

Attachment 9: Assessment Against the Auckland Regional Policy Statement

B2: Tāhuhu whakaruruhau ā-taone - Urban growth and form

1. Chapter B2 sets out the objectives and policies for growth and form in the region and identifies that growth needs to be provided for in a way which enables mana whenua to participate and their culture and values to be recognised and provided for¹. This section is currently subject to Plan Change 80 (PC80) to align it with terminology used in the NPS-UD, particularly references to a 'well-functioning urban environment'. Some changes are also proposed in PC80 to ensure the region is more resilient to the effects of climate change when new development occurs.
2. It recognises that a quality compact urban form enables a range of activities including a higher-quality urban environment, greater productivity and economic growth, greater social and cultural vitality and reduced adverse environmental effects². The urban growth and form section the RPS deliberately takes a broad approach to addressing the resource management issues arising from the scale of urban growth in Auckland³.
3. The scheduling of a site of significance has the potential to affect the development of property. As an example, subdivision under the AUP(OIP) that results in a site or place of significance to mana whenua extending across multiple lots, becomes a Discretionary Activity as a SSMW. The establishment of new buildings or structures is also a Discretionary Activity.
4. The SSMW and MHS provisions do not prohibit development however, and the maximum development potential under the AUP(OIP) and HGI is affected by a range of factors. These include: the underlying zone of a property, any relevant precinct, other overlays, and any other controls that apply to a property.
5. By protecting specific sites and places, PPC102 and PPM15 recognise the cultural values of these sites to mana whenua and applies a management regime that requires consideration of those values when development, including subdivision, is proposed.
6. The recognition and protection of cultural heritage enables mana whenua to participate in resource management decisions that affect their culture and values. The identification and awareness of such sites enhances social and cultural vitality in the urban area. The plan changes are consistent with Chapter B2.

B3 Ngā pūnaha hanganga, kawekawe me ngā pūngao - Infrastructure, transport and energy

7. Chapter B3 sets out the importance of infrastructure, transport and energy to the Auckland region, with objectives and policies that recognise this importance, but also manage the

¹ B2.1 Issues (8)

² B2.2.1 Objective (1)

³ B2.9 Explanation and principal reasons for adoption

adverse effects of activities on the quality of the environment and natural and physical resources that have been scheduled in the AUP(OIP).

8. Some of the nominated sites in PPC102 are located within Auckland's infrastructure and transport networks and are subject to designations. Works undertaken in accordance with a designation are not subject to AUP(OIP) district plan level provisions, including the SSMW provisions.
9. The scheduling of the place can be used to advocate for positive outcomes within the outline plan and other designation processes. Scheduling of these places also ensures that if the designation is uplifted or works are proposed which are not in accordance with the designation, the SSMW provisions will apply to the proposal. Regional consenting to enable infrastructure and transport networks can take cognisance of the presence of a recognised site of cultural significance.
10. Where nominated sites are not subject to designation, RPS objective B3.2.1(3) and policy B3.2.2(3) and B3.2.2(6) recognise that there can be a functional or operational need to locate infrastructure in areas with natural and physical resources that have been scheduled, including for their significance to mana whenua. The RPS provides for the development, operation, maintenance and upgrading of infrastructure in these areas.
11. One site, Waipapa, is identified in PPC102 as being subject to a 'site exception' rule. This recognises sites that have been so physically modified that no physical evidence of historic occupation and use is likely to remain. For the sites subject to the site exception rule, the activity status for earthworks and infrastructure not otherwise provided for, in Section E26 – Infrastructure -Table E26.6.3.1 and E26.10.3.1 is less restrictive.
12. The RPS recognises the importance of infrastructure, transport and energy to growing the well-being for society. It also recognises the importance of avoiding where practicable adverse effects on sites scheduled in the plan for mana whenua. The plan changes are consistent with this chapter of the RPS.

B4 Te tiaki taonga tuku iho - Natural heritage

13. Chapter B4 emphasises protection of Auckland's distinctive natural heritage, including the Auckland volcanic field, from inappropriate subdivision, use and development, and maintaining the contribution of landscape values to high amenity values. Included are objectives and policies particular to Outstanding Natural Features and Landscapes, Viewshafts, Notable trees and the Waitakere Ranges Heritage Area.
14. Objective B4.2.1(2) provides for the recognition of the ancestral relationships of mana whenua and their culture and traditions with the landscapes and natural features of Auckland.
15. Under policies B4.2.2(1) and B4.2.2(4) factors that can be considered when scheduling an ONF and ONL include the importance of the landscape or feature to mana whenua.
16. The relationship of mana whenua to the maunga is very important to their culture and traditions and this is recognised in B4.3 Viewshafts, in particular policy B4.3.2(d).

17. Eight of the proposed SSMW and MHS are already scheduled under the policies in Section B4. However, mana whenua's cultural associations with these sites are not recognised. For existing ONF listed in Schedule 6 of the AUP(OIP), the significance of the site or place to mana whenua is proposed to be included as a listed scheduling factor through PPC102.
18. In the case of ONL, the approach in Schedule 7 of the AUP(OIP) is not to list all of the individual factors contributing to their scheduling. As such, Council's practice is to actively engage with mana whenua for any applications affecting ONLs to determine the extent to which the value of the landscape to mana whenua may be impacted by development proposals.
19. This recognises that mana whenua values are intrinsically linked to all aspects of the natural landscape. For this reason, no separate annotation is proposed to Schedule 7 as part of these proposals. The plan changes are consistent with Chapter B4 of the RPS.

B5 Ngā rawa hanganga tuku iho me te āhua – Built heritage and character

20. The section of the RPS addressing historic heritage, Section B5.2, is relevant to these plan changes.
21. B5.2 contains two objectives: (1) Significant historic heritage places are identified and protected from inappropriate subdivision, use and development; (2) Significant historic heritage places are used appropriately, and their protection, management and conservation are encouraged, including retention, maintenance and adaptation.
22. These objectives are supported by policies B5.2.2 (1) to (9). Policy B5.2.2(1)(c) provides policy direction to consider the extent to which a place has a strong or special association with, or is held in high esteem by, mana whenua for its symbolic, spiritual, commemorative, traditional or other cultural value.
23. Two of the nominated SSMW in proposed PPC102 contain historic heritage sites already scheduled under the policies of Section B5. The significance of the site or place to mana whenua is proposed to be included as a listed scheduling factor for these two listed sites. The name of one site, Ballards Cone Pā⁴, is proposed that Kaarearea Paa be added to the entry to recognise the Māori name for the pā. The plan changes are consistent with Chapter B5 of the RPS.

B6 Mana whenua

24. This chapter of the RPS addresses how Council as a matter of national importance, recognises and provides for the relationship of mana whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga. It contains four sub-sections with associated objectives and policies.
25. The objectives and policies of B6.2 provide recognition of Treaty of Waitangi partnerships and participation. These provisions set out a requirement to provide for the principles of the

⁴ Listed item 693 in Schedule 14.1

Treaty through how culturally significant resources are recognised and managed within Tāmaki Makaurau.

26. Of relevance to the plan changes are Objective B6.2.1(1) and (2) as follows:
 - (1) *The principles of the Treaty of Waitangi/Te Tiriti o Waitangi are recognised and provided for in the sustainable management of natural and physical resources including ancestral lands, water, air, coastal sites, wāhi tapu and other taonga.*
 - (2) *The principles of the Treaty of Waitangi/Te Tiriti o Waitangi are recognised through Mana Whenua participation in resource management processes.*
27. These are supported by policies to provide opportunities for mana whenua to actively participate in the sustainable management of natural and physical resources, recognising their role as kaitiaki and providing for the practical expression of kaitiakitanga⁵.
28. As has been outlined earlier, the development of these plan changes has been done in collaboration with mana whenua, who have worked with Council to identify site extents and have provided cultural values assessments and other supporting mātauranga to support the plan changes.
29. The recommended option of scheduling as SSMW and MHS engages plan provisions which require the consideration cultural matters and the incorporation of mātauranga into planning assessments.
30. Section B6.3 contains three objectives and six policies to recognise mana whenua values in the region. These objectives and policies enable mana whenua to identify their values associated with their ancestral lands, water, sites, wāhi tapu and taonga.
31. They also seek to integrate mana whenua values, mātauranga and tikanga into the management of natural and physical resources and provide opportunities for mana whenua to be involved in the integrated management of natural and physical resources. The policies require resource management decisions to have particular regard to potential impacts on sites and areas with significant spiritual or cultural heritage value to mana whenua⁶.
32. The plan changes have enabled mana whenua to identify their values associated with water, sites, wāhi tapu and taonga. This is with respect to SSMW and MHS, and also for HHP and ONF already scheduled in the AUP(OIP).
33. The proposed scheduling engages objectives, policies and standards in the plans which integrate mātauranga into the management of resources, thereby providing opportunities for mana whenua involvement.

⁵ Policy B6.2.2(1)

⁶ Policy B6.3.2(6)

34. Section B6.5 addresses the protection of mana whenua cultural heritage. The objectives and policies seek that both the tangible and intangible values of mana whenua cultural heritage are identified, protected and enhanced.
35. They also provide for the relationship of mana whenua with their cultural heritage and recognise, protect and enhance the association of mana whenua cultural, spiritual and historical values with local history and whakapapa.
36. The policy provisions are directive. There is a requirement in Policy B6.5.2(1) to *protect mana whenua cultural historic heritage sites and areas which are of significance to mana whenua*.
37. The factors used to identify and evaluate such sites are listed in Policy B6.5.2(2) and there is an obligation to include qualifying cultural and historic heritage places and areas in Schedule 12 of the AUP(OIP)⁷.
38. Scheduled sites are required to be protected from the adverse effects of subdivision, use and development.
39. This set of objectives and policies is central to the plan changes proposed. Sites have been identified in collaboration with mana whenua through the MCHP and evaluated using the factors listed in Policy B6.5.2(2). The plan changes seek to engage and existing policy and rule framework in section D21 of the AUP(OIP) and Part 7.13 of the HGI which protects identified sites from the adverse effects of subdivision, use and development. The plan changes are consistent with Chapter B6.

B7 Toitū te whenua, toitū te taiao - Natural resources

40. This chapter of the RPS contains objectives and policies relating to the pressures placed on natural resources from urban growth and past land, coastal and freshwater management practices.
41. Objectives particularly relevant to PPC102 and PPM15 recognise the importance of protecting, restoring and enhancing significant indigenous biodiversity, freshwater systems, coastal water and freshwater.
42. The vitality of these natural resources is of high importance to mana whenua when considering the mauri of the natural environment. For sites and features scheduled as culturally significant to mana whenua, cultural values assessments, iwi management plans and known iwi and hapū aspirations for these areas demonstrate an intention by iwi to protect, restore and enhance the quality and quantity of natural resources.
43. With respect to coastal water, freshwater and geothermal water, this is encapsulated by Objective B7.4.1(6) *Mana whenua values, mātauranga and tikanga associated with coastal water, freshwater and geothermal water are recognised and provided for, including their traditional and cultural uses and values*.

⁷ Policy B6.5.2(3)

44. As discussed with respect to the NPS-FM from para 10.10 of this report, a plan change is being prepared to give effect to policy statement. PPC102 and PPM15 seek to ensure that the cultural values associated with sites as they relate to freshwater are recognised and protected. Seven of the 12 sites proposed to be scheduled through the plan changes include freshwater bodies and six are within the coastal environment.
45. Also of relevance in this section of the RPS are the provisions of section B7.6 Minerals. Kaarearea Paa is a nominated site of cultural significance which is located within Stevenson Aggregates Drury Quarry. The nominated site extent covers both Special Purpose – Quarry Zone and Rural – Mixed Rural Zone land.
46. The RPS recognises that minerals are essential for Auckland’s development and that demand is expected to increase to support growth and development, and renew and maintain buildings, roads and infrastructure. The accessible supply of minerals is a matter of regional importance⁸.
47. Objective B7.6.1 sets the outcome in the region:
- (1) Auckland’s mineral resources are effectively and efficiently utilised.*
48. This objective is supported by six policies as follows:
- Policies B7.6.2*
- (1) Provide for mineral extraction activities within appropriate areas to ensure a secure supply of extractable minerals for Auckland's continuing development.*
- (2) Encourage the use of recycled mineral material, construction waste and demolition waste to supplement mineral supply.*
- (3) Identify extractable mineral deposits for future use and safeguard the areas containing regionally significant extractable deposits from inappropriate land use and development.*
- (4) Require mineral extraction activities to be established and operated in ways which avoid, remedy or mitigate significant adverse effects on the environment.*
- (5) Avoid locating sensitive activities adjacent to regionally significant mineral resources unless they can avoid compromising existing and future mineral extraction.*
- (6) Enable industries that use the products of mineral extraction activities to locate on sites adjoining quarry zones.*
49. These policies are focussed on providing for the ongoing supply of extractable minerals in appropriate areas and safeguarding this supply against inappropriate land use and development either on or near these sites.

⁸ RPS Section B7.7 Explanation and principal reasons for adoption

50. Policy B7.6.2(4) is relevant to Kaarearea Paa as it requires mineral extraction activities to avoid, remedy or mitigate significant adverse environmental effects. Under s2 Interpretation of the RMA, the meaning of the environment is defined as follows:

includes—

(a) ecosystems and their constituent parts, including people and communities; and

(b) all natural and physical resources; and

(c) amenity values; and

(d) the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters

51. As is discussed in Attachments 3 and 4, the pā has been nominated by two mana whenua entities – Ngāti Tamaoho and Ngāti Te Ata Waiohua. Both iwi identify this site in the supporting cultural values assessment as being of immense cultural and spiritual significance. They identify intensive quarrying as directly impacting the mauri of this site and other values it represents.

52. These values constitute the cultural meaning mana whenua attribute to the natural and physical resources on the nominated portion of the quarry. The future removal of minerals within the nominated area has the potential to have a significant adverse effect on the environment, insofar as it relates to mana whenua cultural heritage.

53. The application of a SSMW in this area recognises the cultural significance of the pā and enables consideration of how mineral extraction activities can be established and operated in ways which avoid, remedy or mitigate significant adverse effects on the environment. It enables mana whenua to inform consenting and plan change processes and undertake their kaitiaki obligations to achieve consistency with the objective and policies of section B7.6. The plan changes are consistent with Chapter B7 of the RPS.

B8 Toitū te taiwhenua - Coastal environment

54. This chapter contains objectives and policies relating to the natural character of the coastal environment; subdivision, use and development of the coastal environment; public access and open space; and managing the Hauraki Gulf.

55. It contains several objectives and policies relevant to these plan changes:

- Policy B8.3.2(2)(b), which seeks the avoidance of urban activities in the coastal environment in areas with natural and physical resources that have been scheduled in relation to mana whenua, amongst other values.
- Policy B8.5.2(5) which avoids use and development that will compromise the natural character, landscape, conservation and biodiversity values of the islands, particularly in areas with natural and physical resources that have been scheduled in the AUP(OIP) in relation to mana whenua, amongst other values.
- Policy B8.5.2(11) to work in partnership with mana whenua to protect and enhance culturally important environmental resources and values of the Hauraki Gulf that are important to their traditional, cultural and spiritual relationship with the Hauraki Gulf.

- Policy B8.5.2(13) to require management and decision-making to take into account the historical, cultural and spiritual relationship of mana whenua with the Hauraki Gulf, and the ongoing capacity to sustain these relationships.
56. Section B8.6 identifies the coastal environment and the resources of the coastal marine area comprise some of the most important taonga to mana whenua. It recognises the traditional and on-going cultural relationship with the coast.
57. Six of the nominated sites of cultural significance are located within the coastal environment with two extending into the CMA of the Hauraki Gulf. The objective of the plan changes aligns with the coastal provisions of the AUP(OIP) and more broadly with the NZCPS as it seeks to identify these sites and places to ensure that any use and development is appropriate to protecting cultural values. This is by allowing mana whenua to exercise kaitiakitanga over these places through the application of their mātauranga.

B9 Toitū te tuawhenua - Rural Environment

58. The Rural Environment chapter of the RPS identifies the importance of these areas to provide for the social and economic wellbeing of the region. Rural areas contain most of the food production capability for Tāmaki Makaurau and contain mineral extraction activities.
59. The RPS seeks to strike a balance between enabling these primary activities whilst also providing for limited urban development in these areas and the protection of indigenous vegetation and outstanding natural features and landscapes.
60. Section B9.2 has a focus on rural activities which contribute economic productivity and food supply to Auckland and New Zealand. Section B9.3 seeks to ensure land with high productive potential is retained for primary production. Rural subdivision is addressed in Section B9.4.
61. The plan changes do not propose scheduling high-quality soils, nor prevent rural activities from occurring. It is likely that the environmental outcomes being sought by mana whenua will contribute to land management practices which reduce and contain adverse environmental effects.
62. Scheduling of SSMW and MHS introduces additional considerations for subdivision. In general, subdivision where sites and places of significance are split across multiple land parcels is not encouraged. This is likely to support the retention of larger rural lots as is consistent with this section of the RPS. The plan changes are consistent with Chapter B9 of the RPS.

B10 Ngā tūpono ki te taiao - Environmental risk

63. This chapter of the RPS addresses the management of natural hazards, hazardous substances, contaminated land and genetically modified organisms in the region. It takes a risk-based approach to managing these hazards with a focus on encouraging activities that reduce, or do not increase, the risks to people and property.

64. Of relevance to the plan changes is a recognition of the role of natural systems in managing hazards and protecting and restoring natural landforms and vegetation.
65. The protection and enhancement of natural systems is an aspiration of mana whenua from a cultural perspective, as is the principle of manaakitanga – a kindness and respect for others. This respect can be demonstrated in mana whenua raising awareness of natural hazard risks based on their knowledge of sites through long association. Scheduling such sites encourages these considerations and is consistent with Section B10 of the RPS.