment Strategy: Air, Water, Waste is: *Clear air, clean water, nothing wasted.*
10. Draft goals for the draft Environment Strategy: Air, Water, Waste are:
  - Low carbon city;
  - Integrated water management; and
  - Waste into resources.
- A289-A313 11. Objectives can be found on pages 6, 7, 11, 12, 13 and 14 of the Air, Water, Waste section attached at pages A289 to A313 of the supplement. Objectives cover:

#### Air

- Reduction in greenhouse gas emissions per capita;
- More energy use from renewable sources;
- Encourage the development and supply of alternative fuels;
- The District Plan review to ensure renewable energy generation is encouraged;
- Planting of urban forests to store carbon;
- Explore further opportunities for Waitakere to become carbon neutral;
- Increased passenger transport patronage;
- Lobby for cleaner burning fuel standards, emission quality and vehicle efficiency standards;
- Continue to ensure provision of alternative transport options to the private motor vehicle; and
- Encourage more businesses to establish in Waitakere and provide local jobs.

#### Water

- Decrease in per capita demand for the mains water;
- Demand remains within the Waitakere reservoirs capacity;
- Identify additional sources of drinking water to provide for a 2100 population level;
- Ensure that stormwater is treated to a level that maintains and improves stream and ground water quality to protect natural water resources;
- Increased retention and use of stormwater;
- Extend Project Twin Streams to encompass the whole urban area;
- Find new methods of cleaning stormwater of dissolved contaminants;
- Sustainable long term wastewater management with reuse of bio solids and the water component;

- Consider the possibility of a wastewater treatment plant within Waitakere; and
- Explore the options to treat wastewater to drinking water standard.

### **Waste**

- Raise awareness and avoidance of imports that create disposal problems;
- Seek opportunities to examine resource efficiency in manufacturing processes;
- Provide incentives for separation and diversion of commercial construction and demolition waste;
- Ensure more effective recovery of material from inorganic waste; and
- Pursue options for diverting more organic waste from landfill.

### **Options Identified**

12. The options to explore only arise at implementation stage as the draft Environment Strategy simply provides a clarification of the Council's current strategic direction for environmental quality.

### **Assessment of Options**

13. No assessment of options is required at this stage.

### **Consideration of Community Views**

14. It is anticipated that the draft Environment Strategy will be available for public comment as part of the Long Term Council Community Plan 2009-2019 (LTCCP) notification process.
15. In the interim, once adopted as a working draft, the Environment Strategy could be presented in a Waitakere City News edition for information regarding its publication in the LTCCP.

### **STRATEGIC CONTEXT**

16. The draft Environment Strategy expands on and explains how the Green Network, Three Waters and Zero Waste Strategic Platforms and objectives contribute towards the Sustainable Development Priority. In terms of Community Outcomes, the draft Environment Strategy addresses:
  - **Green Network** - People are in harmony with and have a strong sense of stewardship / of kaitiaki of the natural environment; and
  - **Sustainable Environment** - increases sustainability and enables a healthy living environment with access to good quality water and air, and managing energy, waste and water innovatively and responsibly.
17. The draft Environment Strategy is intended to give effect to Auckland's Sustainability Framework goals and shifts of:
  - Unique and outstanding environment;
  - Pride in who we are;
  - Resilient infrastructure;
  - Reduce our ecological footprint;
  - Put people at the centre of thinking & action;
  - Build a carbon neutral future; and
  - Think in generation not years.

## CONSULTATION

18. The draft Environmental Strategy has not yet been through a public consultation process. Consultation along with other strategies identified in the Strategic Framework is proposed during the LTCCP notification process. During its development, the draft Environment Strategy has been discussed with staff in Strategic Planning Unit, Ecowater, Solid Waste, Parks Planning and Parks and Open Space.

## RESOURCES

19. Staff time and resourcing have been allocated to the development of the draft Environment Strategy but specific resourcing has not been allocated for its implementation.

## IMPLEMENTATION ISSUES

20. It is anticipated that once adopted the Environment Strategy would be implemented through relevant Activity Plans in the LTCCP.

**Report prepared by:** Carol Bergquist, Senior Analyst Environmental Policy.



## 8 DRAFT LOCAL ACTION FOR BIODIVERSITY - BIODIVERSITY ACTION PLAN REPORT

### GLOSSARY

Local Action for Biodiversity	(LAB)
International Council for Local Environmental Initiatives	(ICLEI)
Policy and Strategy Committee	(the Committee)
Draft Biodiversity Action Plan	(the draft Plan)

### EXECUTIVE SUMMARY

A draft Biodiversity Action Plan (the draft Plan) has been prepared for the Policy and Strategy Committee's (the Committee) comments and approval to be notified for public consultation and review by the Local Action for Biodiversity (LAB) review panel. The draft Plan is a requirement of the LAB project towards meeting milestone three of the five stage project.

The Biodiversity Action Plan is a ten-year biodiversity management and enhancement programme based on the Biodiversity Strategy and Action Plan adopted by the Council in 2006. The new document updates the action tables and also outlines five key projects to be undertaken over the next ten years.

### RECOMMENDATIONS

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Draft Local Action for Biodiversity - Biodiversity Action Plan Report.
2. **Agree** that the draft Local Action for Biodiversity - Biodiversity Action Plan be forwarded to Te Taumata Runanga for their comments.

3. **Approve** the draft Local Action for Biodiversity - Biodiversity Action Plan for public consultation and further review by the Local Action for Biodiversity review panel.

### BACKGROUND

1. The LAB project is a partnership project involving the International Council for Local Environmental Initiatives (ICLEI), the World Conservation Union, Countdown 2010, South African National Biodiversity Institute, RomaNatura and 20 cities from around the world. The LAB project recognises that biodiversity is a key to the effective functioning of urban life and that the optimal management or mainstreaming of biodiversity is essential to most, if not all, sectors of urban operation.
2. The LAB project takes local government participants through a five-step process, similar to ICLEI's Communities for Climate Change programme in which Waitakere is also a participant. The five LAB project milestones are as follows:
  - i) Preparation of a Waitakere Biodiversity Report and presentation of this report at an international workshop.
  - ii) Declaration of Commitment to Biodiversity with international profile for participant cities.
  - iii) Preparation of a ten-year Biodiversity Action Plan and Framework and presentation of this Biodiversity Action Plan for review at an international workshop of participating cities.
  - iv) Formal endorsement of the ten-year Biodiversity Action Plan.
  - v) Local implementation of five on the ground biodiversity demonstration projects, and on-going implementation of the ten-year Biodiversity Action Plan.
3. The Council joined the LAB project in April 2007 and has met the first milestone in presenting the Waitakere Biodiversity Report to the other participating cities at the first international workshop in Zagreb in October 2007. The second milestone is for the Council to declare its roles and responsibilities in conserving Waitakere's biodiversity. To this end, the Durban Commitment prepared jointly by the LAB steering group and member city representatives was presented to the Committee at its meeting of 6 March 2008. LAB's intention is to have the Durban Commitment signed by all the LAB cities at the second international workshop to be held in Durban, South Africa in September 2008.
4. On recommendation from the Committee, the Council at its meeting of 16 April 2008 resolved to:

*“Approve the adoption of the Durban Commitment: Local Government for biodiversity as attached at pages A45 to A47 to the agenda report.*

*618/2008*
5. Participating cities will be invited to sign the Durban Commitment at the next international workshop to be held in Durban, South Africa in September 2008. The signing of this document will complete milestone two of the LAB project. Also at this workshop, participants will also present their LAB Biodiversity Action Plans.

## DECISION MAKING

### Issues

- A314-A344
6. A draft Plan, prepared with input from Parks Planning and Parks Assets, is attached at pages A314 to A344 of the supplement for consideration by the Committee. Within the draft Plan, five key projects to progress biodiversity management over the next ten years have been described.
  7. The draft Plan is a ten-year biodiversity management and enhancement programme based on the Biodiversity Strategy and Action Plan adopted by the Council in 2006. The new document updates the action tables and also outlines five key projects to be undertaken over the next ten years.
  8. The draft Plan and five projects meet the requirements for milestone three of the LAB project.

### Consideration of Community Views

9. The Green Network Community Outcome seeks that people are in harmony with and have a strong sense of stewardship/ kaitiaki of the natural environment.
10. The Biodiversity Strategy and Action Plan 2006 drew some interest and comments and it is anticipated that there will be further interest in this updated draft Plan.

## STRATEGIC CONTEXT

11. Managing the City's native biodiversity is integral to meeting the Council's Green Network strategic objectives and Sustainable Development Priority. The Community Outcomes Green Network and Environmental Protection echo the same goals of ecological stewardship and replenishing natural taonga (treasures). The LAB project requirements are also consistent with the Council's intentions as expressed in Waitakere's Biodiversity Strategy and Action Plan 2006.
12. The Waitakere Ranges Heritage Area Act 2008, the Council's key deliverable under the Green Network Strategic Platform, is largely intended to protect the ecological and landscape values of the Waitakere Ranges and foothills, the principal refuge of the City's biodiversity.
13. The management of biodiversity in Waitakere by other parties is acknowledged and supported in the draft Plan.

## CONSULTATION

14. Consultation has been carried out with relevant staff across Council.
15. External agencies including Rodney District Council, Auckland Regional Council, Ark in the Park, Royal Forest and Bird Protection Society, Fish and Game New Zealand, and the Department of Conservation will be invited to comment on the document and key projects in particular.
16. Consultation on the draft Plan will be undertaken with Maori, including Te Taumata Runanga, Te Kawerau a Maki and Ngati Whatua.
17. The draft Plan will be placed on the Council website, notified for public comment and brought to the attention of relevant community groups.

18. Once the draft Plan has been consulted on and reviewed by the LAB review panel, the draft Plan will be brought back to the Committee for adoption.

### RESOURCES

19. No additional resources are required for the adoption of the LAB Biodiversity Action Plan. However, some additional funding is required for implementation, in particular for the delivery of the five key projects. Costs of \$395,000 (plus \$600,000 from external funding) have been estimated and identified in the draft Plan. Funding will be sought both externally and through the Annual Plan process for the relevant years. There is sufficient funding available for the 2008/2009 Annual Plan budget.

### IMPLEMENTATION ISSUES

20. Implementation of the Action Plan once it has been adopted will be undertaken by Strategy and Parks Planning as funding becomes available.

**Report prepared by:** Carol Bergquist, Senior Analyst Environmental Policy.



## 9 HOT ROT PROCESS TO COMPOST DISPOSABLE NAPPIES

### EXECUTIVE SUMMARY

At its meeting of 6 March 2008, the Policy and Strategy Committee requested a report on the Hot Rot process for composting disposable nappies:

- “2. *That Council officers report back to the Policy and Strategy Committee regarding the ‘Hot Rot’ process for composting disposable nappies.*”  
262/2008

The purpose of this report is to provide information about a pilot project in Canterbury for composting disposable nappies, incontinence pads and other sanitary items, using the Hot Rot process developed by New Zealand company R5 Solutions Limited.

The purpose of composting the disposable nappies is to:

- sterilise the human waste;
- reduce the amount of waste sent to landfill; and
- re-use the resources.

The Hot Rot process sterilises the human waste satisfactorily.

The process keeps the nappies' urine and faeces out of landfill. It also reduces the amount of waste sent to landfill, by evaporating the liquids, treating the bio solids and composting the wood fluff pulp that constitutes 20% to 43% of the nappy's dry weight. The remaining plastics and other non-biodegradable components that must be screened out afterwards and sent to landfill constitute 30% to 53% of the nappy's dry weight.

To re-use the resources, the resulting compost must have a use. Envirocomp Limited, the company trialling the process, is not selling its compost but is giving it to community groups. It contains the super-absorbent polymer, sodium polyacrylate, and is not readily marketable because of its association with human waste.

Setting up a Hot Rot composter in Waitakere would divert disposable nappies from landfill, making progress towards zero waste to landfill by 2020, which is a guiding principle of the Council's Solid Waste Management Plan 2005.

A Hot Rot for Waitakere's entire annual output of 2,920 tonnes of disposable nappies would cost \$1.3 million. Processing, operating and maintenance costs would be between \$830,000 and \$1.3 million a year. It would save up to \$128,000 in annual landfill fees by reducing the number of grey rubbish bags sent to landfill, but the Council's income from the bags would reduce too. It would require a separate collection system that could be funded by users.

Because the cost of landfill is relatively cheap at \$50 a tonne delivered, it is difficult to justify this project on economic grounds.

The environmental case is not as clear-cut. The Hot Rot process sterilises the bio solids and keeps them out of landfill, and it reduces the tonnage of waste sent to landfill. But it still leaves a residue of plastic components that constitute up to 53% of the disposable nappy's original dry weight, and the compost is not universally acceptable.

## **RECOMMENDATIONS**

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Hot Rot Process to Compost Disposable Nappies report.
2. **Agree** that, at this time, the Hot Rot process does not provide sufficient benefits for the Council to support its adoption.

## **BACKGROUND**

1. A Canterbury business that sells disposable and washable nappies and other items for babies has carried out a pilot trial for composting disposable nappies, sanitary pads and incontinence pads, using the Hot Rot in-vessel aerobic composting system developed by New Zealand company R5 Solutions NZ Limited. A company called Envirocomp Ltd has been formed to develop the system, termed the Huggies Envirocomp Solution. The compost ratio is two parts of nappies and pads to one part of green waste from landscaping. Envirocomp Limited won a 2008 Green Ribbon Award from the Ministry for the Environment for its initiative.
2. The Hot Rot emits no odours and does not attract vermin. Three New Zealand councils already use Hot Rot systems, but not for nappies: Palmerston North and Christchurch City Councils use it to treat material screened from their sewerage plants; and Selwyn District Council uses its \$1.2 million plant to compost organic waste from kerbside collections.
3. The trial vessel composted 3500 nappies a day. The next stage consists of two Hot Rot units that will begin processing five tonnes of nappies and green waste a week (30,000 nappies a day) and build up to around 10 tonnes a week. The two-unit system will cost \$1.3 million and a four-unit system would cost \$2.2 million.

4. Envirocomp Limited is seeking investment capital for the scaled-up plant. Huggies disposable nappy manufacturer Kimberly-Clark sponsored the pilot plant. Its competitor Treasures has shown less interest. Envirocomp Limited has also had discussions with Rentokil Initial, which deals with disposable sanitary items. Hurunui District Council has provided land at a low rental. Envirocomp Limited plans a user-pays collection system, with people paying \$5 to have a 40 litre bag of 60-80 used nappies collected once a fortnight.
5. Waitakere's Solid Waste Unit collects disposable nappies and other sanitary items in its general kerbside waste collection. A grey bag with a capacity of 125 used nappies costs the citizen \$1.65. Disposable nappies account for 5% of the amount of material the Council sends to landfill, and 12% of the weight of kerbside rubbish bags. Kerbside bags also contain 51% putrescibles, i.e. kitchen waste, green waste and other organic materials. The Council sends around 2920 tonnes of disposable nappies a year to the landfill at Redvale at a cost of around \$50 a tonne.
6. In the landfill, the nappies and other waste are compressed and the organic material that does not leach out is broken down by anaerobic bacteria to produce methane, a powerful greenhouse gas with 19 times the greenhouse forcing effect of carbon dioxide. Only around 85% of Redvale's methane is collected and burnt in gas-to-energy engines; the rest escapes to the atmosphere where it adds to the greenhouse effect.
7. The \$1.3 million Hot Rot system planned for Canterbury would be the right size to deal with Waitakere's nappy output. The composting process would also require around 1,500 tonnes of green waste a year.
8. Regardless of its actual sterile status, the resulting compost has a 'dirty' image because of its association with human waste. It contains super-absorbent polymer, which survives the composting process. Envirocomp Limited is not selling its compost but is donating it to community groups.
9. A key component of the Waste Minimisation Bill, which is at Select Committee stage, is the principle of product stewardship. This proposes to make producers and other parties take responsibility for the environmental effects of their products. It signals a trend whereby the onus is increasingly on the disposable nappy manufacturer, rather than the local authority, to minimise waste from its products.

## **DECISION MAKING**

### **Issues**

10. Neither the United Kingdom's Environment Agency nor the New Zealand Ministry for the Environment supports one type of nappies over the other. They say both disposable and washable nappies have impacts on the environment – disposables consume wood pulp, petroleum-derived synthetics and other resources and create landfill, while washable nappies consume resources in their manufacture and high-temperature laundering.
11. In just a few decades since their invention in 1961, disposable nappies have taken over from washable cotton squares as the dominant nappy type in New Zealand. According to Kimberly-Clark, disposable nappies account for 96% of nappy changes in New Zealand.

12. However, the trend could reverse. Disposable nappies are likely to become relatively more expensive with rising costs of oil, electricity and transport. Washable nappies that fit well and function like disposable nappies have recently been developed and are gaining in popularity. The Council has supported their use by offering cloth nappy hire kits and running a trial in Waitakere Hospital. Washable nappies have an upfront cost that is a barrier to their use, but even when the costs of laundering are taken into account, disposable nappies cost at least twice as much throughout the period of a child's nappy-wearing years.
13. In the meantime, tonnes of single-use nappies are sent to landfill. It is environmentally undesirable to consume plastics, absorbent polymers, wood pulp and the other materials in nappies in a once-only use, and send the wet and soiled nappies to landfill, where the digestion of the urine and faeces in a low-oxygen environment produces methane, a powerful greenhouse gas.
14. In disposable nappies, only the wood fluff pulp is biodegradable and therefore compostable. This represents around 20%-43% of the dry weight of the nappy. Nappy manufacturers have been reducing the amount of wood fluff and increasing the proportion of super-absorbent polymer, to bring costs down and make the nappies slimmer. This means the trend is towards a diminishing proportion of compostable components.
15. The Council's Solid Waste Manager considers Hot Rot nappy composting to be an inadequate process because it merely evaporates the nappies' moisture and composts only the wood pulp and human waste. The shredded plastic, tapes and elastics, which constitute 30%-53% of the nappies' dry weight, still need to be screened out and taken to landfill after the Hot Rot process is completed. The process disperses super-absorbent polymer throughout the compost, producing a material that is undesirable for use on food gardens.
16. The super-absorbent polymer in disposable nappies is powdered sodium polyacrylate, which forms a gel and absorbs 30 times its original weight of urine. The greatest growth area in the market for this product is adult incontinence pads. Some proponents of washable nappies claim the polymer is harmful, but it has been approved by the United States Food and Drug Administration as a food additive, and is used as a water-retentive soil conditioner in some potting mixes. The polymer survives the composting process.
17. Composting all 2,920 tonnes a year of Waitakere's disposable nappies would save up to \$128,000 a year in landfill disposal costs. This would be offset by loss of revenue of up to \$350,400 because fewer grey bags would be sold and collected. A suitably-sized Hot Rot system would cost \$1.3 million in capital plus costs for collection, operations and maintenance. The Solid Waste Manager estimates it would cost between \$190 and \$300 per tonne to run the unit, i.e. \$830,000-\$1.3 million a year to process the nappies and the required green waste component.
18. An issue to address is whether to expect people to change from the convenient and cheap option of putting the disposable nappies in grey kerbside bags to a more labour-intensive user-pays system for composting; or whether the extra expense would be borne by the whole population.
19. At first sight, nappy composting seems like a welcome solution to the problem of disposing of single-use nappies and other sanitary items. It allows people a 'guilt-free' option for continuing to use them. It supports the concept of consumer choice in the types of nappies used. But while the Hot Rot sterilises the human waste, and keeps material out of landfill, it does not adequately deal with the high proportion of plastics and absorbent polymer gel in the nappies.

## Options Identified

### Option 1

20. The Council does not invest in a Hot Rot system but continues to send disposable nappies to landfill; green waste is composted into a saleable product.

### Option 2

21. The Council purchases a Hot Rot system to compost disposable nappies and diverts some of its green waste as a co-feedstock, producing lower-value compost.

## Assessment of Options

	Option 1 – No Hot Rot		Option 2 – Hot Rot	
	Disadvantages	Advantages	Disadvantages	Advantages
Social	None.	Convenient, simple and cheap; frequent collection.	Inconvenient and distasteful to separate the nappies from other rubbish and keep for up to a fortnight.	'Guilt-free' option for people to use disposable nappies.
Economic	Council continues to pay landfill fees of \$128,000 a year.	Avoids spending \$1.3 million capital and \$830,000-\$1.3 million annual operating costs. Household grey bag collection is affordable for the public. Compost from green waste is saleable.	\$1.3 million capital cost and \$830,000-\$1.3 million annual running costs. Council could also incur net extra collection costs. People unlikely to pay \$5 collection fee for 80 nappies when existing 125-nappy grey bag costs \$1.80.	Saves maximum of \$128,000 in landfill fees.
Cultural	None.	No new issues to address about human waste disposal.	Need to address issue of how to deal with compost derived from human waste.	Reduces amount of human waste sent to landfill.
Environment	Methane emissions from landfill continue, adding to greenhouse gas effect.	Solid Waste does not have the problem of how to dispose of compost derived from human waste and containing super-absorbent polymer.	Still need to screen out plastic and send to landfill; compost contains super-absorbent polymer and is associated with human waste so has limited appeal.	Reduced methane emissions from landfill; less volume sent to landfill; reduced human waste leachate from landfill.

## Preferred Option

22. Option 1 is the preferred option. Even though the Hot Rot reduces waste to landfill, and intuitively feels like the right thing to do, on balance it is not a satisfactory or complete solution to the problem of disposable nappies. It keeps the untreated human waste out of landfill, but still produces plastic waste to landfill, and requires substantial capital and operating expenditure. Setting up a composting plant to accommodate disposable nappies is contrary to the principle of product stewardship in the Waste Minimisation Bill, where the producer takes more responsibility for the 'cradle-to-grave' life of its product. The public could be reluctant to keep used disposable sanitary products separate from general waste and store them for collection, possibly paying a premium for the service. There is not yet a full-sized plant operating in New Zealand so its effectiveness is not proven.

23. It would be worth watching the full-sized plant and collection and disposal system to be set up in Canterbury, particularly to gain knowledge about the economics, the screening of the nappies' plastic components and the properties of the super-absorbent polymer in the resulting compost. If the Council decided to explore the Hot Rot further once the system is fully developed and its economics and environmental impacts are known, it could be done as a joint venture with other local authorities or a manufacturer of disposable sanitary products.

### STRATEGIC CONTEXT

24. The Council's document 'Zeroing in on Waste', which contains the Council's Solid Waste Management Plan 2005, is the Council's guiding document for the management of waste. It has a guiding principle of zero waste to landfill by 2020, drawing on the internationally recognised waste management hierarchy of principles: avoid, reduce, reuse, recycle, recover and residual disposal. A literal interpretation of the Solid Waste Management Plan 2005 would lead to encouraging or mandating the use of washable nappies, and using fewer of them. Any disposable nappies would need to be recyclable, with landfill used only as a last resort.
25. One of the Council's nine strategic platforms is Zero Waste – He whakakore otaota, which states that to the greatest possible extent rubbish will be dealt with in such a way that it is turned back into useful resources and not simply dumped in landfills. Among Waitakere's nine Community Outcomes for 2006-2009, use and disposal of nappies falls mainly into Sustainable Environment – Kauneke Tauwhiro Taio, which states 'We manage our energy, waste and water innovatively and responsibly'. A Hot Rot for disposable nappies addresses both of these, but must be weighed against the economics and practicality of a treatment that is only at a pilot stage as yet.

### CONSULTATION

26. Consultation has taken place with the Council's Solid Waste Manager and Corporate Sustainability Manager. Envirocomp Limited has also been consulted, as have Christchurch City Council's Waste Manager and the Hot Rot company R5 Solutions NZ Limited.

### RESOURCES

27. There are no resource implications above and beyond the status quo if the Council endorses the report's recommendation.

### IMPLEMENTATION ISSUES

28. Implementing the recommended decision could involve communicating within and outside the Council the reasons for not pursuing the Hot Rot option.

**Report prepared by:** Catherine Sheehan, Strategic Advisor, Sustainability Initiatives.



10 **METROPOLITAN URBAN LIMIT SHIFT - INTEGRATED CATCHMENT MANAGEMENT PLAN RESOURCE CONSENT CONDITIONS**

**GLOSSARY**

Integrated Catchment Management Plan/s	(ICMP/s)
Auckland Regional Council	(ARC)
Metropolitan Urban Limit	(MUL)
Waitakere City Council	(Council)

**EXECUTIVE SUMMARY**

Waitakere City Council (Council) prepared Integrated Catchment Management Plans (ICMPs) for the Totara (Massey North), Waiarohia (Hobsonville Village), Hobsonville Peninsula and New Lynn East catchments to support applications for network discharge consents associated with the Metropolitan Urban Limit (MUL) shift. These ICMPs were submitted to the Auckland Regional Council (ARC) in August 2006.

The ARC granted the associated network discharge consents on 25 June 2007, but some of the conditions of the consents were considered unreasonable and would have resulted in unaffordable implementation costs. An appeal was lodged by the Council based on legal and technical advice.

The purpose of this report is to seek approval from the Policy and Strategy Committee of amended network discharge consent conditions for wastewater and stormwater as negotiated and agreed between Council and the ARC.

**RECOMMENDATIONS**

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Metropolitan Urban Limit Shift - Integrated Catchment Management Plan Resource Consent Conditions report.
2. **Direct** the Director: City Services be delegated authority to approve any further amendments (if any) and approve the execution of Consent Order documentation relating to the stormwater and wastewater network discharge consent conditions associated with the Integrated Catchment Management Plans for the Metropolitan Urban Limit Shift in the following catchments:
  - Totara Creek Catchment;
  - Waiarohia Stream Catchment;
  - Hobsonville Peninsula Catchment; and
  - New Lynn East Catchment.

**BACKGROUND**

1. The proposed Auckland Regional Plan: Air, Land and Water requires that territorial authorities prepare ICMPs. Within the ICMPs is the documentation to support stormwater and wastewater network discharge consent applications.
2. The purpose of an ICMP is to undertake a review of the resource management values and issues that apply to the catchment, and identify objectives for future stormwater management. In addition to the Air, Land and Water Plan, the objectives of the catchment study must take in to account other local and regional policies such as the Auckland Regional Policy Statement and relevant planning documents.

3. The Totara, Wairohia, Hobsonville Peninsula and New Lynn East Integrated Catchment Management Plans were prepared to support Council's application to the ARC to shift the MUL.
4. These ICMPs form the basis of a comprehensive stormwater and wastewater discharge consent application, and are consistent with requirements of the ARC's Air Land and Water Plan.
5. An overview of the issues to be addressed in these ICMPs is as follows:
  - stormwater flooding;
  - stream channel stability and erosion;
  - natural values of streams;
  - contaminant potential for receiving environments from stormwater run-off and wastewater overflows;
  - low impact development;
  - institutional capability; and
  - management options.
6. There are no properties affected by flooding in the Totara, Wairohia and Hobsonville Peninsula catchments as the relatively few buildings which exist in these catchments are clear of the 1 in 100 year flood flows. In the New Lynn East catchment a small number of existing properties are affected by flooding.
7. The ARC granted the associated network discharge consents on 25 June 2007, but some of the conditions of the consents were considered unreasonable and would have resulted in unaffordable implementation costs. An appeal was lodged by the Council based on legal and technical advice.
8. In October 2007, the Council resolved as follows:
  - “1. *That the Metropolitan Urban Limit Shift - Integrated Catchment Management Plan Resource Consents and Appeals report be received.*
  2. *That the action taken in lodging appeals with the Environment Court, regarding the Metropolitan Urban Limit Shift - Integrated Catchment Management Plan Resource Consents be endorsed.*”

3624/2007
9. Since October 2007, negotiations have taken place to resolve the appeals, received from both Council and other parties. These negotiations have now reached the stage where proposed network discharge consent conditions for both stormwater and wastewater, for all four catchments, are in a final draft stage. It is anticipated that Consent Order documents will be available by 7 August 2008 and presented at the meeting.

## DECISION MAKING

### Issues

10. One particular concern with the conditions granted was the over-prescription by the ARC of the detailed management of the stormwater and wastewater networks. This matter has been resolved with lesser requirements for approval of designs, supervision and as-built information.

11. An Infrastructure Catchment Liaison Group, comprising ARC representatives, Council staff and any interested parties, is required under the proposed consent conditions for both wastewater and stormwater. The group is required to meet six-monthly. The purpose of this group is to receive an annual report comprising operational and performance information, to receive an update on development in the catchments, and to provide an opportunity for feedback and discussion on any issues raised.
12. Another concern of Council was that the conditions did not recognise financial constraints or the integration required among the various catchments for which Council is responsible. Under the Local Government Act 2002 the allocation of funding to, and among, the various catchments must take into account issues which the ARC seems not to regard as its concern. This matter has been addressed by a three yearly works programme clause (for wastewater) and a specific advice note (for stormwater), which take into account Council's 2006-2016 Long Term Council Community Plan process in determining works programmes.

### **Wastewater Network Consent Condition Issues**

13. The key features of the wastewater network consent conditions are as follows:
  - A performance target of no more than 10 wet weather overflow events over a five year period. It is noted that no wet weather overflows from the Council wastewater network are anticipated for the Greenfield catchments in the Northern Strategic Growth Area catchments, this target is one which is being used regionally, and is desirable for consistency reasons);
  - A three yearly works programme is to be provided to the ARC comprising works planned for the next three years, works completed in the previous three year period compared to planned works for that period, and an indication of the improvements in network performance as a result of the works completed to date;
  - An Operation and Maintenance Plan is to be provided, covering routine and preventative maintenance, response to wastewater blockages and overflows, and other incident response measures; and
  - Annual reporting of network performance, remedial works undertaken, environmental monitoring, and general compliance with the conditions of the consent.

### **Stormwater Network Consent Condition Issues**

14. The key requirements of the stormwater network consent conditions are as follows:
  - Stormwater is managed according to the respective recommended management options. This includes the construction and maintenance of identified key stormwater quality and quantity works;
  - For new development all required stormwater management devices to be in place prior to upstream development occurring and for existing areas a programme of works is to be provided to the ARC for information;
  - Sustainable low impact design measures to be adopted;
  - An Operation and Maintenance Plan is to be provided, covering routine and preventative maintenance and details of agreements and easements regarding the management of private devices;
  - Annual reporting of the level of subdivision and development occurring in the catchment, construction of stormwater and sediment control devices, resource consents granted by Council, remedial and upgrading works undertaken, environmental monitoring, significant policy changes to district or regional plans that may have an impact on the ICMPs and general compliance with the conditions of the consent;

- Preparation and implementation of a stormwater education programme consistent with the objectives, policies and guidelines of the ICMP, designed to increase the general public's understanding of stormwater management and the ways in which they can minimise the contamination of stormwater and impedance of stormwater flow.
15. The proposed network discharge consent conditions are considered to be both realistic and appropriate from a cost, affordability and resource point of view. It is recommended that the conditions be accepted by Council.

#### **Precedence Issue**

16. It is important to note that these consents are among the first to be issued under the Proposed Regional Plan: Air, Land Water for stormwater and wastewater networks, and therefore set a precedent for both Waitakere and other regional network operators. A Citywide wastewater network discharge consent for the City is currently being prepared, and it is proposed that the wastewater network conditions proposed for the Totara, Waiarohia, Hobsonville Peninsula and New Lynn East catchments be proposed for the Citywide consent. This will provide consistency across the City in terms of consent conditions covering maintenance, operations, planning and reporting requirements.

#### **STRATEGIC CONTEXT**

17. The provision of wastewater and stormwater infrastructure is essential to advance Council's strategies for sustainable urban development, with an emphasis on economic growth and good urban design, for the development of the Northern Regional Strategic Growth Area.

#### **CONSULTATION**

18. The process to arrive at agreement of the wastewater network discharge consent conditions involved consultation with representatives from the Herald Island Residents and Ratepayers Association and the Guardians of the Upper Waitemata.
19. Progress on the ICMP consent condition appeals has been reported to the Growth and Transport Integration Project Steering Group by the Ecowater representative. There has also been ongoing consultation with the Strategic Planning section.

#### **RESOURCES**

20. Provision has been made in the 2008/2009 Annual Plan for the preparation of Integrated Catchment Management Plans and the application of network discharge consents.
21. The resource implications arising from the Integrated Catchment Management Plans will be reported to Council through the 2009-2019 Long Term Council Community Plan process. The cost of infrastructure will be substantially recovered by Development Contributions.

## IMPLEMENTATION ISSUES

22. The implementation of the network discharge consent conditions as proposed will be incorporated into the normal business activities of Council using the current asset systems and processes. One area of change will be the increased number of private stormwater detention and treatment devices which will need to be managed. New processes using the Pathways Licensing Module are currently being put in place to deal with these. No other specific implementation issues are anticipated.

**Report prepared by:** Richard Taylor, Assets and Network Manager.



## 11 PROPOSED WAITAKERE AGRICHEMICAL REDUCTION POLICY

### GLOSSARY

Proposed Waitakere Agrichemical Reduction Policy (PWARP)

### EXECUTIVE SUMMARY

This report seeks approval from the Policy and Strategy Committee to adopt the Proposed Waitakere Agrichemical Reduction Policy (PWARP). The PWARP has been developed over the past three years as a result of community and Council's desire to reduce the use of herbicides within public areas. The PWARP has been developed by Parks officers in conjunction with Transport and Ecowater officers in order to develop an operational policy document which provides consistent and clear guidance for Council contracts and operations.

### RECOMMENDATIONS

It is recommended that Policy and Strategy Committee resolve to:

1. **Receive** the Proposed Waitakere Agrichemical Reduction Policy report.
2. **Agree** to adopt the Proposed Waitakere Agrichemical Reduction Policy.

### BACKGROUND

1. The PWARP has been developed in response to community concern regarding the types and quantities of herbicides used on public land. In 2001 the Environmental Management Committee resolved (Resolution 2863/2001) to set up a herbicide reduction working party to address many concerns around herbicide use.
2. The herbicide reduction working party held a number of meetings and workshops with a view to develop a herbicide reduction policy for Council's use of herbicides on public land. A draft Procedures for Herbicide Use was developed in 2005 however this has to date remained in draft form. This document has now been updated in the form of the PWARP.
3. Council published the *Sprays are not the only way; Reducing Herbicide Use in Waitakere* booklet in late 2007 which recommends ways to reduce herbicide use in the city. This booklet has been well received and the PWARP has taken into account the direction and recommendations of this booklet.

4. The PWARP has been developed in consultation with Parks, Ecowater and Transport, the three key asset management teams within Council. When developing the PWARP it was determined that herbicides should be broadened to agrichemicals so that the overall use of chemicals can be reduced across public assets.
5. The PWARP has been developed from an asset management perspective, recommending methods to provide sustainable land management, thereby reducing Council's need to use agrichemicals to maintain assets. This also means that all recommendations are practical and achievable. It is intended that over time the cost of managing public spaces will decrease due to these improved sustainable land management techniques.
- A345-A396 6. The vision for the PWARP is to work towards, in a practical and cost effective way, elimination of all pests, allowing the community to experience parks and open space in a healthy environment. A vision has been developed which is; *"A city with [sustainably managed land that has no animal and plant pests; a healthy city where everyone can enjoy parks and] open space."* A copy of the PWARP is attached at pages A345 to A396 of the supplement.
7. The PWARP is consistent with the objectives of the Waitakere Ranges Heritage Area Act 2008, in that heritage features will be enhanced through Council's general asset management programme, however the methodologies to reduce agrichemical use will achieve this in a more sustainable manner. In particular, regard is had for section 8, Objectives (b), (c), and (d).

## DECISION MAKING

### Issues

8. Many calls are received from the community in which concerns are raised that parks cannot be visited due to the use of agrichemicals, and the associated chemical sensitivity of residents. The PWARP addresses these concerns and offers tools and techniques to ensure the whole community can enjoy public spaces.
9. A decision tree has been developed to assess when to use agrichemicals. Four guiding principles have been developed. These guiding principles are in order of their importance for consideration:
  - a. **Prevent** the need for use; then
  - b. **Replace** agrichemicals with effective, less toxic alternatives; then
  - c. **Reduce** the use of agrichemicals; then
  - d. **Respond** to community interests and new technologies.
10. General information is provided on Council's alternative solutions trials and organic agrichemicals, including reasons why Council does not use these technologies in our current contracts. Education and Community Involvement are highlighted as key tools to reduce agrichemical use.

11. Specific information is provided on treatments for different forms of public space including:
  - Gardens and amenity areas;
  - Ecological areas and revegetation sites;
  - Sports fields;
  - Roadsides; and
  - Drainage reserves, watercourses and stormwater management devices.
  
12. The information provides guidance on how to engage the guiding principles in order to achieve sustainable land management, thereby reducing the need to use agrichemicals. Specific examples of practices we will change are:
  - New grass species on sportsfields that are more hardy and require less maintenance;
  - Combining the revegetation programme with specific weed control areas to prevent re-invasion; and
  - Consider new, alternative and less toxic agrichemicals.
  
13. Ways to manage the use of agrichemicals for the control of pest animals is detailed. Pindone is currently on the Waitakere City Approved Agrichemical List for the control on rabbits, however it is sought to add Brodifacoum for the control of rats and possums. The PWARP details the limitations and restrictions to be imposed around the use of these agrichemicals.
  
14. The Waitakere Animal Pest Strategy, adopted through Resolution 43/2007, recommended the use of baits to control possums and rats where appropriate. The Waitakere Animal Pest Strategy and the Waitakere Weed Management Strategy both recommend improvements to the way that pests are controlled, particularly around more cost effective and sustainable methods. The PWARP takes these recommendations into account.
  
15. Finally, the PWARP details monitoring that should be undertaken so that the use of agrichemicals can be measured and audited. Monitoring is proposed to be undertaken through amendments made to all contracts so that contractors regularly report on agrichemical use, and by monitoring the implementation of the PWARP.

### Assessment of Options

16. The following quadruple bottom line analysis table highlights the main issues associated with adopting the PWARP. Two options for the adoption of the PWARP have been considered; Option 1 is to adopt the PWARP; Option 2 is not to adopt the PWARP and leave Council with no Policy on agrichemical reduction.

	Option 1 Adopt PWARP		Option 2 Have no PWARP	
	Disadvantages	Advantages	Disadvantages	Advantages
Social	<ul style="list-style-type: none"> <li>• Some public spaces may be temporarily unavailable during management practice changes.</li> </ul>	<ul style="list-style-type: none"> <li>• Community concerns can be addressed at an operational level in a proactive but affordable way.</li> <li>• Public areas can be made more accessible to a wider portion of the community.</li> </ul>	<ul style="list-style-type: none"> <li>• Community concerns regarding the use of agrichemicals will not be addressed.</li> <li>• Some public areas may not be available for use to some members of the public.</li> </ul>	None

	Option 1 Adopt PWARP		Option 2 Have no PWARP	
	Disadvantages	Advantages	Disadvantages	Advantages
Economic	None	<ul style="list-style-type: none"> <li>All proposed management changes should be accomplished within existing budgets.</li> <li>New technologies and practices should reduce costs in the long term.</li> </ul>	<ul style="list-style-type: none"> <li>Continued practices will not decrease maintenance expenditure in the long term.</li> </ul>	Weeds and pests continue to be controlled, albeit using existing techniques.
Cultural	None	<ul style="list-style-type: none"> <li>Reduction in agrichemical use, particularly near waterways and natural areas is consistent with Iwi concerns for good land management.</li> </ul>	None	None
Environment		<ul style="list-style-type: none"> <li>Less chemicals in the environment.</li> <li>Health of Green Network improved.</li> <li>Improved management practices decrease need for control in the long term.</li> </ul>	<ul style="list-style-type: none"> <li>Continued use of chemicals which is not considered the optimum sustainable approach to land management.</li> </ul>	

17. The reduction in the use of agrichemicals and improvements to public land management is consistent with a Maori view of their relationship with and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna and other taonga.

### Consideration of Community Views

18. The PWARP has been developed in response to community views, as well as Council's concerns for the Green Network. Extensive workshops and consultation was undertaken through the development of the earlier draft herbicide reduction procedures. All community concerns that were expressed at that time, including more recent concerns highlighted through the call centre and communication with Council officers, have been addressed through the PWARP.

### STRATEGIC CONTEXT

19. Council's provision of the PWARP principally aligns with the Green Network Strategic Platform, by offering a way to improve our management of public and natural areas. The PWARP also contributes to the Urban and Rural Villages Strategic Platform by recognising that some members of the community cannot safely recreate in Waitakere parks where agrichemicals are used.
20. The PWARP also works towards achieving a Community Outcome for Sustainable Environment in that Council manages the city's growth in a way that increases its sustainability and enables a healthy living environment.

### CONSULTATION

21. Detailed consultation has occurred with the asset teams within Council, namely Transport, Ecowater and Parks. All feedback is incorporated into the PWARP, and all actions for sustainability have been included in a form that ensures they are practical as well as practicable.

22. The PWARP has been prepared in response to community concerns and submissions, and addresses these concerns. It is not considered necessary to consult further with the community on the PWARP as the document has been prepared within the context of previous extensive consultation with community interest groups through the herbicide reduction working group and is an operationally based policy which concerns the detailed management of public land.

## RESOURCES

23. Funding is accommodated within the Parks Planning and Analysis Budget for the publishing of the PWARP, with an estimated cost of \$340 for publication of 1,000 copies. The PWARP will also be uploaded onto the Council website for free download by residents.
24. Detailed consultation with the various asset teams within Council has confirmed that the implementation of the PWARP is mostly already being undertaken as part of Council's current contracts. The PWARP formalises the current work and sets direction for the future.
25. Where changes are required to be made to contracts it is unlikely that cost increases will be incurred. The data around agrichemical use is a legal requirement to record, so only additional time is required to submit the information to Council and for staff to process.
26. The PWARP aligns with best practice methods, improves sustainability of our parks and results in long term efficiencies. An example of this is changes to sportsfield management. Through programmed renewals improved grass seed species will be sown that will be more drought tolerant and with denser root growths. This results in less summer irrigation, less pesticide application to control worm damage, and less fungicide to control stress related fungal infections.
27. Due to the detailed consultation and resource considerations there will not be any additional costs associated with the implementation of the PWARP. All changes will be incorporated as part of programmed renewals and combining park management practices.

## IMPLEMENTATION ISSUES

28. There are no implementation issues foreseen with the adoption of the PWARP. Amendments to the current management practices and contracts are expected to occur gradually over time, with the aim of being completely implemented by 2011 when the Waitakere Animal and Weed Strategies will next be reviewed.

**Report prepared by:** Danielle Hancock, Parks Ecology and Policy Coordinator.



## 12 DRAFT REGIONAL ARTERIAL ROAD PLAN

### GLOSSARY

Draft Regional Arterial Road Plan	(Draft RARP)
Auckland Regional Transport Authority	(ARTA)
Regional Land Transport Strategy	(RLTS)
Road Controlling Authority	(RCA)
Territorial Authority	(TA)
New Zealand Transport Agency	(NZTA)
New Zealand Transport Strategy	(NZTS)
Government Policy Statement	(GPS)
Central Business District	(CBD)

### EXECUTIVE SUMMARY

The Draft Regional Arterial Road Plan (Draft RARP) has been prepared by the Auckland Regional Transport Authority (ARTA) as part of its implementation of the 2005 Regional Land Transport Strategy (RLTS). ARTA is seeking submissions on the Draft RARP by 8 August 2008.

The RLTS places increased emphasis on the improved management and operation of the regional arterial road network. Regional arterials roads are the second tier in the regional road hierarchy below the state highway network. The RLTS describes regional arterials as roads that “link districts or urban centres within the region and connect regionally significant facilities.”

The Draft RARP has been through several iterations over the past two years based on feedback from Road Controlling Authorities (RCAs), principally Territorial Authorities (TAs). In general terms, officers are satisfied that the Draft RARP represents a significant improvement over earlier iterations of this document. However, the Draft RARP has significant implications for the Council and there are a number of outstanding issues with the document. Principal amongst these issues are:

- Regional arterial roads should have a genuinely regional function and not just a network resilience function of being a back-up in case a motorway is closed for some reason.
- Most regional arterial roads in Waitakere have evolved over time from local functions. Improvements to regional arterial roads (such as improved safety, bus priority, capacity, cycle lane, traffic management) may need to be staged over a number of years due to the cost and the intense competition for capital funding. Currently the financial assistance rate is 53% which means the Council would need to meet 47 per cent of the cost of roads with a significant regional function.
- The “place function” of regional arterial roads is important where these pass through town centres and along growth corridors which are targeted for more intense mixed-use development.
- The District Plan contains a roading hierarchy for Waitakere. ARTA is seeking changes to this roading hierarchy in the District Plan. This has significant implications for resourcing and the potential for unintended side effects which requires careful consideration.
- The suggestion to include part of Swanson Road and the whole length of Don Buck Road as a regional arterial route is not supported by officers.
- The proposal to designate Hobsonville Road as a regional arterial after the revocation of its state highway status requires further consideration.
- To avoid restrictions on regional arterial roads, officers propose that over-dimension and over-weight vehicles should be directed onto the state highway network, where possible.

## **RECOMMENDATIONS**

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Draft Regional Arterial Road Plan report.
2. **Agree** that the Chairman of the Policy and Strategy Committee sign off on a submission to the Auckland Regional Transport Authority on the Draft Regional Arterial Road Plan to be prepared in response to the issues raised in the Draft Regional Arterial Road Plan report and feedback from the Policy and Strategy Committee.

## **BACKGROUND**

1. Regional arterial roads in Waitakere constitute the top level of that part of the roading hierarchy controlled by the Council. Roads currently designated as regional arterial roads in the Council's District Plan include Lincoln Road, Great North Road, Edmonton Road, Te Atatu Road (between Great North Road and the North-western Motorway) and Rata Street. Sections of these roads carry in excess of 40,000 vehicles on an average weekday and regional arterial roads within Waitakere perform vital functions such as linking Henderson and New Lynn to each other and the rest of the region.
2. The Draft RARP has been prepared by ARTA as part of its implementation of the 2005 RTLS. The RLTS places increased emphasis on the improved management and operation of the regional arterial road network. The RLTS describes regional arterial roads as regional arterials as roads that "link districts or urban centres within the region and connect regionally significant facilities."
3. ARTA is proposing that the prioritisation of regional arterial road projects should follow on from the priorities established in the Draft RARP and preferably as a consequence of the preparation of a Corridor Management Plan.
4. The Draft RARP recommends that "on regional arterials roads, the movement of people and goods on the road should generally have priority over the access function of the road." While the movement function of regional arterial roads is important, this needs to be balanced by their place and access functions. This is discussed in more detail in the issues section of this report.

## **DECISION MAKING**

5. Currently, transport governance arrangements in the region divide responsibility for the funding and operation of the region's roading network between the New Zealand Transport Agency (NZTA) for the state highway network – principally the motorway network in the Auckland region – and TAs for the remainder of the roading network. The Land Transport Management Act gave ARTA a sieve function for prioritising and recommending individual TA transport projects. The establishment of the NZTA puts it into a similar position to ARTA whereby it will be funding projects to be implemented within its own organisation. In the case of the NZTA, this is a reversion to the situation that existed with Transit New Zealand from its establishment in 1989 until the creation of Transfund, which took over its funding role.
6. The Draft RARP is another plan from ARTA that proposes to extend its funding role from evaluating transport projects submitted by TAs into a role of shaping and prioritising projects to be recommended for funding. This follows clear signals from ARTA in the Auckland Transport Plan that it sees a more significant role for itself as a shaper rather than evaluator of transport projects.

7. While it is acknowledged that, by their very nature, regional arterial roads have a regional function that extend beyond the borders of Waitakere, the draft RARP is not sufficiently flexible in its prioritisation criteria to respond to rapidly changing circumstances nor to respond to new opportunities not envisaged in the document.
8. The Council needs to be aware of this prioritising intention of the Draft RARP. The New Zealand Transport Strategy (NZTS) and the Government Policy Statement (GPS) are likely to be released by the time of the Committee meeting. The NZTS will set medium to long-term targets for the transport sector through to 2040 while the GPS will set short to medium-term targets for the next ten years. The Government intends that the GPS will set funding priorities based on the targets in the GPS and the NZTS. Given that the Government has not, as of the date of preparing this report, released either document, it is hard to see how this prioritisation can be confirmed at this point.

## Issues

### General Context

9. It is acknowledged that by their very nature regional arterial roads have a function that stretches beyond Waitakere's borders and that an element of regional co-ordination is warranted. The experience of road users of all sorts - pedestrians, cyclists, bus passengers, car passengers and car drivers - should be that the regional arterial roading network should be as seamless, legible and self-explanatory as possible. This is not currently always the case as the management of roads can vary across TA boundaries. For example, clearway restrictions on Rata Street in Waitakere and Ash Street in Auckland City are quite different in spite of them forming a single route as far as road users are concerned. Sometimes regional arterial road projects are driven by internal political concerns or budgetary constraints, as reflected in Auckland City's decision to defer for three years the completion of the Tiverton Street and Wolverton Street upgrades to connect the Mt Roskill extension of the South-western Motorway to Waitakere. Another point to note is that roading projects on a single route may not provide for consistent standards across TA borders. Again the Tiverton Street and Wolverton Street route upgrade does not provide for cycle lanes whereas the Clark Street section of the same route in Waitakere does.
10. Regional arterial roads in Waitakere have evolved over time. For example, before the Upper Harbour Bridge was built in the 1970s, Hobsonville Road was a rural road leading to a dead-end in Hobsonville Peninsula. Lincoln Road has similarly evolved from being a largely rural road to an urban arterial. Only greenfields arterials in newly developing areas are built from scratch. In Waitakere, all our regional arterial roads have evolved over time (although before 1959, Great North Road was the only road link between Auckland and Northland). This means that these roads need to respond to past development, present uses and future aspirations.

11. While the Draft RARP represents a significant advance from its earlier versions, there are significant issues with the document as it stands. While the issue of peak oil is addressed explicitly in the text of the document, this is not reflected in the prioritisation proposed for projects. The document appears to assume ongoing growth in traffic volumes whereas the recent experience with the sharp increase in prices for transport fuels shows that, as has been known for a long time, price is a potent tool to manage the demand for travel. The multi-criteria analysis of deficiencies in the regional arterial road network is welcomed, but this is based on the morning peak period without taking into consideration the range of tools that can manage the peak level of demand. It also doesn't recognise that some road users are making sustainable transport choices; others are doing trips that are vital for the economic life of the city and the region; and others are imposing major costs on themselves, other transport users and the region's economic productivity and environment through travelling alone where viable alternatives already exist.
12. Designing a roading network to meet a peak level of traffic demand does not seem to be environmentally, economically or socially responsible. The result could be over-sized roads that are out of scale with their context; the demand for their use (outside of the peak period) and which have significant negative implications for urban form and the place function of growth corridors and town centres. It also does not send a clear signal encouraging more sustainable travel choices.
13. The Draft RARP appears to focus on accommodating demand for travel while providing for a range of travel choices rather than attempting to manage and prioritise the demand for travel. The region as a whole has a range of very big ticket transport projects on the horizon and an existing shortfall of both national and local financial resources to fund these projects. The reduction in fuel consumption is also reducing the amount of money being raised from fuel excise duty which will further exacerbate this situation. It seems that the Draft RARP is attempting to find solutions to problems that would better be resolved through the review of the RLTS, which is currently getting underway. The RARP needs to provide guidance how the regional arterial roads will contribute to proposed national targets including safety, improved travel times along principal routes, and reduction in single occupant vehicle travel.

#### **Classification and Prioritisation of Regional Arterials in Waitakere**

14. There are significant differences between the current regional arterial road network as shown in the following attached maps:
  - A397 a) 2005 RLTS current strategic and regional road network - (A397 of the supplement)
  - A398 b) 2005 RLTS future strategic and regional road network - (A398 of the supplement)
  - A399 c) District Plan roading hierarchy map - (A399 of the supplement)
  - A400 d) Proposed regional arterial network in the draft RARP - (A400 of the supplement)
15. The proposed Council response to the road hierarchy in the Draft RARP and to roads shown as regional arterials in the District Plan is included in the following paragraphs, along with commentary on project priorities.
16. **Lincoln Road** - Support retention of regional arterial road status as Lincoln Road connects the Henderson Central Business District (CBD) to the North-western Motorway and on to the North Shore via the partially constructed Western Ring Route. A key requirement for Lincoln Road is integrated management with the North-western Motorway and for the Lincoln Road interchange to be upgraded to modern standards. Plans to provide bus lanes on the section of Lincoln Road between Te Pai Place and the Lincoln Road interchange aligns closely with the draft RARP. The role of freight along Lincoln Road needs to be considered.

17. **Great North Road** - Support retention of regional arterial road status from Totara Avenue to Swanson Road except through the Henderson CBD where this route should be via Edmonton Road (Great North Road to Alderman Drive); Alderman Drive (Edmonton Road to Sel Peacock Drive); and Sel Peacock Drive in order to bypass the main street retail area on Great North Road. Once the Clark Street extension is constructed, support removal of regional arterial road status from the very short section of Great North Road between Totara Avenue and the future Clark Street Extension. The deletion of regional arterial road status on Great North Road eastbound from Totara Avenue to the Whau Creek would be appropriate.
18. **Rata Street.**- Support retention of regional arterial road status.
19. **Clark Street Extension/ Clark Street/ Wolverton Street** - Propose that this route becomes a regional arterial road from the completion in early 2009 of the South-western Motorway section to Maioro Street. Until Clark Street Extension is constructed, Totara Avenue will require very sensitive management as this street is vital as the core of the "Merchant's Quarter" in the Council's master plan for the New Lynn Town Centre. It is also important to enhance the cross-connectivity of Clark Street as a key link between future residential areas, the town centre and the bus and rail interchange. The Council's plan to develop Clark Street as a main street with kerbside parking acting as a buffer between pedestrians and the moving traffic lanes, that balances through movement function with the vital cross, access and place functions, is integral to the success of the Council's vision for New Lynn.
20. **Edmonton Road** - Support retention of regional arterial road status and recognition as part of the quality transit network for buses.
21. **Te Atatu Road** - Support retention of regional arterial road status from Edmonton Road to the North-western Motorway. The section of Te Atatu Road from Edmonton Road to Great North Road is currently designated in the District Plan as a regional arterial. However, it is considered that this route is more appropriately classified as a district arterial road. Hence, ARTA's failure to include this as a regional arterial road is not considered an issue. This however has implications for the District Plan in order to make the District Plan hierarchy compatible with the proposed regional road network in the Draft RARP. The lower prioritisation for safety on Te Atatu Road in the Draft RARP does not align with the very poor safety record of this section of road. The plan to upgrade Te Atatu Road to address the known safety issues; to integrate with the planned upgrade of the Te Atatu Interchange and to provide for buses and high-occupancy vehicles aligns well with the Draft RARP.
22. **Swanson Road and Don Buck Road** - ARTA has proposed that the section of Swanson Road between Lincoln Road and the roundabout at Don Buck Road, as well as the entire length of Don Buck Road be made a regional arterial route, primarily for reasons of network resilience in the event of the closure of the North-western Motorway. It is proposed that the Council does not support this as it is believed that network resilience - effectively acting as a standby route in case of the failure of another route - is not sufficient reason in itself for a regional arterial road classification. Don Buck Road is steep in its southernmost section; has a large number of curves; poor forward visibility and drops off steeply to both sides. It falls below the geometric standards that would be expected of a regional arterial road and there are few, if any, fundable options to bring it up to a suitable standard.

23. **Hobsonville Road** - The future regional arterial road network map in the 2005 RLTS does not have Hobsonville Road as a regional arterial road. After the future revocation of its state highway status, its primary functions will be to connect the Hobsonville Airbase with Hobsonville Village and Westgate and to form part of the region's quality transit network and regional cycle network. It is worthy of further consideration as to whether this should be a regional or district arterial road. The current District Plan rules do not provide for medium density housing on district arterial roads. This does not align with the Council's and the region's aspirations for this corridor and would need to be properly addressed in any decisions about the future status of Hobsonville Road in the road hierarchy.
24. **Brigham Creek Road** - The Draft RARP proposes to make Brigham Creek Road a regional arterial route as it provides a direct route between Rodney District and North Shore City. However, officers consider that, once the Hobsonville Deviation section of the Upper Harbour Motorway is complete in 2012, a more desirable route between Rodney and the North Shore would be via the current State Highway 16 section between Brigham Creek Road and Westgate, accessing the Upper Harbour Motorway at either the Hobsonville Road or Trig Road interchanges. This section of the current State Highway 16 has recently had significant safety improvements and is of a higher geometric standard than Brigham Creek Road. In the event of a commercial airport proceeding at Whenuapai, Brigham Creek Road would operate as a regional arterial road. It is suggested that the Council supports a change in status of the existing State Highway 16 between Hobsonville Road and Brigham Creek Road from a strategic route to a regional arterial route when its state highway status is revoked.

#### **District Plan Roding Hierarchy Implications**

25. There are a number of roads not listed above that are shown in the District Plan roding hierarchy map as being regional arterials. These routes are Henderson Valley Road from Forest Hill Road to Great North Road; Alderman Drive from Great North Road to Sel Peacock Drive; Titirangi Road from Great North Road to Godley Road; the whole length of Godley Road; Portage Road from Godley Road to Kinross Street; and Kinross Street from Portage Road to the city border.
26. Internal staff discussions have concluded that none of these routes really has a function befitting of regional arterial road status and that it is worthy of further consideration as to whether they are better suited as district arterial roads. However, while consistency with an agreed regional roding hierarchy is felt to be desirable, there are other District Plan considerations that need to be taken into account. Principal amongst these are:
- - Medium-density housing: Regional arterial roads provide for the ability to construct medium-density housing as they are considered to also be major public transport routes.
  - High Noise Routes: Both regional and district arterial roads are considered to be high noise routes in the District Plan with a requirement of acoustic insulation of new homes.
  - Reverse Manoeuvring: Both regional and district arterial roads restrict reverse manoeuvring and require on-site vehicle manoeuvring for reasons of personal safety and improved traffic management.
27. The roding hierarchy map in the District Plan is in need of updating to reflect elements of the roding network completion since the District Plan was notified in 2003. A report entitled *Proposed Plan Change 3: Re-identification of Road in the District Plan Roding Hierarchy* was presented to the Environmental Management Committee at its meeting on 12 November 2002. It was resolved as follows:

- “1. That pursuant to Clause 16A of the First Schedule to the Resource Management Act 1991, the Environmental Management Committee resolves to publicly notify Proposed Plan Change 3 to the Operative Waitakere City District Plan to make amendments to the Roding Hierarchy Maps attached at pages A1 to A9 to the agenda report.
2. That the Environmental Management Committee endorses that the notification of Plan Change 3 to be initiated, as soon as practicable, once the Proposed District Plan has been made operative.
3. That the Proposed Plan Change 3 - Re-identification of Roads in the District Plan Roding Hierarchy be referred to all Community Boards for their consideration on public notification.”

3266/2002

28. However, due to internal resourcing and staff workload issues, the proposed plan change was never progressed. It is recognised that this works remains outstanding but also gives the Council the opportunity to include changes to the roading hierarchy map in the District Plan to match regional aspirations where this is felt to be desirable by the Council.
29. A plan change would also give the opportunity to consider and address some of the potential unintended effects of a change in the road hierarchy and to generally tidy up the road hierarchy to reflect current conditions. One potential unintended effect is the linking of medium density housing provisions to regional arterial roads. It is worthy of investigation as to whether it would be better to link medium-density housing to ARTA's planned Quality Transit Network of premium, direct, high-frequency bus routes linking key activity centres within Waitakere and regionally. It would also give an opportunity, once the Waitakere Freight Plan is complete, to consider how freight routes could be treated in the District Plan roading hierarchy.
30. Section 32 of the Resource Management Act 1991 requires a rigorous test to ensure that before any objective, policy, rule or other method is adopted, a local authority has had regard to:
  - The necessity of the objective, policy or rule or other method;
  - Other means of achieving the purpose of the Resource Management Act 1991;
  - Reasons for and against adopting the proposed objective, policy or rule or other method; and
  - Evaluation of the likely costs and benefits of the principal alternative means; including consideration of effectiveness and efficiency.
31. The section 32 test combined with the significant resource implications and time it would take to carry out a plan change, means that a plan change needs to be carefully considered in line with other Council and workload priorities. However, it is recognised that the District Plan roading hierarchy is in need of updating to reflect the current roading network in Waitakere. It is appropriate that this Plan Change occur after the Draft RARP is finally approved.

### Consideration of Place and Access

32. While it is acknowledged that the through movement function of regional arterial roads is important, it is also important that areas on regional arterial roads, especially those with significant place function, do not suffer community severance and provide for access across the corridor. Pedestrians, including bus customers, need safe locations to cross often very busy regional arterial roads. While measures such as pedestrian refuges may suffice for able-bodied pedestrians, a significant proportion of the population has some limitation on their mobility which makes crossing busy roads a significant challenge. Regular signalised intersections on regional arterials with co-ordinated and optimised signal phasing can contribute to smooth traffic progression but also provide vital access across the arterial for pedestrians, bus users and cross traffic. It should be noted that traffic signal optimisation is a low-cost tool that could deliver significant benefits soon to regional arterial operation but requires appropriate resourcing of the Traffic Management Unit. The current tendency for very long signal cycle times favours the through movement function but can in itself constitute a barrier to the cross-function of these roads for pedestrians and bus users (and vehicles trying to get access to or across the regional arterial road).
33. It is reasonable to expect regional arterials to behave in these sensitive town centre/ high place function areas and along key corridors to be the subject of intensification. Traffic management tools and desired vehicle progression speeds would be different in these sensitive locations to other sections of regional arterial roads. Pedestrians would have an even higher priority in these locations. The RARP should encourage funding to take into account provision for all modes of travel on regional arterials and favour projects seeking to deliver on multiple outcomes and not just improved travel times for car drivers.
34. Access management on some of our existing regional arterials could be improved. An example is Lincoln Road where shared accesses and side and rear accesses could deliver an improved pedestrian, cyclist, bus user, urban design and traffic outcomes. Some of these tools would need to be included in a plan change for the Henderson and Lincoln areas but improved access management would be evolutionary as the corridor redevelops. While there is a process under the Local Government Act 2002 to reduce excess driveway widths, this would be a very resource-intensive (and possibly contentious) tool to use widely in the short term.

### Over Weight and Over Dimension Vehicle Routes

35. Over-weight and over-dimension vehicles should use the state highway network as much as possible as there are significant conflicts between the uses of regional arterial roads due to the significant roadside development; the community impacts and the impact on the place function of significant parts of the regional arterial road network in Waitakere. Transit New Zealand requested that Hobsonville Road continues as a route for over-weight and over-dimension vehicles after completion of the Upper Harbour Motorway. This would place constraints on the ability to calm traffic in a town centre context and reduce the opportunity for urban design interventions that can maximise a feeling of place. It is proposed that the over-weight and over-dimension vehicle route should be along the Upper Harbour Motorway when it is completed.
36. The NZTA does have the power to direct RCAs to provide for over-dimension loads on roads controlled by them. This effectively limits the influence of the Council in this area.

### Consideration of Community Views

37. The Draft RARP is currently being consulted on by ARTA which is an opportunity for community views to be considered. Submissions are due on 8 August 2008.

### STRATEGIC CONTEXT

38. The Draft RARP, if implemented as proposed, would have a range of positive and negative impacts on nearly all of the Council's strategic platforms, namely integrated transport and communications; urban and rural villages; strong innovative economy; strong communities; and sustainable energy and clean air.
39. **Integrated transport and communication, Te Whakaurunga Waka Te Whakawhiti korero**  
Regional arterial roads (along with the motorway network) provide vital connections between Waitakere's three main town centres and connect Waitakere to the rest of the region. However, they can have negative impacts on vulnerable road user groups unless carefully designed to balance competing demands and provide well for all user groups.
40. **Urban and rural villages, Nga kainga taone, tuawhenua**  
Regional arterial roads are both vital for the economic life of town centres but can also create severance and limit their development potential unless well managed to accentuate, rather than reduce, the place function of town centres.
41. **Strong innovative economy, He tupuranga kaha ihi wana**  
Regional arterial roads are vital to the accessibility of Waitakere's key employment and business areas. Attention needs to be given to providing for the needs of freight as a priority user group.
42. **Sustainable energy and clean air, He kaha motuhake. He hau ora pai**  
As transport is a key contributor to greenhouse gas emissions, air pollution, and the use of energy, regional arterial roads can make either greater or lesser negative contributions based on how well they are managed and how well they prioritise more sustainable transport choices.
43. **Strong Communities, He iwi kaha**  
Communities can both be linked or severed by regional arterial roads meaning that these roads need to balance the through movement function with the ability to cross the corridor safely, whether as a pedestrian, cyclist, bus passenger or car passenger or driver.

### CONSULTATION

44. This report is proposing a Council position as the basis for a submission to ARTA on its Draft RARP. Internal consultation has taken place with the Transport Assets; Transport Strategy; Urban Design and Development; Sustainable Management and Resource Management sections of the Council and report reflects a "whole of Council" view on the issues raised.
45. Any consultation with Maori needed for the Draft RARP is the responsibility of ARTA.

## RESOURCES

46. At this stage, no other resources other than staff time are required. However, any plan change resulting from needing to update the District Plan roading hierarchy map has significant resource implications and would need to be reported to the appropriate committee of the Council.

## IMPLEMENTATION ISSUES

47. Implementation issues relate to the need to update District Plan classifications of roads, preparation of corridor management plans and ensuring regional arterial roads align with the strategic direction provided in the RARP.

**Report prepared by:** Darren Davis, Principal Advisor, Transport.



## 13 FINALISING THE WAITAKERE DISABILITY PLAN

### GLOSSARY

Disability Information Waitakere Network	(DIWN)
Long Term Council Community Plan	(LTCCP)
Draft Waitakere Disability Plan	(the draft Plan)

### EXECUTIVE SUMMARY

The purpose of this report is to seek the Policy and Strategy Committee's approval of the draft Waitakere Disability Plan (the draft Plan) for engagement with key stakeholders and wider community consultation. Members of the political Steering Group have met since they were nominated at the June 2008 meeting of the Policy and Strategy Committee to consider the draft Plan. The Steering Group considers that consideration of any resource implications for the draft Plan is most effectively undertaken through the 2009-2019 Long Term Council Community Plan (LTCCP) process. It is intended that the final Waitakere Disability Plan will be brought back to the Council for adoption following the LTCCP process and further engagement by 30 June 2009.

The draft Plan will be circulated under separate cover.

### RECOMMENDATIONS

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Finalising the Waitakere Disability Plan report.
2. **Approve** the draft Waitakere Disability Plan for engagement with key stakeholders and wider consultation.
3. **Agree** that the final Waitakere Disability Plan be brought to the Policy and Strategy Committee by 30 June 2009.

### BACKGROUND

1. In April 2007, the City Development Committee approved the development of the Waitakere Disability Action Plan as Council's local response to the New Zealand Disability Strategy.

2. A draft Plan was presented to the June 2008 meeting of the Policy and Strategy Committee which resolved to:

- “1. **Receive** the Progressing the Draft Waitakere Disability Action Plan report.
2. **Approve** the nomination of Crs Brady, Lawley and Hulse to a political steering group to oversee the draft Waitakere Disability Action Plan.
3. **Agree** that the final draft of the Waitakere Disability Action Plan be brought back to the August 2008 Policy and Strategy Committee meeting.”

907/2008

3. The Steering Group subsequently deliberated and recommended a process for finalising the draft Plan as per the recommendations in this report.

## DECISION MAKING

### Issues

4. About one in five residents of Waitakere are disabled people. They are a significant population group which will become more prominent with ageing trends over the next twenty years.
5. The Council can play a major role in coordinating action to improve the wellbeing of Waitakere's disabled residents and remove barriers to their contributions to family, community and economy.

### Consideration of Community Views

6. Discussions were held with key local stakeholder organisation Disability Information Waitakere Network (DIWN) during development of the draft Plan.

## STRATEGIC CONTEXT

7. The draft Plan responds and contributes to the New Zealand Disability Strategy, local Community Outcomes and to the Council's strategic platforms, high-level Strategies, Action Plans, Activity Plans and projects across the organisation.

## CONSULTATION

8. The development of the draft Plan has involved consultation with staff and key stakeholder organisations, DIWN and the Office for Disability Issues, which is part of the Ministry of Social Development. Further engagement will be undertaken pending the Policy and Strategy Committee's agreement that the draft Plan be approved for engagement with key stakeholders and wider consultation.

## RESOURCES

9. Many actions in the draft Plan are within baseline budgets in the 2008-2009 Annual Plan.
10. Resources for the draft Plan will be defined and discussed as part of the Activity Planning process for the 2009-2019 LTCCP.
11. Some actions in the draft Plan depend on external contributions, notably the joint demographic research project and Lu'i Ola regional Pacific disability services programme. These initiatives are robust and there is little risk of external contributions being withdrawn during the 2008-2009 year.

## IMPLEMENTATION ISSUES

12. Internal and external capacity is a major issue affecting the Council's ability to finalise and implement the Waitakere Disability Plan. Initial investment in increasing understanding is required to enable coherent contributions from both internal and external stakeholders. Careful phasing of actions is needed to avoid expectations outstripping the Council's resourcing and capacity to deliver.

**Report prepared by:** Sacha Dylan, Strategic Partnerships Advisor, Disability.



## 14 ROYAL COMMISSION - ISSUES AND UPDATES

Provision is made in the agenda for a 30 minute update from Council officers on the Royal Commission of Inquiry into Auckland Governance.

