

TO Warren MacLennan – Manager Planning - Regional, North, West and Islands



FROM Dave Paul – Senior Policy Planner

DATE 21 November 2024

SUBJECT **Update requested to the Auckland Unitary Plan (Operative in Part 2016) (AUP)**

I request an update to the AUP as outlined below:

Reason for update	Plan change operative
Chapter(s)	Chapter B Regional policy statement: <ul style="list-style-type: none"> • B2 Urban growth and form • B7 Natural resources • B8 Coastal environment • B10 Environmental risk
Changes to text (shown in underline and strikethrough)	The changes are to the Regional Policy Statement to introduce reference to Well-functioning Urban Environment, Resilience to the Effects of Climate Change and Qualifying Matters to the Auckland Unitary Plan (Operative in Part) (AUP). Refer to Attachment C.
Changes to diagrams	N/A
Changes to spatial data	N/A
Attachments	Attachment A: PC 80 Decision Attachment B: PC 80 – Memo Clause 16 on 24 October 2024 Attachment C: Updated text to AUP(OiP) (strikethrough/underline) Attachment D: Updated text to AUP(OiP) (Clean)

<p>Maps prepared by: N/A Geospatial Specialist</p>	<p>Text Entered by: Diana Chin Planning Technician</p>
<p>Signature:</p>	<p>Signature:</p> 
<p>Text prepared by: Dave Paul Senior Policy Planner</p>	<p>Reviewed by: Peter Vari Team Leader North, West and Islands</p>
<p>Signature:</p> 	<p>Signature:</p> 
<p>Authorised by: Warren MacLennan Manager Planning - Regional, North, West and Islands</p>	
<p>Signature:</p> 	

Attachment A: PC 80 Decision

Decision following the hearing of a Plan Change to the Auckland Unitary Plan under the Resource Management Act 1991



Plan Change 80 – Regional Policy Statement

Proposal

To amend the Regional Policy Statement to include provisions relating to - Well functioning urban environment, Resilience to the effects of climate change, and Qualifying matters

This plan change is **APPROVED**. The reasons are set out below.

Plan Change number:	80 – Regional Policy Statement – Well functioning urban environment, Resilience to the effects of climate change and Qualifying matters.
Hearing commenced:	Tuesday 13 June, 9.30 a.m.
Hearing panel:	<ul style="list-style-type: none"> • Greg Hill (Chairperson) • Karyn Kurzeja • Juliane Chetham • Dr Stephanie Mead • Richard Knott • Kitt Littlejohn
Appearances:	<p>Auckland Council:</p> <ul style="list-style-type: none"> • Emma Manohar, Legal Counsel • Ewan David Paul, Senior Policy Planner • David Mead, Planner • Dr Len Gillman, Ecologist • Christopher Turbott, Senior Policy Planner <p>Kāinga Ora</p> <ul style="list-style-type: none"> • Jennifer Caldwell, Legal • Brendon Liggett, Corporate • John McCall, Planning <p>Beachlands South Limited Partnership</p> <ul style="list-style-type: none"> • Bill Loutit, Legal • Rachel Morgan, Planning <p>Templeton Development Ltd</p> <ul style="list-style-type: none"> • Bill Loutit, Legal • Ross Cooper, Planning

	<p>Gibbonsco Management Ltd, Shundi Tamaki Village, Avant Group, Villages of NZ, Russell Property Group, 30 Hospital Rd LP and Piper Properties Consultants Ltd</p> <ul style="list-style-type: none"> • Ross Cooper, Planning <p>Winton Land Limited</p> <ul style="list-style-type: none"> • Jeremy Brabant, Legal • Ross Cooper, Planning <p>University of Auckland, SkyCity Auckland Ltd and Precinct Properties Ltd</p> <ul style="list-style-type: none"> • Rachel Morgan, Planning <p>Oyster Capital Limited, Fulton Hogan Land Development Ltd and Fletcher Residential Ltd</p> <ul style="list-style-type: none"> • Jeremy Brabant, Legal • Rachel Morgan, Planning <p>Kiwi Property Group Ltd, Foodstuffs North Island Ltd, Viaduct Harbour Holdings Ltd and Drive Holdings Ltd</p> <ul style="list-style-type: none"> • Douglas Allan, Legal <p>North Eastern Investments Ltd</p> <ul style="list-style-type: none"> • Amanda Coats <p>Southern Cross Healthcare</p> <ul style="list-style-type: none"> • Bianca Tree, Legal • Mr Bennett, Corporate • Daniel Shaw, Planning <p>Eden Epsom Residential Protection Society Inc</p> <ul style="list-style-type: none"> • Tony Randerson, KC, Legal • Robert Speer, Planning <p>Character Coalition</p> <ul style="list-style-type: none"> • Alex Findlay, Planning <p>Auckland International Airport Ltd</p> <ul style="list-style-type: none"> • Taylor Power, Legal • Andrea Marshall, Corporate • Greg Osborne, Planning <p>Kiwi Rail</p> <ul style="list-style-type: none"> • Taylor Power, Legal • Mike Brown, Corporate • Cath Hepplethwaite, Planning <p>Dianne Giles</p>
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	<p>Citadel Capital Ltd, Fortland Capital Ltd, Ellper Holdings Ltd, One Mahurangi Business Association, The Kilns Ltd, Russell Don, Charles & Nancy Liu, Matvin Group Ltd, Red Rhino Limited, Airport Rent a Car Limited</p> <ul style="list-style-type: none"> • Jeremy Brabant, Legal (Matvin Group Ltd) • Alex Erceg, Planning • Diana Bell, Planning <p>Waka Kotahi</p> <ul style="list-style-type: none"> • Louise Espin, Legal • Alastair Cribbens, Planning <p>Ports of Auckland</p> <ul style="list-style-type: none"> • Mark Arbuthnot, Planning <p>KTW Systems Limited Partnership</p> <ul style="list-style-type: none"> • Rachel Dimery <p>Geoffrey Beresford</p> <p>Hearings Advisor</p> <ul style="list-style-type: none"> • Cate Mitchell
Tabled evidence	<p>Stride Property Ltd</p> <p>Investore Property Ltd</p> <p>Fabric Property Ltd</p> <p>Transpower New Zealand Ltd</p>

INTRODUCTION

1. This decision is made on behalf of the Auckland Council (“**the Council**”) by Independent Hearing Commissioners Greg Hill (Chairperson), Juliane Chetham, Dr Stephanie Mead, Karyn Kurzeja, Kitt Littlejohn and Richard Knott appointed and acting under delegated authority under sections 34 and 34A of the Resource Management Act 1991 (“**the RMA**”).
2. The Commissioners have been given delegated authority by the Council to make a decision on Plan Change 80 (“PC 80”) to the Auckland Council Unitary Plan Operative in Part (“the Unitary Plan”) after considering all the submissions, the section 32 evaluation, the reports prepared by the officers for the hearing and evidence presented during and after the hearing of submissions.
3. PC 80 is a Council-initiated plan change that has been prepared following the standard RMA Schedule 1 process (that is, the plan change is not the result of an alternative, 'streamlined' or 'collaborative' process as enabled under the RMA).
4. The plan change was publicly notified on 18 August 2022 following a feedback process involving Iwi, as required by Clause 4A of Schedule 1. The submission period closed 29

September 2022. A summary of submissions was notified for further submissions on 05 December 2022.

OVERVIEW OF THE PLAN CHANGE AND PURPOSE

5. Plan Change 80 (PC 80) to the Regional Policy Statement (RPS) of the Auckland Unitary Plan Operative in part (AUP) seeks to address, in part, giving effect to the National Policy Statement on Urban development 2020 (NPS-UD). PC 80 addresses:
 - Well-functioning Urban Environment,
 - Resilience to the Effects of Climate Change and
 - Qualifying Matters.
6. There were also a range of 'Other' submissions, as well a group that were 'unallocated'. We address all of these below.
7. There were 1,007 submission points and 3,204 further submission points made to PC 80. These are set out in the Parties and Issues Reports, which are attached as part of this decision.
8. The Independent Hearing Panel (IHP) split the submission points into 4 topics (003, 004, 005 and 006). Four documents were prepared by the IHP (Parties and issues reports released on 6 March 2023) to provide relevant information about these submissions and topics:
 - Hearing Topic 003 PC 80 RPS Well-functioning Urban Environments;
 - Hearing Topic 004 PC 80 Climate Change Resilience;
 - Hearing Topic 005 PC 80 RPS Qualifying matters; and
 - Hearing Topic 006 PC 80 RPS Other Matters.
9. This decision addresses each of those Hearing Topics separately. Attached to this decision is the IHP's amended RPS provisions.
10. PC 80 was progressed by the Council as a 'companion' plan change (along with proposed Plan Change 79: Amendments to the transport provisions (PC 79)) at the same time as proposed Plan Change 78: Intensification (PC 78). This was to ensure an integrated outcome in the AUP. While the majority of the hearings of PC 78 were 'paused' at Council's request, the hearing for PC 80 was always scheduled to proceed in advance of the large majority of those hearings. It is our view that the 'pause' has not impacted on the ability to proceed with this hearing and for the IHP to issue its decision on PC 80.
11. Attached to this decision is the schedule setting out the amendments we have made to the PC 80 provisions. We note that a significant number of changes were recommended to us during the course of the evidence exchange and the hearing. We have not specifically addressed every change/amendment made to the provisions, but have addressed the key themes and some of the more significant changes. The parties should review the PC 80 provisions that we have found to be the most appropriate (in section 32 and 32AA terms) to determine if and to what extent their submissions have been accepted, accepted in part or rejected.

12. This report covers all of the submissions in the Parties and Issues Reports prepared by the IHP for this topic, and as was set out in the evidence of the Council's planning witnesses (Mr Paul, Mr Mead and Mr Turbott). We have grouped all of the submissions in terms of topics set out in this decision report, and while all individual submissions and points may not be expressly referred to, all points have nevertheless been taken into account when making our decision.
13. In relation to the preceding paragraph, given the number of submissions and our findings on them (in terms of the amended PC 80 provisions), the IHP has **accepted or accepted-in-part** those submissions to the extent that the amended PC 80 provisions satisfy the relief sought in the submissions; and **rejected** those where the relief sought has not been granted. Submissions determined to be out-of-scope have been **rejected**.
14. With respect to further submissions, these can only support or oppose an initial submission. Our decisions on the further submissions reflects our decisions on those initial submissions having regard, of course, to any relevant new material provided in that further submission. For example, if a further submission supports a submission(s) that opposes the Plan Change and we have determined that the initial submission(s) be rejected, then it follows that the further submission is also rejected.

STATUTORY PROVISIONS

15. The RMA sets out a range of matters that must be addressed when considering a plan change, as identified in the section 32 report accompanying the notified plan change.
16. We also note that section 32 clarifies that analysis of efficiency and effectiveness is to be at a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.
17. Clause 10 of Schedule 1 requires that this decision must include the reasons for accepting or rejecting submissions. The decision must include a further evaluation of any proposed changes to the plan change arising from submission; with that evaluation to be undertaken in accordance with section 32AA.
18. With regard to Section 32AA, we note that the evidence presented by submitters and Council effectively represents this assessment, and that that material should be read in conjunction with this decision, where we have determined that a change to PC 80 should be made.
19. Having considered the evidence and relevant background documents, we are satisfied, overall, that PC 80 has been developed in accordance with the relevant statutory and policy matters required by the RMA.

Evidence

20. There was a significant amount of evidence filed to PC 80. However, many of the briefs of evidence were identical as a few expert witnesses represented a number of submitters. Mr Paul, in his evidence-in-chief, grouped a number of submissions based on the planning consultancies, for efficiency reasons. He set out the following¹:

There are groups of virtually identical submissions from parties represented by the same consultant planners. For efficiency, I have grouped these parties by their planning consultancy. The first submitter group is represented by Tattico. The submission point numbers are the same for all of the submitters in this group. The submitters in this group are (the Tattico group)²:

- *Avant Group Limited*
- *Piper Properties Consultants Limited*
- *Russell Property Group*
- *Hospital Road Limited*
- *Villages of New Zealand Limited*
- *Gibbonsco Management Limited*
- *Shundi Management Limited*
- *Sonn Group*
- *Winton Land Limited*
- *Templeton Group Limited.*

The second submitter group is represented by Barker & Associates (the Barker group³). Most submissions are identical though in some instances, the submissions cover slightly different points. The Barker group submitters are:

- *Fletcher Residential Limited*
- *Fulton Hogan Land Development*
- *Oyster Capital*
- *Precinct Properties New Zealand Limited*
- *Sky City Auckland Ltd*
- *The University of Auckland*
- *Beachlands South Limited Partnership*

The third submitter group is represented by the Planning Collective (the TPC submitters⁴). In some instances, the submissions are slightly different, and this is noted but the general thrust of the submissions is the same. The TPC submitters are:

- *Citadel Capital Limited*
- *Fortland Capital Limited*
- *Ellper Holdings Limited*

¹ Paragraph 4.8 of Mr Paul's evidence

² Mr Cooper

³ Ms Morgan

⁴ Mr Erceg, Ms Bell and Ms O'Connor

- *One Mahurangi Business Association (OMBA)*
- *The Kilns Limited*
- *Russell Don*
- *Matvin Group Ltd*
- *Red Rhino Limited and Airport Rent A Car Limited*
- *Charles and Nancy Liu.*

21. We have adopted the same approach in this decision.

EXPERT CONFERENCING

22. Expert Conferencing was held on PC 80. We were provided with a number of Joint Witness Statements (JWS) which we have taken into account in making our decisions. They were also addressed in the evidence of a number of the experts who appeared before us. We address the JWS's in the hearing topics below.

TOPIC – 006 “OTHER MATTERS” - SCOPE OF PC 80.

23. We have addressed and determined the scope of PC 80 at the outset. This was a major issue of contention between the Council and a number of submitters. We have found, mostly agreeing with the Council (and those submitters who agreed with the Council), that the scope of PC 80 is relatively confined. On this basis we find that the submissions addressed by this topic are out of scope. Our reasons are set out below.
24. As addressed earlier, PC 80 proposes amendments to the RPS to integrate the concepts of “well-functioning urban environment”, “resilience to the effects of climate change”, and “qualifying matters” to give effect to aspects of the NPS-UD (and provides the higher order context for PC 78).
25. We find that PC 80 is a relatively confined plan change and has three components as summarised in Auckland Council’s legal submissions⁵:
- *amending existing RPS provisions in Chapter B2 Tāhuhu whakaruruhau ā-taone – Urban Growth and Form of the AUP and including new proposed issues, objectives and policies and explanatory provisions relating to the well-functioning urban environment;*
 - *amending existing RPS provisions and including new proposed objectives in Chapter B2.2 (Urban growth and form) to B2.5 (Commercial and industrial growth) and explanatory provisions in B2.9 (Explanation and principal reasons for adoption) to refer to qualifying matters. This will provide the higher order policy framework for and integration between the RPS and district plan level provisions in Chapter A Introduction, Chapter C1 General Rules and Chapter D Overlays of the AUP; and*
 - *amending existing RPS provisions in Chapters B2 Tāhuhu whakaruruhau ā-taone – Urban Growth and Form, B7 Toitū te whenua, toitū te taiao – Natural Resources, B8 Toitū te taiwhenua – Coastal Environment and B10 Ngā tūpono ki te taiao –*

⁵ Paragraph 10

Environmental Risk and including new proposed issues, objectives and policies and explanatory provisions addressing resilience to the effects of climate change.

26. We find that those submissions seeking to provide for a range of other matters - including – provisions on planning responsiveness that would add significant development capacity and transport related provisions, urbanisation outside the rural urban boundary, infrastructure upgrade cost effectiveness and reference to the national planning standards, are not within the scope of PC 80.

Scope (legal tests) – and Topic 006

27. Hearing Topic 006 relates to submissions that the Council considered fell outside the three topics that PC 80 addressed. The IHP Parties and Issues reports summarised this hearing topic as relating to submitters' proposals to include additional matters in the RPS, which generally sought to ensure development capacity was more responsive to market demands and where it would result in significant development capacity.
28. Fifty-seven submission points by 19 submitters and 282 further submission points from 34 further submitters were coded to this topic. The full range of submissions were addressed in the evidence-in-chief of Mr Paul.
29. The issue of the scope of submissions (if they are “on” the plan change) has been well canvassed in legal submissions and evidence before the IHP, from both the Council and various submitters in this and other ‘related’ plan changes (e.g. PC 78).
30. The legal principles relevant to determining whether a submission is “on” a plan change (in scope) are well-settled. We addressed the ‘legal tests’ in relation to scope in some detail in our Interim Guidance on PC 78⁶. As the majority of submitters to PC 80 (certainly those who appeared before us) are the same/similar as those to PC 78, we have not repeated those ‘legal tests’ in any detail here. However, very briefly, determining the issue of scope involves addressing the following two questions (also referred to as ‘limbs’):
- (a) Whether the submission addresses the change to the status quo advanced by the plan change; and
 - (b) Whether there is a real risk that persons potentially affected by such a change have been denied an effective opportunity to participate in the plan change process.
31. Determining the first question requires an understanding of the status quo affected by the plan change. This must be derived from a review of the relevant section 32 report and the changes actually proposed to the plan. Although local authorities promoting discrete changes to their plans invariably focus on the specific changes proposed, with the objective of limiting the scope of the plan change and thus submissions that are permissible under the first limb, the actual status quo that is being addressed must be determined by reference to the nature and context of the notified change.

⁶ Refer to our PC 78 Interim Guidance on this matter

32. In the case of PC 80, we have already set out the nature of the changes proposed – and they relate to discrete parts of the RPS. It is those amendments to the RPS – AUP that in our view define the status quo being changed and the nature of the changes. Submissions seeking relief of a similar kind (add, delete or amend those provisions) to the same part of the RPS will be “on” the plan change for the purposes of the first test in the IHP’s view.
33. As noted above, a number of submitters sought to give broader effect to the NPS-UD)⁷. The main issue raised in those submissions (covered by Topic 006) relate to the provisions on responsiveness to plan changes that would add significant development capacity. Those submissions sought that the RPS respond to - NPS-UD Policy 2, Policy 8 and the implementation requirements of subpart 2 clause 3.8 of the NPS-UD. Other submissions coded to this topic included requests for transport related provisions, urbanisation outside the rural urban boundary, infrastructure upgrade cost effectiveness and reference to the national planning standards, and Chapter B4.
34. It was Mr Paul’s opinion, for the reasons set out in his evidence in chief, that the submissions were not “on” PC 80 and therefore out-of-scope. He stated⁸:

I do not support a number of submissions as, in my opinion, they relate to matters that are out of scope to PC80. In particular, a number of submissions considered that the issues raised in the NPS-UD in relation to responsiveness and significant development capacity criteria should be included in the RPS. As PC80 did not address the issue, in my opinion, it should be dealt with through a separate plan change.

35. In his rebuttal evidence⁹, Mr Paul again set out what he considered would be needed before the requested changes to the RPS could be made.
36. Council’s legal submissions, supporting Mr Paul’s position, stated that: “*This is something that the Council will do in due course but the submission requests are significantly beyond the scope of PC80*”¹⁰.
37. Furthermore, the Council’s Legal Reply Submissions stated that¹¹:

PC80 has a very specific purpose, it was not notified as part of the IPI but as a companion plan change to it. Even so the IPI is only giving effect to NPS-UD policies 3 and 4. PC80 is narrower than that.

38. We agree with the Council’s submissions.

⁷ E.g. - Kāinga Ora, Fletcher Residential Limited, Oyster Capital Limited, Kiwi Property Group Ltd, The University of Auckland, Sky City Auckland Ltd, Precinct Properties New Zealand Ltd, Beachlands South Limited Partnership and Fulton Hogan Land Development Limited, Templeton Group, Winton Land Limited, Gibbonsco Management Limited, 30 Hospital Road Limited Partnership, Shundi Tamaki Village Limited’, Russell Property Group’, Avant Group, Villages Of New Zealand, Piper Properties Consultants Limited

⁸ Paragraph 1.6

⁹ Paragraphs 8.1 to 8.8

¹⁰ Paragraph 66

¹¹ Paragraphs 6.1

39. We also agree with the Council, again contrary to the view of some submitters, that while the concept of a well-functioning urban environment is a broad one; and that significant development capacity may contribute to a well-functioning urban environment, that is not a certainty. This is clear from the wording of clause 3.8(2) of the NPS-UD¹² which states:

(2) Every local authority must have particular regard to the development capacity provided by the plan change if that development capacity:

(a) would contribute to a well-functioning urban environment; and ...

40. It is apparent from the text of the NPS-UD that development capacity can, but will not always, contribute to a well-functioning urban environment. We accept that they are not one in the same. On this basis we do not find there is scope to address development capacity in PC 80 as proposed by a number of submitters.

41. Furthermore, the matter of significant development capacity was not addressed in the section 32 analysis accompanying the plan change and, in our view (and addressed in more detail below) would have likely generated significant interest beyond those who have made submissions on PC 80.

42. For the reasons set out above (i.e., the confined nature of PC 80 - as notified) we find the submissions that seek to address other parts of the RPS (e.g. provisions on responsiveness to plan changes that would add significant development capacity and transport related provisions, urbanisation outside the rural urban boundary, infrastructure upgrade cost effectiveness and reference to the national planning standards) are not “on” PC 80 and fail the first limb of the case law¹³.

43. Given it is our finding that the first limb is not met, we do not necessarily need to make a finding in relation to the second limb. However, in the event that we are wrong on the first limb, we address the second limb below.

44. Whether or not the submission relief passes the second limb, involves other ‘natural justice’ factors. That is, on a case-by-case basis, the potential for a ‘*submissional sidewind*’, i.e. a without notice impact on a third party’s rights, may nonetheless render an otherwise fairly and reasonably made submission point unable to be accepted.

45. It is our view that, for the reasons set out in the Council’s Reply Submissions, that there would be a submissional sidewind if we agreed to the submitters’ request to broaden the scope of PC 80. Those reasons are¹⁴:

There would be significant interest in the amendments sought and not only are they well beyond the ambit of PC80, but there is a real risk that people who may be directly affected by the decision sought in the submissions have been denied an effective opportunity to respond to what the submissions seek.

¹² The clause that addresses responsive planning

¹³ Palmerston North City Council v Motor Machinists Limited [2013] NZHC 1290 at [80]-[82].

¹⁴ Paragraphs 6.2 - 6.6 of the Council’s Reply Submissions

Contrary to the submissions by Kāinga Ora and others, provisions of the Regional Policy Statement (RPS) can adversely affect parties. This is clear from the provisions of the RMA. By way of example, the provisions of the RPS must be given effect to by private plan change requests and Council initiated plan changes and need to be had regard to when assessing the merits of resource consent applications under section 104 of the RMA. If nothing else, the involvement of the development parties as submitters in this plan change process illustrates that.

*While it is accepted that there are a range of development interests participating in and aligned in this process, with respect, that is just one sector. When looking at the relief sought about significant development capacity, particularly where there are amendments being sought to Policy B2.2.2(2) relating to the location and relocation of the Rural Urban Boundary, there are significant sectors not represented in the PC80 plan change process. These include the rural sector (including rural interest groups such as Federated Farmers), environmental interest groups such as Forest and Bird and other housing and infrastructure groups and providers. Those parties would likely have been involved had the relief sought been within scope of PC80 as notified. There appeared to be an acknowledgement from counsel for Kāinga Ora that participation by the development parties alone in this proceeding was not enough to pass that second limb of the *Palmerston North City Council v Motor Machinists Limited* tests.*

As addressed by Mr Cribbens for Waka Kotahi and Ms Dimery [KTW Systems Limited Partnership] at the hearing, the importance of infrastructure being provided as part of delivering significant development capacity is an additional significant element to be considered which is an issue that has not yet been fully engaged with or addressed.

The issues proposed to be addressed through the relief sought are a very significant policy decision that needs to be widely consulted on. Large parts of the community who may have a legitimate interest in the development capacity issue are not involved in this process.

46. As an example of this reasoning applying, we note the evidence prepared by Mr Erceg, Ms Bell and Ms O'Connor on behalf of TPC submitters. That evidence, among other things, “*endorsed and supported*” the proposed amendments in relation to provisions on responsiveness to plan changes that would add significant development capacity by Ms Morgan (the Barker submissions).
47. We asked Mr Erceg and Ms Bell if there was scope within the submissions they had lodged to support the changes sought by Ms Morgan. In response to the IHP’s question, Mr Erceg filed a Memorandum on scope¹⁵. He set out why he considered there was scope to support Ms Morgan’s recommended changes. With respect to Mr Erceg, we find he draws a very long bow that there was scope. We do not think there is scope. The point we are making is that it is clear other parties would be interested in those provisions. To grant the relief

¹⁵ Memorandum of Scope Alexander (Alex) Murray Erceg 18 June 2023

sought in those submissions would, in our view, give rise to ‘submissional sidewind’ concerns; and on this basis we are not satisfied that they pass the second limb.

Decision

48. Submissions coded to Hearing Topic 006¹⁶ are **rejected** as they are not within the scope of PC 80.

HEARING TOPIC 003 - WELL-FUNCTIONING URBAN ENVIRONMENTS

49. PC 80 proposes to add references to well-functioning urban environment at the following places in the RPS in section B2. Tāhuhu whakaruruhau ā-taone - Urban growth and form. The changes relate to the following sections of the RPS:
- B2.1 Issues;
 - B2.2 Urban Growth and Form;
 - B2.3 A quality built environment;
 - B2.4 Residential growth;
 - B2.5 Commercial and industrial growth;
 - B2.7 Open space and recreation facilities;
 - B2.8 Social facilities; and
 - B2.9 Explanation and principal reasons for adoption.
50. Three hundred and thirteen submission points by 44 submitters and 33 further submitters with 820 further submission points were coded to this topic by the IHP. These are set out in the Parties and Issues report and in Mr Paul’s evidence-in-chief (grouped by themes). We note that the large majority of the submission points sought the retention of the provisions as notified, or the retention of the term well-functioning urban environments, but its re-ordering within the provisions. A number of submitters sought fewer references to “Well-functioning Urban Environments”.
51. In terms of expert conferencing, and the JWS, one of the key matters agreed related to “well-functioning urban environment”; that the term “well-functioning urban environment” should be included in the RPS and that the provisions should be amended to add it before references to “a quality compact urban form” i.e. “a quality compact urban form” is part of a “well-functioning urban environment”.
52. This amendment was sought in a significant number of submissions including the Tattico and Barker groups, Kiwi Property Group, and BARNZ (Board of Airline Representatives New Zealand Inc).
53. The reason given in the submissions is that “well-functioning urban environment” is a key concept in the NPS-UD that should be reflected in the RPS, and it should appear before a quality compact urban form which they considered was a subset of a well-functioning urban environment.

¹⁶ See the Parties and Issues Report

54. We agree with the reasoning in the JWS (and the evidence before us) to this wording and agree that a quality compact urban form is a subset of a well-functioning urban environment.
55. It was also agreed at the expert witness conferencing (and recorded in the JWS) that the policy on the competitive operation of the land and development market be added at two places in the RPS. This was sought in several submissions including the Barker group submissions. Again, we agree with the reasoning in the JWS (and the evidence before us) to the amended provisions.
56. Another matter agreed at the expert witness conferencing (and recorded in the JWS) related to adding to Objective B2.2.1 wording relating to good accessibility, including by improved and more efficient public transport and/or active transport. Again, we agree with the reasoning in the JWS (and the evidence before us) to the amended provisions. We have retained it and, for clarity, added in “*for all people*”.
57. There were a number of matters that were not agreed at expert conferencing which we now address.
58. Submitters supported and opposed the inclusion of Objective B2.2.1(1A) which is:
- (1A) A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*
59. Some submitters (e.g. the Tattico and Barker groups - the evidence of Mr Cooper and Ms Morgan both of whom sought the deletion of the proposed Objective) considered that the objective is not required as it was a duplication of Objective 1 of the NPS-UD.
60. We accept that the objective is a wide-ranging one, but helps explain a well-functioning urban environment as it addresses all of the well beings and is a high-level objective. However, we acknowledge that this objective is the same as Objective 1 set out in the Resource Management (Enabling Housing Supply Other Matters) Amendment Act 2021¹⁷. Under that Act the objective must be added to the District Plan in the Council’s intensification planning instrument to incorporate the MDRS.
61. We agree with Mr Paul and the other submitters who supported its inclusion, as in our view it needs to be included in the RPS (as well as the District Plan) so as to set up an objective framework for well-functioning urban environment and is complementary to the existing RPS provisions. Without it, we find there would be a ‘policy gap’ in the RPS.
62. Some submitters, notably the TPC submitters, sought that the RPS provide further guidance on what a well-functioning urban environment is, e.g., access to open space, multi modal connections, protection of natural environment, sustainable built form. Those submitters considered that sole reliance on Policy 1 of the NPS-UD was insufficient and would not necessarily guide appropriate planning decisions for Auckland.

¹⁷ Schedule 3A clause 6(1)

63. It is our view, agreeing with Mr Paul, that the RPS already adequately addresses the matters that go to a well-functioning urban environment. These include the matters listed above and, for example, the objectives and policies on open space in B2.7, multi modal connections in B2.2.2 and B2.3.2, and the natural environment in B2.2.2, B7 Natural Resources, and B8 Coastal Environment. We also consider that the amended wording we have included in B2.9. Explanation and principal reasons for adoption adds greater clarity to what is a “well-functioning urban environment” for the purposes of the RPS.
64. We therefore do not consider that any further guidance is required, and reject or accept in part (to the extent the submissions accept the amendments to B2.9. assist in providing greater guidance) the submissions accordingly.
65. Some submitters e.g., Screaton Ltd (78-1, 78-2) and Acanthus Ltd (85-1, 85-2) sought additional provisions regarding “Maximising Intensification” – notably the addition of objectives and policies in B2.3 - A quality built environment. The rationale for the changes given in the submission (but no evidence) was that as a result of the NPS-UD objectives 3 and 4 it was necessary for all of urban Auckland to have the maximum zoned intensity as possible.
66. We do not consider that a section on the quality built environment is the correct place to add quantity based objectives and policies. Moreover, there are specific policies on intensification under B2.4.2 21 Residential growth such as Policy (2) which was notified in PC 80.
67. Waka Kotahi (Mr Cribbens) supported the introduction of the concept and term ‘Well-Functioning Urban Environment’ but opined that further amendments were required to properly give effect to the concept in accordance with the NPS-UD. Of significance, Mr Cribbens set out that given transport and land use are inextricably linked, it was his opinion that this connection was not reflected sufficiently in PC 80 as notified - and that further changes were required to the transport chapter of the RPS. This was to properly give effect to the NPS-UD and the objectives of the plan change.
68. In relation to Objective B2.2.1(1)(d) (which we have addressed earlier) and Policy B2.2.2(7), we have made a number of changes, largely based on the evidence of Mr Paul, Mr Cribbens and Ms Morgan. However, we do not agree with the need to add reference to housing, jobs, community services, natural spaces, and open spaces as these are already addressed in Policy B2.2.2(7)(b) and have to be provided for. Nor do we agree with the deletion of “efficient” as any new transport network needs to be efficient. We do not agree with Mr Cribbens' reasons for deleting the reference to “improved” and have retained it. Ms Morgan also suggested adding the word “efficient” after “effective” and we have agreed with this addition.
69. Furthermore, we find that the amendments we have made to section B2.9 (Explanation) in terms of better defining ‘well-functioning urban environments’ (already discussed above) helps to explain the relationship between the NPS-UD and the RPS – and we do make further changes as recommended by Mr Cribbens.

70. Some submitters sought amendments to the provisions relating to Open Space and Social Facilities. We agree with Mr Paul, for the reasons set out in his evidence-in-chief¹⁸. On that basis we have not made any additional changes – and reject the submissions accordingly. We address Social Facilities below.

Social Facilities

71. Southern Cross Healthcare Ltd (Southern Cross) sought the addition of a new objective and policy to, in its view, ensure the RPS (and AUP) gives effect to the NPS-UD by enabling sufficient land and appropriate zones to provide for social facilities to meet the future needs of the community to support well-functioning urban environments.
72. Mr Shaw on behalf of Southern Cross stated in his evidence that the issue of providing sufficient land for social facilities needed to be explicitly addressed in the policies in B2.8 Social Facilities in a similar way to how it is addressed for residential and industrial zones/activities. Mr Paul and Eden Epsom Protection Society Inc (the Society), in its legal submissions and planning evidence, disagreed.
73. The Society opposed the Southern Cross submissions to provide additional policy direction in the RPS relating to capacity and appropriate zoning for social facilities. The Society supported the view of Mr Paul that the existing objectives and policies in B 2.2 already address the provision of social facilities and the supply of land for that purpose.
74. In our view, agreeing with Mr Paul¹⁹ and the Society, that social facilities are different to residential and industrial land in that they tend to be on discrete areas of land which the district plan generally cannot identify in advance without a specific development proposal, such as a hospital. It is our view, contrary to that of Mr Shaw, that the RPS already adequately addresses the provision of social facilities; and no other changes are necessary.

Existing and planned built character

75. A number of submissions (e.g. Waka Kotahi, Southern Cross Healthcare and the Tattico Group) sought that Policy B2.4.2(10) be amended to remove reference to the existing built character. Mr Paul for the Council, Ms Findlay for the Character Coalition and Mr Speer for Eden Epsom Protection Society Inc opposed its deletion. Mr Paul addressed this issue in his rebuttal evidence²⁰; we have not repeated it here, but agree with him.
76. The policy is:
- Provide for ~~Require~~ non-residential activities and require them to be of a scale and form that are in keeping with the existing and planned built character of the area.***
77. We agree with Mr Paul agree that the reference should not be deleted. This policy applies Auckland wide and not just to the zones where higher levels of intensification are to be

¹⁸ Paragraphs 6.50 to 6.59

¹⁹ Paragraphs 7.46 –7.49 and 7.1–7.5 of Mr Paul’s evidence-in-chief and rebuttal evidence respectively.

²⁰ Section 5

enabled resulting in a likely change from the existing to planned built character. On this basis deleting “existing” would be a significant change and not one likely to have been contemplated by the public at large.

78. Furthermore, in the IHP’s questioning, those witnesses who sought the removal of “existing” considered that this would not change the policy direction, as the word ‘planned’ captured situations where intensification was not planned (i.e. planned built character is the existing built character in that scenario). We do not agree. Rather, we agree with the Council’s Reply submissions that: *“The Council remains of the view that the retention of the word ‘existing’ is critical to this policy and that there is a difference between existing and planned built character”*.

Supporting Submissions

79. Some submissions supported PC 80. Three submitters Carolyn Nimmo, Royal Forest and Bird Protection Society of New Zealand Inc and Eden Epsom Residential Protection Society Incorporated supported the plan change provisions on well-functioning urban environment without amendment.
80. We accept those submissions in part to the extent that we have made changes to the notified provisions.

Decision

81. That submissions coded to **Hearing Topic 003 - Well-functioning Urban Environments**²¹ are **accepted or accepted-in-part** to the extent that the amended PC 80 provisions satisfy the relief sought in the submissions, or where the submissions supported this aspect of PC 80; and **rejected** where the relief sought has not been granted.

HEARING TOPIC 004 - CLIMATE CHANGE RESILIENCE

82. Topic 004 relates to submissions on Climate Change Resilience aspects proposed to be included in the RPS via PC 80.
83. Forty-three submitters with 352 submission points, and 30 further submissions, with 987 further submission points were coded to this topic by the IHP. These are set out in the Parties and Issues report and in Mr Turbott’s evidence-in-chief.
84. As part of giving effect to the NPS-UD, specifically the direction contained in Objective 8 and Policies 1 and 6 of the NPS-UD, the RPS was reviewed for gaps. As set out in the evidence of Mr Turbott, following that review, the Council determined to amend the RPS to fill those identified gaps and strengthen or clarify the existing matters in the relevant sections of the RPS on urban resilience to the effects of climate change.

²¹ See the Parties and Issues Report

85. The inclusion of reference to resilience to the effects of climate change was included in the following provisions:
- B2.1 Issues;
 - B2.2 Urban growth and form;
 - B2.3 A quality built environment;
 - B2.4 Residential growth;
 - B2.5 Commercial and industrial growth;
 - B2.6 Rural and coastal towns and villages;
 - B2.7 Open space and recreation facilities;
 - B2.8 Social facilities;
 - B2.9 Explanation and principal reasons for adoption;
 - B7.2 Indigenous biodiversity;
 - B7.3 Freshwater systems
 - B7.4 Coastal water, freshwater and geothermal water;
 - B8.2 Natural character;
 - B8.3 Subdivision, use and development;
 - B8.4 Public access and open space;
 - B10.2 Natural hazards and climate change; and
 - B10.3 Land - hazardous substances
86. As an overview it was clear to us, and as set out in Mr Turbott's evidence-in-chief, that the general 'flavour' of the submissions was less opposed to generalised open-ended statements on climate resilience, but there was stronger opposition where the amendments required a specific action or approach to urban climate change resilience.
87. With respect to expert conferencing, agreement in principle was only reached on one matter and at a general level; that being that the inclusion of sea level rise over the next 100 years as part of natural hazard assessment and management was appropriate. However, no specific wording was agreed²². No other agreements were recorded.
88. We accept that climate change resilience is a significant and important topic that needs to be addressed. That said, the Council's approach has been to 'identify and fill gaps' rather than undertake a more fundamental and fulsome review of provisions to address climate change resilience in terms of what can be achieved under the RMA. We acknowledge that as part of the resource management reform the Government is seeking to enact the Climate Change Adaptation Bill. This will likely require a more fulsome review of statutory planning documents.
89. In response to the submissions on this topic, Mr Turbott in his evidence-in-chief, recommended a number of amendments to the notified provisions, including:
- a change in Objective B2.2.1(1)(h) from 'improves resilience' to 'improved resilience';
 - a change to B2.3.2 to rephrase and combine policies B2.3.2(1)(g) and (h) into a single policy;
 - a change to Policy B2.4.2(5)(b) to re-order the amended provision text;

²² Joint Witness Statement, Topic 004, 3 April 2023.

- the addition of the word 'management' following biodiversity in policy B2.7.2(11); and
- a relocation of the amendments in Policy B10.2.2(13) relating to managed retreat from (b) to a new standalone (c).

90. In his rebuttal statement, Mr Turbott recommended further refinements in response to evidence of submitters with minor amendments to Policy B2.4.2(5)(b) and Policy B10.2.2(13)(c).
91. In respect of the submissions seeking inclusion of references to the reduction or consideration of greenhouse gas emissions (the TPC submitters), following amendments to the RMA that came into effect on 30 November 2022, this is something that the Council can now consider for subsequent plan changes. However, PC 80 was notified in August 2022, prior to those amendments coming into effect, and this plan change could not have expressly addressed the issue²³.
92. In addition, as the issue of the reduction of greenhouse gas emissions was not included in PC 80 as notified, or in the accompanying section 32 analysis, the relief sought would be beyond the scope of PC 80.
93. There was discussion between the IHP and Mr Turbott and a number of submitters on the proposed amendments to Policy B2.3.2(1)(g) and Policy B10.2.2(13) – and in particular the directiveness of climate change resilience provisions. Those amendments as recommended by Mr Turbott were set out in Mr Paul’s consolidated set of recommended provisions. We address these in some detail below.

Policy B2.3.2

94. In respect to Policy B2.3.2 (g) the IHP acknowledges the expert evidence of Dr Gillman on urban heat island and stormwater effects. Dr Gillman set out that, in his opinion, the world is entering a time of catastrophic climate change that is producing an increasing intensity and frequency of storm events and heightened maximum temperatures. He stated (summary of his evidence) ²⁴:

The heat island effect which is caused by loss of tree canopy compounds increasing higher maximum temperatures. Mitigation of the heat Island effect requires an increase in tree canopy cover.

Global atmospheric heating has, and will continue to, intensify rain events and consequential flooding. Again, increasing tree canopy cover can mitigate some of the effects caused by increasing stormwater volumes. Trees have additional health benefits for people. In my view, therefore, tree canopy loss, as a result of urban intensification, must be reversed by direction through Auckland regional policies.

²³ Schedule 12, clause 26 of the RMA.

²⁴ Paragraphs 1.1 – 1.3

Rainwater harvesting can also contribute to mitigating stormwater effects due to the increasing frequency and intensity of extreme weather events and again, this should be directed through Auckland regional policies.

95. In his section - Mitigation of heat island effects - he opined that high temperatures have serious impacts on human health and that these will continue to increase due to global atmospheric warming. However, one form of mitigation of the heat island effect that has shown to be effective is planting trees.
96. Dr Gillman's evidence was uncontested; and we accept it.
97. Mr Turbott, relying on the evidence of Dr Gillman, recommended the amendments to Policy B2.3.2. The proposed amendments, as drafted, were very specific in its 'methods' of directing the form and design of subdivision, use and development – that, among other things, sought to improve resilience to the effects of climate change (of which, one effect is urban heat islands) by *“improving urban tree canopy cover, safe water reuse, safe rainwater collection and use”*.
98. While the IHP (and a number of the other planning witnesses) do not doubt the intent of the policy, we questioned whether it was appropriate to specifically identify “heat islands” and methods (improving urban tree canopy cover, safe water reuse, safe rainwater collection and use) at the RPS level. That is – should the RPS be this specific; or should those matters be more appropriately addressed at the plan level of the AUP?
99. Notwithstanding the above, in respect of the detail, the recommended policy is then substantially ‘watered down’ by the inclusion of *“and other methods”*. In our view, it is inappropriate to include such a general and wide-open statement alongside the other very explicit wording.
100. It is our finding that the policy in its recommended form is not appropriate in the RPS; and it is the *“improves resilience to the effects of climate change”* that is appropriate. It is regional and district plan provisions that will then implement and give effect to this direction by setting out how those improvements are to be achieved with additional specificity where relevant as to what methods (regulatory and non-regulatory) are engaged and could include improving urban tree canopy cover, safe water reuse, safe rainwater collection and use to address heat island effects.
101. Furthermore, and in a more general sense across PC 80, (and specifically in terms of Objective B2.3.1 and Policy B2.3.2), we have adopted *“improves”* resilience to the effects of climate change. This provides consistency to the PC 80 provisions.

Policy B10.2.2(13) – Coastal Hazards

102. As mentioned above the Panel engaged with the parties over “managed retreat” and what the statutory planning response would be to it. We address this below.

103. The Council's Reply Submissions set out²⁵:

In respect of Policy B10.2.2(13) addressing managed retreat, while the Council appreciates and acknowledges that there are challenges within the current legislative framework as to how managed retreat is actually implemented, and that issues in respect of private property rights, cost and insurance remain, it is respectfully submitted that those matters do not mean that the Council should shy away from the challenge, nor is it for the RPS to solve those issues prior to inclusion of such a provision. In fact, the RPS already recognises managed retreat in policy B10.2.2(2) as follows:

(9) Encourage activities that reduce, or do not increase, the risks posed by natural hazards, including any of the following: ...

We accept that the risk of sea level rise remains a real one and the Council in its role as a regional council has obligations under the RMA to address it²⁶. Managed retreat itself, is already part of the RMA framework. It referenced in Objective 5 and Policy 25 of the New Zealand Coastal Policy Statement 2010 (NZCPS), is also a concept included in the climate adaptation plan and is already included in the RPS. The Council is required to give effect to (b) managing retreat by relocation, removal or abandonment of structures; the NZCPS, and the Council will need to 'have regard to' the climate adaptation plan in planning decisions²⁷. It is appropriate to include the provision within the RPS for the reasons set out by Mr Turbott. ...

104. We accept that managed retreat is already part of the RMA framework and addressed in the NZCPS and the RPS. We also accept that the operative RPS (policy 9 quoted above) gives effect to the NZCPS. The issue before the IHP is whether or not the provisions proposed in PC 80 and recommended by Mr Turbott (in light of the submissions and evidence) are the most appropriate. We set this out below.
105. Prior to addressing the IHP's decision on the amended wording, we think it is useful to set out the general understanding the IHP gained (from its questioning of Council officers and submitters), as to what 'managed retreat' was in a statutory planning sense. In summary, it appears to us it is 'down zoning' of land affected by coastal hazards and/or prohibiting development within the relevant zone. However, importantly, we think that managed retreat is a response to the threat of, or actual effects from, natural hazards; and to be effective would likely require financial compensation (presumably from a public agency) alongside those planning provisions.
106. The questions this raised for the IHP was – does policy 13 already enable managed retreat to occur (i.e. - (a) avoid changes in land use that would increase the risk of adverse effects from coastal hazards; (b) not increase the intensity of activities that are vulnerable to the effects of coastal hazards beyond that enabled by the Plan, and (c) in the event of redevelopment, minimise natural hazard risks through the location and design of

²⁵ Paragraphs 14 and 15

²⁶ Section 6(h), section 30(1)(c) of the RMA and Objective 5 and Policy 25 of the NZCPS.

²⁷ Section 61(2)(e), 66(2)(g) and 77(2)(e) of the RMA.

development). We find that the current policy would not preclude managed retreat if that was determined to be appropriate.

107. With respect to the policy, and managed retreat, the Council officers proposed the following:

consider managed retreat and a reduction in development density ~~intensity for development~~ where it is at high risk from coastal hazards and apply managed retreat if it is found to be the best option, except where (e) applies to infrastructure²⁸.

108. We did not find the phrase “consider managed retreat.....” to be appropriate. The term “consider” is vague and unhelpful. Also unhelpful in our view was the term “high risk”; it being unclear what high risk was in terms of the policy. Furthermore, this clause within the policy did not ‘fit’ comfortably within the overall construction of the policy for the reasons given but also due to the overarching direction: “do all of the following”.

109. Mr Osborne’s evidence set out²⁹:

I support the provisions within PC80 which will embed more specific consideration of the effects of climate change and ensure development is undertaken in a way that ensures it is resilient to the effects of climate change. However, I consider that specific amendments are required to Policy B10.2.2(13) in order to ensure it more appropriately gives effect to the NZCPS. These amendments are also required to reflect that in some cases, particularly for large-scale infrastructure like Auckland Airport, managed retreat may not be appropriate or feasible. In those circumstances, clear policy direction enabling a focus on appropriate mitigation and protection of assets is necessary.

I support the intention of the PC80 amendments to Policy B10.2.2(13) where they provide a policy framework for managing development in high-risk areas from climate change, but I consider they are overly narrow and prescriptive as to how risk for existing infrastructure in those areas should be managed. In the case of Auckland Airport, which is nationally significant infrastructure that could not feasibly be moved to another location, it is important the policy appropriately enables other methods of dealing with climate change such as the construction of seawalls and stormwater improvements.

While there is clearly encouragement of the location of infrastructure away from areas of coastal hazards where practicable in Policy 25 of the NZCPS, I do not consider that this is practicable in the case of large-scale and long-term items of infrastructure such as Auckland Airport where there has been very significant investment over many years. I note that Policy 25(c) of the NZCPS clearly indicates managed retreat is just one option for reducing the risk of adverse effects from coastal hazards. I therefore

²⁸ Noting that (c) above was the wording recommended by Mr Osborne for AIAL.

²⁹ Paragraphs 6.1 - 6.3 of Mr Osborne’s evidence-in-chief

consider that the notified PC80 amendments to Policy B.10.2.2(13)(b) in referring only to implementing managed retreat do not adequately give effect to NZCPS Policy 25.

110. Mr Osborne's evidence went on to state:³⁰:

The difficulty with this interpretation of clause (d) of Policy B.10.2.2(13) is that the introductory sentence of that policy is as follows (emphasis added):

Require areas potentially affected by coastal hazards over the next 100 years to do all of the following: ...

The requirement "to do all of the following" means, in my view, that infrastructure providers must implement all of the actions specified in of the clauses (a) to (d) in the notified version of PC80, including those requiring managed retreat. For Mr Turbott's interpretation of Policy 13 to be correct, I consider that the introductory sentence of the policy would need to be changed to remove the direction to implement all of the actions that follow. This would be my preference, but if this cannot be achieved within the scope of PC80 and the subsequent submissions, then I consider that amendments would still need to be made to Policy 13 to ensure that managed retreat is not, by default, the only prescribed option for nationally significant infrastructure.

111. Mr Arbuthnot for the POAL essentially agreed with Mr Turbott that RPS Policy B10.2.2(13)(e) appropriately recognised the need for some infrastructure, such as the Port of Auckland, to locate in coastal hazard areas. While we accept B10.2.2(13)(e) appears to recognise the need for some infrastructure (airport, port, rail and other significant infrastructure) to locate in coastal hazard areas, we agree with Mr Osborne that the phrase "do all of the following" means that clause (e) cannot 'stand-alone'.
112. We have found that "do all of the following" renders the policy unachievable. Mr Osborne's attempt to redraft the policy so that it could be achievable is laudable, but it is our view that notwithstanding his suggested amendments (which he accepted was sub-optimal) the issues of "do all of the following" prevailed.
113. It is our finding that, for the reasons set out above, the policy wording we have provided, which includes deleting "to do all of the following", is within scope, gives effect to the requirements of the NZCPS and NPS-UD and in section 32 and section 32AA terms, is the most appropriate.

³⁰ Paragraphs 6.6 and 6.7 of Mr Osborne's evidence-in-chief

Decision

114. That submissions coded to **Hearing Topic 004 - Climate Change Resilience**³¹ are **accepted or accepted-in-part** to the extent that the amended PC 80 provisions satisfy the relief sought in the submissions, or where the submissions supported this aspect of PC 80; and **rejected** where the relief sought has not been granted.

HEARING TOPIC 005 - QUALIFYING MATTERS -

115. Hearing Topic 005 relates to submissions on the inclusion of reference to qualifying matters in the relevant provisions of the RPS.
116. PC 80 seeks to add references to qualifying matters in the RPS in Chapter B2, namely in the following places:
- B2.2 Urban growth and form;
 - B2.4 Residential growth;
 - B2.5 Commercial and industrial growth; and
 - B2.9 Explanation and principal reasons for adoption.
117. Fifty-six submitters with 123 submission points, and 38 further submitters with 1,113 further submission points were coded to this topic by the IHP³². These were set out in the Parties and Issues report and in Mr Mead’s evidence-in-chief.
118. We note that many of the submission points sought changes to provisions that were not being amended by PC 80. In the Council’s legal submissions, these were described as outside the scope of PC 80.
119. Through expert conferencing a range of matters were discussed; however, no agreement was reached on any issue.³³
120. The most significant issue raised by submissions, notably the Tattico, Barker and Kāinga Ora submissions, were that the references to “qualifying matters”, including “special character”, should be either deleted altogether or the extent to which they were referenced reduced. Some sought the widening of the references (e.g. Waka Kotahi).
121. Ms Morgan stated in her Summary Statement (and this essentially reflected the opinion of those other experts seeking the deletion or reduction of references to qualifying matters)³⁴:

With respect to qualifying matters, I do not support additional generic references to qualifying matters in the RPS. The RPS already contains sufficient policy guidance on the Council’s proposed qualifying matters – adding new policies for qualifying matters

³¹ See the Parties and Issues Report

³² Mr Mead, in his evidence, refers to 252 submission points and 372 further submission points coded to this topic. He explained the discrepancy between submission point numbers in his evidence.

³³ Joint Witness Statement, Topic 005, 4 April 2023.

³⁴ Paragraph 5.1 of Ms Morgan’s Summary Statement

therefore adds further complexity and jargon to the RPS without any corresponding policy benefit.

122. As set out in PC 80 (and in Mr Mead's evidence) PC 80 does not determine what and how qualifying matters are to be applied (which is the role of the currently notified PC 78 or other subsequent plan changes), but to reference them as 'methods' by which development may be managed, limited or constrained where qualifying matters can be 'justified'.
123. We acknowledge that qualifying matters are being addressed by PC 78, however they may also be addressed in subsequent plan changes. We also acknowledge that many qualifying matters are already part of the AUP (such as Overlays)³⁵, and Chapter A of the AUP will list relevant qualifying matters.
124. We further acknowledge that the RPS already makes reference to a number of factors that may lead to the modification of residential and business densities (such as scheduled items and natural resources) as a result of the existence of a qualifying matter but does not directly refer to these factors as being qualifying matters.
125. We agree with Mr Mead and those other submitters³⁶ who supported generic as opposed to specific references to qualifying matters, and that there should be references to qualifying matters in the RPS. We find this is appropriate and necessary as a result of the NPS-UD specifically including the term (and policy provisions) regarding "qualifying matters" as well as the amendments to the RMA that require the AUP to be modified to implement the Medium Density Residential Standards (MDRS) and Policy 3 requirements of the NPS-UD. The amended RMA makes it clear that the building height and density and urban form enabled by the MDRS and Policy 3 can only be moderated to the extent necessary to accommodate a qualifying matter.
126. We also agree with Mr Osborne's evidence and rebuttal evidence – as it best 'sums up' the IHP's findings. We particularly agree with his rebuttal evidence where he rebuts the evidence of Mr Cooper³⁷, Ms Morgan³⁸ and Mr McCall³⁹. Of particular note with reference to Mr Cooper, Mr Osborne stated⁴⁰:

I agree with Mr Cooper that RPS objectives and policies only need to acknowledge the concept of qualifying matters at a high level, but I do not see how his recommended deletion of all references to qualifying matters achieves this outcome as there would then be no acknowledgment of the concept within the RPS.

127. Ms Dimery for KTW Systems questioned the absence of any direct reference to water and wastewater infrastructure as a qualifying matter. She proposed additional policy wording and provided a section 32AA evaluation to support her view that it was necessary to add provisions relating to managing the form and design of subdivision, use and development

³⁵ But not specifically expressed as qualifying matters

³⁶ E.g. Mr Osborne for AIAL, Ms Findlay for the character Coalition and Mr Speer for the Eden Epsom Protection Society.

³⁷ Mr Osborne's paragraphs 2.5 - 2.12

³⁸ Mr Osborne's paragraphs 3.3 – 3.10

³⁹ Mr Osborne's paragraphs 4.5 – 4.11

⁴⁰ Mr Osborne's paragraphs 2.9

so that it contributes to a well-functioning urban environment where, among other things, this “occurs only in areas where there is planned or existing water and wastewater infrastructure with no known capacity constraints”.

128. Mr Mead addressed Ms Dimery’s evidence in some detail in his rebuttal evidence. He largely agreed with Ms Dimery, but suggested alternative policy wording to B2.4 – Residential growth as the more appropriate location. It was his recommendation that Policy 6, which already stated: Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification, be amended by adding: “including, as a qualifying matter, limiting intensification prior to upgrade of capacity in areas of known water and wastewater infrastructure constraints”.
129. We agree with Ms Dimery to the extent that we agree with and have adopted Mr Mead’s addition to policy 6.
130. We also specifically address “special character” as a sub set of “qualifying matters” as it was addressed by a significant number of submissions, and expert evidence. Some submitters sought deletion of references to special character in existing provisions of the RPS, while others sought its retention.
131. Special character is an “other” qualifying matter under 77I(j) of the RMA. Moreover, the RPS already recognises special character as a reason to take a less enabling approach to intensification (see Chapter B5.3. Special character). We note PC 80 did not seek to amend any of these provisions, and therefore this raised a scope issue with respect to their removal⁴¹.
132. For the same reasons as set out above we have retained references to special character, and agree with Mr Mead’s evidence (as well as Ms Findlay for the Character Coalition⁴² and Mr Speer for the Eden Epsom Residential Protection Society Inc)⁴³.

The Regional Policy Statement already refers to Special Character Areas as important resources that should be protected by preserving appropriate lower densities. The statement recognises the important role Special Character Areas have alongside other scheduled resources such as Significant Ecological Areas or protected views to the maunga/volcanic cones. The retention of these references within the relevant policies (B2.4.2(4) and (5)) is supported to protect Special Character Areas, and should remain in Plan Change 80.

And

The Society’s position is that it generally supports Council in their proposals to introduce limited amendments to the Regional Policy Statement (RPS) that reflect the intention of the Resource Management Act (Enabling Housing Supply and Other

⁴¹ We have not advanced this further as we agree that references to “special character” as a qualifying matter needs to remain in the RPS.

⁴² Paragraph 18 of Ms Findley’s evidence

⁴³ Paragraphs 1 and 2 of Mr Speer’s evidence

Matters) Amendment Act 2021 (the Amendment Act) and the National Policy Statement on Urban Development (NPS-UD).

In particular, the Society supports the need for recognition of qualifying matters to reduce intensification in selected areas including low density residential, and to avoid intensification in special character areas.

133. It is our view that it is appropriate to include and retain the references to special character in the RPS. This is because references at the RPS level (as a qualifying matter) is important in achieving alignment between the RMA, NPS-UD and the RPS to ensure this is implemented by the district plan provisions.
134. Overall, it is our view that to ensure alignment between the RPS and district level provisions, it is both appropriate and necessary for PC 80 to add references to qualifying matters into Chapter B2.4 and B2.5 (dealing with residential and business development, respectively). We have retained those references in PC 80; largely including the wording “identified” qualifying matters.

Decision

135. That submissions coded to **Hearing Topic 005 - Qualifying matters**⁴⁴ are **accepted or accepted-in-part** to the extent that the amended PC 80 provisions satisfy the relief sought in the submissions, or where the submissions supported this aspect of PC 80; and **rejected** where the relief sought has not been granted.

UNALLOCATED SUBMISSIONS TO TOPICS 003, 004, 005, 006

136. A group of submissions had not been allocated to any of the topics 003, 004, 005 or 006 but refer to PC 80. They were coded in the Council’s Summary of Decisions Requested (SDR) as decline the plan change, support the plan change, are blank or are coded to Other Plan Change. These submissions were not included in the Parties and Issues Report.
137. The submissions relate to the following:
- Decline the Plan Change – 17
 - Support the Plan Change - 1
 - Other Plan Change – 2 (FS 2)
 - Blank in the SDR – 3 - while these submissions refer to PC 80 they seek no relief on PC 80
138. The submissions were identified in Mr Paul’s evidence-in-chief at Attachment 5 - Submissions not allocated to Topics 003, 004, 005 or 006.
139. Mr Paul listed and evaluated the submissions in section 8 of his evidence-in-chief. We note that none of the submitters provided any further evidence or information in support of their submissions. None attended the hearing.

⁴⁴ See the Parties and Issues Report

140. It was Mr Paul's opinion that:
- The submission by Fire and Emergency New Zealand Limited (21) supported PC 80 without any amendments – and on this basis be accepted. We agree.

141. In respect of all of the other submissions, he set out⁴⁵:

In my opinion all the submissions seeking that the PC80 be declined should be rejected. The Council is required to give effect to a national policy statement and the section 32 analysis provides support for the amendment to the RPS in PC80.

The submissions by Amy Parlane should in my opinion also be rejected as they do not seek specific relief in respect of PC80 and relate to a level of detail that is not addressed in the RPS.

The submissions that seek no relief in relation to PC80 should also be rejected.

142. We agree with Mr Paul.

Decision

143. That the submission by Fire and Emergency New Zealand Limited be **accepted**.
144. That all other submissions **unallocated to topics 003, 004, 005, 006** (and identified in Attachment 5 - Submissions not allocated to Topics 003, 004, 005 or 006 to Mr Paul's evidence-in-chief) be **rejected**.

OVERALL DECISION

145. That pursuant to Schedule 1, Clause 10 of the Resource Management Act 1991, that Proposed Plan Change 80 to the Auckland Unitary Plan (Operative in Part) be approved, subject to the amended RPS set out in this decision – Attachment 1 sets out the amended RPS provisions. The reasons for this are those set out above.
146. With respect to the amended RPS provisions, the notified PC 80 provisions did not necessarily include the full text of those objectives and policies (i.e. only those parts to be modified were included). We have followed the same format in our decision. As we have added to, deleted, or amended some of those provisions, this has meant (in some cases) the conjunctive “and” or “or” in the provisions no longer ‘appear’ in the correct place. While we have attempted to show them in the correct place, for the avoidance of doubt, we record that the Council (when incorporating the PC 80 provisions into the RPS) follow the “and” or “or” convention of the operative RPS.

⁴⁵ Paragraphs 8.14 – 8.16

147. Submissions on the plan change are accepted, accepted in part and rejected in accordance with this decision.

Chairperson

A handwritten signature in black ink, appearing to read "Greg Hill", followed by a period.

Greg Hill

Date: 30 August 2023

Attachment 1 –PC 80 Provisions.

Attachment 1

PC 80 - Amendments to the RPS Auckland Unitary Plan (Operative in Part) following the hearings of Hearing Topics 003 to 006.

August 2023

Chapter B Regional Policy Statement

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

...

B2.1. Issues

...

Growth needs to be provided for in a way that does all of the following:

...

(1A) contributes to well-functioning urban environments;

(1B) improves resilience to the effects of climate change;

...

B2.2.1. Objectives

(1A) A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

(1) A well-functioning urban environment with a quality compact urban form that enables all of the following:

...

(d) good accessibility for all people, including by improved and more effective efficient public or active transport;

...

(f) better maintenance of rural character and rural productivity; ~~and~~

(g) reduced adverse environmental effects; and

(h) improved resilience to the effects of climate change.

(5) The development of land within the Rural Urban Boundary, towns, and rural and coastal towns and villages;

(a) Is is integrated with the provision of appropriate infrastructure; and

(b) Improves resilience to the effects of climate change.

B2.2.2. Policies

...

(2) Ensure the location or any relocation of the Rural Urban Boundary identifies land suitable for urbanisation in locations that contribute to a well-functioning urban environment and that:

(a) promote the achievement of a quality compact urban form;

...

(e) provide choices that meet the needs of people and communities for a range of housing types and working environments; ~~and~~

(ee) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and

...

(l) avoiding areas with significant natural hazard risks and where practicable avoiding areas prone to natural hazards including coastal hazards and flooding, including the effects of climate change and sea level rise on the extent and frequency of hazards; and

...

(n) Limits or avoids urbanisation where a “qualifying matter” justifies that limitation or avoidance of urbanisation.

(4) Promote urban growth and intensification within the urban area 2016 (as identified in Appendix 1A), enable urban growth and intensification within the Rural Urban Boundary, towns, and rural and coastal towns and villages, in a way that contributes to a well-functioning urban environment and avoid urbanisation outside these areas.

...

(6) Identify a hierarchy of centres that contributes to a well-functioning urban environment which supports a quality compact urban form:

...

(7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that contribute to a well- functioning urban environment and that do all of the following:

...

(c) integrate with the provision of infrastructure; ~~and~~

(caa) provide good accessibility, including by way of efficient and effective public or active transport.

(ca) incorporate improved resilience to the effects of climate change;

(d) follow the structure plan guidelines as set out in Appendix 1-; and

(e) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets.

B2.3. A quality built environment

B2.3.1. Objectives

(1) A well-functioning urban environment with a quality built environment where subdivision, use and development do all of the following:

...

(f) ~~respond and adapt~~ has improved resilience to the effects of climate change.

...

B2.3.2. Policies

(1) Manage the form and design of subdivision, use and development so that it contributes to a well-functioning urban environment and does all of the following:

...

(e) meets the functional, and operational needs of the intended use; ~~and~~

(f) allows for change and enables innovative design and adaptive re-use-; and

(g) improves resilience to the effects of climate change.

...

B2.4. Residential

growth B2.4.1.

Objectives

(1) Residential intensification contributes to a well-functioning urban environment and supports a quality compact urban form.

(1A) Residential intensification is limited in some areas to the extent necessary to give effect to identified qualifying matters.

(2) Residential areas are attractive, healthy, ~~and~~ safe and have improved resilience to the effects of climate change with quality development that is in keeping with the planned built character of the area.

...

B2.4.2. Policies

Residential intensification

...

- (2) Enable higher residential intensities in areas closest to centres, the public transport network, large social facilities, education facilities, tertiary education facilities, healthcare facilities and existing or proposed open space, which contribute to a well-functioning urban environment.

...

- (4) Provide for lower residential intensity in areas:

...

(c) where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character; ~~and~~

(d) where there is a suburban area with an existing neighbourhood character; and

(e) where, there are other qualifying matters listed in Chapter A that justify that limitation.

- (5) Avoid intensification in areas:

(a) where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character; or

(b) that are subject to significant natural hazard risks; including where the frequency and extent of the natural hazards are being affected by climate change; or

(c) where there are other qualifying matters listed in Chapter A which justify avoidance of intensification;

where such intensification is inconsistent with the protection of the scheduled natural or physical resources or with the avoidance or mitigation of the natural hazard risks or is necessary to give effect to identified qualifying matters.

- (6) Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification, including, as a qualifying matter, limiting intensification prior to upgrade of capacity in areas of known water and wastewater infrastructure constraints.

...

- (10) ~~Require~~ Provide for non-residential activities and require them to be of a scale and form that are in keeping with the existing and planned built character of the area.

...

(11) Enable a sufficient supply and diverse range of dwelling types, ~~and sizes~~ and locations, that meet the housing needs of people and communities, including:

- (a) households on low to moderate incomes; and
- (b) people with special housing requirements.

B2.5. Commercial and industrial growth

B2.5.1. Objectives

...

(2) Commercial growth and activities are primarily focused within a hierarchy of centres and identified growth corridors that ~~supports~~ contribute to a well-functioning urban environment and a compact urban form.

(2A) Commercial and industrial activities are resilient to the effects of climate change.

B2.5.2 Policies

(2) Support the function, role and amenity of centres by encouraging commercial and residential activities within centres, ensuring development that locates within centres contributes to a well-functioning urban environment and the following:

(aa) a high density urban form that responds to a centre's accessibility by public transport, commercial activity and community facilities;

(a) ...

(b) a diverse range of activities, with the greatest mix, ~~and~~ concentration and density of activities in the city centre;

...

(g) high-quality street environments including pedestrian and cycle networks and facilities; ~~and~~

(h) development does not compromise the ability for mixed use developments, or commercial activities to locate and expand within centres-; and

(i) a scale and form of development that is necessary to achieve any relevant identified qualifying matters.

...

(3) Enable new metropolitan, town and local centres which contribute to a well-functioning urban environment following a structure planning process and plan change process in accordance with Appendix 1 Structure plan guidelines, having regard to all of the following:

...

- (g) any significant adverse effects on the environment or on natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage, ~~or~~ special character, or other identified qualifying matters.

...

(10A) Require commercial, retail and industrial activities to be located, designed and developed to improve their resilience to the effects of climate change.

B2.6. Rural and coastal towns and villages

B2.6.1. Objectives

- (1) Growth and development of existing or new rural and coastal towns and villages is enabled in ways that:

...

(ca) are resilient to the effects of climate change; and

...

B2.6.2. Policies

- (1) Require the establishment of new or expansion of existing rural and coastal towns and villages to be undertaken in a manner that does all of the following:

...

(f) is compatible with natural and physical characteristics, including those of the coastal environment; ~~and~~

(g) provides access to the town or village through a range of transport options including walking and cycling; and

(h) improves resilience to the effects of climate change.

B2.7. Open space and recreation facilities

B2.7.1. Objectives

- (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities which contribute to a well-functioning urban environment.

...

- (4) Open space and recreation facilities are resilient to the effects of climate change.

B2.7.2. Policies

- (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions and which contribute to a well-functioning urban environment.

...

- (11) Provide for improved resilience to the effects of climate change in open space and associated recreation and biodiversity management.

B2.8. Social facilities

B2.8.1. Objectives

- (1) Social facilities that meet the needs of people and communities, including enabling them to provide for their social, economic and cultural well-being and their health and safety and which contribute to a well-functioning urban environment.

...

- (4) Social facilities are resilient to the effects of climate change.

B2.8.2. Policies

- (1) Enable social facilities that are accessible to people of all ages and abilities to establish in appropriate locations which contribute to a well-functioning urban environment as follows:

...

- (4) In growth and intensification areas identify as part of the structure plan process where social facilities will be required and enable their establishment in appropriate locations which contribute to a well-functioning urban environment.

...

- (7) Require social facilities to provide for improved resilience to the effects of climate change.

B2.9. Explanation and principal reasons for adoption

[Paragraph 1]

A broad strategy is needed to address the resource management issues arising from the scale of urban growth in Auckland. ~~The objective of a quality compact urban form is supported by a primary policy approach of focussing residential intensification in and around commercial centres and transport nodes and along major transport corridors.~~

The National Policy Statement on Urban Development 2020 (NPSUD) includes objectives and policies on a well-functioning urban environment; and sets out matters that are to be addressed, as a minimum, to achieve this. Achieving a well-functioning urban environment is reflected by a wide range of objectives and policies across the entire Regional Policy Statement (RPS). A well-functioning urban environment is a high-level concept and is an overarching objective of the RPS.

The objectives of a well-functioning urban environment and a quality compact urban form are supported by a primary policy approach of focusing the greatest levels of residential intensification in areas with good accessibility, including by public or active transport, and around commercial centres and transport nodes and along major transport corridors.

...

[Paragraph 4]

A well-functioning urban environment and compact urban form can deliver a range of benefits for current and future generations by:

- ...
- limiting or avoiding intensification where there are qualifying matters that justify that limitation or avoidance of intensification;
- promoting an integrated approach to land use and transport; ~~and~~
- providing investment certainty about use and development strategies; and
- improving resilience to the effects of climate change.

...

[Paragraph 6]

In addressing the effects of growth, and contributing to a well-functioning urban environment, a key factor is enabling sufficient development capacity in the urban area and sufficient land for new housing and businesses over the next 30 years. It is also important to ensure that urban environments have improved resilience to the effects of climate change. ...

[Paragraph 7]

Housing affordability is a significant issue in Auckland. These objectives and policies, as one component of the many things that need to be done to address this issue, seek to enable urban growth, improve development capacity and encourage a variety of housing types, ~~and sizes~~ and locations as resource management methods to improve housing affordability.

...

B7. Toitū te whenua, toitū te taiao – Natural resources

B7.2.2 Policies

...

(5A) Improve the resilience of areas listed in the Schedule 3 of Significant Ecological Areas – Terrestrial Schedule and of Schedule 4 Significant Ecological Areas – Marine Schedule to the effects of climate change.

...

B7.3.2 Policies

...

(5) Manage subdivision, use, development, including discharges and activities in the beds of lakes, rivers, streams, and in wetlands, to do all of the following:

(a) ...

(aa) improve resilience to the effects of climate change;

...

B7.4.2 Policies

...

(9) Manage stormwater by all of the following:

(a) requiring subdivision, use and development to

(i) minimise the generation and discharge of contaminants; ~~and~~

(ii) minimise adverse effects on freshwater and coastal water and the capacity of the stormwater network; and

(iii) improve resilience to the effects of climate change;

...

B7.7 Explanation and principal reasons for adoption

[Paragraph 3]

Areas containing threatened ecosystems and species require effective management to protect them, and enhance their resilience which is important for the long-term viability of indigenous biodiversity and to help respond to the ~~potential~~ effects of climate change. Effectively addressing these issues requires a combination of regulatory and voluntary efforts.

B8. Toitū te taiwhenua - Coastal environment

B8.2.2 Policies

...
(4) ...

(4A) Provide for the natural systems that support natural character to respond in a resilient way to the effects of climate change including sea level rise over at least 100 years.

...

B8.3.1. Objectives

...

(7) In areas potentially affected by coastal hazards, including sea level rise over at least 100 years, subdivision, use and development avoid increasing the risk of social, environmental and economic harm.

...

B8.4.2 Policies

(1) Subdivision, use and development in the coastal environment must, where practicable, do all of the following:

...

(d) take into account the likely impact of coastal processes and climate change, including sea level rise over at least 100 years, and be set back sufficiently to not compromise the ability of future generations to have access to and along the coast.

B10. Ngā tūpono ki te taiao - Environmental risk

B10.2. Natural hazards and climate change

B10.2.1. Objectives

...

(4) The effects of climate change on natural hazards, including effects on sea level rise, over at least 100 years and on the frequency and severity of storm events, is recognised and provided for.

...

B10.2.2. Policies

(1) Identify areas potentially affected by natural hazards, giving priority to those at high risk of being affected, particularly in the coastal environment, and including areas susceptible to coastal inundation and erosion as a result of sea level rise over at least 100 years.

...

(4) Assess natural hazard risks:

...

(b) across a range of probabilities of occurrence appropriate to the hazard, including, at least, a 100-year timeframe for evaluating

flooding and coastal hazards, including sea level rise in response to global warming.

...

- (6) Adopt a precautionary approach to natural hazard risk assessment and management in circumstances where:
- (a) the effects of natural hazards and the extent to which climate change will exacerbate such effects are uncertain but may be significant, including the possibility of low-probability but high potential impact events, and also sea level rise over at least 100 years; or

...

(12) Minimise the risks from natural hazards to new infrastructure which functions as a lifeline utility by:

- (a) assessing the risks from a range of natural hazard events including sea level rise, and low probability but high potential impact events such as tsunami, earthquake and volcanic eruptions

...

(13) Require areas potentially affected by coastal hazards over the next 100 years to ~~do all of the following:~~

- (a) avoid changes in land use that would increase the risk of adverse effects from coastal hazards;
- (b) ~~do not increase, or reduce,~~ the intensity of activities that are vulnerable to the effects of coastal hazards beyond that enabled by the Plan;
- (c) in the event of redevelopment, minimise natural hazard risks through the location and design of development; or and
- (d) where it is impracticable to locate infrastructure outside of coastal hazard areas, then ensure coastal hazard risks are mitigated.

B10.3.2. Policies

...

- (2) Manage the use and development of land for hazardous facilities:
- (a) so that such facilities are resilient to the effects of natural hazards, including sea level rise over at least 100 years;

...

Attachment 2 – Parties and Issues Reports

National Policy Statement Urban Development

Independent Hearings Panel

Auckland

Hearing Topic 003 PC 80 RPS Well-functioning Urban Environments

Draft Parties and Issues Report

Released on 6 March 2023

The purpose of this Parties and Issues Report (PIR) is to provide the Panel with information prior to the hearing about the parties to the topic or subtopic, the issues that have arisen or been resolved through Alternative Dispute Resolution and links to the hearing evidence. The PIRs are living documents that will be updated as changes occur. Parties reading these documents should look for the most up to date version of the document.



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1. Hearing topic information

1.1 The Hearing Topic or subtopic

The information provided below outlines the subject, Proposed Auckland Unitary Plan provisions and relevant matters to be considered for this topic.

Table 1: Topic description

HEARING TOPIC 003 Well-functioning Urban Environments		
<i>This hearing topic relates to submissions on the Well-Functioning Urban Environments aspects proposed to be included in the Regional Policy Statement (RPS).</i>		
Proposed Auckland Unitary Plan Provisions IPI		
<i>Within the Auckland Unitary Plan there is a clear policy cascade from the Regional Policy Statement (Chapter B) to the district plan chapters (Chapter C onwards), with close integration between regional and district plan matters. Therefore, the changes relating to ‘well-functioning urban environments’ proposed by Plan Change 80 to Chapter B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form, relate closely to many of the changes proposed by the Intensification Planning Instrument (IPI) Plan Change 78.</i>		
Proposed Auckland Unitary Plan Provisions Non IPI		
<i>Chapter B Regional Policy Statement</i>	<i>B2. Tāhuhu whakaruruhau ā-taone - Urban growth and form</i>	<i>B2.1. Issues</i> <i>B2.2. Urban growth and form</i> <i>B2.3. A quality built environment</i> <i>B2.4. Residential growth</i> <i>B2.5. Commercial and industrial growth</i> <i>B2.7. Open space and recreation facilities</i> <i>B2.8. Social facilities</i> <i>B2.9. Explanation and principal reasons for adoption</i>
Related topic provisions		

Topic 004 PC 80 Climate Change Resilience

Topic 005 PC 80 Qualifying Matters

Topic 006 PC 80 RPS Other Matters

2. Submissions received and proposed hearing pathway

2.1. Parties to this topic

The following table provides an overview to the submissions made to this topic. **Appendix 1** contains a list of the names of all parties to this topic.

Table 2.1: Parties to the topic

Total number of primary submitters	44
Total number of primary submission points	313
Total number of primary submitters who wish to be heard	41
Total number of further submitters	32
Total number of further submission points	820
Total number of further submitters who wish to be heard	32

2.2. Submission coding topics and subtopics

The Panel has directed that this hearing topic will address the submission point grouping listed in the table below. The allocation of a submission point to a matter listed in the table below was determined by the council's coding framework (see council website for more details).

Table 2.2: Topic coding

Topic	Subtopic
003 Well-Functioning Urban Environment	WFUE B2.1. Issues
	WFUE B2.2. Urban growth and form
	WFUE B2.3. A quality built environment

	WFUE B2.4. Residential growth
	WFUE B2.5. Commercial and industrial growth
	WFUE B2.7. Open space and recreation facilities
	WFUE B2.8. Social facilities
	WFUE B2.9. Explanation and principal reasons for adoption
	WFUE Miscellaneous

2.3 Panel Directions

This section sets out any direction or procedural minutes related to this topic issued by the Panel.

See hearing page for details: <https://www.aucklandcouncil.govt.nz/have-your-say/hearings/find-hearing/Pages/find-nps-ud-hearing.aspx>

2.3.1 Direction for all submitters

[Direction 22 February 2023 - ADR Process](#)

2.3.2 Direction for Auckland Council

N/A

3 Documents from the pre-hearing events

3.1 Topic pre-hearing documents

This section includes the mediation statements and joint witness statements for this topic. This table will be updated prior to the hearing for this topic.

Table 3.1: Pre-hearing documents

Pre-hearing documents	Date	Link to www.intensificationhearingsakl.co.nz webpage for documents
Mediation 1 attendance sheet		
Mediation 2 attendance sheet		
Mediation Joint Statement 1		

Pre-hearing documents	Date	Link to www.intensificationhearingsakl.co.nz webpage for documents
Expert Witnesses Joint Statement		
Hearing evidence		<p>Refer to this link</p> <p>https://www.aucklandcouncil.govt.nz/have-your-say/hearings/find-hearing/Pages/find-nps-ud-hearing.aspx</p> <p>for copies of evidence submitted prior to hearing. <i>Note - evidence may continue to be provided to the Hearings Panel after the preparation of this report.</i></p>

3.2 Independent expert evidence

The Panel may request independent expert evidence to assist in the understanding of hearing topics. If the independent evidence is obtained a copy of the evidence will be made available from the link provided below.

Table 3.2: Independent expert advice

Matter on which independent evidence sought:	
Date evidence requested:	
Date evidence received:	

4 Summary of pre-hearing event outcomes

4.1 Expert conferencing outcomes

Note: Expert conferencing may not be undertaken for all topics, in which case N/A has been recorded.

Table 4.1: Expert conferencing outcomes

Matters raised	
Summary of matters agreed	

Summary of matters outstanding	
Other matters	

4.2 Mediation outcomes

Note: Mediation may not be undertaken for all topics, in which case N/A has been recorded.

Table 4.2: Mediation outcomes

Matters raised	
Summary of matters agreed	
Summary of matters outstanding	
Other matters	

4.3 Agreements reached between parties outside of formal mediation or expert conference pathway

This section records the agreements reached between parties which were submitted to the Panel prior to the hearing.

Table 4.3: Outcomes of agreements reached between parties outside of formal pre-hearing events

Topic or subtopic	
Parties to the agreement	
Outcomes	Summary of matters raised
Date received	Summary of matters agreed
	Summary of matters outstanding
	Other matters

4.4 Aligned pre-hearing outcomes from other topics

The outcomes resulting from other topic pre-hearing events may play a part in understanding outcomes for this topic.

The connections between outcomes that need to be considered for this topic are:

- *No connections identified at this stage*

Note: This is not a definitive list and does not prevent any party to raising matters in this regard.

5 Hearing Session/s

Table 5: Hearing sessions

Topic 003 Well-Functioning Urban Environments	
This topic will be heard by a Full Panel	
Date hearing commenced:	
Date hearing completed:	

Appendix 1: List of parties

Submission Number	Submitter Name
05	Carolyn Nimmo
10	Ian McManus
11	Royal Forest and Bird Protection Society of New Zealand Inc Forest and Bird
14	Citadel Capital Limited
15	Fortland Capital Limited
16	Geoffrey John Beresford
17	Auckland International Airport Limited
18	Avant Group Limited
19	BARNZ
20	Eden Epsom Residential Protection Society Incorporated
22	Fletcher Residential Limited
23	Fulton Hogan Land Development
24	Kāinga Ora - Homes and Communities
25	Kiwi Property Group Limited
26	KiwiRail Holdings Ltd
28	Oyster Capital
29	Piper Properties Consultants Limited
31	Russell Property Group
33	Sky City Auckland Ltd
34	Southern Cross Healthcare Limited
36	Transpower New Zealand Limited
37	Villages of New Zealand Limited
38	Waka Kotahi NZ Transport Agency
39	30 Hospital Road Limited
42	Ellper Holdings Limited
43	Gibbonsco Management Limited
45	KTW Systems LP
49	One Mahurangi Business Association OMBA
51	Shundi Management Limited
52	Sonn Group
54	The Kilns Limited
55	Hannah and Colin Thomson
56	Winton Land Limited
57	Beachlands South Limited Partnership
65	Russell Don
70	Charles and Nancy Liu
71	Matvin Group Ltd
72	North Eastern Investments Limited NEIL
75	Precinct Properties New Zealand Limited
76	Red Rhino Limited and Airport Rent A Car Limited
78	Screaton Ltd
80	Templeton Group Limited
82	The University of Auckland
85	Acanthus Limited

Further Submission Number	Further Submitter Name
FS01	Metlifecare Limited
FS02	Eden Epsom Residential Protection Society Incorporated
FS04	New Zealand Defence Force
FS05	Character Coalition Incorporated
FS06	Kāinga Ora
FS07	Wellsford Welding Club
FS08	Foodstuffs North Island Limited
FS09	Kiwi Property Group Limited
FS12	Drive Holdings Limited
FS13	Viaduct Harbour Holdings Limited
FS14	Mark Dolling Andrews
FS15	Alan Clive Stokes
FS16	Citizens Against The Housing Act
FS17	Shildon Ltd
FS19	Auckland International Airport Limited
FS20	Herne Bay Residents Association Inc.
FS21	Transpower New Zealand Limited
FS22	Mariposa Ltd
FS23	Craigieburn Range Trust
FS24	Euroclass Limited
FS25	Highbrook Living Limited
FS26	Investore Property Limited
FS29	Mission Bay Kohimarama Residents Association Incorporated
FS30	North Eastern Investments Limited
FS31	NZ Storage Holdings Limited
FS32	Rock Solid Holdings Limited
FS33	Southern Cross Healthcare Limited
FS34	Stonehill Trustee Limited
FS35	Waka Kotahi NZ Transport Agency
FS36	Fletcher Residential Limited
FS37	Stride Property Limited
FS40	Fabric Property Limited

National Policy Statement Urban Development

Independent Hearings Panel

Auckland

Hearing Topic 004

PC80 Climate Change Resilience

Draft Parties and Issues Report

Released on 6 March 2023

The purpose of the Parties and Issues Report (PIR) is to provide the Panel with information prior to the hearing about the parties to the topic or subtopic, the issues that have arisen or been resolved through Alternative Dispute Resolution and links to the hearing evidence. The PIRs are living documents that will be updated as changes occur. Parties reading these documents should look for the most up to date version of the document.



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1. Hearing topic information

1.1 The Hearing Topic or subtopic

The information provided below outlines the subject, Proposed Auckland Unitary Plan provisions and relevant matters to be considered for this topic.

Table 1: Topic description

HEARING TOPIC 004 PC80 Climate Change Resilience		
<i>This hearing topic relates to submissions on Climate Change Resilience aspects proposed to be included in the Regional Policy Statement (RPS) via Plan change 80.</i>		
Proposed Auckland Unitary Plan Provisions IPI		
<i>Within the Auckland Unitary Plan there is a clear policy cascade from the Regional Policy Statement (Chapter B) to the district plan chapters (Chapter C onwards), with close integration between regional and district plan matters. Therefore, the changes relating to 'Climate change - Resilience' proposed by Plan Change 80 to Chapter B relate closely to many of the changes proposed by the Intensification Planning Instrument (IPI) Plan Change 78.</i>		
Proposed Auckland Unitary Plan Provisions– Plan Change 80 Non IPI		
<i>Chapter B Regional Policy Statement</i>	<i>B2. Tāhuhu whakaruruhau ā-taone - Urban growth and form</i>	<i>B2.1 Issues B2.1(1B)</i>
		<i>B2.2 Urban growth and form B2.2.1(1), B2.2.1(5) B2.2.2(2)(I), B2.2.2(7)</i>
		<i>B.2.3. A quality built environment B2.3.1(1)(f) B2.3.2(1)</i>
		<i>B.2.4. Residential growth B2.4.1(1A), 2.4.1(2) B2.4.2</i>
		<i>B2.5. Commercial and industrial growth B2.5.1(2A), B2.5.1(3) B2.5.2 (4), B2.5.2(10A)</i>
		<i>B2.6. Rural and coastal towns and villages B2.6.1(1) B2.6.2(1)</i>

		<p><i>B2.7. Open space and recreation facilities</i> <i>B2.7.1(4)</i> <i>B2.7.2(11)</i></p>
		<p><i>B2.8. Social facilities</i> <i>B2.8.1(4)</i> <i>B2.8.2(7)</i></p>
		<p><i>B2.9. Explanation and principal reasons for adoption</i></p>
	<i>B7. Toitū te whenua, toitū te taiao – Natural resources</i>	<p><i>B7.2. Indigenous biodiversity</i> <i>B7.2.2(5A)</i></p>
		<p><i>B7.3. Freshwater systems</i> <i>B7.3.2(5)</i></p>
		<p><i>B7.4. Coastal water, freshwater and geothermal water</i> <i>B7.4.2(9)</i></p>
		<p><i>B7.7. Explanation and principal reasons for adoption</i> <i>Para 3</i></p>
	<i>B8. Toitū te taiwhenua - Coastal environment</i>	<p><i>B8.2. Natural character</i> <i>B8.2.2(4A)</i></p>
		<p><i>B8.3. Subdivision, use and development</i> <i>B8.3.1(7)</i></p>
		<p><i>B8.4. Public access and open space</i> <i>B8.4.2(1)(d)</i></p>
	<i>B10. Ngā tūpono ki te taiao - Environmental risk</i>	<p><i>B10.2 Natural hazards and climate change</i> <i>B10.2.1(4)</i> <i>B10.2.2(1)</i> <i>B10.2.2(4)</i> <i>B10.2.2(6)</i> <i>B10.2.2(12)</i> <i>B10.2.2(13)</i></p>
		<p><i>B10.3 Land - hazardous substances</i> <i>B10.3.2(2)</i></p>

Related topic provisions
<i>Topic 003 PC80 – Well-functioning Urban Environment</i>
<i>Topic 005 PC 80 – Qualifying Matters</i>
<i>Topic 006 PC 80 – RPS Other Matters</i>

2. Submissions received and proposed hearing pathway

2.1. Parties to this topic

The following table provides an overview to the submissions made to this topic. **Appendix 1** contains a list of the names of all parties to this topic.

Table 2.1: Parties to the topic

Total number of primary submitters	43
Total number of primary submission points	352
Total number of primary submitters who wish to be heard	43
Total number of further submitters	30
Total number of further submission points	987
Total number of further submitters who wish to be heard	30

2.2. Submission coding topics and subtopics

The Panel has directed that this hearing topic will address the submission point grouping listed in the table below. The allocation of a submission point to a matter listed in the table below was determined by the council's coding framework (see council website for more details).

Table 2.2: Topic coding

Topic	Subtopic
004 PC80 Climate Change Resilience	Climate Change Resilience - miscellaneous
	Climate Change Resilience B2.1. Issues
	Climate Change Resilience B2.2. Urban growth and form
	Climate Change Resilience B2.3. A quality built environment
	Climate Change Resilience B2.4. Residential growth
	Climate Change Resilience B2.5. Commercial and industrial growth
	Climate Change Resilience B2.6. Rural and coastal towns and villages
	Climate Change Resilience B2.7. Open space and recreation facilities
	Climate Change Resilience B2.8. Social facilities
	Climate Change Resilience B2.9. Explanation and principal reasons for adoption
	Climate Change Resilience B7.2. Indigenous biodiversity
	Climate Change Resilience B7.3. Freshwater systems
	Climate Change Resilience B7.4. Coastal water, freshwater and geothermal water
	Climate Change Resilience B7.7. Explanation and principal reasons for adoption
	Climate Change Resilience B8.2. Natural character
	Climate Change Resilience B8.3. Subdivision, use and development
	Climate Change Resilience B8.4. Public access and open space
	Climate Change Resilience B10.2 Natural hazards and climate change
	Climate Change Resilience B10.3 Land - hazardous substances

2.3 Panel Directions

This section sets out any direction or procedural minutes related to this topic issued by the Panel.

See hearing page for details: <https://www.aucklandcouncil.govt.nz/have-your-say/hearings/find-hearing/Pages/find-nps-ud-hearing.aspx>

2.3.1 Direction for all submitters

[Direction 22 February 2023 - ADR Process](#)

2.3.2 Direction for Auckland Council

N/A

3 Documents from the pre-hearing events

3.1 Topic pre-hearing documents

This section includes the mediation statements and joint witness statements for this topic. This table will be updated prior to the hearing for this topic.

Table 3.1: Pre-hearing documents

Pre-hearing documents	Date	Link to www.intensificationhearingsakl.co.nz webpage for documents
Mediation 1 attendance sheet		
Mediation 2 attendance sheet		
Mediation Joint Statement 1		
Expert Witnesses Joint Statement		
Hearing evidence		Refer to this link https://www.aucklandcouncil.govt.nz/have-your-say/hearings/find-hearing/Pages/find-nps-ud-hearing.aspx for copies of evidence submitted prior to hearing. <i>Note - evidence may continue to be provided to the Hearings Panel after the preparation of this report.</i>

3.2 Independent expert evidence

The Panel may request independent expert evidence to assist in the understanding of hearing topics. If the independent evidence is obtained a copy of the evidence will be made available from the link provided below.

Table 3.2: Independent expert advice

Matter on which independent evidence sought:	
Date evidence requested:	
Date evidence received:	

4 Summary of pre-hearing event outcomes

4.1 Expert conferencing outcomes

Note: Expert conferencing may not be undertaken for all topics, in which case N/A has been recorded.

Table 4.1: Expert conferencing outcomes

Matters raised	
Summary of matters agreed	
Summary of matters outstanding	
Other matters	

4.2 Mediation outcomes

Note: Mediation may not be undertaken for all topics, in which case N/A has been recorded.

Table 4.2: Mediation outcomes

Matters raised	
Summary of matters agreed	

Summary of matters outstanding	
Other matters	

4.3 Agreements reached between parties outside of formal mediation or experts conference pathway

This section records the agreements reached between parties which were submitted to the Panel prior to the hearing.

Table 4.3: Outcomes of agreements reached between parties outside of formal pre-hearing events

Topic or subtopic	
Parties to the agreement	
Outcomes	Summary of matters raised
Date received	Summary of matters agreed
	Summary of matters outstanding
	Other matters

4.4 Aligned pre-hearing outcomes from other topics

The outcomes resulting from other topic pre-hearing events may play a part in understanding outcomes for this topic.

The connections between outcomes that need to be considered for this topic are:

- *No connections identified at this stage*

Note: This is not a definitive list and does not prevent any party to raising matters in this regard.

5 Hearing Session/s

Table 5: Hearing sessions

Topic 004 Climate Change Resilience	
This topic will be heard by a Full Panel	
Date hearing commenced:	

Date hearing completed:	
-------------------------	--

Appendix 1: List of parties

Topic 004 – PC80 Climate Change and Resilience	
Sub #	Submitter Name
08	Martin and Margaret Evans
10	Ian McManus
11	Royal Forest and Bird Protection Society of New Zealand Inc Forest and Bird
14	Citadel Capital Limited
15	Fortland Capital Limited
17	Auckland International Airport Limited
18	Avant Group Limited
19	BARNZ
20	Eden Epsom Residential Protection Society Incorporated
22	Fletcher Residential Limited
23	Fulton Hogan Land Development
24	Kāinga Ora - Homes and Communities
25	Kiwi Property Group Limited
26	KiwiRail Holdings Ltd
28	Oyster Capital
29	Piper Properties Consultants Limited
30	Ports of Auckland Limited
31	Russell Property Group
33	Sky City Auckland Ltd
36	Transpower New Zealand Limited
37	Villages of New Zealand Limited
38	Waka Kotahi NZ Transport Agency
39	30 Hospital Road Limited
40	Aedifice Development Limited
42	Ellper Holdings Limited
43	Gibbonsco Management Limited
48	Motu Design
49	One Mahurangi Business Association OMBA
51	Shundi Management Limited
52	Sonn Group
55	Hannah and Colin Thomson

56	Winton Land Limited
57	Beachlands South Limited Partnership
64	Diane Giles
65	Russell Don
70	Charles and Nancy Liu
72	North Eastern Investments Limited NEIL
75	Precinct Properties New Zealand Limited
76	Red Rhino Limited and Airport Rent A Car Limited
80	Templeton Group Limited
82	The University of Auckland
84	Squirrel Trust
87	Amy Margaret Parlane

Topic 004 – PC80 Climate Change Resilience	
Further Sub #	Further Submitter
FS06	Kāinga Ora
FS07	Wellsford Welding Club
FS08	Foodstuffs North Island Limited
FS09	Kiwi Property Group Limited
FS10	Russell Don
FS11	The Kilns Limited
FS12	Drive Holdings Limited
FS13	Viaduct Harbour Holdings Limited
FS16	Citizens Against The Housing Act
FS17	Shildon Ltd
FS18	John Gray
FS19	Auckland International Airport Limited
FS21	Transpower New Zealand Limited
FS22	Mariposa Ltd
FS23	Craigieburn Range Trust
FS24	Euroclass Limited
FS25	Highbrook Living Limited
FS26	Investore Property Limited
FS27	Charles and Nancy Liu
FS28	Matvin Group Limited
FS29	Mission Bay Kohimarama Residents Association Incorporated
FS30	North Eastern Investments Limited
FS31	NZ Storage Holdings Limited

FS32	Rock Solid Holdings Limited
FS34	Stonehill Trustee Limited
FS36	Fletcher Residential Limited
FS37	Stride Property Limited
FS38	Ellper Holding Limited
FS39	Red Rhino Limited and Airport Rent A Car Limited
FS40	Fabric Property Limited

National Policy Statement Urban Development

Independent Hearings Panel

Auckland

Hearing Topic 005 PC 80 RPS Qualifying matters

Draft Parties and Issues Report
Released on 6 March 2022

The purpose of the Parties and Issues Report (PIR) is to provide the Panel with information prior to the hearing about the parties to the topic or subtopic, the issues that have arisen or been resolved through Alternative Dispute Resolution and links to the hearing evidence. The PIRs are living documents that will be updated as changes occur. Parties reading these documents should look for the most up to date version of the document.



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1. Hearing topic information

1.1 The Hearing Topic or subtopic

The information provided below outlines the subject, Proposed Auckland Unitary Plan provisions and relevant matters to be considered for this topic.

Table 1: Topic description

HEARING TOPIC 005 Plan Change 80 Regional Policy Statement Qualifying Matters		
<i>This hearing topic relates to submissions concerning the inclusion of references to Qualifying Matters in the Regional Policy Statement (RPS).</i>		
Proposed Auckland Unitary Plan Provisions IPI		
<i>References to ‘qualifying matters’ have been added to the RPS through proposed Plan Change 80 to align with concepts introduced in the National Policy Statement on Urban Development. There is a policy cascade from the Regional Policy Statement (Chapter B) to the district plan chapters (Chapter C onwards), with close integration between regional and district plan matters. The references to ‘qualifying matters’ in proposed Plan Change 80 relate to references to ‘qualifying matters’ which occur throughout Intensification Planning Instrument – Plan Change 78.</i>		
<i>The following sections refer specifically to qualifying matters:</i>		
<i>Chapter A Introduction</i>	<i>A1.4.8 Identification of qualifying matters in the Plan</i>	<i>Table A1.4.8.1 Table A1.4.8.2</i>
<i>Chapter D Overlays</i>	<i>Chapter D8 Wetland Management Areas Overlay Chapter D9 Significant Ecological Areas Overlay Chapter D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay D11 Outstanding Natural Character and High Natural Character Overlay D12 Waitākere Ranges Heritage Area Overlay</i>	<i>All provisions D9.1.1. Significant Ecological Areas – Terrestrial (SEA-T) All provisions for subsequent chapters</i>

	<p><i>D13 Notable Trees Overlay</i></p> <p><i>D14 Maunga Viewshafts and Height and Building Sensitive Areas Overlay</i></p> <p><i>D15 Ridgeline Protection Overlay</i></p> <p><i>D16 Local Public Views Overlay</i></p> <p><i>D17 Historic Heritage Overlay</i></p> <p><i>D18 Special Character Areas Overlay</i></p> <p><i>D19 Auckland War Memorial Museum Viewshaft Overlay</i></p> <p><i>D20A Stockade Hill Viewshaft Overlay</i></p> <p><i>D21 Sites and Places of Significance to Mana Whenua Overlay</i></p> <p><i>D24 Aircraft Noise Overlay</i></p> <p><i>D26 National Grid Corridor Overlay</i></p>	
<i>Chapter H Zones</i>	<i>All zones</i>	<i>All provisions relating to qualifying matters</i>
<i>Chapter L Schedules</i>	<p><i>Schedule 1 Wetland Management Areas Schedule</i></p> <p><i>Schedule 3 Significant Ecological Areas – Terrestrial Schedule</i></p>	<i>All provisions</i>

	<p><i>Schedule 6 Outstanding natural Features Overlay Schedule</i></p> <p><i>Schedule 7 Outstanding Natural Landscapes Overlay Schedule</i></p> <p><i>Schedule 8 Outstanding Natural Character and High Natural Character Overlay Schedule</i></p> <p><i>Schedule 9 Maunga Viewshafts Schedule</i></p> <p><i>Schedule 10 Notable Tree Schedule</i></p> <p><i>Schedule 11 Local Public View Schedule</i></p> <p><i>Schedule 12 Sites and Places of Significance to Mana Whenua Schedule</i></p> <p><i>Schedule 14.1 Schedule of Historic Heritage and Schedule 14.2. Historic Heritage Areas – Maps and statements of significance and Schedule 14.3 Historic Heritage Place maps</i></p> <p><i>Schedule 15 Special Character Schedule, Statements and Maps</i></p> <p><i>Schedule 16 Waitākere Ranges Heritage Area Overlay Subdivision Scheduled Areas / Sites</i></p>	
<p>Proposed Auckland Unitary Plan Provisions Non IPI</p>		

<i>Plan Change 80 Chapter B2 Tāhuhu whakaruruhau ā-taone- Urban growth and form</i>	<i>B2.4. Residential Growth</i>	<i>B2.4.1. (1A)</i> <i>B2.4.2. (2), B2.4.2. (3), B2.4.2. (4), B2.4.2. (5)</i>
	<i>B2.5 Commercial and industrial growth</i>	<i>B2.5.1. (3)(c)</i> <i>B2.5.2.(4)(g)</i>
	<i>B2.9. Explanation and principal reasons for adoption</i>	<i>Paragraph 4</i>
Related topic provisions		
<i>Topic 003 Plan Change 80 Well functioning urban environment</i>	<i>Entire section</i>	
<i>Topic 004 Plan Change 80 Climate change resilience</i>	<i>Entire section</i>	
<i>Topic 006 Plan Change 80 Regional Policy Statement other matters</i>	<i>Entire section</i>	

2. Submissions received and proposed hearing pathway

2.1. Parties to this topic

The following table provides an overview to the submissions made to this topic. **Appendix 1** contains a list of the names of all parties to this topic.

Table 2.1: Parties to the topic

Total number of primary submitters	56
Total number of primary submission points	123

Total number of primary submitters who wish to be heard	50
Total number of further submitters	38
Total number of further submission points	1113
Total number of further submitters who wish to be heard	38

2.2. Submission coding topics and subtopics

The Panel has directed that this hearing topic will address the submission point grouping listed in the table below. The allocation of a submission point to a matter listed in the table below was determined by the council's coding framework (see council website for more details).

Table 2.2: Topic coding

Topic	Subtopic
Qualifying Matters	QM – B2.4 Residential Growth
	QM – B2.5 Commercial and industrial growth
	QM – B2.9. Explanation and principal reasons for adoption
	QM - Miscellaneous

2.3 Panel Directions

This section sets out any direction or procedural minutes related to this topic issued by the Panel.

See hearing page for details: <https://www.aucklandcouncil.govt.nz/have-your-say/hearings/find-hearing/Pages/find-nps-ud-hearing.aspx>

2.3.1 Direction for all submitters

[Direction 22 February 2023 – ADR Process](#)

2.3.2 Direction for Auckland Council

N/A

3 Documents from the pre-hearing events

3.1 Topic pre-hearing documents

This section includes the mediation statements and joint witness statements for this topic. This table will be updated prior to the hearing for this topic.

Table 3.1: Pre-hearing documents

Pre-hearing documents	Date	Link to www.intensificationhearingsakl.co.nz webpage for documents
Mediation 1 attendance sheet		
Mediation 2 attendance sheet		
Mediation Joint Statement 1		
Expert Witnesses Joint Statement		
Hearing evidence		<p>Refer to this link</p> <p>https://www.aucklandcouncil.govt.nz/have-your-say/hearings/find-hearing/Pages/find-nps-ud-hearing.aspx</p> <p>for copies of evidence submitted prior to hearing. <i>Note - evidence may continue to be provided to the Hearings Panel after the preparation of this report.</i></p>

3.2 Independent expert evidence

The Panel may request independent expert evidence to assist in the understanding of hearing topics. If the independent evidence is obtained a copy of the evidence will be made available from the link provided below.

Table 3.2: Independent expert advice

Matter on which independent evidence sought:	
Date evidence requested:	

Date evidence received:	
--------------------------------	--

4 Summary of pre-hearing event outcomes

4.1 Expert conferencing outcomes

Note: Expert conferencing may not be undertaken for all topics, in which case N/A has been recorded.

Table 4.1: Expert conferencing outcomes

Matters raised	
Summary of matters agreed	
Summary of matters outstanding	
Other matters	

4.2 Mediation outcomes

Note: Mediation may not be undertaken for all topics, in which case N/A has been recorded.

Table 4.2: Mediation outcomes

Matters raised	
Summary of matters agreed	
Summary of matters outstanding	
Other matters	

4.3 Agreements reached between parties outside of formal mediation or experts conference pathway

This section records the agreements reached between parties which were submitted to the Panel prior to the hearing.

Table 4.3: Outcomes of agreements reached between parties outside of formal pre-hearing events

Topic or subtopic	
--------------------------	--

Parties to the agreement	
Outcomes	Summary of matters raised
Date received	Summary of matters agreed
	Summary of matters outstanding
	Other matters

4.4 Aligned pre-hearing outcomes from other topics

The outcomes resulting from other topic pre-hearing events may play a part in understanding outcomes for this topic.

The connections between outcomes that need to be considered for this topic are:

- *No connections identified at this stage*

Note: This is not a definitive list and does not prevent any party to raising matters in this regard.

5 Hearing Session/s

Table 5: Hearing sessions

Topic 005 Plan Change 80 Regional Policy Statement Qualifying Matters	
This topic will be heard by a Full Panel	
Date hearing commenced:	
Date hearing completed:	

Appendix 1: List of parties

Submission Number	Submitter Name
03	Robert Mark Graham
06	Simon Nicolaas Peter Onneweer
08	Martin and Margaret Evans
09	Jane Neill
10	Ian McManus
12	John Mackay
13	The Fuel Companies
16	Geoffrey John Beresford
17	Auckland International Airport Limited
18	Avant Group Limited
19	BARNZ
20	Eden Epsom Residential Protection Society Incorporated
22	Fletcher Residential Limited
23	Fulton Hogan Land Development
24	Kāinga Ora - Homes and Communities
25	Kiwi Property Group Limited
26	KiwiRail Holdings Ltd
27	Mariposa Ltd
28	Oyster Capital
29	Piper Properties Consultants Limited
31	Russell Property Group
32	Shildon Ltd
33	Sky City Auckland Ltd
35	The Coalition for More Homes
36	Transpower New Zealand Limited
37	Villages of New Zealand Limited
38	Waka Kotahi NZ Transport Agency
39	30 Hospital Road Limited
43	Gibbonsco Management Limited
44	Alan and Jamie Hellyer
45	KTW Systems LP
46	Trevor Lund
47	Elliot Bryan McCullough
48	Motu Design
50	Catherine Rae
51	Shundi Management Limited
52	Sonn Group
55	Hannah and Colin Thomson
56	Winton Land Limited
57	Beachlands South Limited Partnership
59	Caroline Patricia Boyle
61	Lynne Butler
62	The Chloride Trust
67	First Gas Group Ltd
70	Charles and Nancy Liu
72	North Eastern Investments Limited NEIL
75	Precinct Properties New Zealand Limited
76	Red Rhino Limited and Airport Rent A Car Limited
78	Screaton Ltd
80	Templeton Group Limited
82	The University of Auckland

83	Keith Vernon
85	Acanthus Limited
87	Amy Margaret Parlane
88	Zeo Limited

Further Submission Number	Further Submitter Name
FS01	Metlifecare Limited
FS02	Eden Epsom Residential Protection Society Incorporated
FS03	Seaview Road Residents Group
FS04	New Zealand Defence Force
FS05	Character Coalition Incorporated
FS06	Kāinga Ora
FS07	Wellsford Welding Club
FS08	Foodstuffs North Island Limited
FS09	Kiwi Property Group Limited
FS10	Russell Don
FS11	The Kilns Limited
FS12	Drive Holdings Limited
FS13	Viaduct Harbour Holdings Limited
FS14	Mark Dolling Andrews
FS15	Alan Clive Stokes
FS16	Citizens Against The Housing Act
FS17	Shildon Ltd
FS18	John Gray
FS19	Auckland International Airport Limited
FS20	Herne Bay Residents Association Inc.
FS21	Transpower New Zealand Limited
FS22	Mariposa Ltd
FS23	Craigieburn Range Trust
FS24	Euroclass Limited
FS25	Highbrook Living Limited
FS26	Investore Property Limited
FS27	Charles and NancyLiu
FS28	Matvin Group Limited
FS30	North Eastern Investments Limited
FS31	NZ Storage Holdings Limited
FS32	Rock Solid Holdings Limited
FS34	Stonehill Trustee Limited
FS35	Waka Kotahi NZ Transport Agency
FS36	Fletcher Residential Limited
FS37	Stride Property Limited
FS38	Ellper Holding Limited
FS39	Red Rhino Limited and Airport Rent A Car Limited
FS40	Fabric Property Limited

The National Policy Statement Urban Development

Independent Hearings Panel

Auckland

Hearing Topic 006 PC80 RPS Other Matters

Draft Parties and Issues Report
Released on 6 March 2023

The purpose of this Parties and Issues Report (PIR) is to provide the Panel with information prior to the hearing about the parties to the topic or subtopic, the issues that have arisen or been resolved through Alternative Dispute Resolution and links to the hearing evidence. The PIRs are living documents that will be updated as changes occur. Parties reading these documents should look for the most up to date version of the document.



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1. Hearing topic information

1.1 The Hearing Topic or subtopic

The information provided below outlines the subject, Proposed Auckland Unitary Plan provisions and relevant matters to be considered for this topic.

Table 1: Topic description

HEARING TOPIC 006 PC80 RPS Other matters		
<i>This hearing topic relates to submitters' proposals to include additional matters in the Regional Policy Statement (RPS). These generally seek to ensure development capacity is more responsive to market demands.</i>		
Proposed Auckland Unitary Plan Provisions IPI		
<i>This topic does not directly relate to any proposed Auckland Unitary Plan Provisions (IPI). The policy cascade from the RPS to the district / regional plan chapters (Chapter C onwards) mean that any changes from this topic may require consequential considerations in other chapters of the AUP.</i>		
Proposed Auckland Unitary Plan Provisions Non IPI		
<i>Chapter B Regional Policy Statement</i>	<i>B2. Tāhuhu whakaruruhau ā-taone - Urban growth and form</i>	<i>B2.1 Issues</i> <i>B2.2 Urban growth and form</i> <i>B2.3 A quality built environment</i> <i>B2.4 Residential growth</i> <i>B2.5 Commercial and industrial growth</i> <i>B2.6 Rural and coastal towns and villages</i> <i>B2.7 Open space and recreation facilities</i> <i>B2.8 Social facilities</i> <i>B2.9 Explanation and principal reasons for adoption</i>
	<i>B3 Ngā pūnaha hanganga, kawekawe me</i>	<i>B3.3 Transport</i>

	<p><i>ngā pūngao - Infrastructure, transport and energy</i></p> <p><i>B4 Te tiaki taonga tuku iho - Natural heritage</i></p> <p><i>B7. Toitū te whenua, toitū te taiao – Natural resources</i></p> <p><i>B8. Toitū te taiwhenua - Coastal environment</i></p> <p><i>B10. Ngā tūpono ki te taiao - Environmental risk</i></p>	<p><i>B4.3 Viewshafts</i></p> <p><i>B7.2 Indigenous biodiversity</i></p> <p><i>B7.3 Freshwater systems</i></p> <p><i>B7.4 Coastal water, freshwater and geothermal water</i></p> <p><i>B7.7 Explanation and principal reasons for adoption</i></p> <p><i>B8.2 Natural character</i></p> <p><i>B8.3 Subdivision, use and development</i></p> <p><i>B8.4 Public access and open space</i></p> <p><i>B10.2 Natural hazards and climate change</i></p> <p><i>B10.3 Land – hazardous substances</i></p>
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Related topic provisions

Topic 003 PC80 Well-functioning Urban Environment

Topic 004 PC 80 Climate Change Resilience

Topic 005 PC 80 Qualifying Matters

2. Submissions received and proposed hearing pathway

2.1. Parties to this topic

The following table provides an overview to the submissions made to this topic. **Appendix 1** contains a list of the names of all parties to this topic.

Table 2.1: Parties to the topic

Total number of primary submitters	19
Total number of primary submission points	57
Total number of primary submitters who wish to be heard	19
Total number of further submitters	34
Total number of further submission points	282
Total number of further submitters who wish to be heard	34

2.2. Submission coding topics and subtopics

The Panel has directed that this hearing topic will address the submission point grouping listed in the table below. The allocation of a submission point to a matter listed in the table below was determined by the councils coding framework.

Table 2.2: Topic coding

Topic	Subtopic
RPS Other matters	RPS - Other matters/Miscellaneous

2.3 Panel Directions

This section sets out any direction or procedural minutes related to this topic issued by the Panel.

See hearing page for details: <https://www.aucklandcouncil.govt.nz/have-your-say/hearings/find-hearing/Pages/find-nps-ud-hearing.aspx>

2.3.1 Direction for all submitters

[Direction 22 February 2023 - ADR Process](#)

2.3.2 Direction for Auckland Council

Not applicable.

3 Documents from the pre-hearing events

3.1 Topic pre-hearing documents

This section includes the mediation statements and joint witness statements for this topic. This table will be updated prior to the hearing for this topic.

Table 3.1: Pre-hearing documents

Pre-hearing documents	Date	Link to www.intensificationhearingsakl.co.nz webpage for documents
Mediation 1 attendance sheet		
Mediation 2 attendance sheet		
Mediation Joint Statement 1		
Expert Witnesses Joint Statement		
Hearing evidence		<p>Refer to this link</p> <p>https://www.aucklandcouncil.govt.nz/have-your-say/hearings/find-hearing/Pages/find-nps-ud-hearing.aspx</p> <p>for copies of evidence submitted prior to hearing. <i>Note - evidence may continue to be provided to the Hearings Panel after the preparation of this report.</i></p>

3.2 Independent expert evidence

The Panel may request independent expert evidence to assist in the understanding of hearing topics. If the independent evidence is obtained a copy of the evidence will be made available from the link provided below.

Table 3.2: Independent expert advice

Matter on which independent evidence sought:	
Date evidence requested:	

Date evidence received:	
--------------------------------	--

4 Summary of pre-hearing event outcomes

4.1 Expert conferencing outcomes

Note: Expert conferencing may not be undertaken for all topics, in which case N/A has been recorded.

Table 4.1: Expert conferencing outcomes

Matters raised	
Summary of matters agreed	
Summary of matters outstanding	
Other matters	

4.2 Mediation outcomes

Note: Mediation may not be undertaken for all topics, in which case N/A has been recorded.

Table 4.2: Mediation outcomes

Matters raised	
Summary of matters agreed	
Summary of matters outstanding	
Other matters	

4.3 Agreements reached between parties outside of formal mediation or experts conference pathway

This section records the agreements reached between parties which were submitted to the Panel prior to the hearing.

Table 4.3: Outcomes of agreements reached between parties outside of formal pre-hearing events

Topic or subtopic	
Parties to the agreement	
Outcomes	Summary of matters raised
Date received	Summary of matters agreed
	Summary of matters outstanding
	Other matters

4.4 Aligned pre-hearing outcomes from other topics

The outcomes resulting from other topic pre-hearing events may play a part in understanding outcomes for this topic.

The connections between outcomes that need to be considered for this topic are:

- *No connections identified at this stage.*

Note: This is not a definitive list and does not prevent any party to raising matters in this regard.

5 Hearing Session/s

Table 5: Hearing sessions

Topic 006 PC80 RPS Other Matters	
This topic will be heard by a full panel	
Date hearing commenced:	
Date hearing completed:	

Appendix 1: List of parties

Sub #	Submitter Name
08	Martin and Margaret Evans
20	Eden Epsom Residential Protection Society Incorporated
22	Fletcher Residential Limited
23	Fulton Hogan Land Development
24	Kāinga Ora - Homes and Communities
25	Kiwi Property Group Limited
27	Mariposa Ltd
28	Oyster Capital
32	Shildon Ltd
33	Sky City Auckland Ltd
34	Southern Cross Healthcare Limited
38	Waka Kotahi NZ Transport Agency
53	St John
57	Beachlands South Limited Partnership
72	North Eastern Investments Limited NEIL
73	NZ Police
75	Precinct Properties New Zealand Limited
81	Tūpuna Maunga o Tāmaki Makaurau Authority Maunga Authority
82	The University of Auckland

Further Sub #	Further Submitter
FS01	Metlifecare Limited
FS02	Eden Epsom Residential Protection Society Incorporated
FS05	Character Coalition Incorporated
FS06	Kāinga Ora
FS07	Wellsford Welding Club
FS08	Foodstuffs North Island Limited
FS09	Kiwi Property Group Limited
FS10	Russell Don
FS11	The Kilns Limited
FS12	Drive Holdings Limited
FS13	Viaduct Harbour Holdings Limited
FS14	Mark Dolling Andrews
FS15	Alan Clive Stokes
FS16	Citizens Against The Housing Act
FS17	Sildon Ltd
FS20	Herne Bay Residents Association Inc.
FS22	Mariposa Ltd
FS23	Craigieburn Range Trust
FS24	Euroclass Limited
FS25	Highbrook Living Limited
FS26	Investore Property Limited
FS27	Charles and NancyLiu
FS28	Matvin Group Limited
FS30	North Eastern Investments Limited
FS31	NZ Storage Holdings Limited
FS32	Rock Solid Holdings Limited
FS33	Southern Cross Healthcare Limited
FS34	Stonehill Trustee Limited
FS35	Waka Kotahi NZ Transport Agency
FS36	Fletcher Residential Limited
FS37	Stride Property Limited
FS38	Ellper Holding Limited
FS39	Red Rhino Limited and Airport Rent A Car Limited
FS40	Fabric Property Limited

Attachment B: PC 80 - Memo
Clause 16 on 24 October 2024

Memo

Date 24 October 2024

To: Celia Davison - Manager Planning – Central South

From: Dave Paul – Senior Policy Planner

Subject: **Plan Modification: Clause 16 amendment to proposed Plan Change 80 : Regional Policy Statement - Well-functioning Urban Environment, Resilience to the Effects of Climate Change and Qualifying Matters Auckland Unitary Plan (Operative in Part 2016)**

I seek your approval to make amendments to a proposed policy statement or plan pursuant to clause 16, Schedule 1, Resource Management Act 1991 (RMA). Clause 16(2) provides that:

A local authority may make an amendment, without using the process in this schedule, to its proposed policy statement or plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors.

The RMA defines *proposed plan* at section 43AAC as follows:

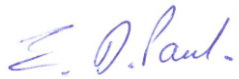


- (1) *In this Act, unless the context otherwise requires, **proposed plan**—*
 - (a) *means a proposed plan, a variation to a proposed plan or change, or a change to a plan proposed by a local authority that has been notified under [clause 5](#) of Schedule 1 or given limited notification under [clause 5A](#) of that schedule, but has not become operative in terms of [clause 20](#) of that schedule; and*
 - (b) *includes—*
 - (i) *a proposed plan or a change to a plan proposed by a person under [Part 2](#) of Schedule 1 that has been adopted by the local authority under [clause 25\(2\)\(a\)](#) of Schedule 1;*
 - (ii) *an IPI notified in accordance with [section 80F\(1\) or \(2\)](#).*

Plan Change 80 is a plan change to the Auckland Unitary Plan that has been notified but has not yet been approved under clause 17, Schedule 1, or become operative.

You have delegated authority, as a Tier 4 manager, to make a decision to amend the plan change under clause 16 where the alteration is of minor effect or to correct any minor errors. Schedule 2A of the Auckland Council Combined Chief Executives Delegation Register authorises all powers, functions, and duties under RMA's first schedule (except clause 17 which cannot be delegated) to tier four positions.

Nature of error or alteration	Editorial and formatting changes.
Effect of change	The errors are minor editorial corrections and formatting changes to align with AUP drafting conventions. The corrections do not affect the rights of members of the public.
Changes required to be made (text and/or in-text diagrams)	Amend Regional Policy Statement Chapter B2 as follows (the cl16 corrections are highlighted in yellow, the black strike through and underlining are changes arising from the Council decision):

	<ul style="list-style-type: none"> • Amend Objective B2.2.1(1) (d) to strike through the word “effective” and underline the word “efficient” as below. This amendment is to reflect the decision which struck out the word “effective” but did not underline its addition of “efficient”. <ul style="list-style-type: none"> (1) A <u>well-functioning urban environment with a</u> quality compact urban form that enables all of the following: <ul style="list-style-type: none"> (d) <u>good accessibility for all people, including by improved and more effective efficient public transport or active transport;</u> • Amend Objective B2.2.1(5) (a) and (b) to start bullets with a lower case i. Lower case is the UP convention. <ul style="list-style-type: none"> (5) The development of land within the Rural Urban Boundary, towns, and rural and coastal towns and villages is: <ul style="list-style-type: none"> (a) <u>is integrated with the provision of appropriate infrastructure; and</u> (b) <u>improves resilience i resilient to the effects of climate change.</u> • Amend Policy B2.2.2(2)(n) to start bullet (n) with a lower case l. Lower case is the UP convention. <ul style="list-style-type: none"> (2) Ensure the location or any relocation of the Rural Urban Boundary identifies land suitable for urbanisation in locations that <u>contribute to a well-functioning urban environment and that</u>: <ul style="list-style-type: none"> ... (n) <u>limits or avoids urbanisation where a “qualifying matter” justifies that limitation or avoidance of urbanisation.</u> • Amend Policy B2.4.2(4)(e) to remove the comma after 'where'. The comma is unnecessary. <ul style="list-style-type: none"> (4) Provide for lower residential intensity in areas: <ul style="list-style-type: none"> ... (e) <u>where i there are other qualifying matters listed in Chapter A that justify that limitation.</u> • Amend B2.5.2(4) to delete the space after the hyphen in 'well-functioning'. This is a typographical error (note change unable to be highlighted).
Attachments	

<p>Prepared by: Dave Paul Senior Policy Planner</p>	<p>Reviewed by: Peter Vari Team Leader</p>
<p>Signature:</p> 	<p>Signature:</p> 
<p>Decision: I agree to make amendments of minor effect or correct the error under clause 16, schedule 1, RMA 1991 using my delegated authority</p> <p>Celia Davison Manager Planning – Central South Date: 24 October 2024</p>	
<p>Signature:</p> 	

Attachment C: Updated text to
AUP(OiP) (~~strikethrough~~/underline)

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

Tāhuhu whakaruruhau ā-taone

The sheltering ridge pole

B2.1. Issues

Auckland's growing population increases demand for housing, employment, business, infrastructure, social facilities and services.

Growth needs to be provided for in a way that does all of the following:

(1A) contributes to well-functioning urban environments;

(1B) improves resilience to the effects of climate change;

- (1) enhances the quality of life for individuals and communities;
- (2) supports integrated planning of land use, infrastructure and development;
- (3) optimises the efficient use of the existing urban area;
- (4) encourages the efficient use of existing social facilities and provides for new social facilities;
- (5) enables provision and use of infrastructure in a way that is efficient, effective and timely;
- (6) maintains and enhances the quality of the environment, both natural and built;
- (7) maintains opportunities for rural production; and
- (8) enables Mana Whenua to participate and their culture and values to be recognised and provided for.

B2.2. Urban growth and form

B2.2.1. Objectives

(1A) A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

- (1) A well-functioning urban environment with a quality compact urban form that enables all of the following:
 - (a) a higher-quality urban environment;
 - (b) greater productivity and economic growth;
 - (c) better use of existing infrastructure and efficient provision of new infrastructure;
 - (d) good accessibility for all people, including by improved and more effective efficient public transport or active transport;

- (e) greater social and cultural vitality;
 - (f) better maintenance of rural character and rural productivity; ~~and~~
 - (g) reduced adverse environmental effects; and
 - (h) improved resilience to the effects of climate change.
- (2) Urban growth is primarily accommodated within the urban area 2016 (as identified in [Appendix 1A](#)).
- (3) Sufficient development capacity and land supply is provided to accommodate residential, commercial, industrial growth and social facilities to support growth.
- (4) Urbanisation is contained within the Rural Urban Boundary, towns, and rural and coastal towns and villages.
- (5) The development of land within the Rural Urban Boundary, towns, and rural and coastal towns and villages is:
- (a) is integrated with the provision of appropriate infrastructure; and
 - (b) improves resilience to the effects of climate change.

B2.2.2. Policies

Development capacity and supply of land for urban development

- (1) Include sufficient land within the Rural Urban Boundary that is appropriately zoned to accommodate at any one time a minimum of seven years' projected growth in terms of residential, commercial and industrial demand and corresponding requirements for social facilities, after allowing for any constraints on subdivision, use and development of land.
- (2) Ensure the location or any relocation of the Rural Urban Boundary identifies land suitable for urbanisation in locations that contribute to a well-functioning urban environment and that:
- (a) promote the achievement of a quality compact urban form;
 - (b) enable the efficient supply of land for residential, commercial and industrial activities and social facilities;
 - (c) integrate land use and transport supporting a range of transport modes;
 - (d) support the efficient provision of infrastructure;
 - (e) provide choices that meet the needs of people and communities for a range of housing types and working environments; ~~and~~
 - (ee) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and.

(f) follow the structure plan guidelines as set out in [Appendix 1](#);

while:

(g) protecting natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character;

(h) protecting the Waitākere Ranges Heritage Area and its heritage features;

(i) ensuring that significant adverse effects from urban development on receiving waters in relation to natural resource and Mana Whenua values are avoided, remedied or mitigated;

(j) avoiding elite soils and avoiding where practicable prime soils which are significant for their ability to sustain food production;

(k) avoiding mineral resources that are commercially viable;

(l) avoiding areas with significant natural hazard risks and where practicable avoiding areas prone to natural hazards including coastal hazards and flooding, including the effects of climate change including sea level rise on the extent and frequency of hazards; and

(m) aligning the Rural Urban Boundary with:

(i) strong natural boundaries such as the coastal edge, rivers, natural catchments or watersheds, and prominent ridgelines; or

(ii) where strong natural boundaries are not present, then other natural elements such as streams, wetlands, identified outstanding natural landscapes or features or significant ecological areas, or human elements such as property boundaries, open space, road or rail boundaries, electricity transmission corridors or airport flight paths.

(n) limits or avoids urbanisation where a “qualifying matter” justifies that limitation or avoidance of urbanisation.

(3) Enable rezoning of future urban zoned land for urbanisation following structure planning and plan change processes in accordance with Appendix 1 Structure plan guidelines.

Quality compact urban form

(4) Promote urban growth and intensification within the urban area 2016 (as identified in Appendix 1A), enable urban growth and intensification within the Rural Urban Boundary, towns, and rural and coastal towns and villages, in a way that contributes to a well-functioning urban environment and avoid urbanisation outside these areas.

(5) Enable higher residential intensification:

(a) in and around centres;

- (b) along identified corridors; and
 - (c) close to public transport, social facilities (including open space) and employment opportunities.
- (6) Identify a hierarchy of centres that contributes to a well-functioning urban environment which supports a quality compact urban form:
- (a) at a regional level through the city centre, metropolitan centres and town centres which function as commercial, cultural and social focal points for the region or sub-regions; and
 - (b) at a local level through local and neighbourhood centres that provide for a range of activities to support and serve as focal points for their local communities.
- (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that contribute to a well-functioning urban environment and that do all of the following:
- (a) support a quality compact urban form;
 - (b) provide for a range of housing types and employment choices for the area;
 - (c) integrate with the provision of infrastructure; ~~and~~
(caa) provide good accessibility, including by way of efficient and effective public or active transport;
(ca) incorporate resilience to the effects of climate change;
 - (d) follow the structure plan guidelines as set out in [Appendix 1](#); and
 - (e) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets.
- (8) Enable the use of land zoned future urban within the Rural Urban Boundary or other land zoned future urban for rural activities until urban zonings are applied, provided that the subdivision, use and development does not hinder or prevent the future urban use of the land.
- (9) Apply a Rural Urban Boundary for Waiheke Island (identified in Appendix 1B) as a regional policy statement method.

B2.3. A quality built environment

B2.3.1. Objectives

- (1) A well-functioning urban environment with a quality built environment where subdivision, use and development do all of the following:
- (a) respond to the intrinsic qualities and physical characteristics of the site

and area, including its setting;

- (b) reinforce the hierarchy of centres and corridors;
- (c) contribute to a diverse mix of choice and opportunity for people and communities;
- (d) maximise resource and infrastructure efficiency;
- (e) are capable of adapting to changing needs; and
- (f) ~~respond and adapt~~ has improved resilience to the effects of climate change.

(2) Innovative design to address environmental effects is encouraged.

(3) The health and safety of people and communities are promoted.

B2.3.2. Policies

(1) Manage the form and design of subdivision, use and development so that it contributes to a well-functioning urban environment and does all of the following:

- (a) supports the planned future environment, including its shape, landform, outlook, location and relationship to its surroundings, including landscape and heritage;
- (b) contributes to the safety of the site, street and neighbourhood;
- (c) develops street networks and block patterns that provide good access and enable a range of travel options;
- (d) achieves a high level of amenity and safety for pedestrians and cyclists;
- (e) meets the functional, and operational needs of the intended use; ~~and~~
- (f) allows for change and enables innovative design and adaptive re-use; and
- (g) improves resilience to the effects climate change.

(2) Encourage subdivision, use and development to be designed to promote the health, safety and well-being of people and communities by all of the following:

- (a) providing access for people of all ages and abilities;
- (b) enabling walking, cycling and public transport and minimising vehicle movements; and
- (c) minimising the adverse effects of discharges of contaminants from land use activities (including transport effects) and subdivision.

(3) Enable a range of built forms to support choice and meet the needs of Auckland's diverse population.

- (4) Balance the main functions of streets as places for people and as routes for the movement of vehicles.
- (5) Mitigate the adverse environmental effects of subdivision, use and development through appropriate design including energy and water efficiency and waste minimisation.

B2.4. Residential growth

B2.4.1. Objectives

- (1) Residential intensification contributes to a well-functioning urban environment and supports a quality compact urban form.
- (1A) Residential intensification is limited in some areas to the extent necessary to give effect to identified qualifying matters.
- (2) Residential areas are attractive, healthy, ~~and~~ safe and have improved resilience to the effects of climate change with quality development that is in keeping with the planned built character of the area.
- (3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.
- (4) An increase in housing capacity and the range of housing choice which meets the varied needs and lifestyles of Auckland's diverse and growing population.
- (5) Non-residential activities are provided in residential areas to support the needs of people and communities.
- (6) Sufficient, feasible development capacity for housing is provided, in accordance with Objectives 1 to 4 above, to meet the targets in Table B2.4.1 below:

Table B2.4.1: Minimum Dwelling Targets

Term	Short to Medium 1 - 10 years (2016 – 2026)	Long 11 - 30 years (2027 – 2046)	Total 1 – 30 years (2016 – 2046)
Minimum Target (number of dwellings)	189,800	218,500	408,300

Source: Development Strategy, Assessing Demand, Auckland Plan 2050.

B2.4.2. Policies

Residential intensification

- (1) Provide a range of residential zones that enable different housing types and intensity that are appropriate to the residential character of the area.

- (2) Enable higher residential intensities in areas closest to centres, the public transport network, large social facilities, education facilities, tertiary education facilities, healthcare facilities and existing or proposed open space, which contribute to a well-functioning urban environment.
- (3) Provide for medium residential intensities in area that are within moderate walking distance to centres, public transport, social facilities and open space.
- (4) Provide for lower residential intensity in areas:
 - (a) that are not close to centres and public transport;
 - (b) that are subject to high environmental constraints;
 - (c) where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character;
and
 - (d) where there is a suburban area with an existing neighbourhood character;
and
 - (e) where there are other qualifying matters listed in Chapter A that justify that limitation.
- (5) Avoid intensification in areas:
 - (a) where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character; or
 - (b) that are subject to significant natural hazard risks including where the frequency and extent of the natural hazards are being affected by climate change; or
 - (c) where there are other qualifying matters listed in Chapter A which justify avoidance of intensification;

where such intensification is inconsistent with the protection of the scheduled natural or physical resources or with the avoidance or mitigation of the natural hazard risks or is necessary to give effect to identified qualifying matters.
- (6) Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification, including, as a qualifying matter, limiting intensification prior to upgrade of capacity in areas of known water and wastewater infrastructure constraints.
- (7) Manage adverse reverse sensitivity effects from urban intensification on land with existing incompatible activities.

Residential neighbourhood and character

- (8) Recognise and provide for existing and planned neighbourhood character through the use of place-based planning tools.

- (9) Manage built form, design and development to achieve an attractive, healthy and safe environment that is in keeping with the descriptions set out in place-based plan provisions.
- (10) ~~Require~~ Provide for non-residential activities and require them to be of a scale and form that are in keeping with the existing and planned built character of the area.

Affordable housing

- (11) Enable a sufficient supply and diverse range of dwelling types, ~~and sizes~~ and locations, that meet the housing needs of people and communities, including:
 - (a) households on low to moderate incomes; and
 - (b) people with special housing requirements.

B2.5. Commercial and industrial growth

B2.5.1. Objectives

- (1) Employment and commercial and industrial opportunities meet current and future demands.
- (2) Commercial growth and activities are primarily focussed within a hierarchy of centres and identified growth corridors that contribute to a well-functioning urban environment and a compact urban form.
- (2A) Commercial and industrial activities are resilient to the effects of climate change.
- (3) Industrial growth and activities are enabled in a manner that does all of the following:
 - (a) promotes economic development;
 - (b) promotes the efficient use of buildings, land and infrastructure in industrial zones;
 - (c) manages conflicts between incompatible activities;
 - (d) recognizes the particular locational requirements of some industries; and
 - (e) enables the development and use of Mana Whenua's resources for their economic well-being.

B2.5.2. Policies

- (1) Encourage commercial growth and development in the city centre, metropolitan

and town centres, and enable retail activities on identified growth corridors, to provide the primary focus for Auckland's commercial growth.

- (2) Support the function, role and amenity of centres by encouraging commercial and residential activities within centres, ensuring development that locates within centres contributes to a well-functioning urban environment and the following:

(aa) a high-density urban form that responds to a centre's accessibility by public transport, commercial activity and community facilities;

- (a) an attractive and efficient urban environment with a distinctive sense of place and quality public places;
 - (b) a diverse range of activities, with the greatest mix, ~~and~~ concentration and density of activities in the city centre;
 - (c) a distribution of centres that provide for the needs of people and communities;
 - (d) employment and commercial opportunities;
 - (e) a character and form that supports the role of centres as focal points for communities and compact mixed-use environments;
 - (f) the efficient use of land, buildings and infrastructure;
 - (g) high-quality street environments including pedestrian and cycle networks and facilities; ~~and~~
 - (h) development does not compromise the ability for mixed use developments, or commercial activities to locate and expand within centres; and
 - (i) a scale and form of development that is necessary to achieve any relevant identified qualifying matters.
- (3) Enable the expansion of metropolitan and town centres having regard to whether it will do all of the following:
- (a) improve access to a range of facilities, goods and services in a convenient and efficient manner;
 - (b) maintain or enhance a compact mixed-use environment in the centre;
 - (c) retain or enhance the existing centre's function, role and amenity;
 - (d) support the existing network of centres and achieve a sustainable distribution of centres that is supported by sufficient population growth;
 - (e) manage adverse effects on the function, role and amenity of the city centre, and other metropolitan and town centres, beyond those effects

ordinarily associated with trade effects on trade competitors;

- (f) avoid, remedy or mitigate the effects of commercial activity on adjoining land uses;
 - (g) support medium to high intensity residential development; and
 - (h) support a safe and efficient transport system which is integrated with the centre.
- (4) Enable new metropolitan, town and local centres which contribute to a well-functioning urban environment following a structure planning process and plan change process in accordance with Appendix 1 Structure plan guidelines, having regard to all of the following:
- (a) the proximity of the new centre to existing or planned medium to high intensity residential development;
 - (b) the existing network of centres and whether there will be sufficient population growth to achieve a sustainable distribution of centres;
 - (c) whether the new centre will avoid or minimize adverse effects on the function, role and amenity of the city centre, metropolitan and town centres, beyond those effects ordinarily associated with trade effects on trade competitors;
 - (d) the form and role of the proposed centre;
 - (e) any significant adverse effects on existing and planned infrastructure;
 - (f) a safe and efficient transport system which is integrated with the centre; and
 - (g) any significant adverse effects on the environment or on natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character, or other identified qualifying matter.
- (5) Enable retail activities, where appropriate, on identified growth corridors in business zones, having regard to all of the following:
- (a) adverse effects on the function, role and amenity of the city centre, metropolitan and town centres, beyond those effects ordinarily associated with trade effects on trade competitors;
 - (b) adverse effects on the quality compact urban form including the existing and planned location of activities, facilities, infrastructure and public investment;
 - (c) effects on community social and economic wellbeing and accessibility;
 - (d) the efficient use and integration of land and infrastructure;
 - (e) effects on the safe and efficient operation of the transport network;

- (f) effects of the development on the efficient use of any industrial land, in particular opportunities for land extensive industrial activities and heavy industry;
 - (g) avoiding conflicts between incompatible activities; and
 - (h) the effects on residential activity.
- (6) Enable commercial activities, where appropriate, in business zones in locations other than the city centre, metropolitan and town centres and identified growth corridors, having regard to all of the following:
- (a) the matters listed in Policy B2.5.2(5)(a) to Policy B2.5.2(5)(h) above;
 - (b) the extent to which activities would compromise the achievement of policies B2.5.2(1) and B.2.5.2(2): and
 - (c) the extent to which activities would compromise the hierarchy of locations identified in policies B2.5.2(1) to B.2.5.2(5).
- (7) Enable the supply of land for industrial activities, in particular for land-extensive industrial activities and for heavy industry in areas where the character, scale and intensity of the effects from those activities can be appropriately managed.
- (8) Enable the supply of industrial land which is relatively flat, has efficient access to freight routes, rail or freight hubs, ports and airports, and can be efficiently served by infrastructure.
- (9) Enable the efficient use of industrial land for industrial activities and avoid incompatible activities by all of the following:
- (a) limiting the scale and type of non-industrial activities on land zoned for light industry;
 - (b) preventing non-industrial activities (other than accessory activities) from establishing on land zoned for heavy industry; and
 - (c) promoting co-location of industrial activities to manage adverse effects and to benefit from agglomeration.
- (10) Manage reverse sensitivity effects on the efficient operation, use and development of existing industrial activities, including by preventing inappropriate sensitive activities locating or intensifying in or adjacent to heavy industrial zones.
- (10A) Require commercial, retail and industrial activities to be located, designed and developed with best practice resilience to the effects of climate change.

B2.6. Rural and coastal towns and villages

B2.6.1. Objectives

- (1) Growth and development of existing or new rural and coastal towns and villages is enabled in ways that:

- (a) avoid natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character unless growth and development protects or enhances such values; and
 - (b) avoid elite soils and avoid where practicable prime soils which are significant for their ability to sustain food production; and
 - (c) avoid areas with significant natural hazard risks;
 - (ca) are resilient to the effects of climate change;
 - (d) are consistent with the local character of the town or village and the surrounding area; and
 - (e) enables the development and use of Mana Whenua's resources for their economic well-being.
- (2) Rural and coastal towns and villages have adequate infrastructure.

B2.6.2. Policies

- (1) Require the establishment of new or expansion of existing rural and coastal towns and villages to be undertaken in a manner that does all of the following:
- (a) maintains or enhances the character of any existing town or village;
 - (b) incorporates adequate provision for infrastructure;
 - (c) avoids locations with significant natural hazard risks where those risks cannot be adequately remedied or mitigated;
 - (d) avoids elite soils and avoids where practicable prime soils which are significant for their ability to sustain food production;
 - (e) maintains adequate separation between incompatible land uses;
 - (f) is compatible with natural and physical characteristics, including those of the coastal environment; ~~and~~
 - (g) provides access to the town or village through a range of transport options including walking and cycling; and
 - (h) improves resilience to the effects of climate change.
- (2) Avoid locating new or expanding existing rural and coastal towns and villages in or adjacent to areas that contain significant natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character, unless the growth and development protects or enhances such resources including by any of the following measures:
- (a) the creation of reserves;

- (b) increased public access;
 - (c) restoration of degraded environments;
 - (d) creation of significant new areas of biodiversity; or
 - (e) enablement of papakāinga, customary use, cultural activities and appropriate commercial activities.
- (3) Enable the establishment of new or significant expansions of existing rural and coastal towns and villages through the structure planning and plan change processes in accordance with Appendix 1 Structure plan guidelines.
- (4) Enable small-scale growth of and development in rural and coastal towns and villages without the need for structure planning, in a manner consistent with policies B2.6.2(1) and (2).
- (5) Enable papakāinga, marae, customary use, cultural activities and appropriate commercial activities on Māori land and on other land where Mana Whenua have collective ownership.

B2.7. Open space and recreation facilities

B2.7.1. Objectives

- (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities which contribute to a well-functioning urban environment.
- (2) Public access to and along Auckland's coastline, coastal marine area, lakes, rivers, streams and wetlands is maintained and enhanced.
- (3) Reverse sensitivity effects between open spaces and recreation facilities and neighbouring land uses are avoided, remedied or mitigated.
- (4) Open space and recreation are resilient to the effects of climate change.

B2.7.2. Policies

- (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions and which contribute to a well-functioning urban environment.
- (2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.
- (3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.
- (4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.
- (5) Enable the development and use of existing and new major recreation facilities.
- (6) Encourage major recreation facilities in locations that are convenient and accessible to people and communities by a range of transportation modes.

- (7) Avoid, remedy or mitigate significant adverse effects of land use or development on open spaces and recreation facilities.
- (8) Avoid, remedy or mitigate significant adverse effects from the use of open spaces and recreational facilities on nearby residents and communities.
- (9) Enable public access to lakes, rivers, streams, wetlands and the coastal marine area by enabling public facilities and by seeking agreements with private landowners where appropriate.
- (10) Limit public access to and along the coastal marine area, lakes, rivers, streams and wetlands by esplanade reserves, esplanade strips or other legal mechanisms where necessary for health, safety or security reasons or to protect significant natural or physical resources.
- (11) Provide for improved resilience to the effects of climate change in open space and associated recreation and biodiversity management.

B2.8. Social facilities

B2.8.1. Objectives

- (1) Social facilities that meet the needs of people and communities, including enabling them to provide for their social, economic and cultural well-being and their health and safety and which contribute to a well-functioning urban environment.
- (2) Social facilities located where they are accessible by an appropriate range of transport modes.
- (3) Reverse sensitivity effects between social facilities and neighbouring land uses are avoided, remedied or mitigated.
- (4) Social facilities are resilient to the effects of climate change.

B2.8.2. Policies

- (1) Enable social facilities that are accessible to people of all ages and abilities to establish in appropriate locations which contribute to a well-functioning urban environment as follows:
 - (a) small-scale social facilities are located within or close to their local communities;
 - (b) medium-scale social facilities are located with easy access to city, metropolitan and town centres and on corridors;
 - (c) large-scale social facilities are located where the transport network (including public transport and walking and cycling routes) has sufficient existing or proposed capacity.
- (2) Enable the provision of social facilities to meet the diverse demographic and cultural needs of people and communities.
- (3) Enable intensive use and development of existing and new social facility sites.

- (4) In growth and intensification areas identify as part of the structure plan process where social facilities will be required and enable their establishment in appropriate locations which contribute to a well-functioning urban environment.
- (5) Enable the efficient and flexible use of social facilities by providing on the same site for:
 - (a) activities accessory to the primary function of the site; and
 - (b) in appropriate locations, co-location of complementary residential and commercial activities.
- (6) Manage the transport effects of high trip-generating social facilities in an integrated manner.
- (7) Require social facilities to use best practice resilience to the effects of climate change.

B2.9. Explanation and principal reasons for adoption

A broad strategy is needed to address the resource management issues arising from the scale of urban growth in Auckland.

The National Policy Statement on Urban Development 2020 (NPSUD) includes objectives policies on well-functioning urban environment and sets out matters that are to be addressed as a minimum, to achieve this. Achieving a well-functioning urban environment is reflected by a wide range of objectives and policies across the entire Regional Policy Statement (RPS). A well-functioning urban environment is a high-level concept and is an overarching objective of the RPS.

The objectives of a well-functioning urban environment and a quality compact urban form ~~is~~ are supported by a primary policy approach of focussing the highest greatest levels of residential intensification in areas with good accessibility, including by public or active transport, and around commercial centres and transport nodes and along major transport corridors.

A compact urban form is one with clear boundaries where the residential and commercial areas are relatively close together. In Auckland, most urban growth is expected to be inside the Rural Urban Boundary:

- to promote efficient and timely provision of infrastructure;
- to protect natural and physical resources that have been scheduled for particular identified values; and
- to avoid urbanisation without appropriate structure planning.

The location of the Rural Urban Boundary is a district plan land use rule pursuant to section 9(3) of the Resource Management Act 1991, other than for Waiheke Island where it is an interim regional policy statement method until it is considered as part of a plan change to incorporate the Auckland Council District Plan – Operative Hauraki Gulf Islands Section into the Unitary Plan.

A well-functioning urban environment and compact urban form can deliver a range of benefits for current and future generations by:

- enabling a range of housing choices in size, typology and price within neighbourhoods;
- protecting sites and areas with identified high environmental values;
- providing access to open space and social facilities;
- fostering productivity, creativity and social vitality by enabling social and business networks based on spatial proximity;
- limiting or avoiding intensification where there are qualifying matters that justify that limitation or avoidance of intensification;
- promoting an integrated approach to land use and transport; ~~and~~
- providing investment certainty about use and development strategies; and
- improving resilience to the effects of climate change.

A quality built environment is one which enhances opportunities for people's well-being by ensuring that new buildings respond to the existing built and natural environment in ways that promote the plan's objectives and maintain and enhance the amenity values of an area. In most areas this is regulated by permitted standards and by assessment where those standards are exceeded. In centres and where higher intensity development is enabled, the design and appearance of buildings is generally assessed on a restricted discretionary basis.

In addressing the effects of growth, and contributing to a well-functioning urban environment, a key factor is enabling sufficient development capacity in the urban area and sufficient land for new housing and businesses over the next 30 years. It is also important to ensure that urban environments have improved resilience to the effects of climate change. The objectives and policies guide the location of urban growth areas. They identify how greenfield land which is suitable for urbanisation will be managed until it is re-zoned for urban development. They encourage provision for Mana Whenua to develop and use their resources. They also set out the process to be followed to ensure that urban development is supported by infrastructure on a timely and efficient basis. They should be considered in conjunction with the Council's other principal strategic plans such as the Auckland Plan, the Long-term plan and the Regional Land Transport Plan. The strategies and asset management plans of infrastructure providers will also be highly relevant.

Housing affordability is a significant issue in Auckland. These objectives and policies, as one component of the many things that need to be done to address this issue, seek to enable urban growth, improve development capacity and encourage a variety of housing types, ~~and sizes~~ and locations as resource management methods to improve housing affordability.

Urban growth in rural and coastal towns and villages is also anticipated and provided for, but at a much lesser scale than in the main urban areas. Extensions to towns and

villages, and proposals for new towns or villages, must be considered against factors including ensuring compatibility with existing local character, the protection of areas with identified values (including areas of land containing elite soils) and the avoidance of areas with significant natural hazards. Changes of zoning to accommodate such growth will be the subject of structure planning processes, as for other plan changes.

Auckland has a large number of open spaces that covers a wide variety of environments. Open spaces and recreation facilities may be privately or publicly owned and operated. Auckland's streets, including shared spaces and street berms, are also an important component of the open space network. The coastal marine area is a significant public open space and recreational resource. For additional policy direction on the coastal environment see section B8 Coastal environment.

Collectively these open spaces perform a wide range of functions including:

- providing opportunities for active and passive recreational activities, locally or Auckland-wide;
- enabling public access to the coastline, islands and beaches;
- maintaining and enhancing the amenity values and the quality of the environment around them;
- protecting and enhancing our natural and cultural heritage, landscapes and ecological values; and
- providing locations for social facilities used for sports, recreation and leisure and community activities.

With growth, new open spaces and social facilities will be required and the existing open space and social facilities will need to be expanded and upgraded to meet the needs of new residents and the increased level of use.

Social facilities include public and private facilities which provide for services such as education, health, justice, corrections, community and cultural facilities. They also contribute to the economy of Auckland and New Zealand in a variety of ways, both supporting other activities and by contributing to a high-value knowledge economy. This is particularly important for a growing city, as increasing numbers of people rely on these facilities to meet their needs and provide for their social, economic and cultural well-being.

The objectives and policies in this section of the regional policy statement must be read together with other relevant sections which set out the direction for the sustainable management of natural and physical resources in more specific contexts.

B7. Toitū te whenua, toitū te taiao – Natural resources

Ngā ariki o te rangi, ngā ariki o te whenua, ngā ariki o te moana, ngā ariki o te taiao

The chiefly deities of the sky, of the earth, of the sea, the spiritual caretakers of the environment

B7.1. Issues

The combination of urban growth and past land, coastal and freshwater management practices have:

- (1) placed increasing pressure on land and water resources including habitats and biodiversity;
- (2) reduced air quality; and
- (3) increased demand for mineral resources.

The pressures on natural resources need to be managed not only for environmental well-being but also for social, economic and cultural well-being.

B7.2. Indigenous biodiversity

B7.2.1. Objectives

- (1) Areas of significant indigenous biodiversity value in terrestrial, freshwater, and coastal marine areas are protected from the adverse effects of subdivision use and development.
- (2) Indigenous biodiversity is maintained through protection, restoration and enhancement in areas where ecological values are degraded, or where development is occurring.

B7.2.2. Policies

- (1) Identify and evaluate areas of indigenous vegetation and the habitats of indigenous fauna in terrestrial and freshwater environments considering the following factors in terms of the descriptors contained in Schedule 3 Significant Ecological Areas – Terrestrial Schedule:
 - (a) representativeness;
 - (b) stepping stones, migration pathways and buffers;
 - (c) threat status and rarity;
 - (d) uniqueness or distinctiveness; and
 - (e) diversity.
- (2) Include an area of indigenous vegetation or a habitat of indigenous fauna in terrestrial or freshwater environments in the [Schedule 3 of Significant Ecological Areas – Terrestrial Schedule](#) if the area or habitat is significant.

- (3) Identify and evaluate areas of significant indigenous vegetation, and the significant habitats of indigenous fauna, in the coastal marine area considering the following factors in terms of the descriptors contained in [Schedule 4 Significant Ecological Areas – Marine Schedule](#):
 - (a) recognised international or national significance;
 - (b) threat status and rarity;
 - (c) uniqueness or distinctiveness;
 - (d) diversity;
 - (e) stepping stones, buffers and migration pathways; and
 - (f) representativeness.
- (4) Include an area of indigenous vegetation or a habitat of indigenous fauna in the coastal marine area in the [Schedule 4 Significant Ecological Areas – Marine Schedule](#) if the area or habitat is significant.
- (5) Avoid adverse effects on areas listed in the [Schedule 3 of Significant Ecological Areas – Terrestrial Schedule](#) and [Schedule 4 Significant Ecological Areas – Marine Schedule](#).
- (5A) Improve the resilience of areas listed in the Schedule 3 of Significant Ecological Areas – Terrestrial Schedule and of Schedule 4 Significant Ecological Areas – Marine Schedule to the effects of climate change.

B7.3. Freshwater systems

B7.3.1. Objectives

- (1) Degraded freshwater systems are enhanced.
- (2) Loss of freshwater systems is minimised.
- (3) The adverse effects of changes in land use on freshwater are avoided, remedied or mitigated.

B7.3.2. Policies

Integrated management of land use and freshwater systems

- (1) Integrate the management of subdivision, use and development and freshwater systems by undertaking all of the following:
 - (a) ensuring water supply, stormwater and wastewater infrastructure is adequately provided for in areas of new growth or intensification;
 - (b) ensuring catchment management plans form part of the structure planning process;

- (c) controlling the use of land and discharges to minimise the adverse effects of runoff on freshwater systems and progressively reduce existing adverse effects where those systems or water are degraded; and
- (d) avoiding development where it will significantly increase adverse effects on freshwater systems, unless these adverse effects can be adequately mitigated.

Management of freshwater systems

- (2) Identify degraded freshwater systems.
- (3) Promote the enhancement of freshwater systems identified as being degraded to progressively reduce adverse effects.
- (4) Avoid the permanent loss and significant modification or diversion of lakes, rivers, streams (excluding ephemeral streams), and wetlands and their margins, unless all of the following apply:
 - (a) it is necessary to provide for:
 - (i) the health and safety of communities; or
 - (ii) the enhancement and restoration of freshwater systems and values; or
 - (iii) the sustainable use of land and resources to provide for growth and development; or
 - (iv) infrastructure;
 - (b) no practicable alternative exists;
 - (c) mitigation measures are implemented to address the adverse effects arising from the loss in freshwater system functions and values; and
 - (d) where adverse effects cannot be adequately mitigated, environmental benefits including on-site or off-site works are provided.
- (5) Manage subdivision, use, development, including discharges and activities in the beds of lakes, rivers, streams, and in wetlands, to do all of the following:
 - (a) protect identified Natural Lake Management Areas, Natural Stream Management Areas, and Wetland Management Areas;
 - (aa) improve resilience to the effects of climate change;
 - (b) minimise erosion and modification of beds and banks of lakes, rivers, streams and wetlands;
 - (c) limit the establishment of structures within the beds of lakes, rivers and streams and in wetlands to those that have a functional need or operational requirement to be located there; and
 - (d) maintain or where appropriate enhance:

- (i) freshwater systems not protected under Policy B7.3.2(5)(a);
 - (ii) navigation along rivers and public access to and along lakes, rivers and streams;
 - (iii) existing riparian vegetation located on the margins of lakes, rivers, streams and wetlands; and
 - (iv) areas of significant indigenous biodiversity.
- (6) Restore and enhance freshwater systems where practicable when development, change of land use, and subdivision occur.

B7.4. Coastal water, freshwater and geothermal water

B7.4.1. Objectives

- (1) Coastal water, freshwater and geothermal water are used within identified limits while safeguarding the life-supporting capacity and the natural, social and cultural values of the waters.
- (2) The quality of freshwater and coastal water is maintained where it is excellent or good and progressively improved over time where it is degraded.
- (3) Freshwater and geothermal water is allocated efficiently to provide for social, economic and cultural purposes.
- (4) The adverse effects of point and non-point discharges, in particular stormwater runoff and wastewater discharges, on coastal waters, freshwater and geothermal water are minimised and existing adverse effects are progressively reduced.
- (5) The adverse effects from changes in or intensification of land use on coastal water and freshwater quality are avoided, remedied or mitigated.
- (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.

B7.4.2. Policies

Integrated management

- (1) Integrate the management of subdivision, use, development and coastal water and freshwater, by:
 - (a) ensuring water supply, stormwater and wastewater infrastructure is adequately provided for in areas of growth; and
 - (b) requiring catchment management planning as part of structure planning;
 - (c) controlling the use of land and discharges to minimise the adverse effects of runoff on water and progressively reduce existing adverse effects where those water are degraded; and

- (d) avoiding development where it will significantly increase adverse effects on water, unless these adverse effects can be adequately mitigated.

National Policy Statement for Freshwater Management

- (2) Give effect to the National Policy Statement for Freshwater Management 2014 by establishing all of the following:
 - (a) freshwater objectives;
 - (b) freshwater management units and, for each unit:
 - (i) values;
 - (ii) water quality limits;
 - (iii) environmental flows and/or levels; and
 - (c) targets and implementation methods where freshwater units do not meet freshwater objectives.
- (3) Integrate Mana Whenua values, mātauranga and tikanga when giving effect to the National Policy Statement for Freshwater Management 2014 in establishing all of the following:
 - (a) water quality limits for freshwater, including groundwater;
 - (b) the allocation and use of freshwater resources, including groundwater; and
 - (c) measures to improve the integrated management of the effects of the use and development of land and freshwater on coastal water and the coastal environment.

Water quality

- (4) Identify areas of coastal water and freshwater bodies that have been degraded by human activities.
- (5) Engage with Mana Whenua to:
 - (a) identify areas of degraded coastal water where they have a particular interest; and
 - (b) remedy or, where remediation is not practicable, mitigate adverse effects on these degraded areas and values.
- (6) Progressively improve water quality in areas identified as having degraded water quality through managing subdivision, use, development and discharges.
- (7) Manage the discharges of contaminants into water from subdivision, use and development to avoid where practicable, and otherwise minimise, all of the following:

- (a) significant bacterial contamination of freshwater and coastal water;
- (b) adverse effects on the quality of freshwater and coastal water;
- (c) adverse effects from contaminants, including nutrients generated on or applied to land, and the potential for these to enter freshwater and coastal water from both point and non-point sources;
- (d) adverse effects on Mana Whenua values associated with coastal water, freshwater and geothermal water, including wāhi tapu, wāhi taonga and mahinga kai; and
- (e) adverse effects on the water quality of catchments and aquifers that provide water for domestic and municipal supply.

Sediment runoff

- (8) Minimise the loss of sediment from subdivision, use and development, and manage the discharge of sediment into freshwater and coastal water, by:
 - (a) promoting the use of soil conservation and management measures to retain soil and sediment on land; and
 - (b) requiring land disturbing activities to use industry best practice and standards appropriate to the nature and scale of the land disturbing activity and the sensitivity of the receiving environment.

Stormwater management

- (9) Manage stormwater by all of the following:
 - (a) requiring subdivision, use and development to:
 - (i) minimise the generation and discharge of contaminants; and
 - (ii) minimise adverse effects on freshwater and coastal water and the capacity of the stormwater network; and
 - (iii) improve resilience to the effects of climate change;
 - (b) adopting the best practicable option for every stormwater diversion and discharge; and
 - (c) controlling the diversion and discharge of stormwater outside of areas serviced by a public stormwater network.

Wastewater

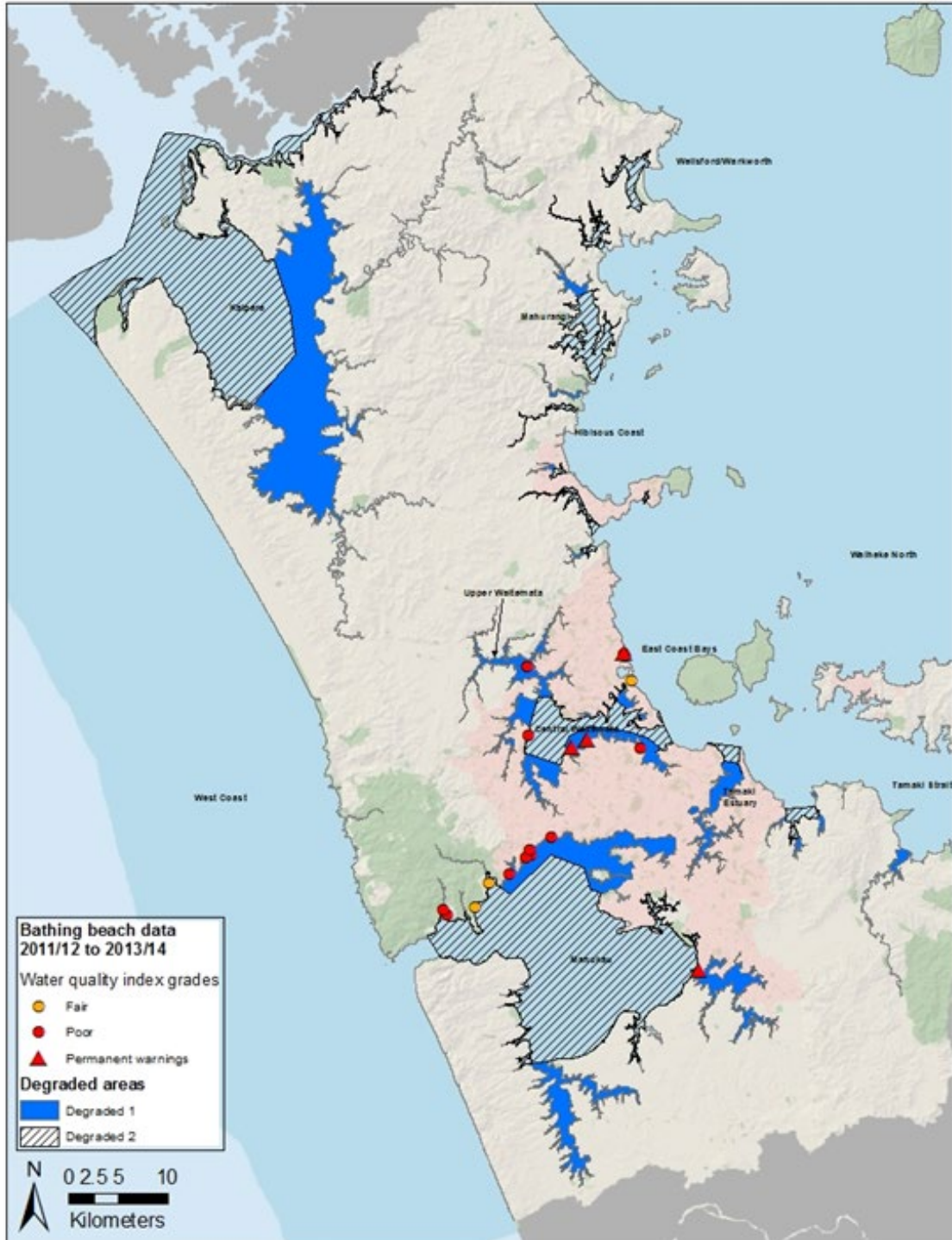
- (10) Manage the adverse effects of wastewater discharges to freshwater and coastal water by all of the following:
 - (a) ensuring that new development is supported by wastewater infrastructure with sufficient capacity to serve the development;

- (b) progressively reducing existing network overflows and associated adverse effects by all of the following:
 - (i) making receiving environments that are sensitive to the adverse effects of wastewater discharges a priority;
 - (ii) adopting the best practicable option for preventing or minimising the adverse effects of discharges from wastewater networks including works to reduce overflow frequencies and volumes;
 - (iii) ensuring plans are in place for the effective operation and maintenance of the wastewater network and to minimise dry weather overflow discharges;
 - (iv) ensuring processes are in place to mitigate the adverse effects of overflows on public health and safety and the environment where the overflows occur;
- (c) adopting the best practicable option for minimising the adverse effects of discharges from wastewater treatment plants; and
- (d) ensuring on-site wastewater systems avoid significant adverse effects on freshwater and coastal water.

Freshwater and geothermal water quantity, allocation and use

- (11) Promote the efficient allocation of freshwater and geothermal water by all of the following:
 - (a) establishing clear limits for water allocation;
 - (b) avoiding over-allocation of water, including phasing out any existing over-allocation;
 - (c) safeguarding spring flows, surface waterbody base flows, ecosystem processes, life-supporting capacity, the recharge of adjacent aquifers, and geothermal temperature and amenity; and
 - (d) providing for the reasonable requirements of domestic and municipal water supplies.
- (12) Promote the efficient use of freshwater and geothermal water.
- (13) Promote the taking of groundwater rather than the taking of water from rivers and streams in areas where groundwater is available for allocation.
- (14) Enable the harvesting and storage of freshwater and rainwater to meet increasing demand for water and to manage water scarcity conditions, including those made worse by climate change.

Figure B7.4.2.1: Areas of coastal water that have been degraded by human activities



B7.5. Air

B7.5.1. Objectives

- (1) The discharge of contaminants to air from use and development is managed to improve region-wide air quality, enhance amenity values in urban areas and to maintain air quality at appropriate levels in rural and coastal areas.
- (2) Industry and infrastructure are enabled by providing for reduced ambient air quality amenity in appropriate locations.
- (3) Avoid, remedy or mitigate adverse effects from discharges of contaminants to air for the purpose of protecting human health, property and the environment.

B7.5.2. Policies

- (1) Manage discharge of contaminants to air from use and development to:
 - (a) avoid significant adverse effects on human health and reduce exposure to adverse air discharges;
 - (b) control activities that use or discharge noxious or dangerous substances;
 - (c) minimise reverse sensitivity effects by avoiding or mitigating potential land use conflict between activities that discharge to air and activities that are sensitive to air discharges;
 - (d) protect activities that are sensitive to the adverse effects of air discharges;
 - (e) protect flora and fauna from the adverse effects of air discharges;
 - (f) enable the operation and development of infrastructure, industrial activities and rural production activities that discharge contaminants into air, by providing for low air quality amenity in appropriate locations;
- (2) Implement Policies B7.5.2(1)(a)-(f) by a combination of regulatory and non-regulatory methods that include:
 - (a) managing industrial discharges to air; and
 - (b) reducing emissions from domestic fires; and
 - (c) reducing emissions from motor vehicles.

B7.6. Minerals

B7.6.1. Objectives

- (1) Auckland's mineral resources are effectively and efficiently utilised.

B7.6.2. Policies

- (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.

B7.7. Explanation and principal reasons for adoption

Indigenous biodiversity

Natural ecosystems and indigenous biological diversity are important constituents of the life-supporting capacity of the natural resources of the entire Auckland region. Healthy and functioning ecosystems contribute to improved water quality, soil conservation and the capacity to assimilate greenhouse gases, as well as contributing to the character and identity of Auckland.

Development has adversely affected Auckland's natural heritage resulting in loss of habitats and a reduction of indigenous biodiversity. Also the introduction of animal and plant pests has threatened the viability of some indigenous ecosystems and species. Coastal and marine ecosystems are also subject to change, damage or destruction from inappropriate subdivision, use and development, as well as natural processes.

Areas containing threatened ecosystems and species require effective management to protect them, and enhance their resilience which is important for the long-term viability of indigenous biodiversity and to help respond to the ~~potential~~ effects of climate change. Effectively addressing these issues requires a combination of regulatory and voluntary efforts.

Areas of high ecological value have been identified as significant ecological areas using significance factors set out in the schedules of the Unitary Plan. (See [Schedule 3 Significant Ecological Areas – Terrestrial Schedule](#) and [Schedule 4 Significant Ecological Areas – Marine Schedule](#).) The coastal marine area has not yet been comprehensively surveyed for the purpose of identifying marine significant ecological areas. Those that have been identified may under-represent the extent of significant marine communities and habitats present in the sub-tidal areas of the region.

The objectives and policies seek to promote the protection of significant vegetation and fauna and the maintenance of indigenous biodiversity by:

- evidence-based factors to identify areas of significant indigenous biodiversity;
- identifying areas of ecological significance;
- promoting restoration efforts to improve the quality, functioning and extent of these areas;
- providing for Mana Whenua's role as owners of land with a high proportion of significant indigenous biodiversity and as kaitiaki of their rohe;
- establishing a management approach which seeks to avoid adverse effects on or degradation of significant indigenous biodiversity and requires that, where adverse effects do arise from activities, they are remedied, mitigated or offset;
- providing for reasonable use by landowners;
- recognising the particular pressure the coastal environment is under from use and development; and
- recognising that there are some uncertainties in the management of indigenous biodiversity for which a precautionary response is appropriate.

Freshwater and geothermal water

Auckland is characterised by relatively small and shallow natural lakes, remnant wetlands, a few larger rivers and a network of small, shallow and short streams. Groundwater aquifers underlie both urban and rural areas. There are also geothermal water resources in parts of Auckland. The sources of municipal water supply for Auckland include a number of water supply lakes created by dams, rivers and groundwater aquifers. Maintaining the quality of freshwater, managing its use and making more efficient use of available supply are key policy approaches.

Freshwater systems are made up of lakes, rivers, streams and wetlands (including their headwaters, margins and associated flood plains) and aquifers. They are valued for:

- their ecological and biodiversity values;
- their natural character, landscape, amenity and recreational values;
- their use for navigation and access; and
- municipal, domestic and stock water supply.

Freshwater systems also provide an essential link between the land and the sea, including natural processes to regulate runoff during storms, receive and filter contaminants, and allow aquatic fauna to reach spawning areas and upstream habitats. Rivers and streams have an essential role as a natural component of an urban stormwater collection and management system.

The loss of freshwater systems and degradation of their values, particularly small streams, is a significant issue facing Auckland. Loss occurs through the piping and infilling of streams, including headwater reaches. Degradation can result from many

causes, including sediment runoff from land development and the runoff of contaminants from urban and rural land uses. Increased impervious surfaces in urban areas can change the amount and intensity of surface water runoff which can create or worsen flooding events and exacerbate the erosion of rivers and streams. In rural areas lakes, rivers and streams are affected by stock access to stream beds, loss of riparian vegetation, and reduced water quality from the runoff of fertiliser, sediment and other contaminants from primary production activities. Infrastructure establishment and upgrading may also affect all types of freshwater resources. Runoff into freshwater systems can also lead to undesirable impacts on coastal water quality and use and enjoyment of the coastal marine area.

Development needs be managed to facilitate the drainage function of freshwater systems while retaining the natural, recreational and amenity values of the system. Appropriate provisions need to be put in place to ensure that, as far as practicable, sediment is retained on the land and contaminants are caught and kept out of rivers, streams and coastal waters. The adverse effects of stormwater discharges cannot solely or effectively be managed 'at the end of the pipe'.

Stormwater management must also encompass the land use activities that contribute contaminants to the drainage network. Integrated land and water management is an important focus of this approach. In many situations development can be designed so as to provide for adequate drainage while retaining natural water systems and enhancing them where they are degraded. Intensification and redevelopment can also offer opportunities to restore and enhance degraded freshwater systems.

In urban areas particular attention is given to the management of the quantity and quality of discharges from stormwater network systems and of overflow discharges from the public wastewater network. These discharges have the greatest adverse effects on the physical form and quality of urban streams, and are also a major source of degradation of coastal water quality and ecosystem values.

Some freshwater bodies outside urban areas have high biodiversity and/or water quality. These are included as management areas, with a protection-oriented management approach.

Surface water bodies and groundwater aquifers cannot supply all of Auckland's future water needs without more efficient management approaches to the allocation and use of available freshwater. The principal consumptive use of freshwater in Auckland is for municipal water supply.

Mana Whenua are responsible for the kaitiakitanga of water, its spiritual essence to cleanse, and its importance to the ongoing well-being of people. Land-based activities can compromise the ways in which Mana Whenua value water in rivers and streams. The mixing of different types of water through discharges, or by the diversion of these water bodies is contrary to Mana Whenua views on how water should be managed.

All of these matters need to be addressed in an integrated manner to minimise adverse effects on freshwater systems during subdivision, use and development. The National Policy Statement for Freshwater Management 2014 and the New Zealand Coastal Policy

Statement 2010 provide both short-term and long-term directions that the Unitary Plan has to implement.

Areas of degraded water quality

Water quality is fundamental to a range of use and values, to the ecosystem function and the life-supporting capacity of the coast. The coast is the receiving environment for discharges, both from historic and present activities that are undertaken in the coastal marine area and from land. The objectives and policies seek to avoid on-going decline in water quality, to improve water quality over time through a range of mechanisms and so to give effect to Policy 21 of the New Zealand Coastal Policy Statement 2010. They also recognise the significance and value of the coastal marine area for Mana Whenua.

Auckland's coastal receiving environments are under continued pressure from both coastal and land-based (rural and urban) activities. Inner harbour and estuarine areas where sediments and contaminants accumulate are usually the most adversely affected areas. This is particularly the case in the Waitematā and Manukau Harbours, especially the Tāmaki Estuary and the Mangere Inlet and around marinas and ports. The best water quality is found at locations that are more exposed to open ocean water currents and have less development in their catchments, or have received upgrades to the network infrastructure.

Degradation of coastal receiving environments can have significant adverse effects on recreational, amenity, Mana Whenua and economic values.

Degraded areas have been identified based on assessments of water quality, sediment contamination and benthic health. While two classes of degraded areas have been identified, the distinction does not imply a ranking or any priority for action. It is important that both areas be considered together because of the dynamic and interconnected nature of coastal environments and because the classes may change over time as more knowledge is gained and as pressures on receiving environments change. There is evidence that even moderate levels of degradation can result in ecosystem level changes, and it is not yet known how reversible these changes might be.

Identifying an area as degraded does not imply that it has no value. Degraded areas may contain valuable habitats, support important species, or form critical connections with other systems and many are identified as significant ecological areas.

Air

Motor vehicles, domestic fires and, to a lesser extent, industry are the main sources of air pollution in urban areas of Auckland. Emissions in urban areas cause air quality to exceed national and international standards and guidelines from time to time, in both localised areas and across greater Auckland. In rural and especially coastal areas, air quality is usually very good. Rural air pollution is normally more localised and comes from outdoor fires, use of agricultural chemicals and odour from agricultural activities.

Vehicle emissions and domestic fires, which are the major sources of air pollutants in Auckland, are not directly regulated under the Unitary Plan but by other controls. Some air quality effects may be indirectly addressed by the objectives and policies for a compact urban form and a centres-based urban development strategy.

Industrial emissions can have localised adverse effects on amenity and some industrial emissions can contain noxious or dangerous substances that are hazardous to human health. Industry emissions therefore need to be managed by the reduction, containment and treatment of the discharge at its source to avoid or reduce these effects. When new sensitive activities are put in close proximity to activities with air discharges, reverse sensitivity effects may occur, challenging the long-term operation of the existing activity.

Industry and rural production is vital to our economic prosperity. Accordingly a balance needs to be struck between enabling this activity and achieving acceptable levels of air quality.

National environmental standards for air quality establish health-related ambient air quality standards. These focus mainly on the control of PM particulate matter, but also set maximum acceptable air concentrations for other contaminants such as nitrogen dioxide.

Minerals

Minerals in the context of Auckland include:

- aggregates, such as stone, rock, sand and gravel, for industry, construction and infrastructure;
- limestone deposits for manufacturing fertilisers, roading basecourse and cement;
- silica sand, shells and shingle for construction materials, glass production and beach replenishment purposes;
- iron sand for production of steel; and
- clay for brick, ceramics and pottery products.

Minerals are essential for Auckland's development. In the past, Auckland's quarries have produced nearly 10 million tonnes of aggregates per year. Currently a number of mineral extraction sites still operate in Auckland. Minerals are also imported from other parts of the country, particularly from the northern Waikato area.

The demand for minerals, particularly aggregates, is expected to increase to 15 million tonnes per annum by 2041. This will support growth and development, and renew and maintain buildings, roads and infrastructure.

Given the anticipated increases in demand for and Auckland's dependence on minerals, an accessible supply of minerals is a matter of regional importance. This means that the use of aggregate resources needs to be used as efficiently and effectively as possible

Mineral extraction activities are encouraged to adopt best practice management of their sites to minimise adverse effects on both the natural environment and on the amenity values and quality of life of neighbouring land uses. Greater focus is also given to avoiding reverse sensitivity conflicts between mineral extraction sites and surrounding land uses and giving greater protection to the ongoing supply of minerals for Auckland.

B8. Toitū te taiwhenua - Coastal environment

Te tere i uta

Te tere i tai

The shoals from the shallows and the shoals from the deep

B8.1. Issues

Auckland's coastal environment is a fundamental part of the region's identity. It has high natural, social and cultural values, and economic uses. It is one of the most desirable places in New Zealand for living and recreation.

Subdivision, use and development within the coastal environment need to be in an appropriate location and of an appropriate form.

Some forms of subdivision, use and development are dependent for their operation on the natural and physical resources of the coastal environment or on their location in the coastal environment, and provision needs to be made for these in appropriate locations.

B8.2. Natural character

B8.2.1. Objectives

- (1) Areas of the coastal environment with outstanding and high natural character are preserved and protected from inappropriate subdivision, use and development.
- (2) Subdivision, use and development in the coastal environment are designed, located and managed to preserve the characteristics and qualities that contribute to the natural character of the coastal environment.
- (3) Where practicable, in the coastal environment areas with degraded natural character are restored or rehabilitated and areas of high and outstanding natural character are enhanced.

B8.2.2. Policies

- (1) Identify and evaluate areas of outstanding natural character or high natural character considering the following factors:
 - (a) natural elements, processes and patterns;
 - (b) biophysical, ecological, geological and geomorphological aspects;
 - (c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;
 - (d) the natural movement of water and sediment;
 - (e) the natural darkness of the night sky;
 - (f) places or areas that are wild or scenic; and
 - (g) experiential attributes, including the sounds and smell of the sea, and their context or setting.

- (2) Include an area in the coastal environment with outstanding or high natural character in [Schedule 8 Outstanding Natural Character and High Natural Character Overlay Schedule](#).
- (3) Preserve and protect areas of outstanding natural character and high natural character from inappropriate subdivision, use and development by:
 - (a) avoiding adverse effects of activities on natural character in areas of the coastal environment scheduled as outstanding natural character; and
 - (b) avoiding significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment.
- (4) Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on natural character of the coastal environment not identified as outstanding natural character and high natural character from inappropriate subdivision, use and development.
- (4A) Provide for the natural systems that support natural character to respond in a resilient way to the effects of climate change including sea level rise over at least 100 years.
- (5) Enable land use practices and restoration projects that will restore, rehabilitate or enhance natural character in outstanding natural character and high natural character areas in the coastal environment.
- (6) Provide for the use of transferable development rights to avoid inappropriate subdivision, use and development in or on land adjoining to areas of outstanding natural character and high natural character.

B8.3. Subdivision, use and development

B8.3.1. Objectives

- (1) Subdivision, use and development in the coastal environment are located in appropriate places and are of an appropriate form and within appropriate limits, taking into account the range of uses and values of the coastal environment.
- (2) The adverse effects of subdivision, use and development on the values of the coastal environment are avoided, remedied or mitigated.
- (3) The natural and physical resources of the coastal environment are used efficiently and activities that depend on the use of the natural and physical resources of the coastal environment are provided for in appropriate locations.
- (4) Rights to occupy parts of the coastal marine area are generally limited to activities that have a functional need to locate in the coastal marine area, or an operational need making the occupation of the coastal marine area more appropriate than land outside of the coastal marine area.

- (5) Uses and developments that have a need to locate on land above and below the mean high water springs are provided for in an integrated manner.
- (6) Conflicts between activities including reverse sensitivity effects are avoided, remedied or mitigated.
- (7) In areas potentially affected by coastal hazards, , including sea level rise over at least 100 years, subdivision, use and development avoid increasing the risk of social, environmental and economic harm.

B8.3.2. Policies

Use and development

- (1) Recognise the contribution that use and development of the coastal environment make to the social, economic and cultural well-being of people and communities.
- (2) Avoid or mitigate sprawling or sporadic patterns of subdivision, use and development in the coastal environment by all of the following:
 - (a) concentrating subdivision, use and development within areas already characterised by development and where natural character values are already compromised;
 - (b) avoiding urban activities in areas with natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character; and
 - (c) ensuring that subdivision, use or development involving land above and below the mean high water springs can provide for any associated facilities or infrastructure in an integrated manner.
- (3) Provide for use and development in the coastal marine area that:
 - (a) have a functional need which requires the use of the natural and physical resources of the coastal marine area;
 - (b) are for the public benefit or public recreation that cannot practicably be located outside the coastal marine area;
 - (c) have an operational need making a location in the coastal marine area appropriate and that cannot practicably be located outside the coastal marine area; or
 - (d) enable the use of the coastal marine area by Mana Whenua for Māori cultural activities and customary uses.
- (4) Require subdivision, use and development in the coastal environment to avoid, remedy or mitigate the adverse effects of activities above and below the mean high water springs, including the effects on existing uses and on the coastal receiving environment.

- (5) Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown or little understood, but could be significantly adverse.
- (6) Consider the purposes for which land or water in the coastal environment is held or managed under any enactment for conservation or protection purposes and:
 - (a) avoid adverse effects that are significant in relation to those purposes; and
 - (b) avoid, remedy or mitigate other adverse effects in relation to those purposes.
- (7) Set back development from the coastal marine area, where practicable, to protect the natural character and amenity values of the coastal environment.

Ports

- (8) Recognise the national and regional significance of the Auckland ports and the need for them to be located within the coastal environment by all of the following:
 - (a) enabling the efficient and safe operation of the ports and their connection with other transport modes;
 - (b) enabling the safe navigation and berthing of vessels, including by dredging; and
 - (c) avoiding or mitigating the adverse effects of activities that may compromise efficient and safe port operations.

Reclamation

- (9) Avoid reclamation of land in the coastal marine area unless all of the following apply:
 - (a) land outside the coastal marine area is not available for the proposed activity;
 - (b) the activity which requires reclamation can only occur in or adjacent to the coastal marine area;
 - (c) there are no practicable alternative methods of providing for the activity; and
 - (d) the reclamation will provide significant regional or national benefit.

Aquaculture

- (10) Provide for aquaculture activities in appropriate places and forms and within appropriate limits in the coastal environment, taking into account all of the following:
 - (a) the quality of water required for the aquaculture activity;

- (b) land-based facilities and infrastructure required to support the operation of aquaculture activities; and
 - (c) the potential social, economic and cultural benefits associated with the operation and development of aquaculture activities.
- (11) Recognise that the extraction of minerals and renewable marine energy generation can have social and economic benefits and can be appropriate activities in the coastal environment.

B8.4. Public access and open space

B8.4.1. Objectives

- (1) Public access to and along the coastal marine area is maintained and enhanced, except where it is appropriate to restrict that access, in a manner that is sensitive to the use and values of an area.
- (2) Public access is restricted only where necessary to ensure health or safety, for security reasons, for the efficient and safe operation of activities, or to protect the value of areas that are sensitive to disturbance.
- (3) The open space, recreation and amenity values of the coastal environment are maintained or enhanced, including through the provision of public facilities in appropriate locations.

B8.4.2. Policies

- (1) Subdivision, use and development in the coastal environment must, where practicable, do all of the following:
 - (a) maintain and where possible enhance public access to and along the coastal marine area, including through the provision of esplanade reserves and strips;
 - (b) be designed and located to minimise impacts on public use of and access to and along the coastal marine area;
 - (c) be set back from the coastal marine area to protect public open space values and access; and
 - (d) take into account the likely impact of coastal processes and climate change, including sea level rise over at least 100 years, and be set back sufficiently to not compromise the ability of future generations to have access to and along the coast.
- (2) Provide for a range of open space and recreational use of the coastal environment by doing all of the following:
 - (a) identifying areas for recreational use, including land-based facilities for those uses, where this ensures the efficient use of the coastal environment;

- (b) enabling the provision of facilities in appropriate locations that enhance public access and amenity values;
 - (c) enabling Māori cultural activities and customary use; and
 - (d) managing uses to avoid conflicts and mitigate risks.
- (3) Restrict public access to and along the coastal marine area, particularly walking access, only where it is necessary to do any of the following:
- (a) protect public health and safety;
 - (b) provide for defence, port or airport purposes;
 - (c) protect areas with natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character;
 - (d) protect threatened indigenous species;
 - (e) protect dunes, estuaries and other sensitive natural areas or habitats;
 - (f) have a level of security necessary to carry out an activity or function that has been established or provided for;
 - (g) provide for exclusive use of an area to carry out an activity granted an occupation consent under section 12 of the Resource Management Act 1991;
 - (h) enable a temporary activity or special event; or
 - (i) in other exceptional circumstances sufficient to justify the restriction.

B8.5. Managing the Hauraki Gulf/Te Moana Nui o Toi/Tīkapa Moana

B8.5.1. Objectives

- (1) The management of the Hauraki Gulf gives effect to sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000.
- (2) Use and development supports the social and economic well-being of the resident communities of Waiheke and Great Barrier islands, while maintaining or, where appropriate, enhancing the natural and physical resources of the islands.
- (3) Economic well-being is enabled from the use of the Hauraki Gulf's natural and physical resources without resulting in further degradation of environmental quality or adversely affecting the life-supporting capacity of marine ecosystems.

B8.5.2. Policies

Integrated management

- (1) Encourage and support the restoration and enhancement of the Hauraki Gulf's ecosystems, its islands and catchments.
- (2) Require the integrated management of use and development in the catchments, islands, and waters of the Hauraki Gulf to ensure that the ecological values and life-supporting capacity of the Hauraki Gulf are protected, and where appropriate enhanced.
- (3) Require applications for use and development to be assessed in terms of the cumulative effect on the ecological and amenity values of the Hauraki Gulf, rather than on an area-specific or case-by-case basis.
- (4) Maintain and enhance the values of the islands in the Hauraki Gulf.
- (5) Avoid 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 Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character.
- (6) Promote the restoration and rehabilitation of natural character values of the islands of the Hauraki Gulf.
- (7) Ensure that use and development of the area adjoining conservation islands, regional parks or Department of Conservation land, does not adversely affect their scientific, natural or recreational values.
- (8) Enhance opportunities for educational and recreational activities on the islands of the Hauraki Gulf if they are consistent with protecting natural and physical resources, particularly in areas where natural and physical resources have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character.
- (9) Identify and protect areas or habitats, particularly those unique to the Hauraki Gulf, that are:
 - (a) significant to the ecological and biodiversity values of the Hauraki Gulf;
and
 - (b) vulnerable to modification.
- (10) Work with agencies and stakeholders to establish an ecological bottom line, or agreed target, for managing the Hauraki Gulf's natural and physical resources which will do all of the following:
 - (a) provide greater certainty in sustaining the Hauraki Gulf's ongoing life-supporting capacity and ecosystem services;
 - (b) assist in avoiding incremental and ongoing degradation;

- (c) co-ordinate cross-jurisdictional integrated management and effort to achieve agreed outcomes;
- (d) better measure the success of protection and enhancement initiatives;
- (e) assist in establishing a baseline for monitoring changes;
- (f) enable better evaluation of the social and economic cost-benefits of management; and
- (g) provide an expanded green-blue network linking restored island and mainland sanctuaries with protected, regenerating marine areas where the ecological health and productivity of the marine area will be enhanced.

Providing for the relationship of Mana Whenua with the Hauraki Gulf

- (11) 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.
- (12) Incorporate mātauranga Māori with western knowledge in establishing management objectives for the Hauraki Gulf.
- (13) 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.

Maintaining and enhancing social, cultural and recreation values

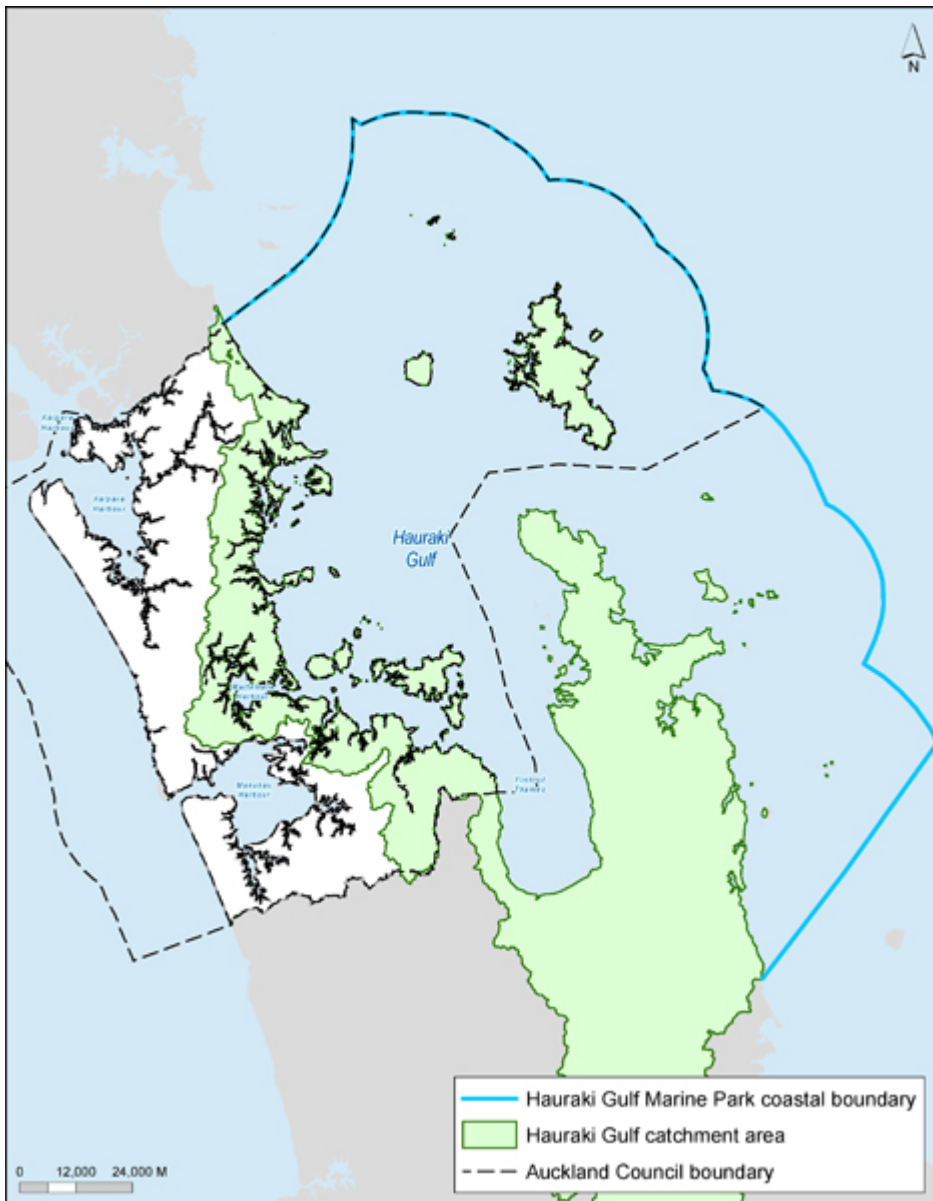
- (14) Identify and protect the natural and physical resources that have important cultural and historic associations for people and communities in and around the Hauraki Gulf.
- (15) Identify, maintain, and where appropriate enhance, areas of high recreational use within the Hauraki Gulf by managing water quality, development and potentially conflicting uses so as not to compromise the particular values or qualities of these areas that add to their recreational value.
- (16) Encourage the strategic provision of infrastructure and facilities to enhance public access and recreational use and enjoyment of the Hauraki Gulf.

Providing for the use of natural and physical resources, and for economic activities

- (17) Provide for commercial activities in the Hauraki Gulf and its catchments while ensuring that the impacts of use, and any future expansion of use and development, do not result in further degradation or net loss of sensitive marine ecosystems.
- (18) Encourage the strategic provision of infrastructure and facilities that support economic opportunities for the resident communities of Waiheke and Great Barrier islands.

- (19) Promote economic development opportunities that complement the unique values of the islands and the Hauraki Gulf.
- (20) Promote the national significance of the Hauraki Gulf Marine Park by:
 - (a) supporting the development of Auckland's waterfront as the gateway to the Hauraki Gulf; and
 - (b) promoting the Hauraki Gulf as a visitor destination.

Figure 8.5.3.1: Hauraki Gulf Marine Park



B8.6. Explanation and principal reasons for adoption

The coastal environment includes the coastal marine area, islands within the coastal marine area and the area landward of the line of mean high water springs determined by the natural and physical elements, features and processes associated with the coast, including vegetation, landscape, landforms, coastal processes and the other matters included in Policy 1(2) of the New Zealand Coastal Policy Statement 2010. (Refer Figure 1).

Coastal areas all have their own distinct qualities, values and uses and share a rich history of Māori and European settlement. The coast is one of the earliest places of human settlement in New Zealand and continues to play a fundamental role in the character and identity of Auckland. The coastal environment and the resources of the coastal marine area comprise some of the most important taonga to Mana Whenua, who have a traditional and on-going cultural relationship with the coast.

Auckland's richly varied coastal environment is a finite resource with high environmental, social, economic and cultural values. Its coasts and harbours are among its most highly valued natural features. It is the location of New Zealand's largest commercial port and international airport. The marine industry, transport and aquaculture activities all contribute to social and economic well-being. The coastal environment also contains potentially significant renewable energy resources. It is a highly desirable location for often competing residential, commercial, industrial and recreational uses of both land and water. These demands will increase as Auckland grows.

The coastal marine area also provides a range of ecosystem services, including providing food, assimilating discharges from land into coastal waters and enabling a range of coastal uses that support the economic well-being of people and communities. Land-based activities have a significant effect on the health of the marine environment. Sediment, contaminants and litter that are carried by waterways or pipes into the sea affect water quality and the ecological health of the coast, and are major environmental issues.

The many uses made of the coast have to be managed to ensure that they do not threaten the life-supporting capacity of the marine environment, as a healthy marine environment is fundamental to many of the activities and values of the coast. There is a need to ensure integrated management of activities on both the land and sea to ensure the ecosystem services and values of the coastal environment are maintained.

The importance of the coastal environment is reflected in the statutory resource management framework, particularly as identified in sections 6 and 7 of the Resource Management Act 1991 and as set out in the New Zealand Coastal Policy Statement 2010. The outstanding quality and diversity of the natural resources of the Hauraki Gulf and its islands has been recognised through their inclusion in the Hauraki Gulf Marine Park. In addition, section 10 of the Hauraki Gulf Marine Park Act 2000 requires that the national significance and management directives in section 7 and 8 of that Act be treated as a New Zealand coastal policy statement for the Hauraki Gulf and elevates the inter-relationship between the Hauraki Gulf, its islands, and catchments, and the ability of the

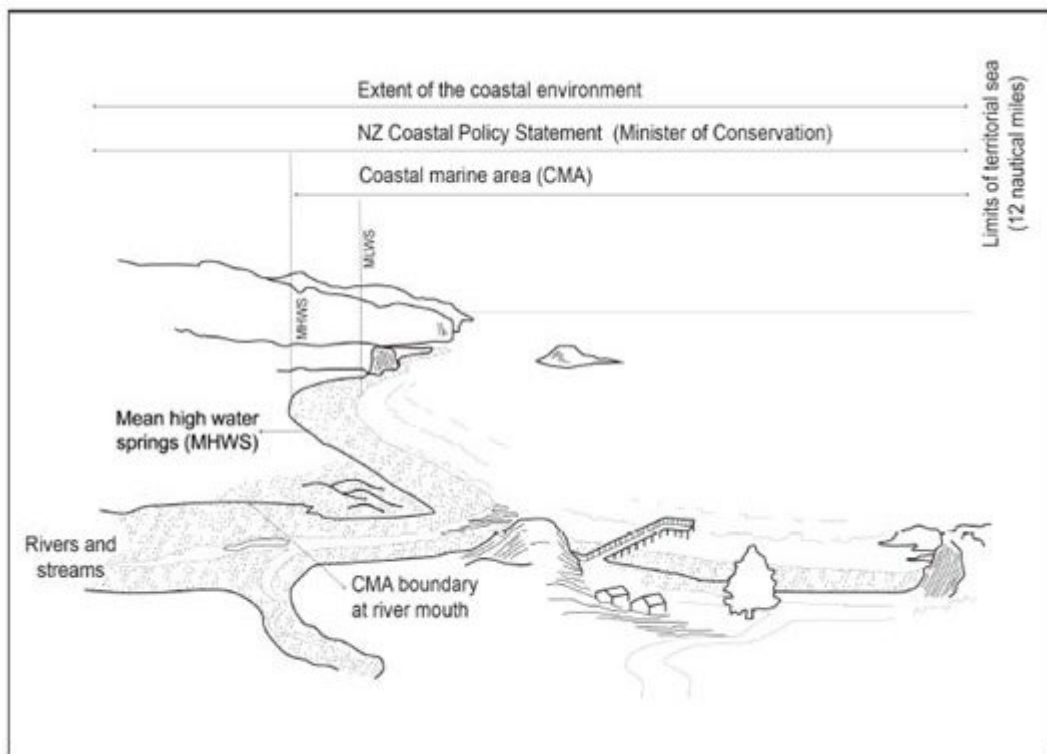
Gulf to sustain the life-supporting capacity of the environment of the Hauraki Gulf and its islands, to matters of national significance.

Auckland's coastal environment is used for a range of recreation activities and valued as an open space resource. There is a public expectation of rights of use and access to and along the coast as recognised and provided for in the Resource Management Act 1991 and the New Zealand Coastal Policy Statement 2010 and under the Marine and Coastal Area (Takutai Moana) Act 2011. However there can be needs to restrict public access in certain circumstances, including for safety, security and biosecurity reasons, or to enable the carrying out of activities, such as port or marine industry.

In addition to the objectives and policies in this section, the values of the coastal environment are recognised and provided for in the objectives and policies of the regional policy statement relating to:

- natural heritage (section [B4](#))
- historic heritage and special character (section [B5](#))
- natural resources (section [B7](#))
- Mana Whenua (section [B6](#))

Figure 1: Extent of the coastal environment



Natural character

Outstanding natural character areas are the iconic, scenic and wilderness areas where the sights, features, and sounds are those of nature and where human-made influences are absent or minor and subservient in the context of the natural environment. These areas provide an important touchstone with nature for an increasingly urbanised population. Areas of high natural character often include rural land used for primary production. Although these areas may lack the same wilderness value as outstanding areas, there is still a significant predominance of naturalness.

Areas of outstanding or high natural character are an increasingly scarce and valuable resource. Auckland's growing population, together with the desire to live near the coast, means that land in the coastal environment is highly valued. It is important that future use and development of largely unmodified freshwater areas is managed to ensure their values are retained for the enjoyment of future generations.

Section 6(a) of the Resource Management Act 1991 requires the Unitary Plan to recognise and provide for the preservation of the natural character of the coastal environment and the protection of it from inappropriate subdivision, use and development. To do that, policy 13 of the New Zealand Coastal Policy Statement 2010 directs that areas with high and outstanding natural character value be identified, that the adverse effects of activities on the natural character of these areas be avoided and that in all other areas significant adverse effects of activities on natural character be avoided.

Land within the coastal environment, including some areas identified as having high natural character, is often used for primary production purposes. The ongoing use of this land for such activities is enabled. Changes that would affect the values of these areas need to be managed to ensure these values are retained in the long-term.

Highly modified areas of the coastal environment still contain elements or features that contribute to their natural character. This may be vegetation, a significant landform, or in areas such as the waterfront, tidal movement and sights and sounds of the sea. Use and development in such areas should avoid significant adverse effects and avoid, remedy or mitigate other effects on the elements or features that contribute to the natural character value of that area.

Subdivision, use and development

The objectives and policies recognise that the coastal environment is a finite resource with a range of values that need to be provided for. As Auckland grows the coastal environment is under increasing pressure for use and development and its natural and physical resources must be used efficiently to ensure it is able to sustain the needs of future generations.

The objectives and policies provide guidance to ensure that subdivision, use and development in the coastal environment is appropriate by:

- ensuring it is located in appropriate areas, taking into account the values identified and the strategic direction for managing subdivision, use and development in the coastal environment, in addition to the values of the coastal environment that need to be considered in other parts of the plan;

- recognising that some forms of use and development rely on the use of the natural and physical resources of the coastal environment, for example renewable energy generation, and that this should be provided for in appropriate locations;
- recognising that the coastal marine area is a limited and highly valued public resource, and that use, development in the coastal marine area should be for activities that have a functional need to be undertaken below mean high water springs and cannot be undertaken on land such as wharves, jetties, aquaculture and moorings;
- providing for activities associated with the on-going operation of infrastructure and existing activities in the coastal marine area, including Auckland's largest commercial port and airport recognising the social and economic benefit they provide, subject to managing the adverse effects;
- requiring the impacts of land use activities on the coastal marine area be taken into account, including impacts on water quality, and that the effects on established coastal marine area activities like aquaculture, port activities, and recreational use; and
- requiring that both the landward and seaward aspects of use and development be considered in an integrated manner, for example the parking and access on land that may be provided as part of an activity in the coastal marine area.

Subdivision, use and development, including redevelopment, needs to take into account the risk of being affected by coastal hazards, including the effects of climate change, and avoid increasing the future risk of social, environmental and economic harm.

Public access and open space

Both the Resource Management Act 1991 (section 6(d)) and the New Zealand Coastal Policy Statement 2010 (Policies 18 and 19) recognise the national significance of maintaining and providing public access, particularly walking access, to and along the coast, and to recognise the significant open space values of the coast.

The coast is one of Auckland's most highly used and valued open space areas. It is used for a range of recreational activities and will be subject to increasing pressure as Auckland grows. To meet these growing needs it will be necessary to work towards linking walking access around the coast and to provide facilities such as boardwalks and boat ramps in appropriate locations. In parts of the coast it may be appropriate to identify areas for a particular recreational activity, in order to make the most efficient use of coastal space and to avoid conflicts between activities.

Public access needs to be restricted in some circumstances to ensure public health and safety, enable the safe use and operation of activities provided for in the coastal marine area, and to protect sensitive areas. This is consistent with Policy 19 (3) of the New Zealand Coastal Policy Statement 2010.

The objectives and policies recognise that:

- subdivision, use and development can have a significant impact on public open space and access. They may enhance access through the provision of esplanade reserves and open space areas, or the design and form of development can limit or detract from open space value and public access;
- the likely future impact of coastal erosion and sea level change needs to be taken into account in considering the appropriate width of reserves and setbacks from the coastal edge, particularly for new greenfield development. There is otherwise a risk that coastal reserves will erode and access will be lost, or that foreshore protection works will be required, if they are to be retained in the long term;
- the provision of facilities, including boardwalks, boat ramps and pontoons can considerably enhance public access and amenity values. Facilities should be enabled in locations where there is high recreational use and it would enhance public access and use of the coast;
- as Auckland grows and there is greater intensification and less private open space it will be important to ensure that there continue to be areas that people can still 'escape' the city and experience wilderness values. These areas need to be managed to ensure changes to access, including car-parking, or changing nature of access (e.g. low-impact walking tracks to formed accessways or vehicle access) do not result in losing the wilderness experience these areas are valued for; and
- restrictions on public access to or along the coastal marine area may need to be limited where it is necessary to protect public health and safety or the values of areas sensitive to disturbance. Restrictions may also be necessary to enable the efficient operation of activities undertaken in the coastal environment, including port, airport and marine industry activities, including access restrictions necessary for customs, security and biosecurity requirements. Some activities in the coastal marine area are granted rights of occupation under section 12 (2) of the Resource Management Act 1991, for example aquaculture or moorings, which require public access to be restricted or limited in parts of the coastal marine area.

Managing the Hauraki Gulf/Te Moana Nui o Toi/Tīkapa Moana

The provisions of section 55 of the Resource Management Act 1991 apply as though sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000 were a national policy statement and a regional council or a territorial authority must take action in accordance with that section.

The objectives and policies provide guidance on giving effect to the Hauraki Gulf Marine Park Act 2000 by:

- recognising the need to integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments;
- promoting restoration efforts on islands and maintaining the values of conservation islands;

- supporting protection of areas of significant ecological value, including linkages between land and sea;
- promoting use and development that provides for social and economic opportunities while avoiding further degradation of the marine environment of the Gulf;
- recognising the significance of the open space, recreation and heritage values of the Gulf;
- working with Mana Whenua in managing the Gulf; and
- recognising the need for collaboration in achieving the outcome sought for the Gulf as management of the catchments, marine area and islands is split between different councils and agencies and controlled under different legislation.

B10. Ngā tūpono ki te taiao - Environmental risk

Kia o-whiti, kia mahara te ao tūroa

Vigilance and consideration of the natural environment.

B10.1. Issues

Natural hazards and climate change

Auckland's growth will increase pressure to develop areas more susceptible to natural hazards. There may be conflict between where people want to live and where they can live safely, particularly in some coastal areas. Some existing development, including infrastructure, is already located on land that may be subject to natural hazards. This needs managing to ensure that the risk is not increased.

Climate is changing, in both the short and long term. This creates significant risks, (including exacerbating natural hazards), uncertainties and challenges for Auckland. How the region manages land use in response to climate change will determine the resilience of Auckland's economy, environment, and communities in the future.

Hazardous substances

Auckland contains the largest quantities of hazardous substances of any region in New Zealand. In many instances, these are located close to residential areas and valued environmental areas such as the groundwater aquifer system, and the Waitematā and Manukau harbours

If hazardous substances are not stored, handled, located or transported with proper care they can affect the health and safety of people working and living in these areas and the natural environment.

Contaminated land

The use of chemicals and hazardous substances in a range of industries and activities has resulted in the contamination of sites within the region.

Contamination of soil or groundwater can affect people's health and safety, limit land use, reduce land value, and degrade ecosystems.

Contaminated sites need to be identified, assessed, managed and where necessary remediated to minimise risks to public health and the environment.

Genetically modified organisms

The outdoor use of genetically modified organisms could adversely affect the environment, economy and social and cultural resources and values.

There is disagreement concerning the effects of genetically modified organisms in the environment and the level of risk of irreversible adverse effects.

There is also disagreement concerning the relationship between and demarcation of the management regimes for genetically modified organisms under the Hazardous Substances and New Organisms Act 1996 and the Resource Management Act 1991.

Given the potentially broad range of possible genetically modified organisms, the range of risks could be substantial and may be irreversible.

In these circumstances a cautious approach to managing the risks associated with the outdoor use of genetically modified organisms is appropriate.

B10.2. Natural hazards and climate change

B10.2.1. Objectives

- (1) Communities are more resilient to natural hazards and the effects of climate change.
- (2) The risks to people, property, infrastructure and the environment from natural hazards are not increased in existing developed areas.
- (3) New subdivision, use and development avoid the creation of new risks to people, property and infrastructure.
- (4) The effects of climate change on natural hazards, including effects on sea level rise, over at least 100 years and on the frequency and severity of storm events, is recognised and provided for.
- (5) The functions of natural systems, including floodplains, are protected from inappropriate subdivision, use and development.
- (6) The conveyance function of overland flow paths is maintained.

B10.2.2. Policies

Identification and risk assessment

- (1) Identify areas potentially affected by natural hazards, giving priority to those at high risk of being affected, particularly in the coastal environment, and including areas susceptible to coastal inundation and erosion as a result of sea level rise over at least 100 years.
- (2) Undertake natural hazard identification and risk assessments as part of structure planning.
- (3) Ensure the potential effects of climate change are taken into account when undertaking natural hazard risk assessments.
- (4) Assess natural hazard risks:
 - (a) using the best available and up-to-date hazard information; and
 - (b) across a range of probabilities of occurrence appropriate to the hazard, including, at least, a 100-year timeframe for evaluating flooding and coastal hazards, including sea level rise in response to global warming.
- (5) Manage subdivision, use and development of land subject to natural hazards based on all of the following:
 - (a) the type and severity of potential events, including the occurrence natural hazard events in combination;

- (b) the vulnerability of the activity to adverse effects, including the health and safety of people and communities, the resilience of property to damage and the effects on the environment; and
 - (c) the cumulative effects of locating activities on land subject to natural hazards and the effects on other activities and resources.
- (6) Adopt a precautionary approach to natural hazard risk assessment and management in circumstances where:
- (a) the effects of natural hazards and the extent to which climate change will exacerbate such effects are uncertain but may be significant, including the possibility of low-probability but high potential impact events, and also sea level rise over at least 100 years; or
 - (b) the level of information on the probability and/or impacts of the hazard is limited.

Management approaches

- (7) Avoid or mitigate the effects of activities in areas subject to natural hazards, such as earthworks, changes to natural and built drainage systems, vegetation clearance and new or modified structures, so that the risks of natural hazards are not increased.
- (8) Manage the location and scale of activities that are vulnerable to the adverse effects of natural hazards so that the risks of natural hazards to people and property are not increased.
- (9) Encourage activities that reduce, or do not increase, the risks posed by natural hazards, including any of the following:
 - (a) protecting and restoring natural landforms and vegetation;
 - (b) managing retreat by relocation, removal or abandonment of structures;
 - (c) replacing or modifying existing development to reduce risk without using hard protection structures;
 - (d) designing for relocatable or recoverable structures; or
 - (e) providing for low-intensity activities that are less vulnerable to the effects of relevant hazards, including modifying their design and management.
- (10) Encourage redevelopment on land subject to natural hazards to reduce existing risks and ensure no new risks are created by using a range of measures such as any of the following:
 - (a) the design and placement of buildings and structures;
 - (b) managing activities to increase their resilience to hazard events; or
 - (c) change of use to a less vulnerable activity.

Role of natural systems

- (11) Strengthen natural systems such as flood plains, vegetation and riparian margins, beaches and sand dunes in preference to using hard protection structures.

Infrastructure

- (12) Minimise the risks from natural hazards to new infrastructure which functions as a lifeline utility by:
- (a) assessing the risks from a range of natural hazard events including sea level rise, and low probability but high potential impact events such as tsunamis, earthquake and volcanic eruptions;
 - (b) utilising design, location and network diversification to minimise the adverse effects on infrastructure and to minimise the adverse effects on the community from the failure of that infrastructure.

Coastal hazards

- (13) Require areas potentially affected by coastal hazards over the next 100 years to ~~do all of the following~~:
- (a) avoid changes in land use that would increase the risk of adverse effects from coastal hazards;
 - (b) ~~do not increase, or reduce,~~ the intensity of activities that are vulnerable to the effects of coastal hazards beyond that enabled by the Plan;
 - (c) in the event of redevelopment, minimise natural hazard risks through the location and design of development; or and
 - (d) where it is impracticable to locate infrastructure outside of coastal hazard areas, then ensure coastal hazard risks are mitigated.

B10.3. Land – hazardous substances

B10.3.1. Objectives

- (1) The environment is protected from adverse effects associated with the storage, use, disposal and transport of hazardous substances.
- (2) The storage, use, disposal and transport of hazardous substances are provided for and the social and economic benefits of these activities are recognised.

B10.3.2. Policies

- (1) Manage the use and development of land for hazardous facilities and industrial or trade activities to avoid adverse effects on human health and the environment and remedy or mitigate these effects where they cannot be avoided.
- (2) Manage the use and development of land for hazardous facilities:

- (a) so that such facilities are resilient to the effects of natural hazards, including sea level rise over at least 100 years;
 - (b) to avoid, remedy or mitigate adverse effects on people and property;
 - (c) to avoid as far as practicable the contamination of air, land, and water; and
 - (d) to minimise risks caused by natural hazards.
- (3) Manage the effects associated with use and development of land for hazardous facilities by all of the following:
- (a) restricting the establishment of sensitive activities near hazardous facilities or areas identified for hazardous facilities if the activities are likely to be adversely affected by a hazardous facility or if they have the potential to limit the operation of the hazardous facility;
 - (b) ensuring new hazardous facilities are not located near sensitive activities unless significant adverse effects, including cumulative effects, are avoided and other adverse effects are mitigated; and
 - (c) providing areas for hazardous facilities away from sensitive activities so that the facilities may carry out their operations without unreasonable constraints.

B10.4. Land – contaminated

B10.4.1. Objective

- (1) Human health and the quality of air, land and water resources are protected by the identification, management and remediation of land that is contaminated.

B10.4.2. Policies

- (1) Identify land that is or may be contaminated based on:
 - (a) sites known to have supported contaminating land use activities in the past;
 - (b) sites with a significant potential risk to human health; or
 - (c) sites having significant adverse effects on the environment.
- (2) Land which may be contaminated due to having supported contaminating land use activities in the past but has not been investigated will be identified as being potentially contaminated.
- (3) Manage or remediate land that is contaminated where:
 - (a) the level of contamination renders the land unsuitable for its existing or proposed use; or

- (b) the discharge of contaminants from the land is generating or is likely to generate significant adverse effects on the environment; or
- (c) development or subdivision of land is proposed.

B10.5. Genetically modified organisms

B10.5.1. Objective

- (1) The natural and physical resources of Auckland are protected from adverse effects of the outdoor use of genetically modified organisms.

B10.5.2. Policy

- (1) Adopt a cautious approach, including adaptive responses, to the outdoor use of genetically modified organisms.

B10.6. Explanation and principal reasons for adoption

Natural hazards and climate change

Auckland is affected by a wide range of natural hazards, including:

- those that occur frequently such as flooding (coastal and freshwater) and land instability; and
- those that occur less frequently including volcano activity, tsunamis, earthquakes, meteorological hazards (cyclones, tornadoes, drought) and fire.

The risk that these hazards pose is not just a reflection of the frequency of these events, rather it is made up of a number of factors including:

- the nature and likely scale of the hazard;
- the likelihood of the hazard occurring; and
- the exposure and vulnerability of the things at risk – people, buildings, infrastructure or natural resources.

Predicted changes in climate could have an effect on the environmental processes that cause natural hazard events and should be taken into account when assessing these factors.

Each of these factors needs to be considered to determine the most effective way to reduce or otherwise manage the risks from natural hazards. Some risks can be effectively managed through land use planning and are addressed through objectives, policies and rules in the Unitary Plan or under the building control regime. Some are appropriately addressed through the provision of new or upgraded infrastructure. Other risks are better managed through public education, emergency preparedness, early warnings and insurance.

Existing land use activities in areas prone to natural hazards may cause or worsen risk. New growth and intensification may also cause or worsen risk, depending on the degree to which natural hazards are avoided, mitigated or accepted during planning and development.

The objectives and policies seek to ensure adequate spatial planning to reduce the risk from natural hazards. They also seek to ensure that new development (including infrastructure) is located and designed to deal with the impacts from hazards that may be experienced over their lifetime.

Land - hazardous substances

Industry and commercial activities (including the energy sector), farms and homes may all use, store, transport or dispose of hazardous substances, including fuels, fertilisers, agrichemicals, industrial and commercial gases, solvents, cleaners, oils and corrosive substances. Some of these activities rely on bulk storage and distribution facilities. All activities involving hazardous substances have the potential to create adverse effects if they escape into the environment, burn, explode, or react with each other. Adverse effects resulting from inadequate management or an accidental release or spill, can include contamination of water, soil and air, damage to ecosystems, human health and property.

The storage, use, disposal and transport of hazardous substances are subject to minimum performance requirements that are set by regulations under the Hazardous Substances and New Organisms Act 1996. These requirements apply regardless of circumstances such as activity and location.

Additional land use controls may also be made under the Resource Management Act 1991 for the prevention or mitigation of any adverse effects of the storage, use, disposal and transport of hazardous substances. Land use controls may manage the risk, likelihood and consequence, of adverse effects, such as those resulting from spills, fires and explosions, having regard to the site-specific circumstances of an activity.

To manage the effect of hazardous substances, the Unitary Plan focuses on the facilities and activities which use, store or dispose of hazardous substances, rather than on the substances themselves. New hazardous facilities should not be located near sensitive activities or other hazardous facilities where significant cumulative effects may occur.

Land - contaminated

Contaminated land is an area where the quality of the soil, groundwater or surface water has been compromised by human activities, usually from the manufacture, use, storage, transport and disposal of hazardous substances.

Land contamination can limit the use of land, cause corrosion that may threaten building structures, reduce land value, and directly endanger the health and safety of people through contact with contaminated soil, swallowing food or water from contaminated environments, or breathing vapours or contaminated dust.

Contaminants leaching from soil into groundwater or running off into surface water and eventually into the coastal marine area affect water quality, ecosystems and flora and fauna.

Auckland has a legacy of soil contamination from past activities including:

- use of agrichemicals;

- storage and use of petroleum products;
- timber treatment; and
- sheep-dipping.

Identification of contaminated sites is the first step in any management regime. Initial assessments conducted on behalf of the Ministry for the Environment suggest Auckland may have more than 1700 contaminated sites. This assessment has only targeted sites that are, or have been, occupied by activities historically associated with site contamination, rather than sites that have actually been confirmed as contaminated. Systematic identification of sites needs to continue.

To protect human health, the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health was issued in January 2011. This has established soil contaminant standards that protect human health for a range of land uses. It aims to identify and assess land affected by contaminants in soil when the land use changes, or the land is being subdivided, and, if necessary, require the remediation of the site or the containment of the contaminants to make the land safe for human use.

Genetically Modified Organisms

Genetic modification refers to a set of techniques that alter genetic makeup by adding, deleting or moving genes (within or between species) to produce new and different organisms. Genetically modified organisms are products of genetic modification.

The benefits and risks of genetically modified organisms are continually being redefined as biotechnology advances. However, there remains disagreement about the potential adverse effects of genetically modified organisms on natural resources and ecosystems. The risks could be substantial and certain consequences could be irreversible. Once released into the environment, most genetically modified organisms would be very difficult to eradicate. For these reasons, the activity status of genetically modified organism field trials is discretionary and that of genetically modified organisms' releases is prohibited.

The regulation of genetically modified organisms in New Zealand is under the Hazardous Substances and New Organisms Act 1996. The Hazardous Substances and New Organisms Act 1996 establishes a framework for assessment of genetically modified organisms by the Environmental Protection Authority. This Act sets minimum standards for the creation and use of genetically modified organisms and enables the Environmental Protection Authority to set additional conditions for a particular genetically modified organism.

The Council also has jurisdiction under the Resource Management Act 1991 to control discharges of contaminants and land use, including genetically modified organism field trials and genetically modified organism releases. In exercising this jurisdiction, the Council will seek to ensure that adverse effects on the environment are appropriately avoided, remedied or mitigated, including:

- to ensure that those who are using land to release genetically modified organisms are fully accountable for all costs associated with the genetically modified organism activity including taking all practicable steps to avoid unintentional contamination, and to undertake appropriate clean-up, monitoring and remediation;
- to adopt a cautious approach to the management of potential risks (economic, environmental, social and cultural) associated with the outdoor use of genetically modified organisms;
- to address cultural concerns of Mana Whenua.

The Council does not seek to foreclose potential opportunities associated with a particular genetically modified organism that could benefit the community or the area. If it became evident during field trials or in light of new information that release would be of benefit to Auckland and that potential risks can be managed satisfactorily, the status of a particular activity involving a genetically modified organism could be assessed as part of a plan change.

Attachment D: Updated text to
AUP(OiP) (Clean)

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

Tāhuhu whakaruruhau ā-taone

The sheltering ridge pole

B2.1. Issues

Auckland's growing population increases demand for housing, employment, business, infrastructure, social facilities and services.

Growth needs to be provided for in a way that does all of the following:

- (1A) contributes to well-functioning urban environments;
- (1B) improves resilience to the effects of climate change;
- (1) enhances the quality of life for individuals and communities;
- (2) supports integrated planning of land use, infrastructure and development;
- (3) optimises the efficient use of the existing urban area;
- (4) encourages the efficient use of existing social facilities and provides for new social facilities;
- (5) enables provision and use of infrastructure in a way that is efficient, effective and timely;
- (6) maintains and enhances the quality of the environment, both natural and built;
- (7) maintains opportunities for rural production; and
- (8) enables Mana Whenua to participate and their culture and values to be recognised and provided for.

B2.2. Urban growth and form

B2.2.1. Objectives

- (1A) A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.
- (1) A well-functioning urban environment with a quality compact urban form that enables all of the following:
 - (a) a higher-quality urban environment;
 - (b) greater productivity and economic growth;
 - (c) better use of existing infrastructure and efficient provision of new infrastructure;
 - (d) good accessibility for all people, including by improved and more efficient public or active transport;

B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form

- (e) greater social and cultural vitality;
 - (f) better maintenance of rural character and rural productivity;
 - (g) reduced adverse environmental effects; and
 - (h) improved resilience to the effects of climate change.
- (2) Urban growth is primarily accommodated within the urban area 2016 (as identified in [Appendix 1A](#)).
- (3) Sufficient development capacity and land supply is provided to accommodate residential, commercial, industrial growth and social facilities to support growth.
- (4) Urbanisation is contained within the Rural Urban Boundary, towns, and rural and coastal towns and villages.
- (5) The development of land within the Rural Urban Boundary, towns, and rural and coastal towns and villages:
- (a) is integrated with the provision of appropriate infrastructure; and
 - (b) improves resilience to the effects of climate change.

B2.2.2. Policies

Development capacity and supply of land for urban development

- (1) Include sufficient land within the Rural Urban Boundary that is appropriately zoned to accommodate at any one time a minimum of seven years' projected growth in terms of residential, commercial and industrial demand and corresponding requirements for social facilities, after allowing for any constraints on subdivision, use and development of land.
- (2) Ensure the location or any relocation of the Rural Urban Boundary identifies land suitable for urbanisation in locations that contribute to a well-functioning urban environment and that:
- (a) promote the achievement of a quality compact urban form
 - (b) enable the efficient supply of land for residential, commercial and industrial activities and social facilities;
 - (c) integrate land use and transport supporting a range of transport modes;
 - (d) support the efficient provision of infrastructure;
 - (e) provide choices that meet the needs of people and communities for a range of housing types and working environments;
 - (ee) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
 - (f) follow the structure plan guidelines as set out in [Appendix 1](#); while:

B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form

- (g) protecting natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character;
 - (h) protecting the Waitākere Ranges Heritage Area and its heritage features;
 - (i) ensuring that significant adverse effects from urban development on receiving waters in relation to natural resource and Mana Whenua values are avoided, remedied or mitigated;
 - (j) avoiding elite soils and avoiding where practicable prime soils which are significant for their ability to sustain food production;
 - (k) avoiding mineral resources that are commercially viable;
 - (l) avoiding areas with significant natural hazard risks and where practicable avoiding areas prone to natural hazards including coastal hazards and flooding, including the effects of climate change including sea level rise on the extent and frequency of hazards; and
 - (m) aligning the Rural Urban Boundary with:
 - (i) strong natural boundaries such as the coastal edge, rivers, natural catchments or watersheds, and prominent ridgelines; or
 - (ii) where strong natural boundaries are not present, then other natural elements such as streams, wetlands, identified outstanding natural landscapes or features or significant ecological areas, or human elements such as property boundaries, open space, road or rail boundaries, electricity transmission corridors or airport flight paths.
 - (n) limits or avoids urbanisation where a “qualifying matter” justifies that limitation or avoidance of urbanisation.
- (3) Enable rezoning of future urban zoned land for urbanisation following structure planning and plan change processes in accordance with [Appendix 1 Structure plan guidelines](#).

Quality compact urban form

- (4) Promote urban growth and intensification within the urban area 2016 (as identified in [Appendix 1A](#)), enable urban growth and intensification within the Rural Urban Boundary, towns, and rural and coastal towns and villages, in a way that contributes to a well-functioning urban environment and avoid urbanisation outside these areas.
- (5) Enable higher residential intensification:
 - (a) in and around centres;
 - (b) along identified corridors; and

- (c) close to public transport, social facilities (including open space) and employment opportunities.
- (6) Identify a hierarchy of centres that contributes to a well-functioning urban environment which supports a quality compact urban form:
- (a) at a regional level through the city centre, metropolitan centres and town centres which function as commercial, cultural and social focal points for the region or sub-regions; and
 - (b) at a local level through local and neighbourhood centres that provide for a range of activities to support and serve as focal points for their local communities.
- (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that contribute to a well-functioning urban environment and that do all of the following:
- (a) support a quality compact urban form;
 - (b) provide for a range of housing types and employment choices for the area;
 - (c) integrate with the provision of infrastructure;
 - (caa) provide good accessibility, including by way of efficient and effective public or active transport;
 - (ca) incorporate resilience to the effects of climate change;
 - (d) follow the structure plan guidelines as set out in [Appendix 1](#); and
 - (e) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets.
- (8) Enable the use of land zoned future urban within the Rural Urban Boundary or other land zoned future urban for rural activities until urban zonings are applied, provided that the subdivision, use and development does not hinder or prevent the future urban use of the land.
- (9) Apply a Rural Urban Boundary for Waiheke Island (identified in [Appendix 1B](#)) as a regional policy statement method.

B2.3. A quality built environment

B2.3.1. Objectives

- (1) A well-functioning urban environment with a quality built environment where subdivision, use and development do all of the following:
- (a) respond to the intrinsic qualities and physical characteristics of the site and area, including its setting;
 - (b) reinforce the hierarchy of centres and corridors;

B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form

- (c) contribute to a diverse mix of choice and opportunity for people and communities;
 - (d) maximise resource and infrastructure efficiency;
 - (e) are capable of adapting to changing needs; and
 - (f) has improved resilience to the effects of climate change.
- (2) Innovative design to address environmental effects is encouraged.
- (3) The health and safety of people and communities are promoted.

B2.3.2. Policies

- (1) Manage the form and design of subdivision, use and development so that it contributes to a well-functioning urban environment and does all of the following:
- (a) supports the planned future environment, including its shape, landform, outlook, location and relationship to its surroundings, including landscape and heritage;
 - (b) contributes to the safety of the site, street and neighbourhood;
 - (c) develops street networks and block patterns that provide good access and enable a range of travel options;
 - (d) achieves a high level of amenity and safety for pedestrians and cyclists;
 - (e) meets the functional, and operational needs of the intended use;
 - (f) allows for change and enables innovative design and adaptive re-use; and
 - (g) improves resilience to the effects of climate change.
- (2) Encourage subdivision, use and development to be designed to promote the health, safety and well-being of people and communities by all of the following:
- (a) providing access for people of all ages and abilities;
 - (b) enabling walking, cycling and public transport and minimising vehicle movements; and
 - (c) minimising the adverse effects of discharges of contaminants from land use activities (including transport effects) and subdivision.
- (3) Enable a range of built forms to support choice and meet the needs of Auckland's diverse population.
- (4) Balance the main functions of streets as places for people and as routes for the movement of vehicles.
- (5) Mitigate the adverse environmental effects of subdivision, use and development through appropriate design including energy and water efficiency and waste minimisation.

B2.4. Residential growth

B2.4.1. Objectives

- (1) Residential intensification contributes to a well-functioning urban environment and supports a quality compact urban form.
- (1A) Residential intensification is limited in some areas to the extent necessary to give effect to identified qualifying matters.
- (2) Residential areas are attractive, healthy, safe and have improved resilience to the effects of climate change with quality development that is in keeping with the planned built character of the area.
- (3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.
- (4) An increase in housing capacity and the range of housing choice which meets the varied needs and lifestyles of Auckland's diverse and growing population.
- (5) Non-residential activities are provided in residential areas to support the needs of people and communities.
- (6) Sufficient, feasible development capacity for housing is provided, in accordance with Objectives 1 to 4 above, to meet the targets in Table B2.4.1 below:

Table B2.4.1: Minimum Dwelling Targets

Term	Short to Medium 1 - 10 years (2016 – 2026)	Long 11 - 30 years (2027 – 2046)	Total 1 – 30 years (2016 – 2046)
Minimum Target (number of dwellings)	189,800	218,500	408,300

Source: Development Strategy, Assessing Demand, Auckland Plan 2050.

B2.4.2. Policies

Residential intensification

- (1) Provide a range of residential zones that enable different housing types and intensity that are appropriate to the residential character of the area.
- (2) Enable higher residential intensities in areas closest to centres, the public transport network, large social facilities, education facilities, tertiary education facilities, healthcare facilities and existing or proposed open space, which contribute to a well-functioning urban environment.
- (3) Provide for medium residential intensities in area that are within moderate walking distance to centres, public transport, social facilities and open space.

- (4) Provide for lower residential intensity in areas:
- (a) that are not close to centres and public transport;
 - (b) that are subject to high environmental constraints;
 - (c) where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character;
 - (d) where there is a suburban area with an existing neighbourhood character; and
 - (e) where there are other qualifying matters listed in Chapter A that justify that limitation.
- (5) Avoid intensification in areas:
- (a) where there are natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character; or
 - (b) that are subject to significant natural hazard risks including where the frequency and extent of the natural hazards are being affected by climate change; or
 - (c) where there are other qualifying matters listed in Chapter A which justify avoidance of intensification;
- where such intensification is inconsistent with the protection of the scheduled natural or physical resources or with the avoidance or mitigation of the natural hazard risks or is necessary to give effect to identified qualifying matters.
- (6) Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification, including, as a qualifying matter, limiting intensification prior to upgrade of capacity in areas of known water and wastewater infrastructure constraints.
- (7) Manage adverse reverse sensitivity effects from urban intensification on land with existing incompatible activities.

Residential neighbourhood and character

- (8) Recognise and provide for existing and planned neighbourhood character through the use of place-based planning tools.
- (9) Manage built form, design and development to achieve an attractive, healthy and safe environment that is in keeping with the descriptions set out in place-based plan provisions.
- (10) Provide for non-residential activities and require them to be of a scale and form that are in keeping with the existing and planned built character of the area.

Affordable housing

- (11) Enable a sufficient supply and diverse range of dwelling types, sizes and locations, that meet the housing needs of people and communities, including:
- (a) households on low to moderate incomes; and
 - (b) people with special housing requirements.

B2.5. Commercial and industrial growth

B2.5.1. Objectives

- (1) Employment and commercial and industrial opportunities meet current and future demands.
- (2) Commercial growth and activities are primarily focussed within a hierarchy of centres and identified growth corridors that contribute to a well-functioning urban environment and a compact urban form.
- (2A) Commercial and industrial activities are resilient to the effects of climate change.
- (3) Industrial growth and activities are enabled in a manner that does all of the following:
- (a) promotes economic development;
 - (b) promotes the efficient use of buildings, land and infrastructure in industrial zones;
 - (c) manages conflicts between incompatible activities;
 - (d) recognises the particular locational requirements of some industries; and
 - (e) enables the development and use of Mana Whenua's resources for their economic well-being.

B2.5.2. Policies

- (1) Encourage commercial growth and development in the city centre, metropolitan and town centres, and enable retail activities on identified growth corridors, to provide the primary focus for Auckland's commercial growth.
- (2) Support the function, role and amenity of centres by encouraging commercial and residential activities within centres, ensuring development that locates within centres contributes to a well-functioning urban environment and the following:
- (aa) a high-density urban form that responds to a centre's accessibility by public transport, commercial activity and community facilities;
 - (a) an attractive and efficient urban environment with a distinctive sense of place and quality public places;

- (b) a diverse range of activities, with the greatest mix, concentration and density of activities in the city centre;
 - (c) a distribution of centres that provide for the needs of people and communities;
 - (d) employment and commercial opportunities;
 - (e) a character and form that supports the role of centres as focal points for communities and compact mixed-use environments;
 - (f) the efficient use of land, buildings and infrastructure;
 - (g) high-quality street environments including pedestrian and cycle networks and facilities;
 - (h) development does not compromise the ability for mixed use developments, or commercial activities to locate and expand within centres; and
 - (i) a scale and form of development that is necessary to achieve any relevant identified qualifying matters.
- (3) Enable the expansion of metropolitan and town centres having regard to whether it will do all of the following:
- (a) improve access to a range of facilities, goods and services in a convenient and efficient manner;
 - (b) maintain or enhance a compact mixed-use environment in the centre;
 - (c) retain or enhance the existing centre's function, role and amenity;
 - (d) support the existing network of centres and achieve a sustainable distribution of centres that is supported by sufficient population growth;
 - (e) manage adverse effects on the function, role and amenity of the city centre, and other metropolitan and town centres, beyond those effects ordinarily associated with trade effects on trade competitors;
 - (f) avoid, remedy or mitigate the effects of commercial activity on adjoining land uses;
 - (g) support medium to high intensity residential development; and
 - (h) support a safe and efficient transport system which is integrated with the centre.
- (4) Enable new metropolitan, town and local centres which contribute to a well-functioning urban environment following a structure planning process and plan change process in accordance with [Appendix 1 Structure plan guidelines](#), having regard to all of the following:
- (a) the proximity of the new centre to existing or planned medium to high intensity residential development;

- (b) the existing network of centres and whether there will be sufficient population growth to achieve a sustainable distribution of centres;
 - (c) whether the new centre will avoid or minimise adverse effects on the function, role and amenity of the city centre, metropolitan and town centres, beyond those effects ordinarily associated with trade effects on trade competitors;
 - (d) the form and role of the proposed centre;
 - (e) any significant adverse effects on existing and planned infrastructure;
 - (f) a safe and efficient transport system which is integrated with the centre; and
 - (g) any significant adverse effects on the environment or on natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage special character, or other identified qualifying matter.
- (5) Enable retail activities, where appropriate, on identified growth corridors in business zones, having regard to all of the following:
- (a) adverse effects on the function, role and amenity of the city centre, metropolitan and town centres, beyond those effects ordinarily associated with trade effects on trade competitors;
 - (b) adverse effects on the quality compact urban form including the existing and planned location of activities, facilities, infrastructure and public investment;
 - (c) effects on community social and economic wellbeing and accessibility;
 - (d) the efficient use and integration of land and infrastructure;
 - (e) effects on the safe and efficient operation of the transport network;
 - (f) effects of the development on the efficient use of any industrial land, in particular opportunities for land extensive industrial activities and heavy industry;
 - (g) avoiding conflicts between incompatible activities; and
 - (h) the effects on residential activity.
- (6) Enable commercial activities, where appropriate, in business zones in locations other than the city centre, metropolitan and town centres and identified growth corridors, having regard to all of the following:
- (a) the matters listed in Policy B2.5.2(5)(a) to Policy B2.5.2(5)(h) above;
 - (b) the extent to which activities would compromise the achievement of policies B2.5.2(1) and B.2.5.2(2): and
 - (c) the extent to which activities would compromise the hierarchy of locations identified in policies B2.5.2(1) to B.2.5.2(5).
- (7) Enable the supply of land for industrial activities, in particular for

B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form

land-extensive industrial activities and for heavy industry in areas where the character, scale and intensity of the effects from those activities can be appropriately managed.

- (8) Enable the supply of industrial land which is relatively flat, has efficient access to freight routes, rail or freight hubs, ports and airports, and can be efficiently served by infrastructure.
- (9) Enable the efficient use of industrial land for industrial activities and avoid incompatible activities by all of the following:
 - (a) limiting the scale and type of non-industrial activities on land zoned for light industry;
 - (b) preventing non-industrial activities (other than accessory activities) from establishing on land zoned for heavy industry; and
 - (c) promoting co-location of industrial activities to manage adverse effects and to benefit from agglomeration.
- (10) Manage reverse sensitivity effects on the efficient operation, use and development of existing industrial activities, including by preventing inappropriate sensitive activities locating or intensifying in or adjacent to heavy industrial zones.
- (10A) Require commercial, retail and industrial activities to be located, designed and developed with best practice resilience to the effects of climate change.

B2.6. Rural and coastal towns and villages

B2.6.1. Objectives

- (1) Growth and development of existing or new rural and coastal towns and villages is enabled in ways that:
 - (a) avoid natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character unless growth and development protects or enhances such values; and
 - (b) avoid elite soils and avoid where practicable prime soils which are significant for their ability to sustain food production; and
 - (c) avoid areas with significant natural hazard risks;
 - (ca) are resilient to the effects of climate change;
 - (d) are consistent with the local character of the town or village and the surrounding area; and
 - (e) enables the development and use of Mana Whenua's resources for their economic well-being.
- (2) Rural and coastal towns and villages have adequate infrastructure.

B2.6.2. Policies

B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form

- (1) Require the establishment of new or expansion of existing rural and coastal towns and villages to be undertaken in a manner that does all of the following:
 - (a) maintains or enhances the character of any existing town or village;
 - (b) incorporates adequate provision for infrastructure;
 - (c) avoids locations with significant natural hazard risks where those risks cannot be adequately remedied or mitigated;
 - (d) avoids elite soils and avoids where practicable prime soils which are significant for their ability to sustain food production;
 - (e) maintains adequate separation between incompatible land uses;
 - (f) is compatible with natural and physical characteristics, including those of the coastal environment;
 - (g) provides access to the town or village through a range of transport options including walking and cycling; and
 - (h) improves resilience to the effects of climate change.
- (2) Avoid locating new or expanding existing rural and coastal towns and villages in or adjacent to areas that contain significant natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character, unless the growth and development protects or enhances such resources including by any of the following measures:
 - (a) the creation of reserves;
 - (b) increased public access;
 - (c) restoration of degraded environments;
 - (d) creation of significant new areas of biodiversity; or
 - (e) enablement of papakāinga, customary use, cultural activities and appropriate commercial activities.
- (3) Enable the establishment of new or significant expansions of existing rural and coastal towns and villages through the structure planning and plan change processes in accordance with Appendix 1 Structure plan guidelines.
- (4) Enable small-scale growth of and development in rural and coastal towns and villages without the need for structure planning, in a manner consistent with policies B2.6.2(1) and (2).
- (5) Enable papakāinga, marae, customary use, cultural activities and appropriate commercial activities on Māori land and on other land where Mana Whenua have collective ownership.

B2.7. Open space and recreation facilities

B2.7.1. Objectives

B2 Tāhuhu whakaruruhau ā-taone - Urban growth and form

- (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities which contribute to a well-functioning urban environment.
- (2) Public access to and along Auckland's coastline, coastal marine area, lakes, rivers, streams and wetlands is maintained and enhanced.
- (3) Reverse sensitivity effects between open spaces and recreation facilities and neighbouring land uses are avoided, remedied or mitigated.
- (4) Open space and recreation are resilient to the effects of climate change.

B2.7.2. Policies

- (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions and which contribute to a well-functioning urban environment.
- (2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.
- (3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.
- (4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.
- (5) Enable the development and use of existing and new major recreation facilities.
- (6) Encourage major recreation facilities in locations that are convenient and accessible to people and communities by a range of transportation modes.
- (7) Avoid, remedy or mitigate significant adverse effects of land use or development on open spaces and recreation facilities.
- (8) Avoid, remedy or mitigate significant adverse effects from the use of open spaces and recreational facilities on nearby residents and communities.
- (9) Enable public access to lakes, rivers, streams, wetlands and the coastal marine area by enabling public facilities and by seeking agreements with private landowners where appropriate.
- (10) Limit public access to and along the coastal marine area, lakes, rivers, streams and wetlands by esplanade reserves, esplanade strips or other legal mechanisms where necessary for health, safety or security reasons or to protect significant natural or physical resources.
- (11) Provide for improved resilience to the effects of climate change in open space and associated recreation and biodiversity management.

B2.8. Social facilities

B2.8.1. Objectives

- (1) Social facilities that meet the needs of people and communities, including enabling them to provide for their social, economic and cultural well-being and their health and safety and which contribute to a well-functioning urban environment.
- (2) Social facilities located where they are accessible by an appropriate range of transport modes.
- (3) Reverse sensitivity effects between social facilities and neighbouring land uses are avoided, remedied or mitigated.
- (4) Social facilities are resilient to the effects of climate change.

B2.8.2. Policies

- (1) Enable social facilities that are accessible to people of all ages and abilities to establish in appropriate locations which contribute to a well-functioning urban environment as follows:
 - (a) small-scale social facilities are located within or close to their local communities;
 - (b) medium-scale social facilities are located with easy access to city, metropolitan and town centres and on corridors;
 - (c) large-scale social facilities are located where the transport network (including public transport and walking and cycling routes) has sufficient existing or proposed capacity.
- (2) Enable the provision of social facilities to meet the diverse demographic and cultural needs of people and communities.
- (3) Enable intensive use and development of existing and new social facility sites.
- (4) In growth and intensification areas identify as part of the structure plan process where social facilities will be required and enable their establishment in appropriate locations which contribute to a well-functioning urban environment.
- (5) Enable the efficient and flexible use of social facilities by providing on the same site for:
 - (a) activities accessory to the primary function of the site; and
 - (b) in appropriate locations, co-location of complementary residential and commercial activities.
- (6) Manage the transport effects of high trip-generating social facilities in an integrated manner..
- (7) Require social facilities to use best practice resilience to the effects of climate change.

B2.9. Explanation and principal reasons for adoption

A broad strategy is needed to address the resource management issues arising from the scale of urban growth in Auckland.

The National Policy Statement on Urban Development 2020 (NPSUD) includes objectives and policies on well-functioning urban environment and sets out matters that are to be addressed as a minimum, to achieve this. Achieving a well-functioning urban environment is reflected by a wide range of objectives and policies across the entire Regional Policy Statement (RPS). A well-functioning urban environment is a high-level concept and is an overarching objective of the RPS.

The objectives of a well-functioning urban environment and a quality compact urban form are supported by a primary policy approach of focussing the greatest levels of residential intensification in areas with good accessibility, including by public or active transport, and around commercial centres and transport nodes and along major transport corridors.

A compact urban form is one with clear boundaries where the residential and commercial areas are relatively close together. In Auckland, most urban growth is expected to be inside the Rural Urban Boundary:

- to promote efficient and timely provision of infrastructure;
- to protect natural and physical resources that have been scheduled for particular identified values; and
- to avoid urbanisation without appropriate structure planning.

The location of the Rural Urban Boundary is a district plan land use rule pursuant to section 9(3) of the Resource Management Act 1991, other than for Waiheke Island where it is an interim regional policy statement method until it is considered as part of a plan change to incorporate the Auckland Council District Plan – Operative Hauraki Gulf Islands Section into the Unitary Plan.

A well-functioning urban environment and compact urban form can deliver a range of benefits for current and future generations by:

- enabling a range of housing choices in size, typology and price within neighbourhoods;
- protecting sites and areas with identified high environmental values;
- providing access to open space and social facilities;
- fostering productivity, creativity and social vitality by enabling social and business networks based on spatial proximity;
- limiting or avoiding intensification where there are qualifying matters that justify that limitation or avoidance of intensification;
- promoting an integrated approach to land use and transport;
- providing investment certainty about use and development strategies; and
- improving resilience to the effects of climate change.

A quality built environment is one which enhances opportunities for people's well-being by ensuring that new buildings respond to the existing built and natural environment in ways that promote the plan's objectives and maintain and enhance the amenity values of an area. In most areas this is regulated by permitted standards and by assessment where those standards are exceeded. In centres and where higher intensity development is enabled, the design and appearance of buildings is generally assessed on a restricted discretionary basis.

In addressing the effects of growth, and contributing to a well-functioning urban environment, a key factor is enabling sufficient development capacity in the urban area and sufficient land for new housing and businesses over the next 30 years. It is also important to ensure that urban environments have improved resilience to the effects of climate change. The objectives and policies guide the location of urban growth areas. They identify how greenfield land which is suitable for urbanisation will be managed until it is re-zoned for urban development. They encourage provision for Mana Whenua to develop and use their resources. They also set out the process to be followed to ensure that urban development is supported by infrastructure on a timely and efficient basis. They should be considered in conjunction with the Council's other principal strategic plans such as the Auckland Plan, the Long-term plan and the Regional Land Transport Plan. The strategies and asset management plans of infrastructure providers will also be highly relevant.

Housing affordability is a significant issue in Auckland. These objectives and policies, as one component of the many things that need to be done to address this issue, seek to enable urban growth, improve development capacity and encourage a variety of housing types, sizes and locations as resource management methods to improve housing affordability.

Urban growth in rural and coastal towns and villages is also anticipated and provided for, but at a much lesser scale than in the main urban areas. Extensions to towns and villages, and proposals for new towns or villages, must be considered against factors including ensuring compatibility with existing local character, the protection of areas with identified values (including areas of land containing elite soils) and the avoidance of areas with significant natural hazards. Changes of zoning to accommodate such growth will be the subject of structure planning processes, as for other plan changes.

Auckland has a large number of open spaces that covers a wide variety of environments. Open spaces and recreation facilities may be privately or publicly owned and operated. Auckland's streets, including shared spaces and street berms, are also an important component of the open space network. The coastal marine area is a significant public open space and recreational resource. For additional policy direction on the coastal environment see section B8 Coastal environment.

Collectively these open spaces perform a wide range of functions including:

- providing opportunities for active and passive recreational activities, locally or Auckland-wide;
- enabling public access to the coastline, islands and beaches;
- maintaining and enhancing the amenity values and the quality of the environment around them;
- protecting and enhancing our natural and cultural heritage, landscapes and

ecological values; and

- providing locations for social facilities used for sports, recreation and leisure and community activities.

With growth, new open spaces and social facilities will be required and the existing open space and social facilities will need to be expanded and upgraded to meet the needs of new residents and the increased level of use.

Social facilities include public and private facilities which provide for services such as education, health, justice, corrections, community and cultural facilities. They also contribute to the economy of Auckland and New Zealand in a variety of ways, both supporting other activities and by contributing to a high-value knowledge economy. This is particularly important for a growing city, as increasing numbers of people rely on these facilities to meet their needs and provide for their social, economic and cultural well-being.

The objectives and policies in this section of the regional policy statement must be read together with other relevant sections which set out the direction for the sustainable management of natural and physical resources in more specific contexts.

B7. Toitū te whenua, toitū te taiao – Natural resources

Ngā ariki o te rangi, ngā ariki o te whenua, ngā ariki o te moana, ngā ariki o te taiao

The chiefly deities of the sky, of the earth, of the sea, the spiritual caretakers of the environment

B7.1. Issues

The combination of urban growth and past land, coastal and freshwater management practices have:

- (1) placed increasing pressure on land and water resources including habitats and biodiversity;
- (2) reduced air quality; and
- (3) increased demand for mineral resources.

The pressures on natural resources need to be managed not only for environmental well-being but also for social, economic and cultural well-being.

B7.2. Indigenous biodiversity

B7.2.1. Objectives

- (1) Areas of significant indigenous biodiversity value in terrestrial, freshwater, and coastal marine areas are protected from the adverse effects of subdivision use and development.
- (2) Indigenous biodiversity is maintained through protection, restoration and enhancement in areas where ecological values are degraded, or where development is occurring.

B7.2.2. Policies

- (1) Identify and evaluate areas of indigenous vegetation and the habitats of indigenous fauna in terrestrial and freshwater environments considering the following factors in terms of the descriptors contained in Schedule 3 Significant Ecological Areas – Terrestrial Schedule:
 - (a) representativeness;
 - (b) stepping stones, migration pathways and buffers;
 - (c) threat status and rarity;
 - (d) uniqueness or distinctiveness; and
 - (e) diversity.
- (2) Include an area of indigenous vegetation or a habitat of indigenous fauna in terrestrial or freshwater environments in the [Schedule 3 of Significant Ecological Areas – Terrestrial Schedule](#) if the area or habitat is significant.

- (3) Identify and evaluate areas of significant indigenous vegetation, and the significant habitats of indigenous fauna, in the coastal marine area considering the following factors in terms of the descriptors contained in [Schedule 4 Significant Ecological Areas – Marine Schedule](#):
 - (a) recognised international or national significance;
 - (b) threat status and rarity;
 - (c) uniqueness or distinctiveness;
 - (d) diversity;
 - (e) stepping stones, buffers and migration pathways; and
 - (f) representativeness.
- (4) Include an area of indigenous vegetation or a habitat of indigenous fauna in the coastal marine area in the [Schedule 4 Significant Ecological Areas – Marine Schedule](#) if the area or habitat is significant.
- (5) Avoid adverse effects on areas listed in the [Schedule 3 of Significant Ecological Areas – Terrestrial Schedule](#) and [Schedule 4 Significant Ecological Areas – Marine Schedule](#).
- (5A) Improve the resilience of areas listed in the Schedule 3 of Significant Ecological Areas – Terrestrial Schedule and of Schedule 4 Significant Ecological Areas – Marine Schedule to the effects of climate change.

B7.3. Freshwater systems

B7.3.1. Objectives

- (1) Degraded freshwater systems are enhanced.
- (2) Loss of freshwater systems is minimised.
- (3) The adverse effects of changes in land use on freshwater are avoided, remedied or mitigated.

B7.3.2. Policies

Integrated management of land use and freshwater systems

- (1) Integrate the management of subdivision, use and development and freshwater systems by undertaking all of the following:
 - (a) ensuring water supply, stormwater and wastewater infrastructure is adequately provided for in areas of new growth or intensification;
 - (b) ensuring catchment management plans form part of the structure planning process;
 - (c) controlling the use of land and discharges to minimise the adverse effects of runoff on freshwater systems and progressively reduce existing adverse effects where those systems or water are degraded; and

- (d) avoiding development where it will significantly increase adverse effects on freshwater systems, unless these adverse effects can be adequately mitigated.

Management of freshwater systems

- (2) Identify degraded freshwater systems.
- (3) Promote the enhancement of freshwater systems identified as being degraded to progressively reduce adverse effects.
- (4) Avoid the permanent loss and significant modification or diversion of lakes, rivers, streams (excluding ephemeral streams), and wetlands and their margins, unless all of the following apply:
 - (a) it is necessary to provide for:
 - (i) the health and safety of communities; or
 - (ii) the enhancement and restoration of freshwater systems and values; or
 - (iii) the sustainable use of land and resources to provide for growth and development; or
 - (iv) infrastructure;
 - (b) no practicable alternative exists;
 - (c) mitigation measures are implemented to address the adverse effects arising from the loss in freshwater system functions and values; and
 - (d) where adverse effects cannot be adequately mitigated, environmental benefits including on-site or off-site works are provided.
- (5) Manage subdivision, use, development, including discharges and activities in the beds of lakes, rivers, streams, and in wetlands, to do all of the following:
 - (a) protect identified Natural Lake Management Areas, Natural Stream Management Areas, and Wetland Management Areas;
 - (aa) improve resilience to the effects of climate change;
 - (b) minimise erosion and modification of beds and banks of lakes, rivers, streams and wetlands;
 - (c) limit the establishment of structures within the beds of lakes, rivers and streams and in wetlands to those that have a functional need or operational requirement to be located there; and
 - (d) maintain or where appropriate enhance:
 - (i) freshwater systems not protected under Policy B7.3.2(5)(a);
 - (ii) navigation along rivers and public access to and along lakes, rivers and streams;

- (iii) existing riparian vegetation located on the margins of lakes, rivers, streams and wetlands; and
- (iv) areas of significant indigenous biodiversity.

- (6) Restore and enhance freshwater systems where practicable when development, change of land use, and subdivision occur.

B7.4. Coastal water, freshwater and geothermal water

B7.4.1. Objectives

- (1) Coastal water, freshwater and geothermal water are used within identified limits while safeguarding the life-supporting capacity and the natural, social and cultural values of the waters.
- (2) The quality of freshwater and coastal water is maintained where it is excellent or good and progressively improved over time where it is degraded.
- (3) Freshwater and geothermal water is allocated efficiently to provide for social, economic and cultural purposes.
- (4) The adverse effects of point and non-point discharges, in particular stormwater runoff and wastewater discharges, on coastal waters, freshwater and geothermal water are minimised and existing adverse effects are progressively reduced.
- (5) The adverse effects from changes in or intensification of land use on coastal water and freshwater quality are avoided, remedied or mitigated.
- (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.

B7.4.2. Policies

Integrated management

- (1) Integrate the management of subdivision, use, development and coastal water and freshwater, by:
 - (a) ensuring water supply, stormwater and wastewater infrastructure is adequately provided for in areas of growth; and
 - (b) requiring catchment management planning as part of structure planning;
 - (c) controlling the use of land and discharges to minimise the adverse effects of runoff on water and progressively reduce existing adverse effects where those water are degraded; and
 - (d) avoiding development where it will significantly increase adverse effects on water, unless these adverse effects can be adequately mitigated.

National Policy Statement for Freshwater Management

- (2) Give effect to the National Policy Statement for Freshwater Management 2014 by establishing all of the following:
 - (a) freshwater objectives;
 - (b) freshwater management units and, for each unit:
 - (i) values;
 - (ii) water quality limits;
 - (iii) environmental flows and/or levels; and
 - (c) targets and implementation methods where freshwater units do not meet freshwater objectives.
- (3) Integrate Mana Whenua values, mātauranga and tikanga when giving effect to the National Policy Statement for Freshwater Management 2014 in establishing all of the following:
 - (a) water quality limits for freshwater, including groundwater;
 - (b) the allocation and use of freshwater resources, including groundwater; and
 - (c) measures to improve the integrated management of the effects of the use and development of land and freshwater on coastal water and the coastal environment.

Water quality

- (4) Identify areas of coastal water and freshwater bodies that have been degraded by human activities.
- (5) Engage with Mana Whenua to:
 - (a) identify areas of degraded coastal water where they have a particular interest; and
 - (b) remedy or, where remediation is not practicable, mitigate adverse effects on these degraded areas and values.
- (6) Progressively improve water quality in areas identified as having degraded water quality through managing subdivision, use, development and discharges.
- (7) Manage the discharges of contaminants into water from subdivision, use and development to avoid where practicable, and otherwise minimise, all of the following:
 - (a) significant bacterial contamination of freshwater and coastal water;
 - (b) adverse effects on the quality of freshwater and coastal water;

- (c) adverse effects from contaminants, including nutrients generated on or applied to land, and the potential for these to enter freshwater and coastal water from both point and non-point sources;
- (d) adverse effects on Mana Whenua values associated with coastal water, freshwater and geothermal water, including wāhi tapu, wāhi taonga and mahinga kai; and
- (e) adverse effects on the water quality of catchments and aquifers that provide water for domestic and municipal supply.

Sediment runoff

- (8) Minimise the loss of sediment from subdivision, use and development, and manage the discharge of sediment into freshwater and coastal water, by:
 - (a) promoting the use of soil conservation and management measures to retain soil and sediment on land; and
 - (b) requiring land disturbing activities to use industry best practice and standards appropriate to the nature and scale of the land disturbing activity and the sensitivity of the receiving environment.

Stormwater management

- (9) Manage stormwater by all of the following:
 - (a) requiring subdivision, use and development to:
 - (i) minimise the generation and discharge of contaminants;
 - (ii) minimise adverse effects on freshwater and coastal water and the capacity of the stormwater network; and
 - (iii) improve resilience to the effects of climate change;
 - (b) adopting the best practicable option for every stormwater diversion and discharge; and
 - (c) controlling the diversion and discharge of stormwater outside of areas serviced by a public stormwater network.

Wastewater

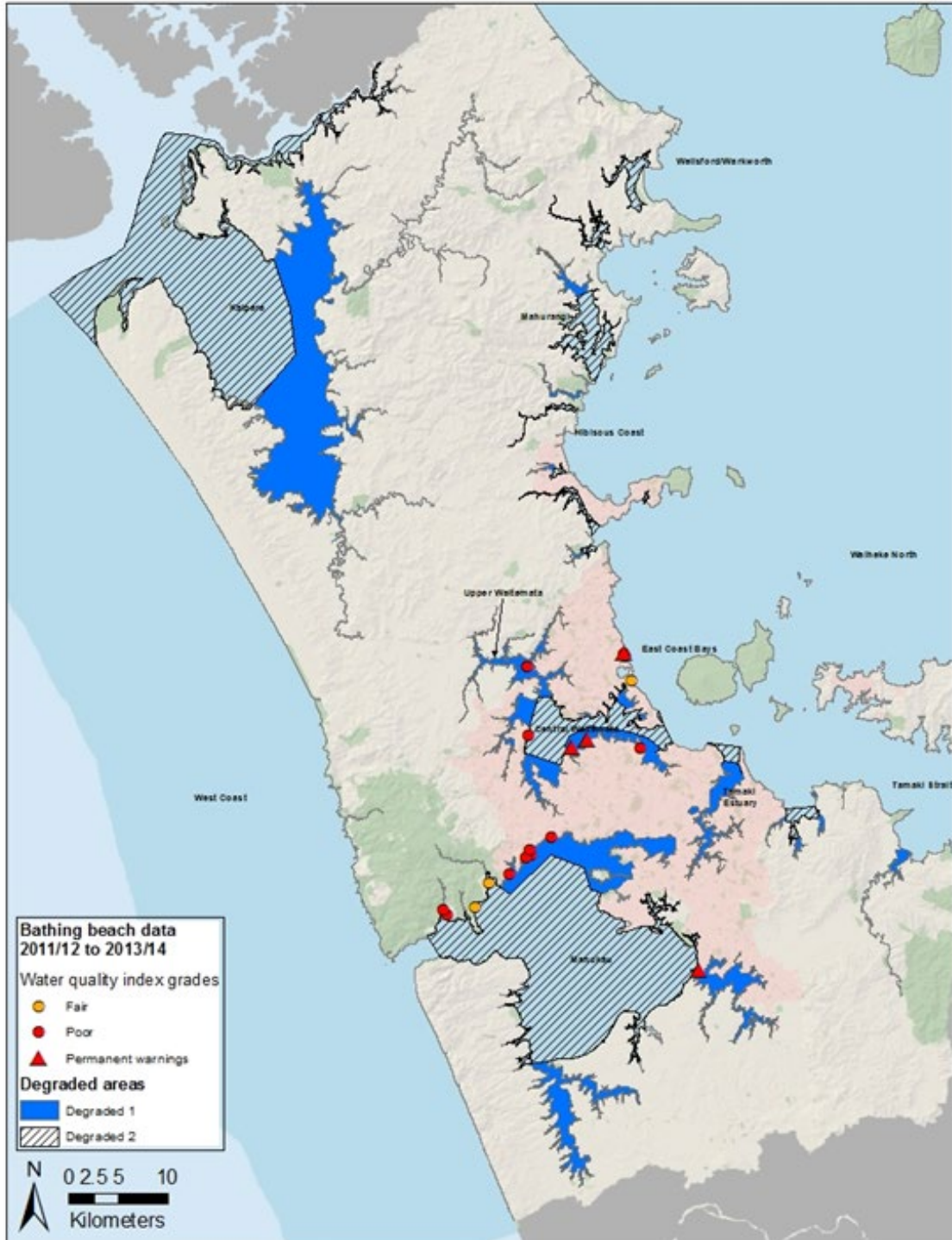
- (10) Manage the adverse effects of wastewater discharges to freshwater and coastal water by all of the following:
 - (a) ensuring that new development is supported by wastewater infrastructure with sufficient capacity to serve the development;
 - (b) progressively reducing existing network overflows and associated adverse effects by all of the following:
 - (i) making receiving environments that are sensitive to the adverse effects of wastewater discharges a priority;

- (ii) adopting the best practicable option for preventing or minimising the adverse effects of discharges from wastewater networks including works to reduce overflow frequencies and volumes;
 - (iii) ensuring plans are in place for the effective operation and maintenance of the wastewater network and to minimise dry weather overflow discharges;
 - (iv) ensuring processes are in place to mitigate the adverse effects of overflows on public health and safety and the environment where the overflows occur;
- (c) adopting the best practicable option for minimising the adverse effects of discharges from wastewater treatment plants; and
- (d) ensuring on-site wastewater systems avoid significant adverse effects on freshwater and coastal water.

Freshwater and geothermal water quantity, allocation and use

- (11) Promote the efficient allocation of freshwater and geothermal water by all of the following:
- (a) establishing clear limits for water allocation;
 - (b) avoiding over-allocation of water, including phasing out any existing over-allocation;
 - (c) safeguarding spring flows, surface waterbody base flows, ecosystem processes, life-supporting capacity, the recharge of adjacent aquifers, and geothermal temperature and amenity; and
 - (d) providing for the reasonable requirements of domestic and municipal water supplies.
- (12) Promote the efficient use of freshwater and geothermal water.
- (13) Promote the taking of groundwater rather than the taking of water from rivers and streams in areas where groundwater is available for allocation.
- (14) Enable the harvesting and storage of freshwater and rainwater to meet increasing demand for water and to manage water scarcity conditions, including those made worse by climate change.

Figure B7.4.2.1: Areas of coastal water that have been degraded by human activities



B7.5. Air

B7.5.1. Objectives

- (1) The discharge of contaminants to air from use and development is managed to improve region-wide air quality, enhance amenity values in urban areas and to maintain air quality at appropriate levels in rural and coastal areas.
- (2) Industry and infrastructure are enabled by providing for reduced ambient air quality amenity in appropriate locations.
- (3) Avoid, remedy or mitigate adverse effects from discharges of contaminants to air for the purpose of protecting human health, property and the environment.

B7.5.2. Policies

- (1) Manage discharge of contaminants to air from use and development to:
 - (a) avoid significant adverse effects on human health and reduce exposure to adverse air discharges;
 - (b) control activities that use or discharge noxious or dangerous substances;
 - (c) minimise reverse sensitivity effects by avoiding or mitigating potential land use conflict between activities that discharge to air and activities that are sensitive to air discharges;
 - (d) protect activities that are sensitive to the adverse effects of air discharges;
 - (e) protect flora and fauna from the adverse effects of air discharges;
 - (f) enable the operation and development of infrastructure, industrial activities and rural production activities that discharge contaminants into air, by providing for low air quality amenity in appropriate locations;
- (2) Implement Policies B7.5.2(1)(a)-(f) by a combination of regulatory and non-regulatory methods that include:
 - (a) managing industrial discharges to air; and
 - (b) reducing emissions from domestic fires; and
 - (c) reducing emissions from motor vehicles.

B7.6. Minerals

B7.6.1. Objectives

- (1) Auckland's mineral resources are effectively and efficiently utilised.

B7.6.2. Policies

- (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.

B7.7. Explanation and principal reasons for adoption

Indigenous biodiversity

Natural ecosystems and indigenous biological diversity are important constituents of the life-supporting capacity of the natural resources of the entire Auckland region. Healthy and functioning ecosystems contribute to improved water quality, soil conservation and the capacity to assimilate greenhouse gases, as well as contributing to the character and identity of Auckland.

Development has adversely affected Auckland's natural heritage resulting in loss of habitats and a reduction of indigenous biodiversity. Also the introduction of animal and plant pests has threatened the viability of some indigenous ecosystems and species. Coastal and marine ecosystems are also subject to change, damage or destruction from inappropriate subdivision, use and development, as well as natural processes.

Areas containing threatened ecosystems and species require effective management to protect them, and enhance their resilience which is important for the long-term viability of indigenous biodiversity and to help respond to the effects of climate change. Effectively addressing these issues requires a combination of regulatory and voluntary efforts.

Areas of high ecological value have been identified as significant ecological areas using significance factors set out in the schedules of the Unitary Plan. (See [Schedule 3 Significant Ecological Areas – Terrestrial Schedule](#) and [Schedule 4 Significant Ecological Areas – Marine Schedule](#).) The coastal marine area has not yet been comprehensively surveyed for the purpose of identifying marine significant ecological areas. Those that have been identified may under-represent the extent of significant marine communities and habitats present in the sub-tidal areas of the region.

The objectives and policies seek to promote the protection of significant vegetation and fauna and the maintenance of indigenous biodiversity by:

- evidence-based factors to identify areas of significant indigenous biodiversity;
- identifying areas of ecological significance;
- promoting restoration efforts to improve the quality, functioning and extent of these areas;
- providing for Mana Whenua's role as owners of land with a high proportion of significant indigenous biodiversity and as kaitiaki of their rohe;
- establishing a management approach which seeks to avoid adverse effects on or degradation of significant indigenous biodiversity and requires that, where adverse effects do arise from activities, they are remedied, mitigated or offset;
- providing for reasonable use by landowners;
- recognising the particular pressure the coastal environment is under from use and development; and
- recognising that there are some uncertainties in the management of indigenous biodiversity for which a precautionary response is appropriate.

Freshwater and geothermal water

Auckland is characterised by relatively small and shallow natural lakes, remnant wetlands, a few larger rivers and a network of small, shallow and short streams. Groundwater aquifers underlie both urban and rural areas. There are also geothermal water resources in parts of Auckland. The sources of municipal water supply for Auckland include a number of water supply lakes created by dams, rivers and groundwater aquifers. Maintaining the quality of freshwater, managing its use and making more efficient use of available supply are key policy approaches.

Freshwater systems are made up of lakes, rivers, streams and wetlands (including their headwaters, margins and associated flood plains) and aquifers. They are valued for:

- their ecological and biodiversity values;
- their natural character, landscape, amenity and recreational values;
- their use for navigation and access; and
- municipal, domestic and stock water supply.

Freshwater systems also provide an essential link between the land and the sea, including natural processes to regulate runoff during storms, receive and filter contaminants, and allow aquatic fauna to reach spawning areas and upstream habitats. Rivers and streams have an essential role as a natural component of an urban stormwater collection and management system.

The loss of freshwater systems and degradation of their values, particularly small streams, is a significant issue facing Auckland. Loss occurs through the piping and infilling of streams, including headwater reaches. Degradation can result from many causes, including sediment runoff from land development and the runoff of contaminants from urban and rural land uses. Increased impervious surfaces in urban areas can change the amount and intensity of surface water runoff which can create or worsen

flooding events and exacerbate the erosion of rivers and streams. In rural areas lakes, rivers and streams are affected by stock access to stream beds, loss of riparian vegetation, and reduced water quality from the runoff of fertiliser, sediment and other contaminants from primary production activities. Infrastructure establishment and upgrading may also affect all types of freshwater resources. Runoff into freshwater systems can also lead to undesirable impacts on coastal water quality and use and enjoyment of the coastal marine area.

Development needs be managed to facilitate the drainage function of freshwater systems while retaining the natural, recreational and amenity values of the system. Appropriate provisions need to be put in place to ensure that, as far as practicable, sediment is retained on the land and contaminants are caught and kept out of rivers, streams and coastal waters. The adverse effects of stormwater discharges cannot solely or effectively be managed 'at the end of the pipe'.

Stormwater management must also encompass the land use activities that contribute contaminants to the drainage network. Integrated land and water management is an important focus of this approach. In many situations development can be designed so as to provide for adequate drainage while retaining natural water systems and enhancing them where they are degraded. Intensification and redevelopment can also offer opportunities to restore and enhance degraded freshwater systems.

In urban areas particular attention is given to the management of the quantity and quality of discharges from stormwater network systems and of overflow discharges from the public wastewater network. These discharges have the greatest adverse effects on the physical form and quality of urban streams, and are also a major source of degradation of coastal water quality and ecosystem values.

Some freshwater bodies outside urban areas have high biodiversity and/or water quality. These are included as management areas, with a protection-oriented management approach.

Surface water bodies and groundwater aquifers cannot supply all of Auckland's future water needs without more efficient management approaches to the allocation and use of available freshwater. The principal consumptive use of freshwater in Auckland is for municipal water supply.

Mana Whenua are responsible for the kaitiakitanga of water, its spiritual essence to cleanse, and its importance to the ongoing well-being of people. Land-based activities can compromise the ways in which Mana Whenua value water in rivers and streams. The mixing of different types of water through discharges, or by the diversion of these water bodies is contrary to Mana Whenua views on how water should be managed.

All of these matters need to be addressed in an integrated manner to minimise adverse effects on freshwater systems during subdivision, use and development. The National Policy Statement for Freshwater Management 2014 and the New Zealand Coastal Policy Statement 2010 provide both short-term and long-term directions that the Unitary Plan has to implement.

Areas of degraded water quality

Water quality is fundamental to a range of use and values, to the ecosystem function and the life-supporting capacity of the coast. The coast is the receiving environment for discharges, both from historic and present activities that are undertaken in the coastal marine area and from land. The objectives and policies seek to avoid on-going decline in water quality, to improve water quality over time through a range of mechanisms and so to give effect to Policy 21 of the New Zealand Coastal Policy Statement 2010. They also recognise the significance and value of the coastal marine area for Mana Whenua.

Auckland's coastal receiving environments are under continued pressure from both coastal and land-based (rural and urban) activities. Inner harbour and estuarine areas where sediments and contaminants accumulate are usually the most adversely affected areas. This is particularly the case in the Waitematā and Manukau Harbours, especially the Tāmaki Estuary and the Mangere Inlet and around marinas and ports. The best water quality is found at locations that are more exposed to open ocean water currents and have less development in their catchments, or have received upgrades to the network infrastructure.

Degradation of coastal receiving environments can have significant adverse effects on recreational, amenity, Mana Whenua and economic values.

Degraded areas have been identified based on assessments of water quality, sediment contamination and benthic health. While two classes of degraded areas have been identified, the distinction does not imply a ranking or any priority for action. It is important that both areas be considered together because of the dynamic and interconnected nature of coastal environments and because the classes may change over time as more knowledge is gained and as pressures on receiving environments change. There is evidence that even moderate levels of degradation can result in ecosystem level changes, and it is not yet known how reversible these changes might be.

Identifying an area as degraded does not imply that it has no value. Degraded areas may contain valuable habitats, support important species, or form critical connections with other systems and many are identified as significant ecological areas.

Air

Motor vehicles, domestic fires and, to a lesser extent, industry are the main sources of air pollution in urban areas of Auckland. Emissions in urban areas cause air quality to exceed national and international standards and guidelines from time to time, in both localised areas and across greater Auckland. In rural and especially coastal areas, air quality is usually very good. Rural air pollution is normally more localised and comes from outdoor fires, use of agricultural chemicals and odour from agricultural activities.

Vehicle emissions and domestic fires, which are the major sources of air pollutants in Auckland, are not directly regulated under the Unitary Plan but by other controls. Some air quality effects may be indirectly addressed by the objectives and policies for a compact urban form and a centres-based urban development strategy.

Industrial emissions can have localised adverse effects on amenity and some industrial emissions can contain noxious or dangerous substances that are hazardous to human health. Industry emissions therefore need to be managed by the reduction, containment

and treatment of the discharge at its source to avoid or reduce these effects. When new sensitive activities are put in close proximity to activities with air discharges, reverse sensitivity effects may occur, challenging the long-term operation of the existing activity.

Industry and rural production is vital to our economic prosperity. Accordingly a balance needs to be struck between enabling this activity and achieving acceptable levels of air quality.

National environmental standards for air quality establish health-related ambient air quality standards. These focus mainly on the control of PM particulate matter, but also set maximum acceptable air concentrations for other contaminants such as nitrogen dioxide.

Minerals

Minerals in the context of Auckland include:

- aggregates, such as stone, rock, sand and gravel, for industry, construction and infrastructure;
- limestone deposits for manufacturing fertilisers, roading basecourse and cement;
- silica sand, shells and shingle for construction materials, glass production and beach replenishment purposes;
- iron sand for production of steel; and
- clay for brick, ceramics and pottery products.

Minerals are essential for Auckland's development. In the past, Auckland's quarries have produced nearly 10 million tonnes of aggregates per year. Currently a number of mineral extraction sites still operate in Auckland. Minerals are also imported from other parts of the country, particularly from the northern Waikato area.

The demand for minerals, particularly aggregates, is expected to increase to 15 million tonnes per annum by 2041. This will support growth and development, and renew and maintain buildings, roads and infrastructure.

Given the anticipated increases in demand for and Auckland's dependence on minerals, an accessible supply of minerals is a matter of regional importance. This means that the use of aggregate resources needs to be used as efficiently and effectively as possible

Mineral extraction activities are encouraged to adopt best practice management of their sites to minimise adverse effects on both the natural environment and on the amenity values and quality of life of neighbouring land uses. Greater focus is also given to avoiding reverse sensitivity conflicts between mineral extraction sites and surrounding land uses and giving greater protection to the ongoing supply of minerals for Auckland.

B8. Toitū te taiwhenua - Coastal environment

Te tere i uta

Te tere i tai

The shoals from the shallows and the shoals from the deep

B8.1. Issues

Auckland's coastal environment is a fundamental part of the region's identity. It has high natural, social and cultural values, and economic uses. It is one of the most desirable places in New Zealand for living and recreation.

Subdivision, use and development within the coastal environment need to be in an appropriate location and of an appropriate form.

Some forms of subdivision, use and development are dependent for their operation on the natural and physical resources of the coastal environment or on their location in the coastal environment, and provision needs to be made for these in appropriate locations.

B8.2. Natural character

B8.2.1. Objectives

- (1) Areas of the coastal environment with outstanding and high natural character are preserved and protected from inappropriate subdivision, use and development.
- (2) Subdivision, use and development in the coastal environment are designed, located and managed to preserve the characteristics and qualities that contribute to the natural character of the coastal environment.
- (3) Where practicable, in the coastal environment areas with degraded natural character are restored or rehabilitated and areas of high and outstanding natural character are enhanced.

B8.2.2. Policies

- (1) Identify and evaluate areas of outstanding natural character or high natural character considering the following factors:
 - (a) natural elements, processes and patterns;
 - (b) biophysical, ecological, geological and geomorphological aspects;
 - (c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;
 - (d) the natural movement of water and sediment;
 - (e) the natural darkness of the night sky;
 - (f) places or areas that are wild or scenic; and
 - (g) experiential attributes, including the sounds and smell of the sea, and their context or setting.

- (2) Include an area in the coastal environment with outstanding or high natural character in [Schedule 8 Outstanding Natural Character and High Natural Character Overlay Schedule](#).
- (3) Preserve and protect areas of outstanding natural character and high natural character from inappropriate subdivision, use and development by:
 - (a) avoiding adverse effects of activities on natural character in areas of the coastal environment scheduled as outstanding natural character; and
 - (b) avoiding significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment.
- (4) Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on natural character of the coastal environment not identified as outstanding natural character and high natural character from inappropriate subdivision, use and development.
- (4A) Provide for the natural systems that support natural character to respond in a resilient way to the effects of climate change including sea level rise over at least 100 years.
- (5) Enable land use practices and restoration projects that will restore, rehabilitate or enhance natural character in outstanding natural character and high natural character areas in the coastal environment.
- (6) Provide for the use of transferable development rights to avoid inappropriate subdivision, use and development in or on land adjoining to areas of outstanding natural character and high natural character.

B8.3. Subdivision, use and development

B8.3.1. Objectives

- (1) Subdivision, use and development in the coastal environment are located in appropriate places and are of an appropriate form and within appropriate limits, taking into account the range of uses and values of the coastal environment.
- (2) The adverse effects of subdivision, use and development on the values of the coastal environment are avoided, remedied or mitigated.
- (3) The natural and physical resources of the coastal environment are used efficiently and activities that depend on the use of the natural and physical resources of the coastal environment are provided for in appropriate locations.
- (4) Rights to occupy parts of the coastal marine area are generally limited to activities that have a functional need to locate in the coastal marine area, or an operational need making the occupation of the coastal marine area more appropriate than land outside of the coastal marine area.

- (5) Uses and developments that have a need to locate on land above and below the mean high water springs are provided for in an integrated manner.
- (6) Conflicts between activities including reverse sensitivity effects are avoided, remedied or mitigated.
- (7) In areas potentially affected by coastal hazards, including sea level rise over at least 100 years, subdivision, use and development avoid increasing the risk of social, environmental and economic harm.

B8.3.2. Policies

Use and development

- (1) Recognise the contribution that use and development of the coastal environment make to the social, economic and cultural well-being of people and communities.
- (2) Avoid or mitigate sprawling or sporadic patterns of subdivision, use and development in the coastal environment by all of the following:
 - (a) concentrating subdivision, use and development within areas already characterised by development and where natural character values are already compromised;
 - (b) avoiding urban activities in areas with natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character; and
 - (c) ensuring that subdivision, use or development involving land above and below the mean high water springs can provide for any associated facilities or infrastructure in an integrated manner.
- (3) Provide for use and development in the coastal marine area that:
 - (a) have a functional need which requires the use of the natural and physical resources of the coastal marine area;
 - (b) are for the public benefit or public recreation that cannot practicably be located outside the coastal marine area;
 - (c) have an operational need making a location in the coastal marine area appropriate and that cannot practicably be located outside the coastal marine area; or
 - (d) enable the use of the coastal marine area by Mana Whenua for Māori cultural activities and customary uses.
- (4) Require subdivision, use and development in the coastal environment to avoid, remedy or mitigate the adverse effects of activities above and below the mean high water springs, including the effects on existing uses and on the coastal receiving environment.

- (5) Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown or little understood, but could be significantly adverse.
- (6) Consider the purposes for which land or water in the coastal environment is held or managed under any enactment for conservation or protection purposes and:
 - (a) avoid adverse effects that are significant in relation to those purposes; and
 - (b) avoid, remedy or mitigate other adverse effects in relation to those purposes.
- (7) Set back development from the coastal marine area, where practicable, to protect the natural character and amenity values of the coastal environment.

Ports

- (8) Recognise the national and regional significance of the Auckland ports and the need for them to be located within the coastal environment by all of the following:
 - (a) enabling the efficient and safe operation of the ports and their connection with other transport modes;
 - (b) enabling the safe navigation and berthing of vessels, including by dredging; and
 - (c) avoiding or mitigating the adverse effects of activities that may compromise efficient and safe port operations.

Reclamation

- (9) Avoid reclamation of land in the coastal marine area unless all of the following apply:
 - (a) land outside the coastal marine area is not available for the proposed activity;
 - (b) the activity which requires reclamation can only occur in or adjacent to the coastal marine area;
 - (c) there are no practicable alternative methods of providing for the activity; and
 - (d) the reclamation will provide significant regional or national benefit.

Aquaculture

- (10) Provide for aquaculture activities in appropriate places and forms and within appropriate limits in the coastal environment, taking into account all of the following:
 - (a) the quality of water required for the aquaculture activity;

- (b) land-based facilities and infrastructure required to support the operation of aquaculture activities; and
 - (c) the potential social, economic and cultural benefits associated with the operation and development of aquaculture activities.
- (11) Recognise that the extraction of minerals and renewable marine energy generation can have social and economic benefits and can be appropriate activities in the coastal environment.

B8.4. Public access and open space

B8.4.1. Objectives

- (1) Public access to and along the coastal marine area is maintained and enhanced, except where it is appropriate to restrict that access, in a manner that is sensitive to the use and values of an area.
- (2) Public access is restricted only where necessary to ensure health or safety, for security reasons, for the efficient and safe operation of activities, or to protect the value of areas that are sensitive to disturbance.
- (3) The open space, recreation and amenity values of the coastal environment are maintained or enhanced, including through the provision of public facilities in appropriate locations.

B8.4.2. Policies

- (1) Subdivision, use and development in the coastal environment must, where practicable, do all of the following:
 - (a) maintain and where possible enhance public access to and along the coastal marine area, including through the provision of esplanade reserves and strips;
 - (b) be designed and located to minimise impacts on public use of and access to and along the coastal marine area;
 - (c) be set back from the coastal marine area to protect public open space values and access; and
 - (d) take into account the likely impact of coastal processes and climate change, including sea level rise over at least 100 years, and be set back sufficiently to not compromise the ability of future generations to have access to and along the coast.
- (2) Provide for a range of open space and recreational use of the coastal environment by doing all of the following:
 - (a) identifying areas for recreational use, including land-based facilities for those uses, where this ensures the efficient use of the coastal environment;

- (b) enabling the provision of facilities in appropriate locations that enhance public access and amenity values;
 - (c) enabling Māori cultural activities and customary use; and
 - (d) managing uses to avoid conflicts and mitigate risks.
- (3) Restrict public access to and along the coastal marine area, particularly walking access, only where it is necessary to do any of the following:
- (a) protect public health and safety;
 - (b) provide for defence, port or airport purposes;
 - (c) protect areas with natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character;
 - (d) protect threatened indigenous species;
 - (e) protect dunes, estuaries and other sensitive natural areas or habitats;
 - (f) have a level of security necessary to carry out an activity or function that has been established or provided for;
 - (g) provide for exclusive use of an area to carry out an activity granted an occupation consent under section 12 of the Resource Management Act 1991;
 - (h) enable a temporary activity or special event; or
 - (i) in other exceptional circumstances sufficient to justify the restriction.

B8.5. Managing the Hauraki Gulf/Te Moana Nui o Toi/Tīkapa Moana

B8.5.1. Objectives

- (1) The management of the Hauraki Gulf gives effect to sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000.
- (2) Use and development supports the social and economic well-being of the resident communities of Waiheke and Great Barrier islands, while maintaining or, where appropriate, enhancing the natural and physical resources of the islands.
- (3) Economic well-being is enabled from the use of the Hauraki Gulf's natural and physical resources without resulting in further degradation of environmental quality or adversely affecting the life-supporting capacity of marine ecosystems.

B8.5.2. Policies

Integrated management

- (1) Encourage and support the restoration and enhancement of the Hauraki Gulf's ecosystems, its islands and catchments.
- (2) Require the integrated management of use and development in the catchments, islands, and waters of the Hauraki Gulf to ensure that the ecological values and life-supporting capacity of the Hauraki Gulf are protected, and where appropriate enhanced.
- (3) Require applications for use and development to be assessed in terms of the cumulative effect on the ecological and amenity values of the Hauraki Gulf, rather than on an area-specific or case-by-case basis.
- (4) Maintain and enhance the values of the islands in the Hauraki Gulf.
- (5) Avoid 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 Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character.
- (6) Promote the restoration and rehabilitation of natural character values of the islands of the Hauraki Gulf.
- (7) Ensure that use and development of the area adjoining conservation islands, regional parks or Department of Conservation land, does not adversely affect their scientific, natural or recreational values.
- (8) Enhance opportunities for educational and recreational activities on the islands of the Hauraki Gulf if they are consistent with protecting natural and physical resources, particularly in areas where natural and physical resources have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character.
- (9) Identify and protect areas or habitats, particularly those unique to the Hauraki Gulf, that are:
 - (a) significant to the ecological and biodiversity values of the Hauraki Gulf;
and
 - (b) vulnerable to modification.
- (10) Work with agencies and stakeholders to establish an ecological bottom line, or agreed target, for managing the Hauraki Gulf's natural and physical resources which will do all of the following:
 - (a) provide greater certainty in sustaining the Hauraki Gulf's ongoing life-supporting capacity and ecosystem services;
 - (b) assist in avoiding incremental and ongoing degradation;

- (c) co-ordinate cross-jurisdictional integrated management and effort to achieve agreed outcomes;
- (d) better measure the success of protection and enhancement initiatives;
- (e) assist in establishing a baseline for monitoring changes;
- (f) enable better evaluation of the social and economic cost-benefits of management; and
- (g) provide an expanded green-blue network linking restored island and mainland sanctuaries with protected, regenerating marine areas where the ecological health and productivity of the marine area will be enhanced.

Providing for the relationship of Mana Whenua with the Hauraki Gulf

- (11) 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.
- (12) Incorporate mātauranga Māori with western knowledge in establishing management objectives for the Hauraki Gulf.
- (13) 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.

Maintaining and enhancing social, cultural and recreation values

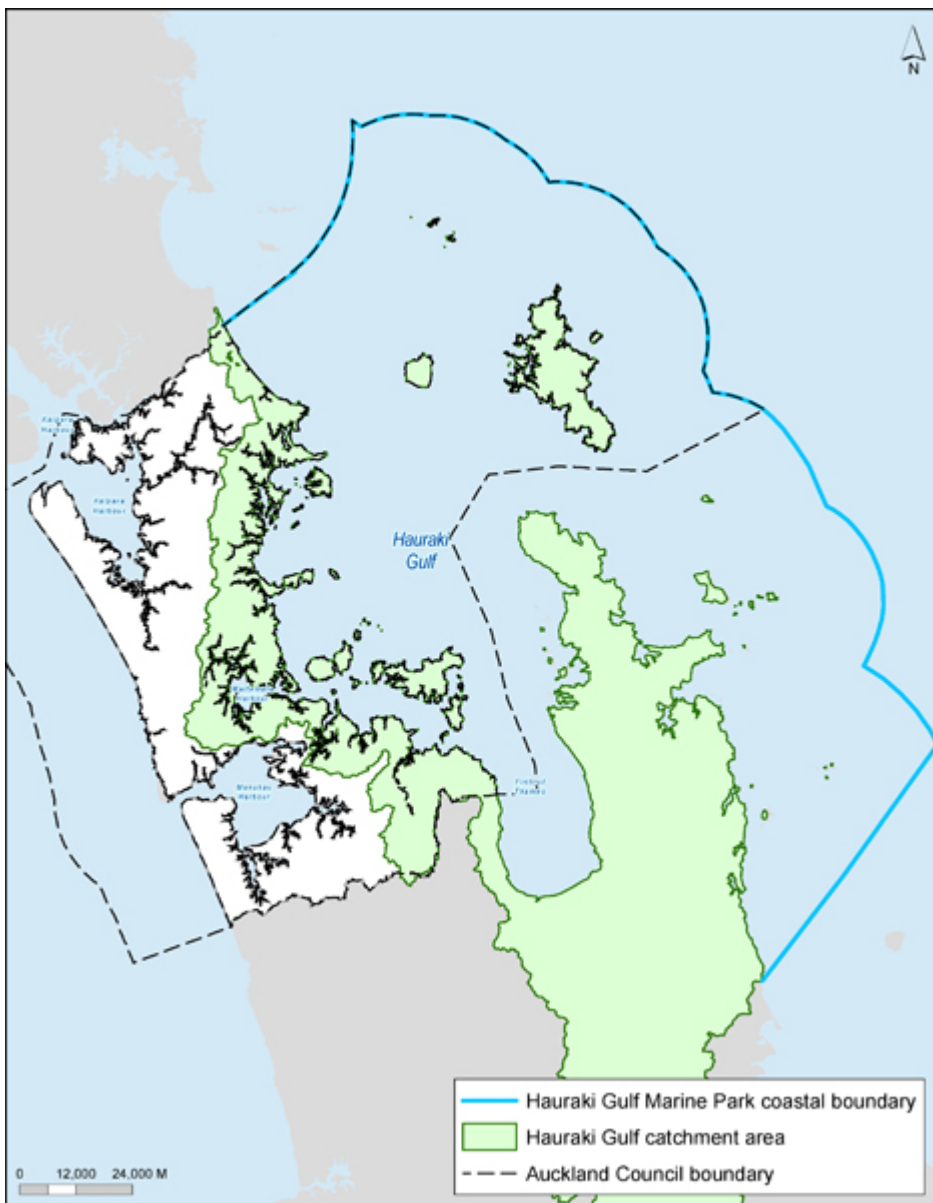
- (14) Identify and protect the natural and physical resources that have important cultural and historic associations for people and communities in and around the Hauraki Gulf.
- (15) Identify, maintain, and where appropriate enhance, areas of high recreational use within the Hauraki Gulf by managing water quality, development and potentially conflicting uses so as not to compromise the particular values or qualities of these areas that add to their recreational value.
- (16) Encourage the strategic provision of infrastructure and facilities to enhance public access and recreational use and enjoyment of the Hauraki Gulf.

Providing for the use of natural and physical resources, and for economic activities

- (17) Provide for commercial activities in the Hauraki Gulf and its catchments while ensuring that the impacts of use, and any future expansion of use and development, do not result in further degradation or net loss of sensitive marine ecosystems.
- (18) Encourage the strategic provision of infrastructure and facilities that support economic opportunities for the resident communities of Waiheke and Great Barrier islands.

- (19) Promote economic development opportunities that complement the unique values of the islands and the Hauraki Gulf.
- (20) Promote the national significance of the Hauraki Gulf Marine Park by:
 - (a) supporting the development of Auckland's waterfront as the gateway to the Hauraki Gulf; and
 - (b) promoting the Hauraki Gulf as a visitor destination.

Figure 8.5.3.1: Hauraki Gulf Marine Park



B8.6. Explanation and principal reasons for adoption

The coastal environment includes the coastal marine area, islands within the coastal marine area and the area landward of the line of mean high water springs determined by the natural and physical elements, features and processes associated with the coast, including vegetation, landscape, landforms, coastal processes and the other matters included in Policy 1(2) of the New Zealand Coastal Policy Statement 2010. (Refer Figure 1).

Coastal areas all have their own distinct qualities, values and uses and share a rich history of Māori and European settlement. The coast is one of the earliest places of human settlement in New Zealand and continues to play a fundamental role in the character and identity of Auckland. The coastal environment and the resources of the coastal marine area comprise some of the most important taonga to Mana Whenua, who have a traditional and on-going cultural relationship with the coast.

Auckland's richly varied coastal environment is a finite resource with high environmental, social, economic and cultural values. Its coasts and harbours are among its most highly valued natural features. It is the location of New Zealand's largest commercial port and international airport. The marine industry, transport and aquaculture activities all contribute to social and economic well-being. The coastal environment also contains potentially significant renewable energy resources. It is a highly desirable location for often competing residential, commercial, industrial and recreational uses of both land and water. These demands will increase as Auckland grows.

The coastal marine area also provides a range of ecosystem services, including providing food, assimilating discharges from land into coastal waters and enabling a range of coastal uses that support the economic well-being of people and communities. Land-based activities have a significant effect on the health of the marine environment. Sediment, contaminants and litter that are carried by waterways or pipes into the sea affect water quality and the ecological health of the coast, and are major environmental issues.

The many uses made of the coast have to be managed to ensure that they do not threaten the life-supporting capacity of the marine environment, as a healthy marine environment is fundamental to many of the activities and values of the coast. There is a need to ensure integrated management of activities on both the land and sea to ensure the ecosystem services and values of the coastal environment are maintained.

The importance of the coastal environment is reflected in the statutory resource management framework, particularly as identified in sections 6 and 7 of the Resource Management Act 1991 and as set out in the New Zealand Coastal Policy Statement 2010. The outstanding quality and diversity of the natural resources of the Hauraki Gulf and its islands has been recognised through their inclusion in the Hauraki Gulf Marine Park. In addition, section 10 of the Hauraki Gulf Marine Park Act 2000 requires that the national significance and management directives in section 7 and 8 of that Act be treated as a New Zealand coastal policy statement for the Hauraki Gulf and elevates the inter-relationship between the Hauraki Gulf, its islands, and catchments, and the ability of the

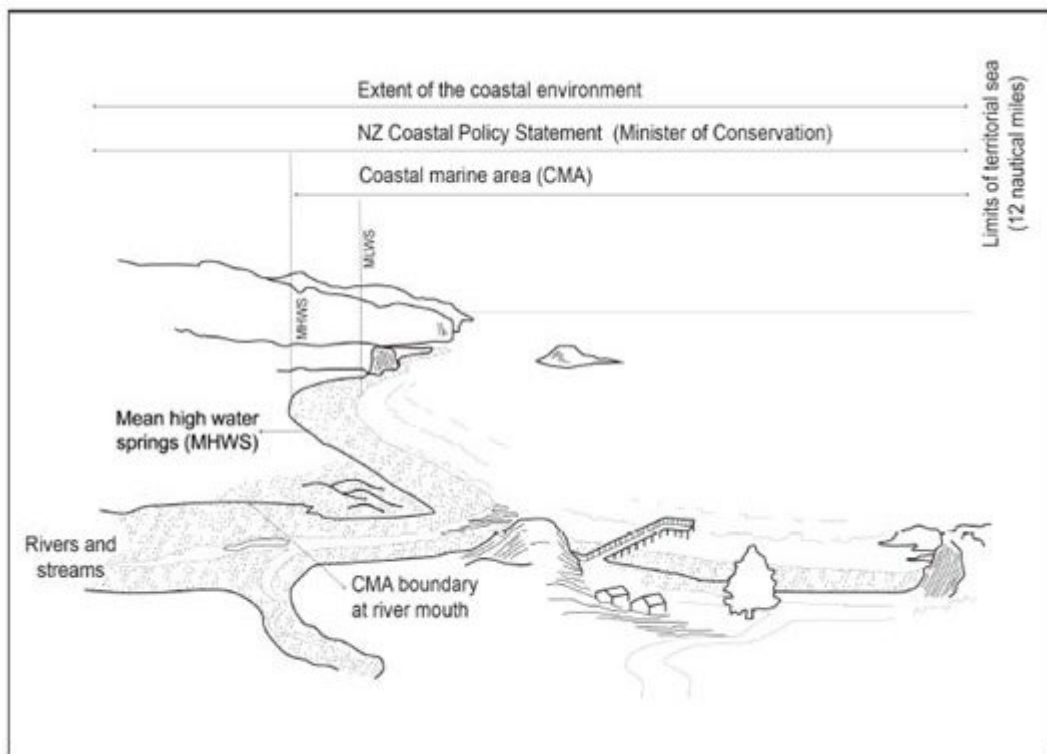
Gulf to sustain the life-supporting capacity of the environment of the Hauraki Gulf and its islands, to matters of national significance.

Auckland's coastal environment is used for a range of recreation activities and valued as an open space resource. There is a public expectation of rights of use and access to and along the coast as recognised and provided for in the Resource Management Act 1991 and the New Zealand Coastal Policy Statement 2010 and under the Marine and Coastal Area (Takutai Moana) Act 2011. However there can be needs to restrict public access in certain circumstances, including for safety, security and biosecurity reasons, or to enable the carrying out of activities, such as port or marine industry.

In addition to the objectives and policies in this section, the values of the coastal environment are recognised and provided for in the objectives and policies of the regional policy statement relating to:

- natural heritage (section [B4](#))
- historic heritage and special character (section [B5](#))
- natural resources (section [B7](#))
- Mana Whenua (section [B6](#))

Figure 1: Extent of the coastal environment



Natural character

Outstanding natural character areas are the iconic, scenic and wilderness areas where the sights, features, and sounds are those of nature and where human-made influences are absent or minor and subservient in the context of the natural environment. These areas provide an important touchstone with nature for an increasingly urbanised population. Areas of high natural character often include rural land used for primary production. Although these areas may lack the same wilderness value as outstanding areas, there is still a significant predominance of naturalness.

Areas of outstanding or high natural character are an increasingly scarce and valuable resource. Auckland's growing population, together with the desire to live near the coast, means that land in the coastal environment is highly valued. It is important that future use and development of largely unmodified freshwater areas is managed to ensure their values are retained for the enjoyment of future generations.

Section 6(a) of the Resource Management Act 1991 requires the Unitary Plan to recognise and provide for the preservation of the natural character of the coastal environment and the protection of it from inappropriate subdivision, use and development. To do that, policy 13 of the New Zealand Coastal Policy Statement 2010 directs that areas with high and outstanding natural character value be identified, that the adverse effects of activities on the natural character of these areas be avoided and that in all other areas significant adverse effects of activities on natural character be avoided.

Land within the coastal environment, including some areas identified as having high natural character, is often used for primary production purposes. The ongoing use of this land for such activities is enabled. Changes that would affect the values of these areas need to be managed to ensure these values are retained in the long-term.

Highly modified areas of the coastal environment still contain elements or features that contribute to their natural character. This may be vegetation, a significant landform, or in areas such as the waterfront, tidal movement and sights and sounds of the sea. Use and development in such areas should avoid significant adverse effects and avoid, remedy or mitigate other effects on the elements or features that contribute to the natural character value of that area.

Subdivision, use and development

The objectives and policies recognise that the coastal environment is a finite resource with a range of values that need to be provided for. As Auckland grows the coastal environment is under increasing pressure for use and development and its natural and physical resources must be used efficiently to ensure it is able to sustain the needs of future generations.

The objectives and policies provide guidance to ensure that subdivision, use and development in the coastal environment is appropriate by:

- ensuring it is located in appropriate areas, taking into account the values identified and the strategic direction for managing subdivision, use and development in the coastal environment, in addition to the values of the coastal environment that need to be considered in other parts of the plan;

- recognising that some forms of use and development rely on the use of the natural and physical resources of the coastal environment, for example renewable energy generation, and that this should be provided for in appropriate locations;
- recognising that the coastal marine area is a limited and highly valued public resource, and that use, development in the coastal marine area should be for activities that have a functional need to be undertaken below mean high water springs and cannot be undertaken on land such as wharves, jetties, aquaculture and moorings;
- providing for activities associated with the on-going operation of infrastructure and existing activities in the coastal marine area, including Auckland's largest commercial port and airport recognising the social and economic benefit they provide, subject to managing the adverse effects;
- requiring the impacts of land use activities on the coastal marine area be taken into account, including impacts on water quality, and that the effects on established coastal marine area activities like aquaculture, port activities, and recreational use; and
- requiring that both the landward and seaward aspects of use and development be considered in an integrated manner, for example the parking and access on land that may be provided as part of an activity in the coastal marine area.

Subdivision, use and development, including redevelopment, needs to take into account the risk of being affected by coastal hazards, including the effects of climate change, and avoid increasing the future risk of social, environmental and economic harm.

Public access and open space

Both the Resource Management Act 1991 (section 6(d)) and the New Zealand Coastal Policy Statement 2010 (Policies 18 and 19) recognise the national significance of maintaining and providing public access, particularly walking access, to and along the coast, and to recognise the significant open space values of the coast.

The coast is one of Auckland's most highly used and valued open space areas. It is used for a range of recreational activities and will be subject to increasing pressure as Auckland grows. To meet these growing needs it will be necessary to work towards linking walking access around the coast and to provide facilities such as boardwalks and boat ramps in appropriate locations. In parts of the coast it may be appropriate to identify areas for a particular recreational activity, in order to make the most efficient use of coastal space and to avoid conflicts between activities.

Public access needs to be restricted in some circumstances to ensure public health and safety, enable the safe use and operation of activities provided for in the coastal marine area, and to protect sensitive areas. This is consistent with Policy 19 (3) of the New Zealand Coastal Policy Statement 2010.

The objectives and policies recognise that:

- subdivision, use and development can have a significant impact on public open space and access. They may enhance access through the provision of esplanade reserves and open space areas, or the design and form of development can limit or detract from open space value and public access;
- the likely future impact of coastal erosion and sea level change needs to be taken into account in considering the appropriate width of reserves and setbacks from the coastal edge, particularly for new greenfield development. There is otherwise a risk that coastal reserves will erode and access will be lost, or that foreshore protection works will be required, if they are to be retained in the long term;
- the provision of facilities, including boardwalks, boat ramps and pontoons can considerably enhance public access and amenity values. Facilities should be enabled in locations where there is high recreational use and it would enhance public access and use of the coast;
- as Auckland grows and there is greater intensification and less private open space it will be important to ensure that there continue to be areas that people can still 'escape' the city and experience wilderness values. These areas need to be managed to ensure changes to access, including car-parking, or changing nature of access (e.g. low-impact walking tracks to formed accessways or vehicle access) do not result in losing the wilderness experience these areas are valued for; and
- restrictions on public access to or along the coastal marine area may need to be limited where it is necessary to protect public health and safety or the values of areas sensitive to disturbance. Restrictions may also be necessary to enable the efficient operation of activities undertaken in the coastal environment, including port, airport and marine industry activities, including access restrictions necessary for customs, security and biosecurity requirements. Some activities in the coastal marine area are granted rights of occupation under section 12 (2) of the Resource Management Act 1991, for example aquaculture or moorings, which require public access to be restricted or limited in parts of the coastal marine area.

Managing the Hauraki Gulf/Te Moana Nui o Toi/Tīkapa Moana

The provisions of section 55 of the Resource Management Act 1991 apply as though sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000 were a national policy statement and a regional council or a territorial authority must take action in accordance with that section.

The objectives and policies provide guidance on giving effect to the Hauraki Gulf Marine Park Act 2000 by:

- recognising the need to integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments;
- promoting restoration efforts on islands and maintaining the values of conservation islands;

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- supporting protection of areas of significant ecological value, including linkages between land and sea;
- promoting use and development that provides for social and economic opportunities while avoiding further degradation of the marine environment of the Gulf;
- recognising the significance of the open space, recreation and heritage values of the Gulf;
- working with Mana Whenua in managing the Gulf; and
- recognising the need for collaboration in achieving the outcome sought for the Gulf as management of the catchments, marine area and islands is split between different councils and agencies and controlled under different legislation.

B10. Ngā tūpono ki te taiao - Environmental risk

Kia o-whiti, kia mahara te ao tūroa

Vigilance and consideration of the natural environment.

B10.1. Issues

Natural hazards and climate change

Auckland's growth will increase pressure to develop areas more susceptible to natural hazards. There may be conflict between where people want to live and where they can live safely, particularly in some coastal areas. Some existing development, including infrastructure, is already located on land that may be subject to natural hazards. This needs managing to ensure that the risk is not increased.

Climate is changing, in both the short and long term. This creates significant risks, (including exacerbating natural hazards), uncertainties and challenges for Auckland. How the region manages land use in response to climate change will determine the resilience of Auckland's economy, environment, and communities in the future.

Hazardous substances

Auckland contains the largest quantities of hazardous substances of any region in New Zealand. In many instances, these are located close to residential areas and valued environmental areas such as the groundwater aquifer system, and the Waitematā and Manukau harbours

If hazardous substances are not stored, handled, located or transported with proper care they can affect the health and safety of people working and living in these areas and the natural environment.

Contaminated land

The use of chemicals and hazardous substances in a range of industries and activities has resulted in the contamination of sites within the region.

Contamination of soil or groundwater can affect people's health and safety, limit land use, reduce land value, and degrade ecosystems.

Contaminated sites need to be identified, assessed, managed and where necessary remediated to minimise risks to public health and the environment.

Genetically modified organisms

The outdoor use of genetically modified organisms could adversely affect the environment, economy and social and cultural resources and values.

There is disagreement concerning the effects of genetically modified organisms in the environment and the level of risk of irreversible adverse effects.

There is also disagreement concerning the relationship between and demarcation of the management regimes for genetically modified organisms under the Hazardous Substances and New Organisms Act 1996 and the Resource Management Act 1991.

Given the potentially broad range of possible genetically modified organisms, the range of risks could be substantial and may be irreversible.

In these circumstances a cautious approach to managing the risks associated with the outdoor use of genetically modified organisms is appropriate.

B10.2. Natural hazards and climate change

B10.2.1. Objectives

- (1) Communities are more resilient to natural hazards and the effects of climate change.
- (2) The risks to people, property, infrastructure and the environment from natural hazards are not increased in existing developed areas.
- (3) New subdivision, use and development avoid the creation of new risks to people, property and infrastructure.
- (4) The effects of climate change on natural hazards, including effects on sea level rise, over at least 100 years and on the frequency and severity of storm events, is recognised and provided for.
- (5) The functions of natural systems, including floodplains, are protected from inappropriate subdivision, use and development.
- (6) The conveyance function of overland flow paths is maintained.

B10.2.2. Policies

Identification and risk assessment

- (1) Identify areas potentially affected by natural hazards, giving priority to those at high risk of being affected, particularly in the coastal environment, and including areas susceptible to coastal inundation and erosion as a result of sea level rise over at least 100 years.
- (2) Undertake natural hazard identification and risk assessments as part of structure planning.
- (3) Ensure the potential effects of climate change are taken into account when undertaking natural hazard risk assessments.
- (4) Assess natural hazard risks:
 - (a) using the best available and up-to-date hazard information; and
 - (b) across a range of probabilities of occurrence appropriate to the hazard, including, at least, a 100-year timeframe for evaluating flooding and coastal hazards, including sea level rise in response to global warming.
- (5) Manage subdivision, use and development of land subject to natural hazards based on all of the following:
 - (a) the type and severity of potential events, including the occurrence natural hazard events in combination;

- (b) the vulnerability of the activity to adverse effects, including the health and safety of people and communities, the resilience of property to damage and the effects on the environment; and
 - (c) the cumulative effects of locating activities on land subject to natural hazards and the effects on other activities and resources.
- (6) Adopt a precautionary approach to natural hazard risk assessment and management in circumstances where:
- (a) the effects of natural hazards and the extent to which climate change will exacerbate such effects are uncertain but may be significant, including the possibility of low-probability but high potential impact events, and also sea level rise over at least 100 years; or
 - (b) the level of information on the probability and/or impacts of the hazard is limited.

Management approaches

- (7) Avoid or mitigate the effects of activities in areas subject to natural hazards, such as earthworks, changes to natural and built drainage systems, vegetation clearance and new or modified structures, so that the risks of natural hazards are not increased.
- (8) Manage the location and scale of activities that are vulnerable to the adverse effects of natural hazards so that the risks of natural hazards to people and property are not increased.
- (9) Encourage activities that reduce, or do not increase, the risks posed by natural hazards, including any of the following:
- (a) protecting and restoring natural landforms and vegetation;
 - (b) managing retreat by relocation, removal or abandonment of structures;
 - (c) replacing or modifying existing development to reduce risk without using hard protection structures;
 - (d) designing for relocatable or recoverable structures; or
 - (e) providing for low-intensity activities that are less vulnerable to the effects of relevant hazards, including modifying their design and management.
- (10) Encourage redevelopment on land subject to natural hazards to reduce existing risks and ensure no new risks are created by using a range of measures such as any of the following:
- (a) the design and placement of buildings and structures;
 - (b) managing activities to increase their resilience to hazard events; or
 - (c) change of use to a less vulnerable activity.

Role of natural systems

- (11) Strengthen natural systems such as flood plains, vegetation and riparian margins, beaches and sand dunes in preference to using hard protection structures.

Infrastructure

- (12) Minimise the risks from natural hazards to new infrastructure which functions as a lifeline utility by:
 - (a) assessing the risks from a range of natural hazard events including sea level rise, and low probability but high potential impact events such as tsunami, earthquake and volcanic eruptions;
 - (b) utilising design, location and network diversification to minimise the adverse effects on infrastructure and to minimise the adverse effects on the community from the failure of that infrastructure.

Coastal hazards

- (13) Require areas potentially affected by coastal hazards over the next 100 years to:
 - (a) avoid changes in land use that would increase the risk of adverse effects from coastal hazards;
 - (b) not increase, or reduce, the intensity of activities that are vulnerable to the effects of coastal hazards beyond that enabled by the Plan;
 - (c) in the event of redevelopment, minimise natural hazard risks through the location and design of development; or
 - (d) where it is impracticable to locate infrastructure outside of coastal hazard areas, then ensure coastal hazard risks are mitigated.

B10.3. Land – hazardous substances

B10.3.1. Objectives

- (1) The environment is protected from adverse effects associated with the storage, use, disposal and transport of hazardous substances.
- (2) The storage, use, disposal and transport of hazardous substances are provided for and the social and economic benefits of these activities are recognised.

B10.3.2. Policies

- (1) Manage the use and development of land for hazardous facilities and industrial or trade activities to avoid adverse effects on human health and the environment and remedy or mitigate these effects where they cannot be avoided.
- (2) Manage the use and development of land for hazardous facilities:

- (a) so that such facilities are resilient to the effects of natural hazards, including sea level rise over at least 100 years;
 - (b) to avoid, remedy or mitigate adverse effects on people and property;
 - (c) to avoid as far as practicable the contamination of air, land, and water; and
 - (d) to minimise risks caused by natural hazards.
- (3) Manage the effects associated with use and development of land for hazardous facilities by all of the following:
- (a) restricting the establishment of sensitive activities near hazardous facilities or areas identified for hazardous facilities if the activities are likely to be adversely affected by a hazardous facility or if they have the potential to limit the operation of the hazardous facility;
 - (b) ensuring new hazardous facilities are not located near sensitive activities unless significant adverse effects, including cumulative effects, are avoided and other adverse effects are mitigated; and
 - (c) providing areas for hazardous facilities away from sensitive activities so that the facilities may carry out their operations without unreasonable constraints.

B10.4. Land – contaminated

B10.4.1. Objective

- (1) Human health and the quality of air, land and water resources are protected by the identification, management and remediation of land that is contaminated.

B10.4.2. Policies

- (1) Identify land that is or may be contaminated based on:
 - (a) sites known to have supported contaminating land use activities in the past;
 - (b) sites with a significant potential risk to human health; or
 - (c) sites having significant adverse effects on the environment.
- (2) Land which may be contaminated due to having supported contaminating land use activities in the past but has not been investigated will be identified as being potentially contaminated.
- (3) Manage or remediate land that is contaminated where:
 - (a) the level of contamination renders the land unsuitable for its existing or proposed use; or

- (b) the discharge of contaminants from the land is generating or is likely to generate significant adverse effects on the environment; or
- (c) development or subdivision of land is proposed.

B10.5. Genetically modified organisms

B10.5.1. Objective

- (1) The natural and physical resources of Auckland are protected from adverse effects of the outdoor use of genetically modified organisms.

B10.5.2. Policy

- (1) Adopt a cautious approach, including adaptive responses, to the outdoor use of genetically modified organisms.

B10.6. Explanation and principal reasons for adoption

Natural hazards and climate change

Auckland is affected by a wide range of natural hazards, including:

- those that occur frequently such as flooding (coastal and freshwater) and land instability; and
- those that occur less frequently including volcano activity, tsunamis, earthquakes, meteorological hazards (cyclones, tornadoes, drought) and fire.

The risk that these hazards pose is not just a reflection of the frequency of these events, rather it is made up of a number of factors including:

- the nature and likely scale of the hazard;
- the likelihood of the hazard occurring; and
- the exposure and vulnerability of the things at risk – people, buildings, infrastructure or natural resources.

Predicted changes in climate could have an effect on the environmental processes that cause natural hazard events and should be taken into account when assessing these factors.

Each of these factors needs to be considered to determine the most effective way to reduce or otherwise manage the risks from natural hazards. Some risks can be effectively managed through land use planning and are addressed through objectives, policies and rules in the Unitary Plan or under the building control regime. Some are appropriately addressed through the provision of new or upgraded infrastructure. Other risks are better managed through public education, emergency preparedness, early warnings and insurance.

Existing land use activities in areas prone to natural hazards may cause or worsen risk. New growth and intensification may also cause or worsen risk, depending on the degree to which natural hazards are avoided, mitigated or accepted during planning and development.

The objectives and policies seek to ensure adequate spatial planning to reduce the risk from natural hazards. They also seek to ensure that new development (including infrastructure) is located and designed to deal with the impacts from hazards that may be experienced over their lifetime.

Land - hazardous substances

Industry and commercial activities (including the energy sector), farms and homes may all use, store, transport or dispose of hazardous substances, including fuels, fertilisers, agrichemicals, industrial and commercial gases, solvents, cleaners, oils and corrosive substances. Some of these activities rely on bulk storage and distribution facilities. All activities involving hazardous substances have the potential to create adverse effects if they escape into the environment, burn, explode, or react with each other. Adverse effects resulting from inadequate management or an accidental release or spill, can include contamination of water, soil and air, damage to ecosystems, human health and property.

The storage, use, disposal and transport of hazardous substances are subject to minimum performance requirements that are set by regulations under the Hazardous Substances and New Organisms Act 1996. These requirements apply regardless of circumstances such as activity and location.

Additional land use controls may also be made under the Resource Management Act 1991 for the prevention or mitigation of any adverse effects of the storage, use, disposal and transport of hazardous substances. Land use controls may manage the risk, likelihood and consequence, of adverse effects, such as those resulting from spills, fires and explosions, having regard to the site-specific circumstances of an activity.

To manage the effect of hazardous substances, the Unitary Plan focuses on the facilities and activities which use, store or dispose of hazardous substances, rather than on the substances themselves. New hazardous facilities should not be located near sensitive activities or other hazardous facilities where significant cumulative effects may occur.

Land - contaminated

Contaminated land is an area where the quality of the soil, groundwater or surface water has been compromised by human activities, usually from the manufacture, use, storage, transport and disposal of hazardous substances.

Land contamination can limit the use of land, cause corrosion that may threaten building structures, reduce land value, and directly endanger the health and safety of people through contact with contaminated soil, swallowing food or water from contaminated environments, or breathing vapours or contaminated dust.

Contaminants leaching from soil into groundwater or running off into surface water and eventually into the coastal marine area affect water quality, ecosystems and flora and fauna.

Auckland has a legacy of soil contamination from past activities including:

- use of agrichemicals;

- storage and use of petroleum products;
- timber treatment; and
- sheep-dipping.

Identification of contaminated sites is the first step in any management regime. Initial assessments conducted on behalf of the Ministry for the Environment suggest Auckland may have more than 1700 contaminated sites. This assessment has only targeted sites that are, or have been, occupied by activities historically associated with site contamination, rather than sites that have actually been confirmed as contaminated. Systematic identification of sites needs to continue.

To protect human health, the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health was issued in January 2011. This has established soil contaminant standards that protect human health for a range of land uses. It aims to identify and assess land affected by contaminants in soil when the land use changes, or the land is being subdivided, and, if necessary, require the remediation of the site or the containment of the contaminants to make the land safe for human use.

Genetically Modified Organisms

Genetic modification refers to a set of techniques that alter genetic makeup by adding, deleting or moving genes (within or between species) to produce new and different organisms. Genetically modified organisms are products of genetic modification.

The benefits and risks of genetically modified organisms are continually being redefined as biotechnology advances. However, there remains disagreement about the potential adverse effects of genetically modified organisms on natural resources and ecosystems. The risks could be substantial and certain consequences could be irreversible. Once released into the environment, most genetically modified organisms would be very difficult to eradicate. For these reasons, the activity status of genetically modified organism field trials is discretionary and that of genetically modified organisms' releases is prohibited.

The regulation of genetically modified organisms in New Zealand is under the Hazardous Substances and New Organisms Act 1996. The Hazardous Substances and New Organisms Act 1996 establishes a framework for assessment of genetically modified organisms by the Environmental Protection Authority. This Act sets minimum standards for the creation and use of genetically modified organisms and enables the Environmental Protection Authority to set additional conditions for a particular genetically modified organism.

The Council also has jurisdiction under the Resource Management Act 1991 to control discharges of contaminants and land use, including genetically modified organism field trials and genetically modified organism releases. In exercising this jurisdiction, the Council will seek to ensure that adverse effects on the environment are appropriately avoided, remedied or mitigated, including:

- to ensure that those who are using land to release genetically modified organisms are fully accountable for all costs associated with the genetically modified organism activity including taking all practicable steps to avoid unintentional contamination, and to undertake appropriate clean-up, monitoring and remediation;
- to adopt a cautious approach to the management of potential risks (economic, environmental, social and cultural) associated with the outdoor use of genetically modified organisms;
- to address cultural concerns of Mana Whenua.

The Council does not seek to foreclose potential opportunities associated with a particular genetically modified organism that could benefit the community or the area. If it became evident during field trials or in light of new information that release would be of benefit to Auckland and that potential risks can be managed satisfactorily, the status of a particular activity involving a genetically modified organism could be assessed as part of a plan change.