

**Submission to Auckland Council on  
The Auckland Plan Discussion Document  
3 May 2011**

**To:** Auckland Council  
By email: [theaucklandplan@aucklandcouncil.govt.nz](mailto:theaucklandplan@aucklandcouncil.govt.nz)

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**1. Introduction**

- 1.1 The Environmental Defence Society (EDS) welcomes the opportunity to comment on the Auckland Plan discussion document (discussion document).
- 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 EDS has recently published a *Guide to Strengthening Second Generation Regional Policy Statements*. Much of the material in the Guide is equally relevant to the preparation of the Auckland Plan. We have attached a copy of the Guide in support of our submission.

**2. Executive summary**

- 2.1 EDS is highly supportive of the concept of spatial planning in Auckland and considers the development of the spatial plan for Auckland (Auckland Plan) presents an historic opportunity to set a strategic direction for Auckland. Urban development must be managed wisely and decisively, and in a way that recognises and provides for Auckland's unique natural environment, including its coastal and marine environment.
- 2.2 EDS makes seven principle submissions:
  - (a) The high level goals of the Auckland Plan must recognise the place of the environment in strategic planning for Auckland. Currently these goals fail to properly recognise Auckland's natural environment. The eco city approach is not broad enough to drive the whole environmental strategy for Auckland. The protection of elements of the natural environment such as waterways, landscapes, natural character, terrestrial, freshwater and marine biodiversity

and the maintenance of ecosystem function must be encompassed by high level goals.

- (b) The Auckland Plan is required under the Local Government (Auckland Council) Amendment Act 2010 (LGACAA) to identify nationally and regionally significant recreational areas and open-space areas (s 79(4)(e)(i)), ecological areas within Auckland that should be protected from development (s 79(4)(e)(ii)) and landscapes, areas of historic heritage value, and natural features within Auckland (s 79(4)(e)(iv)). The discussion document has not undertaken these tasks and should have done so in order for the public to comment.
- (c) The Auckland Plan is an opportunity to better plan for Auckland's extensive marine environment. In planning for growth and development the Auckland Plan must consider how land and sea issues are linked and ensure marine health and productivity is protected.
- (d) The Council's identification of nationally and regionally significant ecological areas, as required under the LGACAA, should include areas in the marine environment. A significant ecological area that should be identified and protected from development under section 79(4)(e)(ii) is the habitat of the critically endangered Maui's dolphin.
- (e) The Auckland Plan should spatially plan for various marine activities so that future conflicts can be avoided. Accommodating future growth through more intensive development in the coastal environment should be avoided.
- (f) Urban development and rural intensification in the most highly valued natural areas should be avoided. Both "Go" and "No-go" areas for development in Auckland should be identified and the spatial extent of these areas should be depicted on maps in the Auckland Plan.
- (g) The Auckland Plan must establish a compact and sustainable urban form with clearly defined metropolitan urban limits. There should be adequate space allocated for urban growth over the next 20 years.

2.3 EDS elaborates on these submissions in the remainder of this document.

### **3. Section 2: Proposed Goals for Auckland**

- 3.1 EDS is concerned to ensure the Auckland Plan's high level goals recognise the critical role of the environment in strategic planning for Auckland.
- 3.2 EDS supports recognition of the environment as a "strategic driver" (page 14) and supports the strong environmental element of "Auckland 2040: What we can look like" (page 15). In particular EDS supports reference to our unique connections with our land and water, green space, environmentally friendly living, strong rural values and connections and the protection of our ecological and culturally significant landscapes, our distinctive volcanic cones and lava fields, coastal, marine and bush areas.

- 3.3 However the proposed eight goals for the Auckland Plan fail to adequately address environmental issues. The three which are of particular relevance to the environment are:
- (a) An Auckland that provides a sustainable lifestyle with high and rising quality of life for all Aucklanders
  - (b) A destination recognised world-wide for its pre-eminent rural, natural and marine setting
  - (c) A beautiful Auckland that everyone is proud of
- 3.4 Only very narrow aspects of the environment are recognised by these goals. For example “a destination recognised world-wide” values the environment only as a tourism earner and “a beautiful Auckland” only accounts for the environment as it is visually perceived by people.
- 3.5 None of these goals provide for Auckland’s unique natural environment and biodiversity. Consequently there is no goal that encompasses ecosystem functioning, biodiversity conservation or the value of protecting elements of the natural environment.
- 3.6 EDS submits an additional goal should be added in this section to state the following:
- “An Auckland that protects and enhances its diverse natural environment and the integrity of terrestrial, freshwater and marine ecosystems”

#### **4. Section 7: People and the Environment**

##### *Eco City Approach*

- 4.1 The term *eco city* is commonly understood to describe those cities designed with consideration of environmental impact, including minimisation of required inputs of energy, water and food, and waste outputs.
- 4.2 EDS supports in principle the Council’s vision for Auckland to become an eco city (page 99). However the eco city approach is not wide enough to drive the whole environmental strategy for Auckland.
- 4.3 Most of the Auckland region is rural and marine with the urban area only accounting for about 12% of all of the land across Auckland. Rural and marine activities, including activities such as holiday home and rural lifestyle development, have a major impact on the natural environment. Strategic planning for these activities is not directly envisaged by the eco city approach.
- 4.4 Consequently the eco city approach should only be part of the environmental vision for Auckland.

### *Priority areas*

- 4.5 EDS considers the diagram representing the linkages between action areas, proposed targets, priority areas and vision needs further thought and a number of amendments (page 101).
- 4.6 There is a major mismatch between the high level goals identified in Section 2 and the priority areas (Sustainable global environment, Unique and sustainable natural environment and Quality built environment). For example the priority area “protecting, enhancing and sustaining Auckland’s unique natural environment – land, water, coastal environments and biodiversity” is not clearly linked with any of the eight proposed goals. The priority area “contributing to a sustainable global environment” is also not clearly linked with any of the 8 proposed goals.
- 4.7 There are also unclear links between the action areas, proposed targets and the priority area “Unique and sustainable natural environment”. For example reduction in water demand is to be achieved by managing regional parks and open spaces. These items are unrelated to water demand.
- 4.8 Another example of unclear links stems from the proposed target “Maintain and restore a full range of natural habitats and ecosystems”. This target is to be achieved by maintaining biodiversity which is to be achieved through a sustainable rural environment. Clearly maintaining biodiversity is the outcome of maintaining and restoring a full range of natural habitats and ecosystems, not the action that leads to this proposed target. Further, maintaining and restoring a full range of natural habitats and ecosystems will not be achieved through a sole focus on sustaining the rural environment. There must also be recognition of fresh water, vegetated, coastal and marine habitats and ecosystems.
- 4.9 The diagram is also repetitive, lacks specificity and lacks usefulness. For example waste minimisation is a proposed target. It is to be achieved through waste management, which in turn is to be achieved by waste minimisation. EDS has created an alternative diagram as set out in the **attached** document, and proposes the current diagram be replaced with this diagram.

### *Climate change response*

- 4.10 EDS supports the identification of strategies to reduce carbon emissions including clean energy, efficient buildings, decentralised renewable energy, public transport, cycle ways and urban planning to reduce need to travel, electric and low emission buses and vehicles, planting carbon sinks (although landscape impacts of exotic afforestation will need consideration) and reducing green waste in landfills (paragraph 296).
- 4.11 However the responses to the impact of climate change are very vague and woolly (paragraph 299). The Plan needs to be clear about avoiding new investment in hazard areas, and spatially identifying areas for planned retreat and for defence.

### *Identification of features of the natural environment*

- 4.12 EDS appreciates the discussion document represents the Mayor and Councilors' initial ideas for articulating and promoting a vision for Auckland. However, the Auckland Plan must be considerably more specific, in order to meet the requirements of the LGACAA.
- 4.13 For example the Auckland Plan is legally required to identify nationally and regionally significant recreational areas and open-space areas (s 79(4)(e)(i)), ecological areas within Auckland that should be protected from development (s 79(4)(e)(ii)) and landscapes, areas of historic heritage value, and natural features within Auckland (s 79(4)(e)(iv)).
- 4.14 The discussion document has not undertaken these tasks. Map 5 (page 107) depicts areas of "Regional and National Significance" (shaded in green). However it is not clear whether these are recreational areas, open space areas, ecological areas, landscapes, areas of historic heritage value, or natural features. Each of these areas must be clearly identified in the Auckland Plan. Where relevant the mapping should show proposed changes over time (eg of recreational areas which will need to expand as population expands).
- 4.15 An additional requirement applies to ecological areas, which must also be protected from development under the LGACAA.
- 4.16 The Council's identification of nationally and regionally significant ecological areas (in accordance with s 79(4)(e)(ii)), should include areas in the marine environment. A significant ecological area that EDS considers should be identified and protected from development is the habitat of Maui's dolphin. The dolphin is ranked as 'nationally critical' by the Department of Conservation and 'critically endangered' by the IUCN. It is found most commonly in the area of the coast between Manukau Harbour and Port Waikato but has been sighted along the west coast of the North Island, between Maunganui Bluff in the north, to just south of New Plymouth. As part of the dolphin's habitat is within the boundaries of Auckland, as defined by the Local Government Commission, the Council should protect Maui's dolphin in its strategic planning. EDS's recent publication *Guide to Strengthening Second Generation Regional Policy Statements* contains specific details on how the Council may strategically plan for Maui's dolphin. We have **attached** a copy of the Guide in support of our submission.

### *Water*

- 4.17 EDS supports the challenges and opportunities for freshwater management including identifying those with nationally or regionally significant values; protecting streams and water bodies and aquifers from contamination from adjoining land uses; identifying restoration opportunities; setting appropriate limits on water use and managing discharges. With respect to the latter, EDS contends that a special focus should be put on non-point source discharges from land use. This is an opportunity to properly consider the way in which such discharges should be managed to achieve an improvement in water quality especially in lowland streams.

### *Park and open space network*

- 4.18 EDS considers that overall the proposals for Auckland's parks and open spaces represent a good strategy. EDS supports protecting and enhancing the blue and green networks of streams and valleys that cross Auckland but considers these should also be identified in the spatial plan and the marine area should be also included within this network over time.
- 4.19 EDS strongly supports a green belt approach for the rural area. It is important to maintain a pastoral or rural landscape across much of the rural area with residential development accommodated within urban nodes. This is an opportunity to put an end to "rural sprawl" – low quality lifestyle block densification that has characterised, for example, much of the former Rodney District. Clearer delineation between town and country will lead to a more sustainable region overall with higher amenity and desirable contrasts across wider landscapes.

### *Coastal management*

- 4.20 The discussion document states that the Auckland Plan is an opportunity to better plan for the extensive marine environment including more integrated thinking about how land and sea issues are linked (paragraph 330). EDS agrees.
- 4.21 The discussion document suggests some "options" including further identifying and mapping the values of coastal and marine areas; prioritising for management and protection of those areas of greatest significance or at greatest risk; encouraging low impact types of development in adjoining land areas, including on-going improvements in stormwater management and infrastructure and protecting areas of important coastal landscape.
- 4.22 However EDS submits these options are presented as somewhat of a "shopping list" and the Auckland Plan must go further and engage in strategic and spatial thinking about coastal management. We need to see clear outcomes proposed and mapped. This is not a traditional plan-making exercise as the enabling legislation makes clear.
- 4.23 The Auckland Plan should emphasise the importance of protecting Auckland's coastline, especially the remaining areas of undeveloped coast. To do this the Auckland Plan should identify "no-go" areas where coastal development is inappropriate, and must consolidate existing coastal settlements to avoid sprawl and sporadic development. EDS expects that such decisions will be implemented via the RMA plans and the Auckland Plan will need to "look ahead" at the requirements that now apply regarding coastal development in terms of both section 6 of the RMA and the New Zealand Coastal Policy Statement (2010) and ensure congruity. We note that the New Zealand Coastal Policy Statement requires the Auckland 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.
- 4.24 The health and productivity of the coastal marine area underpins the future prosperity of Auckland. The Auckland Plan should therefore protect sensitive and ecologically important marine areas when planning for growth and development.

We expect to see a map that shows a “blue network” of such areas throughout the coastal marine area and which clearly makes them off-limits for incompatible activities. The Spatial Plan should specifically recognise that land use within catchments is a source of sedimentation and/or pollution in harbours and estuaries downstream.

- 4.25 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. We expect to see a map that shows the habitat reach of Maui’s dolphin and makes that area off-limits for any activities that might harm them. We note that the New Zealand Coastal Policy Statement requires the Council to avoid adverse effects of activities on threatened or at risk species and on other important ecosystems and habitats.
- 4.26 The Auckland Plan needs to pay particular attention to the management of the coastal marine area and islands within the Hauraki Gulf. The Auckland Council is required to give effect to the Hauraki Gulf Marine Park Act 2000 in its RMA policies and plans. This legislation identifies sustaining the life supporting capacity of these areas as a matter of national significance and emphasizes the need to both protect and enhance their natural resources.
- 4.27 EDS also challenges the statement that by international standards most of Auckland’s marine environment is in good condition, and cautions against inclusion of such a statement in the Auckland Plan without reference to an information source, or the specific environmental indicators referred to. EDS would draw the Council’s attention to the extensive degradation and loss of benthic habitats within Auckland’s coastal marine area including kelp forests, subtidal seagrass beds, mussel beds, other epifauna and sandy habitats through the impacts of trawling, dredging, sedimentation and contamination. There has also been a significant reduction in fish biomass, diversity and productivity. This has undoubtedly had a major impact on the health, productivity and resilience of Auckland’s marine area and needs to be redressed.

#### *Maintaining Biodiversity*

- 4.28 The biodiversity “challenges” outlined at paragraph 343 are generally supported by EDS.
- 4.29 However, it would have been useful at this stage in the preparation of the Auckland Plan for some strategies or solutions to the biodiversity challenges to be outlined, to enable a better opportunity for feedback from stake holders.
- 4.30 The strategies or solutions must address the main threats to biodiversity as follows:
- (a) terrestrial biodiversity - habitat destruction and the spread of pests and weeds
  - (b) freshwater biodiversity – non-point source pollutants, sedimentation, loss of riparian vegetation, water abstraction, physical barriers, exotic species and fishing activity and

- (c) marine biodiversity - fishing activity (including damage to benthic habitats from dredging and trawling), pollution, sedimentation, alteration of physical habitat and invasions of exotic species.

4.31 In addition, as stated above, the Auckland Plan must identify ecological areas within Auckland that should be protected from development (s 79(4)(e)(ii)). This obligation covers terrestrial, freshwater and marine ecological areas.

## **5. Section 8: People and Place**

### *Intensive development in the coastal environment*

5.1 The discussion document suggests accommodating future growth through more intensive development in the coastal environment (paragraph 437). EDS strongly opposes more intensive development in the coastal environment.

5.2 An increase in people living by the coast can have major impacts on the coastal environment. These include:

- (a) Degradation and domestication of natural coastal landscapes and loss of natural character
- (b) Increased threats to endangered coastal species
- (c) Large amounts of sediment generated as a result of earthworks and land clearance for urban development impacts on streams and marine ecosystems and habitats.
- (d) Contaminants generated as a result of normal urban land use (motor vehicle use, pesticides, industrial land uses etc.) can wash from the land into groundwater, streams, wetlands, estuaries and harbours.
- (e) The roading system is also responsible for localised noise pollution and has major impacts on landscape and amenity values.

5.3 Much of Auckland's coastline is already developed. Those remaining undeveloped areas are very highly valued by Aucklanders and need to be strongly protected against urban and rural-residential development. The Auckland Plan needs to be decisive if it is to avoid coastal sprawl in these areas. It needs to make it crystal clear that future coastal development will be confined to existing urban areas with clearly defined urban limits or very contained rural-residential areas located away from undeveloped coastline. These areas need to be clearly identified in the spatial plan. Other development needs to be directed away from the coastal environment.

### *No-go areas for development*

5.4 The Act requires the Auckland Plan to visually illustrate how Auckland must develop in the future (s 79(4)(b)) and to identify policies, priorities and land allocations to implement the strategic direction (s 79(4)(f)).

- 5.5 This statutory mandate provides Auckland Council with an important opportunity to establish some specific and clear land use policies.
- 5.6 EDS submits that development of the most highly valued natural areas should be avoided. The Auckland Plan must emphasise the unsuitability of such areas for future urban development. In other words these areas should be considered “no-go” areas. These areas should be clearly identified on a map.
- 5.7 The Waitakere Ranges are a clear case in point of an area that should be considered a “no-go” for any future subdivision. In strategic planning, the Council should be aware of the Waitakere Ranges Heritage Area Act 2008 (WRHAA) which establishes the Waitakere Ranges Heritage Area, covering a land area of approximately 27,000 hectares which includes the Waitakere Ranges Regional Park, residential areas around Titirangi, the foothills of the Ranges, coastal villages such as Piha, Huia and Karekare and parts of south-west Rodney District.
- 5.8 The purpose of the WRHAA is to recognise the national, regional, and local significance of the Waitakere Ranges heritage area; and promote the protection and enhancement of its heritage features for present and future generations. It also states the heritage area is of national significance and when preparing or reviewing a regional policy statement, regional plan or district plan that affects the heritage area local authorities must give effect to the purpose of the WRHAA and the objectives. While there is no statutory requirement that the Auckland Plan itself give effect to the purpose of the WRHAA and the objectives, EDS submits the Council should be aware of its obligations under the Act during the preparation of the Auckland Plan and ensure the outcome is compatible with its RMA obligations which really give effect to the Auckland Plan.

#### *Achieving a compact urban form*

- 5.9 The discussion document states that to accommodate future growth “the existing option is for a quality compact Auckland where growth of people and jobs is directed into our town centres along our main roading arterials, and is confined within a metropolitan urban limit where the urban area accounts for about 12% of all of the land across Auckland” (page 125). EDS strongly supports this approach.
- 5.10 However the discussion document indicates wavering commitment to developing a compact city in this way and suggests “alternative” and “transitional” options for growth including green fields and coastal development (page 147).
- 5.11 EDS considers the Auckland Plan must establish a compact and sustainable urban form with clearly defined metropolitan urban limits over time. The Auckland Plan must also address *how* a compact urban form is to be achieved. Failure to achieve this outcome would render the local government reforms a failure.

## **6. Section 9: People and Infrastructure**

#### *Public transport capacity*

- 6.1 EDS supports strategic projects to increase public transport capacity such as integrating ticketing and fares, more busway development, improved ferry

services, more park and ride facilities, electrification of the rail network and increasing frequency of train services which will be possible by building the tunnel link from Britomart. EDS is also supportive of the full range of road user charges being deployed so that Auckland can be master of its own public transport destiny. The environmental benefits of strategic projects such as these include a reduction in green house gases, air pollution, and noise, and a reduction of contaminants entering streams and the marine area.

## **7. Conclusion**

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

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3 May 2011

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