

**Submission to Auckland Council on
the Draft Auckland Plan
19 October 2011**

To: Auckland Council
By email: theaucklandplan@aucklandcouncil.govt.nz

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1. Introduction

- 1.1 The Environmental Defence Society (EDS) welcomes the opportunity to comment on the Draft Auckland Plan.
- 1.2 EDS is a public interest environmental law group, formed in 1971. It is Auckland-based and has a membership that consists largely of resource management professionals. The focus of EDS's work is on achieving good environmental outcomes through improving the quality of New Zealand's legal and policy frameworks and statutory decision-making processes. EDS works with councils and other organisations by providing research-based contributions to environmental policy-making.
- 1.3 Overall EDS considers the Draft Auckland Plan has recognised the place of the environment in strategic planning for Auckland and EDS congratulates Auckland Council for setting out a suite of policy directives that are science based, strategic and are detailed enough to provide certainty and clarity to Aucklanders.

2. Auckland's high level development strategy

- 2.1 EDS supports the strategic direction outlined in Section D: Auckland's High Level Development Strategy: Part 1: Making a Quality Compact City Work. Specifically EDS supports:
 - (a) **The use of a new Rural Urban Boundary (RUB).** EDS agrees that a RUB is essential to avoid unplanned and incremental development and high infrastructure costs. EDS considers the proposed RUB, which provides for a limited area of greenfield development to allow for growth over the next 30 years is appropriate provided:
 - (i) It is accompanied with policies to ensure greenfield land is released for development through a staged approach, to meet growth demand, with each stage of release being planned so that social and physical infrastructure and services are provided;

- (ii) It is accompanied with a suite of tools to achieve higher density development within its boundaries; and
 - (iii) The Unitary Plan implements this approach.
- (b) **Promoting urban intensification.** EDS agrees that complying with the RUB will require increasing the density of the urban environment. EDS supports the Council's commitment in the Draft Auckland Plan to achieving intensification. It is evident the Council has thought strategically about *how* to achieve this change, including for example, achieving two thirds of new dwellings between now and 2040 as attached dwellings and low, medium or high rise apartments (refer Chapter 8).
- (c) **Sequencing and prioritising areas for growth and development.** EDS is encouraged by the way the Council has provided a clear direction and a high level of detail in the Auckland Plan as to where growth and development will be sequenced over the next 30 years, including the key projects and opportunities for each priority location (refer Chapter 12 Implementation Framework). EDS also considers the eight growth areas prioritised for intensification for the first 3 years of the Auckland Plan are appropriate to the extent they are not in sensitive coastal, landscape or ecological areas.

3. Auckland's landscapes, open space, recreational and ecological areas

- 3.1 EDS supports the Council's commitment in Chapter 5 that "We can and will safeguard what we have and radically improve our environment where it has become degraded". The references to the State of the Auckland Region Report (2010) and the Hauraki Gulf State of Environment Report (2011) are important inclusions as they identify some of the key environmental issues for Auckland and provide justification for the policy responses described in Chapter 5.
- 3.2 EDS recognises the Council has acted consistently with its statutory obligations under the Local Government (Auckland Council) Amendment Act 2010 by identifying the following features on maps:
- (a) significant recreational areas
 - (b) significant open-space areas
 - (c) significant ecological areas
 - (d) significant landscapes and natural features
- 3.3 EDS supports the Directives 5.2, 5.3 and 5.4 which require protection of nationally and regionally significant landscapes, recreation and open space areas and ecological areas respectively. In its submission on the discussion document, *Auckland Unleashed*, EDS submitted that particular regard needs to be paid to the adverse effects of Auckland's growth and development on marine ecosystems and threatened species, including birds and marine mammals such as Maui's dolphin.
- 3.4 EDS is therefore encouraged that the maps of the Draft Auckland Plan identify significant wading bird areas and Maui's dolphin habitat and the associated text refers to the habitat of these species. We note that the New Zealand Coastal

Policy Statement requires the Council to avoid adverse affects of activities on threatened or at risk species and on other important ecosystems and habitats.

- 3.5 EDS is concerned that the plan does not contain specific provisions in the text to ensure the protection of the Maui's dolphin. This sub-species is close to extinction and it is critical that any human-induced negative impacts on the dolphins are avoided. This includes activities within the marine area where the dolphins may be present and within catchments which drain into this area.
- 3.6 EDS is concerned that the targets identified on page 80 do not include a target related to the protection of outstanding landscapes and natural character. EDS would like to see the inclusion of an additional target which states "Ensure no loss in the area of outstanding natural landscapes or length of undeveloped coastline"

4. Auckland's Coastal and Marine Areas

- 4.1 EDS supports directive 5.11 which requires protection of coastal areas from the impacts of land-based development and associated text which recognises the degraded nature of Auckland's harbours and estuaries as a result of sediment and other contaminants.
- 4.2 EDS supports directive 5.12 which is to ensure integrated and sustainable management through the proposed preparation of marine spatial plans for the Hauraki Gulf, Kaipara Harbour and Manukau Harbour. EDS also supports Chapter 12: Implementation Framework specifically requiring development of marine spatial plans for Hauraki Gulf, Kaipara Harbour and Manukau Harbour by 2015.
- 4.3 EDS supports the inclusion of indicative marine protected areas on Maps 5.1 and 5.5 as such protection is important to ensure the ecological health of the marine area within the Auckland region. It is important that these areas are reflected in marine spatial plans.
- 4.4 As the Council is aware, EDS has undertaken significant background work and is highly supportive of a spatial planning initiative in the Hauraki Gulf that takes an integrated catchment-to-the-sea approach by addressing catchment-based issues which affect the marine area such as sedimentation, nutrient run off and heavy metal contamination as well as activities in the marine area such as commercial and recreational fishing, shipping, aquaculture and coastal development. We encourage the Council to prioritise this in its Long Term Plan.
- 4.5 The importance of protecting Auckland's coastline (especially the remaining areas of undeveloped coast), from sprawling and sporadic development, should be prominent in the Auckland Plan. Therefore EDS supports the requirement in Chapter 12: Implementation Framework that Auckland Council "Investigate and identify, through the Unitary Plan, coastal areas where further development should not occur or future development is inappropriate" (as an implementation action for 5.11 and 5.12). However this action should, in addition, be referred to as a specific directive in Chapter 5 itself to increase its visibility and impact.
- 4.6 EDS considers the implementation of this action via the Unitary Plan is of importance in terms of both section 6 of the RMA and the New Zealand Coastal

Policy Statement (2010). We note that the New Zealand Coastal Policy Statement requires the Council to avoid adverse effects of activities on coastal areas with outstanding natural character and on outstanding natural features and landscapes in the coastal environment.

- 4.7 EDS is concerned that the environmental targets on page 80 do not specifically address sediment which is a key marine issue. The recent *State of Our Gulf* report confirmed that sediment is a “serious contaminant that is responsible for relatively large scale impacts on the coastal margin.” EDS proposes that an additional target be included “Reduce the overall level of suspended solid concentrations in the coastal marine area from 2011 levels by 25% by 2025”

5. Rural Auckland

- 5.1 EDS considers future residential development in rural Auckland should be accommodated within urban nodes in order to maintain a pastoral or rural landscape across much of the rural area and to put an end to “rural sprawl” – low quality lifestyle block densification.
- 5.2 EDS therefore supports the framework in Schedule 2 of Chapter 7 which requires future growth in rural areas to be focused in satellites - urban settlements of varying sizes, but significant in terms of servicing a wide rural catchment. Six satellites have been identified in Schedule 2. These satellites are not located in sensitive natural environments, which would be compromised if significant residential and business growth occurred.
- 5.3 EDS considers it important that countryside living is constrained within defined boundaries and is not permitted in undeveloped rural coastal areas or in areas with high landscape and/or natural character values. EDS therefore supports the rural strategy shown in Map 7.1 which identifies specific areas on the fringes of the urban area for country living. It is important that this strategy is implemented through strong and clear rules in the Unitary Plan.

6. Climate change response

- 6.1 EDS supports the development of an Energy and Greenhouse Gas Emissions Reduction Strategy and Action Plan that will identify policy options to deliver upon the reduction target of a 40% decrease in emissions by 2031. EDS encourages the Council to prioritise the development of this strategy for adoption in 2012 as outlined in Chapter 12 Implementation Framework. EDS also supports the inclusion of information on the direct impacts of climate change on Auckland, in Box 6.1.
- 6.2 However the Draft Auckland Plan has failed to provide a strategic framework for climate change adaptation. The Implementation Framework states that the Council will work with key partners to undertake monitoring, spatial identification and assessment of the effects and impacts of climate change, and will investigate ways to develop and implement flexible, risk-based land-use planning tools that can be applied to existing and new development (for example, managed retreat, minimum setbacks and floor levels). These are important actions that should be prioritised by the Council.

6.3 EDS submits the Council should also consider the following actions in developing an adaptation strategy:

- (a) Refer to international best practice in planning for climate change adaptation.
- (b) Undertake a regional vulnerability assessment based on sensitivity analysis and adaptive capacity.
- (c) Adopt adaptation strategies appropriate to the shoreline type (for example, looking at a way of protecting wetlands, which provide a natural defence to land behind them).
- (d) Discourage development in areas subject to inundation.
- (e) In some places consider living with increased sea levels through new innovative design.

7. Conclusion

7.1 EDS would welcome any further opportunity to discuss the Auckland Plan with Auckland Council.

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