

AUCKLAND UNITARY PLAN
INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

**Report to Auckland Council
Hearing topic 075 Waitākere
Ranges**

July 2016

Report to Auckland Council Hearing topic 075 Waitākere Ranges

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1. Hearing topic overview

1.1. Topic description

Topic 075 addresses the district plan provisions of the proposed Auckland Unitary Plan relating to:

Topic	Proposed Auckland Unitary Plan reference	Independent Hearings Panel reference
075	<p>F.7.9 Waitākere Ranges Heritage Area including the objectives and policies of the following:</p> <p>Sub-precinct A – Waitākere Foothills</p> <p>Sub-precinct B – Waitākere Ranges</p> <p>Sub-precinct C Titirangi Laingholm</p> <p>Sub-precinct D – Waitākere Coastal Settlements</p> <p>Sub-precinct E Large Property Management Areas</p> <p>Sub-precinct F Waitākere Ranges Park</p>	<p>The objectives, policies and provisions of the following:</p> <p>D12 Waitākere Ranges Heritage Area Overlay</p> <p>H20 Rural - Waitākere Foothills Zone</p> <p>H21 Rural - Waitākere Ranges Zone</p> <p>I601 – Bethells Precinct</p> <p>I608 – Oratia Village Precinct</p> <p>I612- Te Henga Precinct</p> <p>I614 – Wainamu Precinct</p>
075	<p>K.7.9 Waitākere Ranges Heritage Area including the provisions of the following:</p> <p>Sub-precinct A – Waitākere Foothills</p> <p>Sub-policy Area A: Oratia Village</p> <p>Sub-precinct B – Waitākere Ranges</p> <p>Sub-precinct C Titirangi Laingholm</p> <p>Policy area 3: Titirangi Village</p> <p>Sub-precinct D – Waitākere Coastal Settlements</p> <p>Sub-precinct E Large Property Management Areas</p> <p>Sub-precinct F Waitākere Ranges Park</p>	

Under the Local Government (Auckland Transitional Provisions) Act 2010, section 144 (8) (c) requires the Panel to set out:

the reasons for accepting or rejecting submissions and, for this purpose, may address the submissions by grouping them according to—

- (i) the provisions of the proposed plan to which they relate; or
- (ii) the matters to which they relate.

This report covers all of the submissions in the Submission Points Pathways report (SPP) for this topic. The Panel has grouped all of the submissions in terms of (c) (i) and (ii) and, while individual submissions and points may not be expressly referred to, all points have nevertheless been taken into account when making the Panel's recommendations.

1.2. Summary of the Panel's recommended changes to the proposed Auckland Unitary Plan

- i. Simplification of the Plan's structure by:
 - a. removing the over-arching precinct for the Waitākere Ranges Heritage Area and replacing it with a new overlay D12 Waitākere Ranges Heritage Area Overlay;
 - b. providing for Scheduled Subdivision areas and sites that are subject to site specific subdivision standards within the Waitākere Ranges Heritage Area Overlay;
 - c. reducing the number of layers e.g. by removing policy and sub-policy areas;
 - d. converting precincts into zones to create the new Rural – Waitākere Foothills and Rural – Waitākere Ranges Zones;
 - e. rezoning areas subject to precincts using core Plan zones. For example, changing the coastal settlements from Rural – Rural Conservation zoning to Residential – Rural and Coastal Settlements zoning. The Waitākere Coastal Settlement Precinct is removed but a subdivision variation control retains the notified minimum site size of 4000m²; and
 - f. deleting the Waitākere Ranges Regional Park Precinct.
- ii. Integration and alignment of the Waitākere Ranges Heritage Area provisions with the rest of the Plan where this is consistent with achieving the objectives and policies of the Waitākere Ranges Heritage Area Act 2008.
- iii. Alignment of the Waitākere Ranges Heritage Area provisions with the bylaws. For example, signs other than billboards, comprehensive development signage or signs relating to historic heritage places are managed under the bylaws. Temporary activities are managed under the bylaws as well as in the Plan.
- iv. Removing the following activities because they are unnecessary:
 - a. expansions of lawfully established activities;
 - b. retailing that involves sale of on-site produce; and

- c. artisan industries.
- v. Removing standards regulating vehicle movements for activities where the activity is already regulated by limiting the number of people on site or gross floor area permitted.
- vi. Replacing prohibited activity status with non-complying activity status for subdivision in the Waitākere Ranges Heritage Area Overlay.

1.3. Overview

After a lengthy collaborative process focused on the most appropriate structure for the Plan provisions applying in the Waitākere Range Heritage Area, the Panel has made a number of structural changes designed to simplify the Plan, improve integration with the rest of the Plan and enable a full summary report of the relevant provisions to be displayed on the geospatial (GIS) viewer. The objectives and policies of the Waitākere Ranges Heritage Area Overlay apply throughout the heritage area which ensures a holistic approach to the consideration of plan changes and applications for resource consent. The area and site-specific subdivision provisions in the Auckland Council District Plan: Operative Waitākere Section are carried over into this overlay. Generally, subdivision that does not comply with site-specific standards is provided for as a non-complying activity (no longer prohibited).

In principle, the Panel considers that the Plan should be more enabling of the people and communities living and working in the area. The existing plan provisions were unduly complex, restrictive and the outcomes were unclear. Accordingly, there have been changes designed to enable activities on a similar basis to the rest of the Plan, where this is compatible with protection of the heritage features. Other changes, such as new zones for the ranges and foothills areas, seek outcomes protecting the natural landscape and rural character of these sensitive areas.

1.4. Scope

The Panel considers that the recommendations in section 1.2 above and the changes made to the provisions relating to this topic (see section 1.1 above) are within scope of submissions.

For an explanation of the Panel's approach to scope see the Panel's Report to Auckland Council – Overview of recommendations July 2016.

1.5. Documents relied on

Documents relied on by the Panel in making its recommendations are listed below in section 12 (Reference documents).

2. Structure of the notified provisions

2.1. Statement of issue

The structure of the notified proposed Auckland Unitary Plan is complex and not user-friendly. The intended outcomes of the proposed Auckland Unitary Plan are not clear because of this complexity. Consequently, the proposed Auckland Unitary Plan may not be effective in managing subdivision, use and development in accordance with the objectives of the Waitākere Ranges Heritage Area Act 2008.

There were 32 submissions made to the structure of the notified Waitākere Ranges Heritage Area Precinct and the following points were made:

- i. withdraw and re-notify the precinct provisions as they relate to the Waitākere Ranges Heritage Area;
- ii. carry out a section 32 analysis for the provisions;
- iii. remove conflicts between the sub-precincts and provisions; and
- iv. remove the zones and the precinct from the area.

The following diagram outlines the notified structure in the proposed Auckland Unitary Plan:

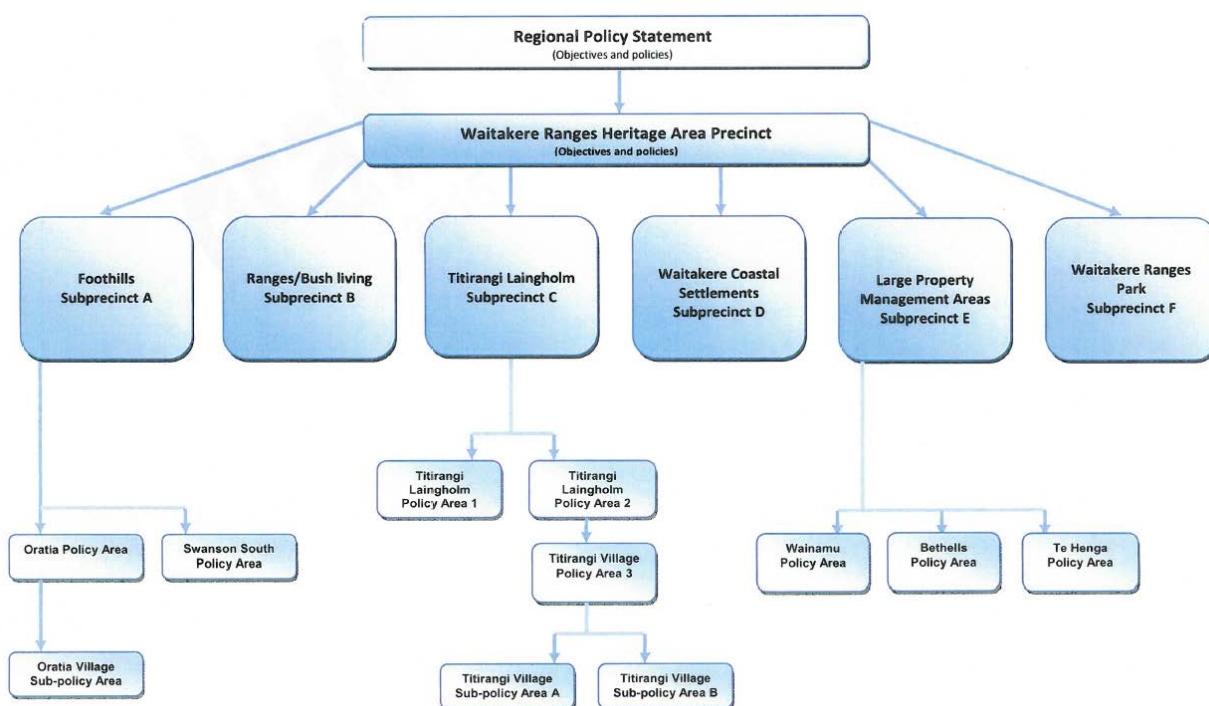


Figure 1 proposed Auckland Unitary Plan notified structure for the Waitākere Ranges Heritage Area

One precinct, six sub-precincts, eight policy areas and three sub-policy areas were proposed to manage subdivision, use and development for areas and sites within the Waitākere Ranges Heritage Area. In addition, all land has one of the standard zones adopted in the notified proposed Auckland Unitary Plan, including: Public Open Space – Conservation Zone, Public Open Space – Sport and Active Recreation Zone, Public Open Space – Informal Recreation Zone, Rural - Rural Conservation Zone, Rural - Countryside Living Zone, Residential - Large Lot Zone, Special Purpose – School Zone and Special Purpose – Cemetery Zone. Much of the Waitākere Ranges Heritage Area is subject to overlays relating to infrastructure and overlays protecting natural heritage, natural resources, historic heritage and Mana Whenua values. For many properties, there are multiple overlays that manage subdivision, use and development.

It is difficult to locate and understand the planning provisions for a particular site because of this complexity. Users must review the provisions of the applicable zone for their site, the provisions of any relevant overlays as well as the relevant provisions of the precinct, sub-precincts, policy areas and sub-policy areas. Precinct plans are in the text rather than displayed on the GIS viewer. Not only are there many plan layers, but the GIS viewer does not display a full report of all the relevant provisions. This is potentially misleading to anyone not familiar with the Plan's schema.

2.1.1. Independent expert review

Early on, the Panel itself identified that complexity and lack of user-friendliness was an issue with respect to the Waitākere Ranges Heritage Area Precinct. This concern arose in the context of a more general concern about the role of precincts in the proposed Auckland Unitary Plan.

In late 2014, the Panel appointed David Wren, a consulting planner, to carry out an independent expert review of the notified structure for the Waitākere Ranges Heritage Area Precinct and to:

- i. review the concept of precincts in the proposed Auckland Unitary Plan;
- ii. review the precinct structure proposed for the Waitākere Ranges Heritage Area;
- iii. assess the need for a Waitākere Ranges Heritage Area Precinct in relation to its six sub-precincts, policy areas and sub-policy areas;
- iv. recommend options for a structure for the Waitākere Ranges Heritage Area Precinct that will generally be in alignment with the proposed Auckland Unitary Plan precinct structure; and
- v. consider how the notified Waitākere Ranges Heritage Area Precinct could be simplified from the perspective of plan usability.

David Wren's report (pages 3-8, see reference and link to report in section 12.1 below) identified the following issues with the notified structure:

- i. complexity;
- ii. use of definitions not in the proposed Auckland Unitary Plan;
- iii. level of control;

- iv. application to other zones;
- v. relationship to overlays;
- vi. overall precinct map; and
- vii. inconsistencies with sub-precinct boundaries.

In his summary on the need for the precinct, Mr Wren said (page 8):

The perceived need for the precinct is based on providing additional control over activities, development and subdivision in the WRHA. The extent to which the additional control is needed is beyond the scope of this report, which is primarily concerned with structure and usability. However there is a lack of integration across the Precinct (apart from the general objectives and policies) and in practice the level and extent of control across the sub-precincts varies. Apart from the overriding objectives and policies the sub-precincts operate independent (sic) from each other. To this extent the precinct as notified may not be necessary.

The report recommended an alternative structure designed to reduce complexity and improve usability (see report, pages 12-16). This structure removes the Waitākere Ranges Heritage Area Precinct by placing the objectives and policies in an overlay and converts the sub-precincts into precincts.

The Wren Report was published on the Panel's website prior to the pre-hearing meeting held on 24 February 2015.

At the pre-hearing meeting, submitters commented on the difficulty of finding the plan provisions that relate to their properties and suggested alternative structures and approaches.

The Panel decided that further exploration of alternative structures and/or ways of simplifying the provisions was required in light of the findings of the Wren Report and this feedback. In setting up a collaborative process for this purpose, the Panel stated that the goal was to focus on plan structure and not the merits of submissions.

2.1.2. Collaborative processes to find a simpler structure

A workshop was held in May 2015 to discuss the notified precinct structure. It was attended by Panel members Judge Kirkpatrick, Jan Crawford and Des Morrison, as well as David Wren, submitters and their planning experts, and representatives of Auckland Council. The workshop focused on structure and ease of navigation when locating the provisions governing sites in the Waitākere Ranges Heritage Area.

When preparing the Waitākere Ranges Heritage Area provisions, one of the Council's main aims was to carry over a number of structure plans/plan changes to the Auckland Council District Plan: Operative Waitākere Section. These plan changes were settled in the Environment Court and were the result of many years of effort by both the Council and the community. The Council and the submitters wanted to ensure that the provisions which resulted from these plan changes would not be substantially altered in this process. The Panel acknowledged this concern and confirmed its intention to focus on structure and usability.

The workshop included discussion on resource consent testing results, definitions used only and specifically in the Waitākere Ranges Heritage Area Precinct, the relationship between overlays and precincts, and the difficulties in finding the rules applicable to a site and in determining activity status. A working group was appointed at the end of the workshop to investigate potential options for improving the structure and usability of the Waitākere Ranges Heritage Area Precinct. The group comprised planning experts representing Auckland Council and submitters. Mr David Wren participated at the Panel's request.

Two expert conferences were held (27 May and 1 July 2015). A number of principles were agreed amongst the experts including the following:

- the outcomes of the legacy plan changes should be translated into the proposed Auckland Unitary Plan in a way that is simple and effective to plan users; and
- it is accepted that the Waitākere Ranges Heritage Area is special as it has its own legislation and is relatively unique.

At the end of the expert conference, the following matters were agreed:

- Auckland Council to remove the Waitākere Ranges Heritage Area Precinct and elevate the sub-precincts to precinct level;
- some objectives and policies in the Waitākere Ranges Heritage Area Precinct need to either go up to the Regional Policy Statement or down into the new precincts. A map of the Waitākere Ranges Heritage Area, along with a description of the Waitākere Ranges Heritage Area, to be included in the Regional Policy Statement. These could be consequential changes to the Regional Policy Statement;
- explanatory statement in the activity table to say what other overlays need to be considered to clarify potential additional consent requirements;
- Auckland Council will not prepare a combined activity table for precincts and zones. This approach is not supported;
- Auckland Council will explore an explanatory statement with the activity table to explain the status between precincts and zones and how they are applied, along with aligning that with Chapter G (now Chapter C) text;
- Auckland Council will not combine the development controls of the zone with the precinct development controls. Explanatory notes will be required to clarify applicable controls;
- the explanatory statement will apply to objectives and policies and to assessment criteria;
- Auckland Council is considering amalgamating subdivision provisions for the Waitākere Ranges Heritage Area into one location in the Plan.

Refer to the expert conference outcomes report dated July 2015 (see section 6.1 below).

Prior to the commencement of mediation, Auckland Council provided a potential simplified structure (see below).

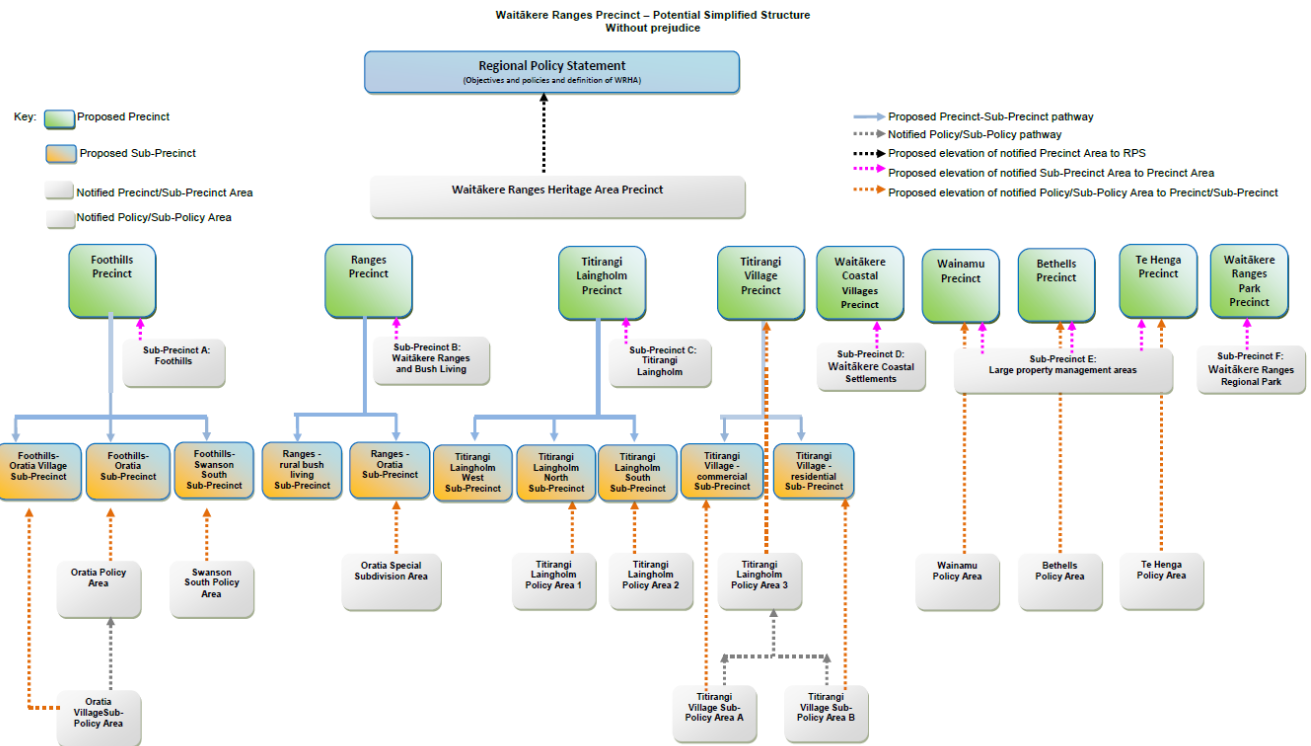


Figure 2 Auckland Council proposed potential simplified structure as at mediation

2.1.3. Auckland Council revised structure presented at the hearing

At the hearing, the Council provided a simpler version of the Waitākere Ranges Heritage Area structure.

In his evidence in rebuttal for the Council (paragraph 1.4), Mr Eryn Shields said:

The remaining unresolved matters are the final structure of the provisions that manage the Waitākere Ranges Heritage Area, and the correct translation of the legacy entitlements into the PAUP.

Mr Shields supported a Waitākere Ranges Heritage Area Overlay containing the objectives and policies, retention of standard plan zones and eight precincts as illustrated below. In his opinion, a zone-based approach would not provide for a better outcome compared to a structure utilising an overlay, zones and precincts. He considered that the translation of the provisions from the Auckland Council District Plan: Operative Waitākere Section was correctly done.

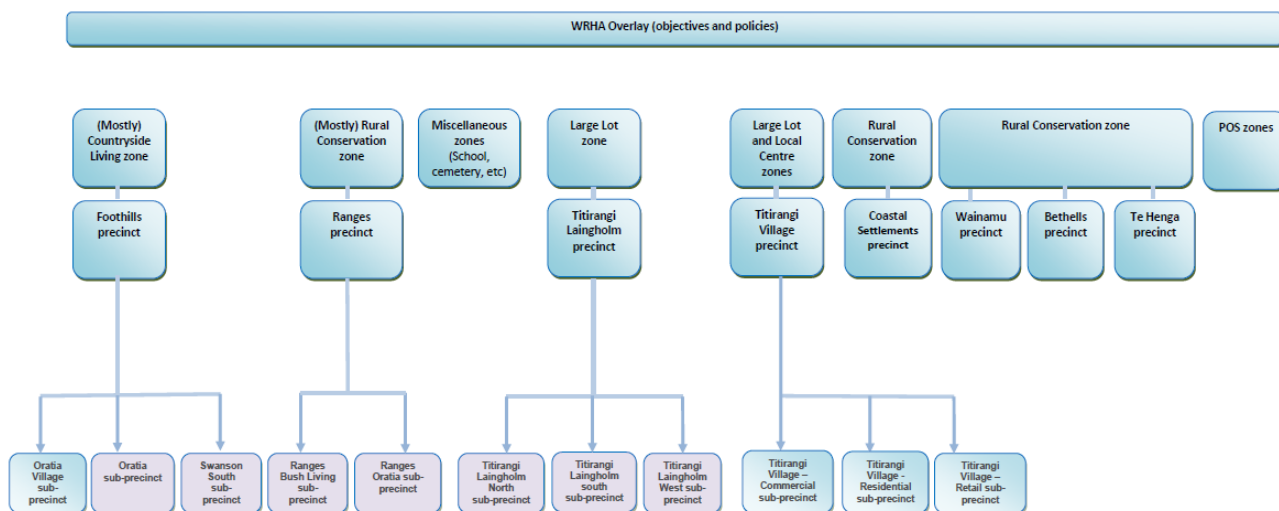


Figure 3 Auckland Council proposed structure at hearings

At the hearing, the Panel explored various matters with the witnesses, including the role of the regional policy statement, the advantages and disadvantages of using zones versus precincts, and bespoke definitions.

2.2. Panel recommendation and reasons

2.2.1. A further simplified structure

The Panel has reviewed the options recommended by Mr David Wren, and planning experts Dr Mark Bellingham, Mr Barry Kaye and Mr James Hook for submitters and Mr Eryn Shields for Auckland Council.

The Panel has considered the following:

- i. the distinctiveness of the Waitākere Ranges Heritage Area compared to the rest of the region which is recognised by the Waitākere Ranges Heritage Area Act 2008;
- ii. retention of the outcomes provided for in the Auckland District Plan: Operative Waitākere Section, particularly with respect to subdivision entitlements in the former structure plan areas;
- iii. the efficiency and effectiveness of any proposed structure in managing subdivision, use and development of the area;
- iv. ease of use, particularly the ability of the GIS Viewer to display a complete (rather than partial) summary report of provisions applicable to sites;
- v. the outcomes of expert conferencing, particularly the suggestion of a single overlay containing the objectives and policies and the potential for amalgamating subdivision provisions for the Waitākere Ranges Heritage Area into one location in the Plan;

- vi. the extent to which the coastal environment, natural heritage, natural resources, historic heritage and Mana Whenua values are protected by overlays and Auckland-wide provisions;
- vii. the benefits of aligning, where possible, the provisions applicable in the Waitākere Ranges Heritage Area to those applicable in the rest of the region, for example, utilising existing zones and definitions and standardising the thresholds for activities;
- viii. the requirement to align the management of signs and temporary activities with the bylaws;
- ix. the advantages and disadvantages of creating new zones in lieu of precincts;
- x. the strategic direction set by the Auckland Plan; and
- xi. the Auckland Plan principle requiring ‘clarity, simplicity, and plan provisions that mean what they say’.

The Council, Waitākere Ranges Protection Society Incorporated and various parties made legal submissions and presented evidence on the interpretation and implementation of the Waitākere Ranges Heritage Area Act. The Panel has compared sections 7 and 8 of this act to the purpose and principles of the Resource Management Act 1991 with a view to understanding what is required of the Plan and what structure is best suited to achieving the purposes of both statutes.

In the Panel’s view, there are five matters in section 8 of the Waitākere Ranges Heritage Area Act that require particular attention in the Plan and these have influenced the Panel’s recommended structure:

- i. ensuring that impacts on the area as a whole are considered when decisions are made affecting any part of it;
- ii. recognising that the area has little capacity to absorb further subdivision and that the cumulative effect of subdivision should not adversely affect the heritage features or contribute to urban sprawl;
- iii. recognising that people live and work in the area in distinct communities, and to enable those people to provide for their social, economic, environmental and cultural wellbeing;
- iv. providing for rural uses in order to retain a rural character in the area; and
- v. protecting the natural and historic resources for the benefit, use and enjoyment of the people and communities of the Auckland region and New Zealand. For example, this means recreational use of the ranges is enabled while protecting the natural environment.

These matters highlight the inevitable tension between protecting the natural environment and enabling the wellbeing of people and communities. This tension is most apparent in the foothills, an area in transition away from traditional rural activities that is located between the existing urban area and the ranges. Addressing this tension, Ms Bronwen Turner (4445, FS3485) stated that ‘to enable’ is an active word whereas ‘to provide for’ is more passive. In her opinion, the objectives “should refer to the Objectives of the WRHA being met, not just the heritage features protected” (evidence in chief, paragraph 10).

The Panel agrees with Ms Turner, Strategic Property Action Network Incorporated, Ms Bobbi Carroll and other submitters that the provisions for the Waitākere Ranges Heritage Area are not sufficiently enabling of people and communities. Like the Council, residents and landowners are stewards of the land and they need opportunities to earn an income to support themselves and the land in a way that sustains the heritage features.

Taking all these matters into account, the Panel concluded that the structure (as amended by the Council prior to the hearing) could be simplified further by:

- i. creating a new Waitākere Ranges Heritage Area Overlay (D12) including scheduled sites/areas subject to additional subdivision standards;
- ii. creating two new rural zones (H20 Rural – Waitākere Foothills Zone and H21 Rural – Waitākere Ranges Zone) to manage activities in the Waitākere Ranges and the Foothills;
- iii. removing the Coastal Settlements Precinct and rezoning sites located in the coastal villages (e.g. Little Huia, Huia and Piha) as Residential – Rural and Coastal Settlement Zone. A Subdivision Variation Control (as shown in the planning maps) is utilised to manage subdivision within these villages. A zoning of Business - Neighbourhood Centre Zone is applied to the Huia Store and the two commercial properties at Piha;
- iv. removing the precinct over Titirangi Laingholm and retaining sites in the area as Residential – Large Lot Zone. The precinct's subdivision provisions have been shifted into D12 Waitākere Ranges Heritage Area Overlay and these areas are scheduled (Schedule 16 Waitākere Ranges Heritage Area Overlay Subdivision Scheduled Areas/Sites). The schedule manages subdivision in Titirangi Laingholm;
- v. removing the Titirangi Village Precinct because the provisions are similar to the Business – Local Centre Zone. The village is already zoned Business – Local Centre in the Plan;
- vi. retaining the Oratia Village Precinct, Te Henga Precinct, Wainamu Precinct and Bethells Precinct;
- vii. removing the precinct over the Waitākere Ranges Regional Park; and
- viii. retaining the Special Purpose – Cemetery Zone and open space zones for parks.

Overall, the Panel supports one overlay with subdivision scheduled areas, two new rural zones, four precincts and use of the Subdivision Variation Control (as shown on the planning maps) to manage subdivision, use and development for sites in the coastal villages. Refer to figure 4 below for the proposed structure.

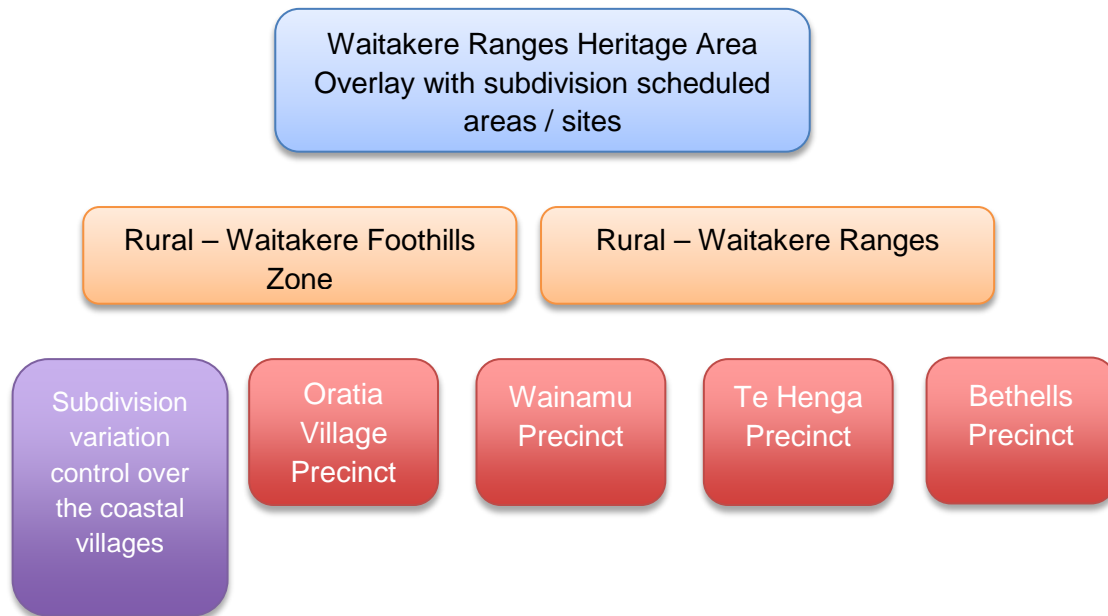


Figure 4 IHP proposed structure

2.2.2. New Waitākere Ranges Heritage Area Overlay

The Waitākere Ranges Heritage Area Overlay applies to the area identified in schedule 1 of the Waitākere Ranges Heritage Area Act 2008. The overlay applies to all zones within the heritage area which means that impacts on the heritage area as a whole are considered when decisions are made affecting any part of it (section 8(a) Waitākere Ranges Heritage Area Act).

Scheduled subdivision areas are identified for Oratia (Foothills), Swanson South (Foothills), Rural Bush Living (Ranges), Oratia (Ranges) and Titirangi Laingholm – North, South and West. An overview of each of these areas is provided as well as additional objectives and policies applicable to subdivision recognising their distinctive natural and rural character.

This method was adopted in preference to using the subdivision variation control layer because it enables all of the subdivision provisions that are based on earlier structure plans and plan changes to be located in one place. It also makes it easier to find the all-important subdivision provisions on the GIS viewer. By placing the subdivision provisions as part of the overlay, it is clear to plan users that these rules take precedence over the Auckland-wide subdivision rules for the applicable zone. These subdivision rules are in place because of the area/site being part of the Waitākere Ranges Heritage Area.

There are a number of sites within the Swanson (Foothills) area that have specific subdivision rules that need to be carried over from the Auckland Council District Plan: Operative Waitākere Section. By scheduling these sites as part of the overlay, plan users can identify their site on the GIS viewer as being subject to the Waitākere Ranges Heritage Area Overlay and scheduled for subdivision. In the Council's closing version of the Foothills Precinct, the site-specific subdivision rules are embedded as part of the precinct provisions. Unless the user is familiar with the plan structure, it is difficult to find the subdivision rules that apply to a particular property.

A further reason for adopting this method is that it enables additional sites to be included on the schedule following site-specific analysis and evaluation.

This method enables provision for the subdivision of specific sites as requested through Topic 081 Rezoning and precincts (geographical areas). Sections 4 to 8 below address the Panel's recommendations and reasons in relation to specific locations within the Waitākere Ranges Heritage Area, including the appropriate location of the Rural Urban Boundary, application of zones and the use of precincts.

3. New Rural – Waitākere Ranges Zone and Rural – Waitākere Foothills Zone

The new Rural - Waitākere Ranges Zone replaces the Waitākere Ranges and Bush Living Precinct proposed by the Council at the hearing. This zone mirrors the provisions of the Rural – Rural Conservation Zone and provides limited opportunity for growth and development. The Oratia and Bush Living sub-precincts of the Waitākere Ranges and Bush Living Precinct are transferred to the Waitākere Ranges Heritage Area Overlay as scheduled subdivision areas.

The new Rural – Waitākere Foothills Zone replaces the Foothills Precinct proposed by the Council at the hearing. This zone mirrors the Rural – Countryside Living Zone but recognises the rural character of the foothills and their role as a buffer between the urban area and the natural landscape of the Ranges. Activities, development and subdivision are limited. The Oratia and Swanson South sub-precincts of the Foothills Precinct are transferred to the Waitākere Ranges Heritage Area Overlay as scheduled subdivision areas.

The Panel considers that the natural landscape and rural character of the Waitākere Ranges Heritage Area is unique. It is so different to other rural areas in the region that it warrants its own zones. These two new zones recognise this uniqueness and provide clarity for plan users. The introduction of these new zones eliminates another layer which makes it easier for the plan users to determine which provisions apply to a property. Although some provisions are similar to the Rural – Rural Conservation Zone and the Rural – Countryside Living Zone, the objectives and policies are tailored and in future these zones can be modified as needed. The Council acknowledged that the precincts manage only a few activities that are different to those provided for in the Rural – Rural Conservation Zone and the Rural – Countryside Living Zone.

4. CDL Land New Zealand

4.1. Statement of issue

CDL Land New Zealand Limited (3159, FS3212) sought inclusion of their property at 7-11 Christian Road, Swanson within the Rural Urban Boundary (Topics 016 and 017). The submitter also requested Residential – Single House zoning and a precinct. The Council's planning witness, Mr Eryn Shields, considered that the Rural Urban Boundary should be aligned with the boundary of the Waitākere Ranges Heritage Area for policy reasons. He agreed with the witnesses for CDL that the effects on the environment of the proposed subdivision as shown on the concept plan would be minor.

4.2. Panel recommendations and reasons

The Panel considers that this property should be included within the Rural Urban Boundary because of its proximity to the Swanson train station. Intensification around transport nodes is in accordance with the Auckland Plan's strategic direction and the regional policy statement. The submitter's evidence and the concept plan demonstrated that residential development can be done in a way that provides a clear contrast between the urban area and the rural character of the foothills (see policy D12.3.11 of the Plan). The most effective and efficient way to achieve the concept plan is to add this property to the scheduled subdivision areas in the Waitākere Ranges Heritage Area Overlay (see rule D12.8.23, Overlay Subdivision Plan 12). A zoning of Residential – Large Lot Zone is applied to the site because it is more appropriate than a zoning of Residential – Single House Zone. The objectives and policies in the Residential - Large Lot Zone recognise the landscape qualities of the area. This recognition is consistent with the expected outcomes anticipated for sites within the Waitākere Ranges Heritage Area. Furthermore, if the site is zoned Residential - Single House Zone where the anticipated density is 600m² per lot, the application of this zone could allow the development of more sites than proposed in the concept plan.

5. Remove precinct over Titirangi Laingholm and Titirangi Village

5.1. Statement of issue

The notified Titirangi Laingholm Precinct (which has three policy areas) includes settled residential areas where natural features dominate and buildings are nestled in or near the bush. The main function of the policy areas is subdivision control. Use and development relies on the activities that are provided for in the Residential - Large Lot Zone except for a small number of activities such as filming. The Titirangi Laingholm objectives and policies do not apply to various open space and special purpose zones. The Council proposed to retain this precinct subject to amendments including the creation of three sub-precincts. The primary function was retained i.e. control of subdivision.

The notified precinct included the Titirangi Village Policy Area which had two sub-policy areas (commercial and residential). The Council proposed making the policy area into a precinct with three sub-precincts (commercial, residential and retail). Use and development relies on the activities provided for in the Business – Local Centre Zone and Residential – Large Lot Zone, except as modified in the activity table. Subdivision is a discretionary activity subject to standards. The purpose of this precinct is “to support the social, economic and cultural wellbeing of the community whilst recognising and enhancing the existing character and amenity of the village”.

5.2. Panel recommendations and reasons

The Panel compared the precinct provisions to those applicable in the underlying zones and concluded that there were few significant differences justifying retention of these precincts. In carrying out this comparison, the Panel took into account a number of amendments made to the Plan in other topics relating to signs, retirement villages, filming as a temporary activity, minor dwellings and home occupations. Some activities have been deleted as a result of other recommendations made by the Panel (e.g. alignment with the bylaws). The

Panel also took into account the objectives and policies of the Waitākere Ranges Heritage Area Overlay and sections 7 and 8 of the Waitākere Ranges Heritage Area Act 2008 which apply to plan changes and applications for resource consent in any zone located within the heritage area.

Mr John Lenihan's evidence highlighted the complexity and restrictiveness of the precinct provisions for Titirangi Laingholm. He proposed a number of amendments that he considered would improve the outcomes given the landform and tree cover. A key issue was reliance solely on rolling height which the Council accepted was unduly restrictive. Therefore the average ground level method was added by agreement and carried into the definitions chapter of the Plan (chapter J). The elevation height standard has been deleted due to the changes in definition of height and the overall increase in maximum permitted height region-wide. The Panel considers that the elevation height standard is unhelpful and would lead to arguments when processing resource consent applications for height infringements. Some of the amendments requested by Mr Lenihan have been met by adoption of the Residential – Large Lot Zone.

The Panel considers that the outcomes for residential subdivision in Titirangi Laingholm North, South and West will not be achieved solely by application of the Residential – Large Lot Zone subdivision provisions. Additional standards are necessary given the importance of protecting and enhancing the bush living environment and landscape values of this area. The subdivision standards for these sub-precincts have been transferred into the Waitākere Ranges Heritage Area Overlay as a scheduled subdivision area (refer to the Scheduled Subdivision areas in the Waitakere Ranges Heritage Area overlay - Subdivision Plans 9, 10 and 11).

However the outcomes sought in the village shopping centre can be achieved by the Business – Local Centre Zone and Waitākere Ranges Heritage Area Overlay provisions. Accordingly, the Panel has deleted the Titirangi Laingholm Precinct and relocated the subdivision controls for Titirangi Laingholm North, South and West to the Waitākere Ranges Heritage Area Overlay as subdivision scheduled areas. The Titirangi Village Precinct is removed and zoning of Business – Local Centre Zone and Residential – Large Lot Zone is confirmed in accordance with the notified zoning.

6. Coastal Village Precinct rezoned to Residential – Rural and Coastal Settlement Zone

6.1. Statement of issue

The notified Waitākere Ranges Heritage Area Precinct included several sub-precincts and this includes the Waitākere Coastal Village Sub-precinct D. The notified zoning for this sub-precinct was Rural – Rural Conservation Zone. At the close of hearing, Council proposed the Coastal Settlements Precinct to manage the following coastal villages:

- i. Huia;
- ii. Little Huia;
- iii. Parau;
- iv. Cornwallis;

- v. Bethells / Te Henga;
- vi. Karekare; and
- vii. Piha.

6.2. Panel recommendations and reasons

The Panel considers there is a fundamental mismatch between the purpose of the Rural – Rural Conservation Zone and the purpose of the Coastal Settlements Precinct. The zone enables a limited range of activities, mainly to do with farming, whereas the precinct enables up to two dwellings per site (where one of them is really a minor dwelling permitted on a site with a minimum site size of 1,500m²) and an array of community facilities. The minimum site size for subdivision differs markedly. Consequently, there is a risk of perverse outcomes arising from non-complying activity applications because the objectives and policies of the zone seek different outcomes from those promoted by the objectives and policies of the precinct. The Panel explored the ramifications of this conflict during the hearing and concluded that the solution was to apply a more appropriate zoning.

The Panel compared the outcomes sought by the precinct to various zones and determined that the most appropriate zone is the Residential – Rural and Coastal Settlement Zone for sites in these areas, subject to retention of additional limitations on subdivision, as provided for in the precinct, and the limitation of minor dwellings to sites with a minimum site size of 1,500m². The Residential – Rural and Coastal Settlement Zone is more enabling of activities and thereby the people who live and work in these distinct communities. The subdivision controls in this zone address the cumulative effects of increased density on the heritage features.

Accordingly, the precinct is removed and all of these coastal settlements are rezoned as Residential – Rural and Coastal Settlement. A Subdivision Variation Control applies to these settlements limiting subdivision to one lot per 4000m² as restricted discretionary. This limit is consistent with the proposed subdivision density as notified and in the Council's closing statement version for the precinct. Subdivision, use and development within these areas are still subject to the Waitākere Ranges Heritage Area Overlay. The limitation for the minor dwelling is provided for in the overlay. These standards relate to the minimum site size required for a minor dwelling, and the subdivision of minor dwellings from principal dwellings and converted dwellings being a prohibited activity.

The Panel has also considered a special zone for these coastal villages to recognise its distinctiveness. However, it considered that the use of a standard residential zone in the Unitary Plan will be sufficient to achieve the outcome sought for these areas. These areas are also subject to the Waitākere Ranges Heritage Area.

The Panel considers that the Rural – Rural Conservation Zone is inappropriate for the Huia Foodstore (4724 - John and Pien Wise) and the café and store at Piha (6414 - Preserve Piha Limited). Evidence was presented on this matter in Topic 81d Rezoning and precincts (geographical areas). Restaurants and cafés are non-complying activities in this zone and dairies are not provided for, therefore applications for resource consent will be required for any development that is not an existing use. The Huia Store has been operating for 130 years and the Piha store for over 80 years. Both provide essential services to these relatively remote communities and to visitors. The Panel considers that these activities should be

enabled and therefore the properties are more appropriately zoned Business – Neighbourhood Centre Zone in accordance with the business policy framework.

7. Retain the proposed precincts for Oratia Village, Bethells, Wainamu and Te Henga

7.1. Statement of issue

The Oratia Village is centred on the primary school on West Coast Road, Oratia. In the notified proposed Auckland Unitary Plan, the Oratia Village was a sub-precinct of the Foothills Precinct. The Panel supports a new Rural – Waitākere Foothills Zone in place of the Foothills Precinct which means that the planning provisions for the Oratia Village are now at the precinct level. Recognising that people live and work in the area in distinct communities is an objective of the Waitākere Ranges Heritage Area Act. Oratia Village is a valued gathering place, and the precinct recognises and provides for this role into the future. The Panel supports retention of the Oratia Village provisions at the precinct level subject to amendments for workability and alignment with the whole Plan.

The Oratia District Ratepayers' and Residents' Association Incorporated (6374) was concerned about the proliferation of inappropriate signage in the area. The association sought the addition of a policy requiring all signage to be subservient to and respectful of the landscapes and heritage of the area. Signs are managed primarily under the bylaw and therefore the Panel has removed the signs provisions from the overlay, zones and precinct provisions applying to the Waitākere Ranges Heritage Area. The objectives and policies of the overlay will apply to applications for resource consent, comprehensive development signage, billboards and signs on historic heritage places. Auckland Transport retains responsibility for road and traffic signage. In summary, the Plan is no longer the method by which signs are managed.

The Bethells, Wainamu and Te Henga Precincts carry over the long-established large property 'Management Area' provisions of the Auckland Council District Plan – Operative Waitākere Section. In these precincts, there are rules taking precedence over the overlay rules. The Panel supports this approach because the provisions are based on site-specific analyses and have withstood the test of time.

The Bethells Precinct applies to the northern section of a substantial coastal property with high scenic and wilderness values. Ms Victoria Bethell (4971, FS2060) sought a number of changes to the land use provisions and overlays. At the hearing, Judge Kirkpatrick indicated that direct discussions between Ms Bethell and the Council might be useful. These post-hearing discussions led to agreement that:

- i. the precinct will provide for 6 new dwellings as a controlled activity;
- ii. the approved building platforms should be as shown on the updated Precinct Plan attached to the closing remarks (dated 4 February 2016);
- iii. subdivision should be a prohibited activity; and
- iv. the extent of the outstanding natural landscape layer should be reduced as shown on the map attached to the Council's supplementary closing remarks (dated 4 February 2016).

Ms Bethell continued to seek further amendments which the Council did not support.

7.2. Panel recommendations and reasons

The Panel supports the Bethells Precinct provisions as amended by the Council and subsequently by agreement with Ms Bethell. The Panel does not support any further amendments other than those necessary for workability and alignment with the whole Plan because the precinct provisions enable an appropriate range of residential, rural, community and business activities given the environmental values of this area.

The Wainamu Precinct enables the use of a large property adjacent to the Lake Wainamu Reserve for economically and environmentally sustainable activities such as filming, grazing, forestry and eco-tourism. Mr Philip Brown, planning witness for the EJM Wheeler Trust (6753), said that most of the Council's amendments to the provisions were helpful to the Trust (evidence in chief, paragraph 5.1). His evidence addressed several matters still in contention: two dwellings on a site, screening of home stays, visitor accommodation, building coverage and extent of the significant ecological area.

Subsequent discussions led to agreement being reached on all of these matters except building coverage. Ms Pye, the Council's planning witness, did not support an increase to the maximum building coverage because building coverage in excess of 300m² is provided for as a restricted discretionary activity, which is appropriate in the context of high landscape values (Council's closing remarks, paragraph 7.8). The Panel agrees with Ms Pye's conclusion and reasons in this regard and no change is made to the standard for building coverage. The Panel otherwise supports the Wainamu Precinct provisions as amended by agreement and subject to further amendments for workability and alignment with the whole Plan.

The Te Henga Precinct recognises a small group of existing houses nestled near Lake Kawaupaka. The Panel supports the precinct provisions as amended by the Council subject to further amendments for workability and alignment with the whole Plan.

Patricia Roberts and Bruce Armitage (5270) own 245 acres located at 205 and 205A Bethells Road. The submitters sought a precinct enabling similar activities to those enabled in the Bethells, Wainamua and Te Henga Precincts. The Panel acknowledges there are commonalities between the Roberts Farm and these properties. The Panel agrees that a precinct may be an appropriate method of enabling the landowners to promote their social and economic well-being. However, in the absence of a specific proposal based on a site specific planning assessment, the Panel does not support this request.

8. Remove the precinct for Waitākere Ranges Regional Park

8.1. Statement of issue

The Waitākere Ranges Regional Park Sub-precinct as notified contained objectives and policies but relied on the rules set out in the Regional Park Precinct. A consequence of the proposed Waitākere Ranges Heritage Area Overlay is that these provisions are redundant because the objectives and policies of the overlay perform the same function. The park will

be primarily managed through its open space zoning (evidence in rebuttal, Mr Eryn Shields, paragraph 4.19).

Deletion of the Waitākere Ranges Regional Park Precinct was supported by Friends of Regional Parks (3727). Friends of Regional Parks sought amendments to the objectives and policies of the proposed Waitākere Ranges Heritage Area Overlay to recognise the park and enable recreation. The submitter sought enablement of existing and future rural activities because these are important within the park.

8.2. Panel recommendations and reasons

The Panel supports removal of the Waitākere Ranges Regional Park Precinct in its entirety.

9. Subdivision activity status within the Waitākere Ranges

9.1. Statement of issue

The precincts and sub-precincts in the notified Auckland Council District Plan: Operative Waitākere Section as modified by the Council's closing remarks version contained specific plans identifying the intended subdivision pattern for each site including the number of lots entitled on that property. Further subdivision exceeding the allocated entitlement is a prohibited activity. The Waitākere Ranges Protection Society Incorporated (2959, FS3147) sought non-complying or prohibited activity status for such subdivisions in the Oratia Sub-precinct. Mr Paul Mitchell (4727) and the Strategic Property Action Network (4474) asked that development within the ranges be enabled rather than restricted, including non-complying activity status for subdivision where this is currently a prohibited activity.

9.2. Panel recommendation and reasons

During the hearing, the Panel explored the appropriate activity status for subdivisions exceeding the allocated entitlement. The Panel concluded that non-complying activity status is appropriate in the context of a policy framework that seeks to limit subdivision, particularly its cumulative effects. Where entitlements are allocated as a result of site-specific assessments carried out in the context of area-wide landscape, ecological and other studies, there will be few properties where additional lots can be justified. The exceptions are likely to arise where amalgamation and re-subdivision is proposed or circumstances have changed due to the passing of time (e.g. vegetation has matured).

Prohibited activity status implies that the Plan has got all the answers right which seems unlikely in the Waitākere Ranges, given its history and existing pattern of subdivision, use and development. Further, prohibited activity status imposes high costs on applicants seeking to change the status quo and is therefore not enabling of people and communities. The Panel's new structure has an overlay containing objectives and policies limiting subdivision. Proposals to subdivide land over and above the allocated entitlement face robust assessment under sections 104 and 104D of the Resource Management Act 1991 and sections 7 and 8 of the Waitākere Ranges Heritage Area Act 2008.

10. Activities permitted in the Waitākere Ranges

10.1. Statement of issue

Submitters raised the following issues concerning activity status and standards:

- i. transferable rural subdivision rights;
- ii. vehicle movements standards relating to activities are too restrictive and resulting in resource consent requirement for majority of activities within the Ranges;
- iii. filming – up to 200 vehicles per day maximum;
- iv. infrastructure;
- v. driveway access slope – average gradient one in five and no maximum length;
- vi. forestry – portable sawmills; and
- vii. visitor accommodation.

The Panel considers that the following activities are unnecessary:

- i. expansion of lawfully established activities;
- ii. retail involving onsite produce sales; and
- iii. artisan industries.

10.2. Panel recommendation and reasons

10.2.1. Transferable rural site subdivision

The notified proposed Auckland Unitary Plan did not provide for the Waitākere Ranges Heritage Area as a donor of transferable rural site subdivision rights. Dr Mark Bellingham, a planner with experience of the Auckland Council District Plan: Operative Rodney Section provisions, asserted that it was the only way to reverse subdivision pressure in the Waitākere Ranges. Dr Bellingham presented evidence on behalf of Mr Paul Mitchell (6338).

The Panel acknowledges that this method may be useful; however, there is no comprehensive analysis of its effectiveness as a means of achieving the objectives of the Waitākere Ranges Heritage Area Act. Further, there are limitations on subdivision that apply to many parts of the heritage area which may mean that the method is not effective in this context. The Panel does not support the inclusion of transferable rural site subdivision in the Plan provisions for the Waitākere Ranges Heritage Area at this time.

10.2.2. Infrastructure

The Auckland Utility Operator's Group sought clarification of the provisions relating to infrastructure (evidence in chief, Mr David Hay). In Topic 042 Infrastructure, the Panel supported a single infrastructure chapter for ease of use. Consequently, all of the provisions relating to infrastructure have been removed from the Waitākere Ranges Heritage Area Overlay, the two new zones and four precincts. The relevant elements of these provisions are now located in Chapter E26 Infrastructure (see the Panel's Report to Auckland Council-Hearing topic 042 Infrastructure July 2016). However, the objectives and policies of the

overlay will apply to applications for resource consent involving infrastructure within the Waitākere Ranges Heritage Area. In particular, objective D12.2.9 and policy D12.3.8 of the Plan are relevant to such applications. The objectives of the Waitākere Ranges Heritage Area Act 2008 also apply.

10.2.3. Expansion of lawfully established activities

In several precincts, there is provision for 'expansions of existing lawfully established activities' complying with the standards as restricted discretionary activities. Discretionary activity status applies to proposals that do not comply e.g. rule F7.13.2.17 in the Foothills Precinct (see Council's closing remarks version).

The Panel considers that this rule is unnecessary because section 10 of the Resource Management Act 1991 regulates existing uses. Where existing uses expand beyond the effects which existed before the rule became operative or the proposed Plan was notified, then the activity will need to be assessed against the new rules.

10.2.4. Retail activity

In Council's closing remarks version, 'retail' is provided for as a separate activity in many of its proposed precincts. There are further standards defining what could be retail activity and these are often related to the sale of goods produced on-site. The Panel considered that this activity is unnecessary because the sale of produce produced on-site is covered by the activity of 'home occupation'. The Panel has enabled home occupations in the new Rural – Waitākere Ranges Zone and Rural – Waitākere Foothills Zone. Home occupations are also provided for in the existing Residential - Large Lot Zone and Residential – Rural and Coastal Settlement Zone. The Panel considers that home occupations enable people to live and work in the heritage area at a level of intensity that protects the heritage features.

10.2.5. Artisan industries

In the Council's closing remarks version, 'artisan industries' are provided for as a separate activity to home occupation or retail. In the notified proposed Auckland Unitary Plan, artisan industries are defined as:

Small-scale industrial activities where goods are produced or repaired using manual skill.

If hand tools or mechanical appliances are used, that use must be limited so:

- the person making or repairing the goods always has direct control, at every stage, over production; and
- goods are not made or repaired repetitively using jigs, templates, moulds, patterns, dies, dollies, or other similar devices designed to produce a predetermined pattern for production run purposes, except that hand tools or mechanical appliances can be used to produce the original or first piece.

In its recommendations on Topic 065 Definitions, the Panel removed this definition because it is so limiting that no one could comply with it in practice (see the Panel's Report to Auckland Council – Hearing topic 065 Definitions July 2016). In the Panel's view, home occupations and rural industries are defined and provided for in appropriate places within the heritage area, therefore this definition is unnecessary. The standards for home occupation in

the Waitākere Ranges have been updated to enable the making and sale of handcraft to be carried out on a property without the need for resource consent.

10.2.6. Standards relating to vehicle movements

The Panel has removed the vehicle movement per day standards for all activities except filming. The Auckland Council closing remarks version has low thresholds applied to many activities (e.g. restaurants and café or forestry activities). These standards were not justified by evidence and would result in many activities requiring resource consent unnecessarily. In the Panel's view, this is not enabling people and communities to live in the heritage area. Activities are already regulated by either the number of people allowed to participate (e.g. no more than 20 people for visitor accommodation) or gross floor area (e.g. no more than 100m² of retail floor space). These standards ensure an appropriate level of intensity in the heritage area. Accordingly, the vehicle movement standards applied to many of the activities within the heritage area have been removed.

Filming is a permitted activity in the Waitākere Range Heritage Area Overlay subject to standards e.g. it must not involve any filming activity longer than six months from start to finish (rule D12.6.1). Filming is enabled in the Bethells and Wainamu Precincts.

Filming is also provided for as a temporary activity in Chapter E40. In Topic 027 Artworks, signs and temporary activities, the Panel supported provision for filming as a permitted activity for up to 30 days and restricted discretionary for up to 3 months with no rules setting thresholds for vehicles per day. The Panel considers that the permits required for filming in public places under the bylaw ensure adequate management of the effects of temporary activities, including traffic. Filming on private land is less common and the effects are temporary due to the limit on duration.

For Film Auckland Incorporated (FS3128) and Cherokee Films (FS 3070), Mr Peter Hall agreed to 200 vehicles per day in rural environments but disagreed with this threshold in residential environments such as Titirangi Laingholm. Ms Alison Pye in evidence in rebuttal for the Council (paragraph 4.6) held to her opinion that the threshold should remain at 100 vehicles per day in precincts with underlying residential zoning (Titirangi Laingholm and Titirangi Village). Mr Hook for the Waitākere Ranges Protection Society Incorporated supported retention of 100 vehicles per day as the threshold for controlled activity status and retention of the standard requiring off-road parking because of the roads in the heritage area.

Mr Wong-Toi, transport planner, attended the hearing for the Council and answered questions from the Panel on this matter. In his opinion, there was little basis for distinguishing rural from residential environments in the Waitākere Ranges in terms of effects, nor was there much difference between the traffic effects of 100 or 200 vehicles per day. Any capacity issues in places such as Titirangi Laingholm would be very local and not significant. Mr Hall contended that there was no effects-based evidence behind either 100 or 200 vehicles per day. He said that 68 per cent of productions taking place in the Waitākere Ranges would require resource consent if the threshold was set at 100 vehicles per day.

The Panel considers that filming should be enabled for up to six months as a permitted activity with few, if any, restrictions. The bylaw permitting process manages the temporary effects of productions occurring in public places and Auckland Transport can take

enforcement action where roadside parking arising from filming on private property causes a safety risk.

10.2.7. Driveways and portable sawmills

Mr Paul Mitchell was concerned about driveways in the Foothills in particular. The Panel agrees with his observations and pragmatic approach based on experience. In the Rural – Waitākere Ranges Zone, there is no limit on the length of driveways and an average gradient of one in five is adopted. This allows for steeper sections of driveway and also recognises that modern vehicles can negotiate steeper gradients.

Mr Mitchell also supported provision for portable sawmills. The Panel agrees that portable sawmills are commonly used in the Foothills and has retained the activity status and standard.

10.2.8. Visitor accommodation

Waitākere Park Partnership and Auckland Waitākere Estate (4288) sought more permissive activity status for visitor accommodation and changes to the standards. The Panel considers that discretionary activity status is appropriate for this hotel complex as provided for in the zone. This activity status provides flexibility as consent can be granted to any development proposal meeting the objectives and policies of the Waitākere Ranges Heritage Area Overlay.

11. Consequential changes

11.1. Changes to other parts of the plan

As a consequence of the Panel's recommendations on this topic, there are consequential changes to other parts of the Plan as listed below:

- i. Topic 42 Infrastructure – apart from one objective that is retained in the Waitākere Ranges Heritage Area Overlay, all infrastructure provisions are relocated to Chapter E26.

11.2. Changes to provisions in this topic

As a result of the Panel's recommendations on other topics, there are consequential changes to the provisions in this part of the Plan as set out below.

- i. Topic 027 Artworks, signs and temporary activities – clarification of the relationship between the Plan and bylaws relating to signs and events in public places;
- ii. Topic 065 Definitions – deleting the definition of artisan industries which in turn removes this activity from the activity table;
- iii. Topic 080 Rezoning and precincts (general) – Regional Park Precinct removed; and
- iv. Topic 081 Rezoning and precincts (geographical areas) – site specific subdivision/zoning.

The Panel has removed the following provisions from the notified proposed Auckland Unitary Plan.

- i. F.7.9 Waitākere Ranges Heritage Area including the objectives and policies of the following:
 - Sub-precinct A - Waitākere Foothills;
 - Sub-precinct B - Waitākere Ranges;
 - Sub-precinct C - Titirangi Laingholm;
 - Sub-precinct D - Waitākere Coastal Settlements;
 - Sub-precinct E - Large Property Management Areas; and
 - Sub-precinct F - Waitākere Ranges Park.
- ii. K.7.9 Waitākere Ranges Heritage Area, including the provisions of the following:
 - Sub-precinct A - Waitākere Foothills;
 - Sub-policy Area A: Oratia Village;
 - Sub-precinct B - Waitākere Ranges;
 - Sub-precinct C - Titirangi Laingholm;
 - Policy area 3: Titirangi Village;
 - Sub-precinct D - Waitākere Coastal Settlements;
 - Sub-precinct E - Large Property Management Areas; and
 - Sub-precinct F - Waitākere Ranges Park.

The following provisions are inserted to manage subdivision, use and development within the Waitākere Ranges Heritage Area:

- i. D12 Waitākere Ranges Heritage Area Overlay;
- ii. H20 Rural - Waitākere Foothills Zone;
- iii. H21 Rural - Waitākere Ranges Zone;
- iv. I601 Bethells Precinct;
- v. I608 Oratia Village Precinct;
- vi. I612 Te Henga Precinct;
- vii. I614 Wainamu Precinct; and
- viii. Schedule 16 Waitākere Ranges Heritage Area Subdivision Scheduled Areas/Sites.

The maps of the heritage area will also be updated to reflect these changes, including:

- i. remove the precinct, sub-precincts, policy areas and sub-policy areas boundaries from the GIS viewer and the related map diagrams;

- ii. insert new overlay over the Waitākere Ranges Heritage Area and scheduled subdivision areas and sites subject to additional subdivision standards;
- iii. rezone the Foothills Precinct as the new Rural – Waitākere Foothills Zone;
- iv. rezone the Waitākere Ranges and Bush Living Precinct as the new Rural – Waitākere Ranges Zone;
- v. rezone the Coastal Village Precinct as Residential – Rural and Coastal Settlement Zone;
- vi. retain the Residential – Large Lot Zone for the Titirangi Laingholm Precinct and removing the precinct;
- vii. retain the Business – Local Centre Zone for the Titirangi Village and removing the precinct;
- viii. retain the Oratia Village Precinct, Bethells, Te Henga and Wainamu Precincts;
- ix. apply a subdivision variation control over the coastal villages; and
- x. rezoning particular sites within the Heritage Area such as the Huia Foodstore, 1194 Huia Road to Business – Neighbourhood Centre Zone.

12. Reference documents

The documents listed below, as well as the submissions and evidence presented to the Panel on this topic, have been relied upon by the Panel in making its recommendations.

The documents can be located on the aupihp website (www.aupihp.govt.nz) on the hearings page under the relevant hearing topic number and name.

You can use the links provided below to locate the documents, or you can go to the website and search for the document by name or date loaded.

(The date in brackets after the document link refers to the date the document was loaded onto the aupihp website. Note this may not be the same as the date of the document referred to in the report.)

12.1. General topic documents

Panel documents

[075 - Submission Point Pathway Report - 4 March 2015](#) (17 April 2015)

[075 - Parties and Issues Report - 13 January 2015](#) (17 April 2015)

Mediation

[075 - Mediation Joint Statement - Session 1-6 \(3-4 September, 7-8 September and 10-11 September 2015\)](#) (16 September 2015)

[075 - Coastal Settlement Mediated version - 2015-09-04](#) (4 September 2015)

[075 - mediated common objectives and policies 2015-09-03](#) (4 September 2015)

[075 - Mediated Version - Foothills Precinct -2015-09-10](#) (10 September 2015)

[075 - Mediated Version - Ranges Precinct 2015-09-07](#) (7 September 2015)

Expert Conference

[075 - Expert Conferences Outcomes Report](#) (7 July 2015)

Auckland Council marked-up version

[075 - Auckland Council - Memorandum explaining restructure of precinct provisions](#) (28 August 2015)

[075 - Auckland Council - Proposed Marked-up Version - Coastal Settlements Precinct](#) (28 August 2015)

[075 - Auckland Council - Proposed Marked-up Version - Bethells precinct](#) (28 August 2015)

[075 - Auckland Council - Proposed Marked-up Version - Foothills Precinct](#) (28 August 2015)

[075 - Auckland Council - Proposed Marked-up Version - Ranges Precinct](#) (28 August 2015)

[075 - Auckland Council - Proposed Marked-up Version - Regional Park precinct](#) (28 August 2015)

[075 - Auckland Council - Proposed Marked-up Version - Te Henga precinct](#) (28 August 2015)

[075 - Auckland Council - Proposed Marked-up Version - Titirangi Laingholm Precinct](#) (28 August 2015)

[075 - Auckland Council - Proposed Marked-up Version - Titirangi Village Precinct](#) (28 August 2015)

[075 - Auckland Council - Proposed Marked-up Version - Wainamu precinct](#) (28 August 2015)

Auckland Council closing statement

[075 Hrg - Auckland Council - Closing Statement](#) (27 May 2016)

[075 Hrg - Auckland Council - CLOSING STATEMENT - Supplementary - 4 Feb 2016](#) (31 May 2016)

Wren reports

[Waitākere Ranges Heritage Area Precinct Diagnostic](#) (2 February 2015)

[075 - Independent expert report on plan structure](#) (20 July 2015)

12.2. Specific evidence

Auckland Council

[075 Hrg - Auckland Council - LEGAL SUBMISSIONS](#) (5 November 2015)

[075 Hrg - Auckland Council - Supplementary Evidence - Updated precinct plans](#) (5 November 2015)

[075 Hrg - Auckland Council \(Alison Pye\) - Primary Evidence - Land Use Provisions](#) (2 October 2015)

[075 Hrg - Auckland Council \(Alison Pye\) - Planning - Land Use Provisions - REBUTTAL](#) (30 October 2015)

[075 Hrg - Auckland Council \(Eryn Shields\) - Primary Evidence - Objectives and Policies \(2 October 2015\)](#)

[075 Hrg - Auckland Council \(Eryn Shields\) - Planning - Objectives and Policies - REBUTTAL \(30 October 2015\)](#)

[075 Hrg - Auckland Council \(Eryn Shields\) - Structure Diagram - REBUTTAL \(2 November](#)

[Pre-hrg - Memo on rationale for structure for WRHA and response to Wren report \(18 February 2015\)](#)

Auckland Utility Operators Group Incorporated

[075 Hrg - Auckland Utility Operators Group - Legal Submissions \(5 November 2015\)](#)

[075 Hrg - Auckland Utility Operators Group \(David Hay\) - Statement of Evidence \(15 October 2015\)](#)

Bobbi Carroll

[075 Hrg - Bobbie Carroll - Supplementary Evidence - Map \(5 November 2015\)](#)

[075 Hrg - Bobbie Carroll - Supplementary Evidence - Piha Subdivision Diagram \(5 November 2015\)](#)

Bronwen Turner

[075 Hrg - Bronwen J Turner et al \(Bronwen Turner\) - Primary Evidence \(21 September 2015\)](#)

CDL Land New Zealand Limited

[016&017 Hrg - CDL Land New Zealand Ltd \(Douglas Allan\) - Legal Submissions \(22 January 2016\)](#)

[016&017 Hrg - CDL Land NZ Ltd \(John Childs\) - Planning \(19 November 2015\)](#)

[016&017 Hrg - CDL Land NZ Ltd \(Philip Brown\) - Strategic Planning \(17 November 2015\)](#)

Cherokee Films (and Film Auckland Incorporated)

[075 Hrg - Film Auckland Incorporated and Cherokee Films \(Peter Hall\) - Statement of Evidence \(14 October 2015\)](#)

Est EJM Wheeler Trust

[075 Hrg - Est EJM Wheeler Trust \(Philip Brown\) - Statement of Evidence \(15 October 2015\)](#)

Friends of Regional Parks

[075 Hrg - Friends of Regional Parks \(Bronwen Turner\) - Primary Evidence \(21 September 2015\)](#)

[075 Hrg - Friends of Regional Parks \(Bronwen Turner\) - Supplementary Evidence - Statement \(6 November 2015\)](#)

[075 Hrg - Bronwen J Turner, Kenneth E. and Helen M. Turner, Huia Private Reserve \(Bronwen Turner\) - Supplementary Evidence - Statement \(6 November 2015\)](#)

John and Pien Wise

[081 John and Pien Wise \(B Kaye\) - Planning](#) (12 February 2016)

John Lenihan

[075 Hrg - John Lenihan - Statement of Evidence](#) (13 October 2015)

[075 Hrg - John Lenihan - Supplementary Evidence - Sketches](#) (6 November 2015)

[075 Hrg - John Lenihan - Supplementary Evidence - Statement of Evidence](#) (6 November 2015)

Paul and Karyn Mitchell

[075 Hrg - Paul & Karyn Mitchell \(Mark Bellingham\) - Planning](#) (16 October 2015)

Preserve Piha Limited

[081 Preserve Piha Limited \(M Campbell\) - Planning](#) (12 February 2016)

Strategic Property Advocacy Network Incorporated

[075 Hrg - Multiple Parties \(Barry Kaye\) - Statement of Evidence](#) (16 October 2015)

[075 Hrg - Multiple Parties \(Barry Kaye\) - Statement of Evidence - REBUTTAL](#) (29 October 2015)

[075 Hrg - Multiple Parties \(Barry Kaye\) - Supplementary Evidence - Summary of Evidence](#) (6 November 2015)

[075 Hrg - Multiple Parties \(Setareh Masoud-Ansari\) - Legal Submissions](#) (6 November 2015)

The Waitākere Ranges Protection Society Incorporated

[075 Hrg - Waitākere Ranges Protection Society Incorporated \(Douglas Allan\) - Legal Submissions](#) (6 November 2015)

[075 Hrg - Waitākere Ranges Protection Society Incorporated \(Douglas Allan\) - Interim Decision of Environment Court A21-2000](#) (6 November 2015)

[075 Hrg - Waitākere Ranges Protection Society Incorporated \(Douglas Allan\) - Supplementary Evidence - Decision of Environment Court A3-2009](#) (6 November 2015)

Victoria E Bethell

[075 Hrg - Victoria E Bethell - Statement of Evidence - LATE](#) (23 October 2015)

[075 Hrg - Victoria E Bethell - Bethell Precinct Plan - LATE](#) (23 October 2015)

[075 Hrg - Victoria E Bethell - Track Changes \(Bethell Precinct\) - LATE](#) (23 October 2015)

Waitākere Ranges Protection Society Incorporated

[075 Hrg - Waitākere Ranges Protection Society Incorporated \(James Hook\) - Planning](#) (16 October 2015)

[075 Hrg - Waitākere Ranges Protection Society Incorporated \(James Hook\) - Planning - REBUTTAL](#) (30 October 2015)