



AUCKLAND REGIONAL POLICY STATEMENT PROPOSED CHANGE 8 - VOLCANIC FEATURES AND LANDSCAPE

DECISION REPORT OF THE REGIONAL POLICY STATEMENT CHANGE NO 8 HEARINGS COMMITTEE

REPORT 2 – LANDSCAPE

File Reference: R321-08-07

Date Approved by Regional Strategy and Planning Committee: **6 October 2010**

Date Publicly Notified: **27 October 2010**

1.0 INTRODUCTION

This report has been prepared in accordance with section 10 of the First Schedule of the Resource Management Act 1991 and contains the decisions of the Regional Strategy and Planning Committee of the Auckland Regional Council on submissions and further submissions relating to the Landscape component of Change 8: Landscape and Volcanic Features.

The decisions have been made under delegated authority by the Hearings Committee and were adopted by the Regional Strategy and Planning Committee on 6 October 2010, following consideration of the matters raised in submissions and further submissions and the hearing of evidence.

The amendments to the Auckland Regional Policy Statement (ARPS) arising from the decisions on the relevant submissions are contained in Appendix 1.

In this Decisions Report references to Outstanding Natural Landscapes have been shortened to ONLs.

2.0 OUTLINE OF PLAN CHANGE 8

Auckland Regional Policy Statement Proposed Change 8 was notified on 26 September 2005 with the intent of:

- Replacing the existing mapped landscape areas in the ARPS (which were based on the 1984 Regional Landscape Assessment report) with up to date Outstanding Natural Landscape (ONL) information and to amend the existing objectives and policies relating the identification, protection and management of landscape values and ONLs.
- Amending the ARPS to reflect the revised assessment of the viewshafts to regionally significant volcanic cones, including adding new, or amending or deleting existing viewshafts, and including new objectives and policies relating to the protection and management of the Auckland volcanic field and views to significant volcanic cones.

Proposed Change 8 amended the text of Chapter 6 - Heritage, consequentially Chapter 7 - Coastal and Appendix D (Definitions and Abbreviations) and Appendix F: Auckland Regional

Landscape Assessment. An additional appendix was added which lists the co-ordinates of the volcanic cone viewshafts – Appendix I. Changes were also made to Map Series 2, 3 and 4 to identify Outstanding Natural Landscapes and Outstanding Natural Features and to provide a new set of volcanic cone viewshafts.

3.0 2007 HEARINGS

The Hearings Committee was comprised of the following three ARC councillors:

Councillor Paul Walbran – Chair
Councillor Christine Rose
Councillor Sandra Coney

Hearings on submissions to Change 8 were held on the 14th, 15th, 18th, 22nd and 23rd May 2007 and on the 1st, 5th, and 11th June 2007.

Having considered all of the submissions and heard evidence presented at several days of hearings, the Hearings Committee concluded that Change 8 should not proceed in its present form. Accordingly the Hearings Committee determined to:

1. Make decisions on the submissions that relate to the Volcanic Features, including the Volcanic Viewshaft components of Change 8.
2. Recommend that the ARC undertake a variation to Change 8 to address the matters of concern regarding the Landscape component. Until the variation is undertaken, the Hearings Committee did not propose to issue decisions on the submissions to Change 8 that relate to the Landscape component.

4.0 SUBSEQUENT WORK

The Hearings Committee released its decisions on the Volcanic Features (including the Volcanic Viewshafts) in October 2007. Five appeals were received to these decisions and agreement on the resolution of these appeals has been achieved.

The concerns of the Hearings Committee, in relation to the landscape component of Change 8 generally related to the:

- level of consultation undertaken with landowners prior to notification of Change 8;
- accuracy and scale of mapping of the ONLs;
- methodology of identifying ONLs;
- policy framework, which was considered to require clarification.

Not all of the Hearings Committee's concerns were able to be comprehensively addressed within the constraints imposed on the Hearings Committee's decision. These constraints included the scope of the submissions, and the time required to undertake the necessary work prior to the dissolution of the Committee at the end of the 2007 political term. Hence the Committee directed officers to commence work on a variation for addressing the concerns raised by submissions to the landscape component of Change 8.

Following the October 2007 local body elections, the new Regional Strategy and Planning Committee resolved in November 2007 to commence a review of the Auckland Regional Policy Statement 1999 in accordance with the First Schedule of the RMA. At the outset the RSP Committee intended the reviewed ARPS to be ready for public notification by November 2009. Given this timetable it considered it was timely not to proceed with a separate landscape variation, but to incorporate the landscape review into the wider RPS review.

In early 2009 Government decisions on Auckland Governance arrangements, resulted in the establishment of the Auckland Transition Authority (ATA). The ATA has requested that the ARC not proceed to publicly notify the reviewed Auckland Regional Policy Statement prior to the establishment of the Auckland Council on 1 November 2010. In light of this request, the Regional Strategy and Planning Committee considered options for progressing the landscape part of

Change 8. It has concluded that it should proceed to issue its decisions on the remaining parts of Change 8 and to address the concerns raised by submissions and cross-submissions to the extent allowed by the scope of these submissions. The Committee acknowledges that some matters raised by the submitters may be beyond of the scope of Change 8 to address and will need to be considered as part of the future review of the Auckland Regional Policy Statement.

The Hearings Committee for RPS Change 8 was reconvened by resolution of the Regional Strategy and Planning Committee and it met during August to October 2010 to make its decisions. These decisions were adopted by the Regional Strategy and Policy Committee and approved for public release on 6 October 2010.

5.0 DECISIONS ON THE LANDSCAPE COMPONENT OF CHANGE 8

The following sections contain the decisions of the Change 8 Hearings Committee, made after considering submissions and further submissions received and evidence presented during hearings in May and June 2007 in relation to the Landscape component of Change 8, including the information contained in Appendix F and map series 3a.

The Hearings report on Change 8: Landscape followed the structure of the change, with individual submissions being discussed separately under each section of Change 8 (ie issues, objectives, policies, methods etc). Through the hearing of submissions and the consideration of evidence presented, the Hearings Committee recognised that concerns could be grouped into broad topic areas.

Structure of Decision Report

This decision report groups submissions as far as possible into broad topic areas which are listed below. Each topic contains a list of submissions received according to the relevant issue statement, objective, policy, method and reasons relating to the topic. For example, all submissions received to the Change 8 provisions that relate to High Valued Landscapes have been brought together into one topic. Submissions that address “whole of change” concerns are likewise discussed in one topic.

Submissions that are not addressed by topic area are discussed under the relevant issue, objective, policy, method and reason. These decisions follow the sequence in Change 8.

Each topic or group of submissions are listed, followed by the decision of the Hearings Committee on each submission and further submission. This is then followed by the reasons for the Committee’s decisions. Reference is made to various submissions to highlight key concerns. However not every submission is referenced in the section Reasons for Decisions. This does not mean that the Committee has not considered the matters raised in the submission. Rather, many submissions raised similar concerns and the Committee’s reasons for its decisions are stated once to avoid unnecessary repetition.

The structure of this report is as follows:

- Topic 1: Whole of Change 8 submissions
- Topic 2: Public Consultation
- Topic 3: General Miscellaneous submissions affecting whole of Change 8.
- Topic 4: Providing For Normal Rural Activities and Land Use Change in Outstanding Natural Landscapes
- Topic 5: Identification of Highly Valued Landscapes
- Topic 6: Areas Connected to Outstanding Natural Landscapes
- Topic 7: Greater Recognition of Regional Infrastructure, Renewable Energy Generation and Quarrying in ONLs
- Topic 8: Introduction
- Topic 9: All Issues
- Topic 10: All Objectives
- Topic 11: Policies - General
- Topic 12: Policies 6.4.22.1, 6.4.22.2 and 6.4.22.4
- Topic 13: Policies 6.4.22.7 and 6.4.22.8
- Topic 14: Policies 6.4.22.9, 6.4.22.10, 6.4.22.11 and 6.4.22.12

Topic 15	Methods
Topic 16	Sections 6.4.12 and 6.4.24: Reasons
Topic 17	Environmental Results Anticipated, Monitoring, Definitions and Chapter 7
Topic 18	Appendix F: Explanatory Material and Schedule
Topic 19	Map Series 3a: Changes and Additions

TOPIC 5.1 WHOLE OF CHANGE 8 (LANDSCAPE)

This section discusses a variety of submissions and further submissions that focus on the whole landscape component of Change 8.

5.1.1 Whole Change 8 (Landscape) – General Support

No.	Submitter	Summary of Decision Sought	Further Submitter/s
1/2	M Townsend	Retain RPA Change 8, which seeks to acknowledge and protect Auckland's landscape.	
26/1	Environmental Defence Society	Generally supports the proposed plan change.	Supported By: 198 Wendy Macdonald Opposed By: 54 Anglican Trust for Women and Children 42 Mike Murphy
26/11	Environmental Defence Society	Supports other changes (over and above those sought by submission 26) as may be required to achieve the purpose of better protecting the region's outstanding and highly valued (regionally significant) landscapes.	Supported By: 141 West Coast Plan Liaison Group 37 Waitakere City Council Opposed By: 42 Mike Murphy
79/1	Rodney District Council	Supports the proposed plan change, as it makes it plan that Territorial Local Authorities still have the discretion to determine the exact nature of the District Plan provisions needed to achieve the intent set out in the Proposed Plan Change.	Opposed By: 119 Frith Farms (2003) Ltd & Hoteo Trust
79/2	Rodney District Council	Supports the retention of the general philosophical approach in the Proposed Plan change subject to submissions 79/3 and 79/4.	Opposed By: 119 Frith Farms (2003) Ltd & Hoteo Trust
80/1	Gulf District Plan Association Inc	General support for the Whole RPS Change 8.	
78/1	BioMarine Ltd	Support for proposed plan change 8.	
88/1	Meridian Energy (Meridian)	Supports Change 8 as provisions within the RPS that identify landscapes and establish appropriate plan provisions will assist the region to sustainable management of its natural and physical resources.	

Decisions

Submissions **1/2**, **26/1**, **26/11**, **78/1**, **79/1**, **79/2**, **80/1** and **88/1** and further submissions **37**, **141** and **198** in support are accepted and further submissions **54**, **42** and **119** in opposition are rejected.

Reasons for Decisions

The Hearings Committee notes the general support for Change 8 in the above submission points. Despite changes made to various provisions in response to submissions received, the Committee considers that the overall approach to landscape management has not changed significantly. Changes made have been done to improve the clarity of the issues, objectives, policies, methods and reasons.

5.1.2 Whole Change 8 (Landscape) – Support Inclusion of Coastal Marine Area

No.	Submitter	Summary of Decision Sought	Further Submitter/s
26/3	Environmental Defence Society	Supports the inclusion of the Coastal Marine Area in the proposed plan change.	Opposed By: 20 Ports of Auckland Limited 42 Mike Murphy

Decisions

Submission **26/3** is accepted and further submissions **20** and **42** in opposition are rejected.

Reasons for Decisions

The Hearings Committee notes the support of submission **26/3** for the inclusion of the coastal marine area within the ambit of Change 8. The coastal marine area is a significant part of the Auckland Region. Many of the areas identified as being Outstanding Natural Landscapes, are in the coastal environment, which includes both land and the coastal marine area. It is often the interaction of land and water that is a key value of an Outstanding Natural Landscape.

5.1.3 Whole Change 8 (Landscape) – General Opposition and Section 32 report

No.	Submitter	Summary of Decision Sought	Further Submitter/s
68/4	Paul and Karyn Mitchell	Seeks withdrawal of the whole RPS change until there is an established national standard for outstanding natural landscapes.	Supported By: 51 Federated Farmers of New Zealand (Inc)
63/10	Wairoa River Canal Patnership	Seeks that Change 8 be withdrawn or cancelled.	Supported By: 51 Federated Farmers of New Zealand (Inc) 41 Landco Limited
50/2	Marianne Mawhinney	Rejects whole RPS change and seeks the establishment of a national methodology that is clear and not open to interpretation, for the identification of Outstanding Natural Landscapes before reviewing the landscapes of the region.	
112/1	Ponui Farms Limited and J Chamberlin, M Chamberlin	Delete Whole RPS Change 8 for the reasons set out in the submission. See also submissions 112/2 - 112/10.	Supported By: 51 Federated Farmers of New Zealand (Inc)
49/1	Man O'War Station Limited ("MOWS")	Delete Whole RPS Change 8 in all aspects relating to landscape matters in their entirety for the reasons set out in paragraph 3 of the submission. As a less preferred relief, see also submissions 49/2 - 49/28.	Supported By: 51 Federated Farmers of New Zealand (Inc) 112 Ponui Farms Limited and J Chamberlin, M Chamberlin
40/1	Stevenson Resources Limited	In the first instance, withdraw RPS Change 8 (or as an alternative give effect to the detailed relief sought in submissions 40/2 - 40/32).	Supported By: 51 Federated Farmers of New Zealand (Inc) 149 Wharehine Group
60/1	Answer Services (Holdings) Ltd	Reject the Whole RPS (Except Volcanic Cones) for reasons set out in the submission, including: <ul style="list-style-type: none"> as the methodology employed for identifying outstanding natural landscapes within the region is seriously flawed having been derived from a limited and inappropriate assessment methodology as the manner in which the identified outstanding natural landscapes are proposed to be protected from subdivision, use and development in district plans within the region is contrary to the provisions of the Act with particular reference to the use of the prohibited activity technique as there is an inconsistency between the purpose and provisions of the Act and in particular sections 5, 6, 7, 30-32 and 59-62 of the Act, and the intentions and directions of Policy Change 8 as the use of the word "outstanding" in a regional setting where the majority of the region covered by the proposal does not contain the characteristics necessary to achieve that status is contrary to the purpose of section 6 and supportive case law. as the attempt in Policy Change 8 to lock the regional landscape pattern into the status quo arrangements fails to acknowledge the purpose of the Act to promote the use of resources and to provide for land use and development through appropriate rules within district plans as Policy Change 8 does not integrate and link with those other parts of the Regional 	Supported By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited 42 Mike Murphy 69 Mile Purchase 41 Landco Limited

		<p>Policy Statement which support the maintenance and enhancement of indigenous biodiversity through the development process</p> <ul style="list-style-type: none"> as the attempt to include a direction of prohibited activity through rules to be implemented in the district plans of the region is beyond the jurisdiction of the regional council and the purpose of the Act. 	
63/1	Wairoa River Canal Partnership	Reject Whole RPS Change as it does not meet the purpose of the Resource Management Act.	Supported By: 20 Ports of Auckland Limited 51 Federated Farmers of New Zealand (Inc) 41 Landco Limited
63/4	Wairoa River Canal Partnership	Rejects Whole RPS Change as the proposal will not promote the sustainable management of the natural and physical resources of the Auckland Region. The operative RPS uses a scale approach to evaluating "landscape sensitivity". Proposed Change 8 proposes to replace this scale approach with a single notation, being outstanding natural landscapes", to incorporate in the one level features which in the operative RPS are differentiated into three ranked "sensitivity values".	Supported By: 51 Federated Farmers of New Zealand (Inc) 41 Landco Limited
20/1	Ports of Auckland Limited	Amend the provisions of the Proposed change to the submitter's satisfaction, so as to address and give effect to the concerns of the submitter (see submissions 20/2 to 20/15).	
21/1	Kawau Properties Limited ("Kawau Properties")	Amend the provisions of the Proposed change to the submitter's satisfaction, so as to address and give effect to the concerns of the submitter (see submissions 21/2 to 21/11).	
17/1	Jon Maples Land Solutions Ltd	Concerned that the provisions of Proposed Change 8 are fairly general and are open to interpretation by individuals or interest groups with a particular perspective, which may result in quite inappropriate and unfortunate delay for a project.	Supported By: 125 Michael O'Shea 126 M.P.J. O'Shea of Awana 127 Helen O'Shea
63/6	Wairoa River Canal Partnership	Rejects Whole RPS Change as the proposed changes to the "landscape" policies and methods are vague and uncertain.	Supported By: 51 Federated Farmers of New Zealand (Inc) 41 Landco Limited
35/5	Structure Plan Advocate Network (SPAN)	Withdraw Plan Change 8, readvertise the plan change and include a statement that the s32 analysis is available for inspection with the plan change.	Opposed By: 141 West Coast Plan Liaison Group 37 Waitakere City Council
34/5	WH and CP Horring	Withdraw Plan Change 8, readvertise the plan change and include a statement that the s32 analysis is available for inspection with the plan change.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited
68/2	Paul and Karyn Mitchell	Seeks withdrawal of the Whole RPS Change on the basis of a section 32 analysis that the costs outweigh the benefits and are an unfair burden on the landowner. The proposed benefits are for the region with the main proportion of the costs falling on the landowner.	Supported By: 51 Federated Farmers of New Zealand (Inc)
50/1	Marianne Mawhinney	Rejects whole RPS change as a s32 analysis is not referred to in the Public Notice and has not been provided at Public Libraries, the Auckland Regional Council Office or on the ARC website for public inspection.	
63/2	Wairoa River Canal Partnership	Rejects Whole RPS Change as the section 32 evaluation report on which the proposal is based is insufficient and inadequate.	Supported By: 51 Federated Farmers of New Zealand (Inc) 41 Landco Limited
105/4	Douglas Armstrong	Seeks a general lessening of the draconian restrictions drafted in Change 8.	Supported By: 51 Federated Farmers of New Zealand (Inc) 69 Miles Purchase

Decisions

Reject submissions **68/4, 63/10, 50/2, 112/1, 49/1, 40/1, 60/1, 63/4, 63/1, 63/6, 35/5, 34/5, 68/2, 50/1, 63/2** and **105/4** and further submissions **51, 41, 112, 149, 143, 144, 42, 69, 20** in support and accept further submissions **141** and **37** in opposition.

Accept in part submissions **20/1, 21/1** and **17/1** and further submissions **125, 126** and **127** in support.

Reasons for Decisions

These submissions seek either that the landscape component of Change 8 be withdrawn, or that its provisions be changed, for a variety of reasons. These include concerns about various provisions, the generalness, vagueness and uncertainty of the provisions and the adequacy of the section 32 report. In most instances the general whole plan submissions are accompanied by more detailed submissions on the issues, objectives, policies, methods and reasons. Submission **105/4** seeks a lessening of the restrictions in the change, but they did not clarify which provisions were of particular concern.

The Hearings Committee considers it more useful to address these detailed submissions, rather than withdraw the landscape provisions of Change 8. It does not accept that Change 8 is flawed to the extent that it warrants withdrawal. Following the hearing of submissions in 2007, the Committee reviewed the landscape policies and maps against all submissions received. It is of the view that the decisions it has made in relation to the detailed concerns expressed by submitters have improved Change 8. It refers submissions **68/4, 63/10, 112/1, 49/1, 40/1, 60/1, 63/1, 63/4, 20/1, 21/1, 63/6, 35/5** and **105/4** to the contents of this decision report for a more comprehensive response to their detailed points of submission.

Changes to the wording of the policies and methods have been made to remove repetition and ambiguity and to improve their certainty. The Committee point out to submission **17/1** that this is a change to a regional policy statement and its purpose is to provide an overview of the resource management issues of a region and set the general policy direction in relation to achieving the purpose of the Act and the integrated management of natural and physical resources. This means that many of the provisions are set at a general regional level. The district plans of the new Auckland Council in giving effect to the policy statement will contain a more prescriptive interpretation of the provisions as they apply to the local situation.

Submissions **63/4, 50/2, 112/1, 49/1** and **60/1** question the methodology employed to identify ONLs. This issue is discussed further in Topic 18: Appendix F and the Hearings Committee directs these submitters to this section of the report.

It also points out to submission **60/1** that there is sufficient case law to support the identification of outstanding natural landscapes by regional and district councils within the context of their region or district. For example, C180/99: *Whakatipu Environmental Society Inc and Others v The Queenstown-Lakes District Council*. In the context of s6(b) ONLs are not limited to those natural landscapes which are “nationally” outstanding. The method relating to prohibited activity status, which is questioned by submission **60/1** is discussed further in Topic 15: Methods.

Submissions **68/4** and **50/2** seek that Change 8 be withdrawn until a national standard for ONLs has been supported. The Hearings Committee is not aware of any national standard being developed by central government for landscape assessment. It is aware of decisions of the Environment Court regarding landscape assessment criteria. It has addressed this issue in the discussion on Topic 15: Appendix F and directs these submitters to this section of the report.

Submissions **35/5, 34/5, 68/2, 50/1** and **63/2** request the withdrawal of Change 8 on the basis that the section 32 report was not readily available for public inspection at the time of public notification, and that it is insufficient and inadequate in content. The Hearings Committee notes that the Section 32 report was made available at the ARC offices at the time of notification. In accordance with the RMA, the council is not required to include a reference to the Section 32 report in the public notice nor make it available at public libraries.

The Committee also considers that the hearings process provided an opportunity for submitters to raise concerns regarding the purpose and contents of the landscape provisions of Change 8

and for the Committee to change specific objectives, policies and methods in response to these submissions. The Committee supports this approach, rather than dealing with generally expressed, but unsupported concerns about the Section 32 report.

5.1.4 Whole Change 8 (Landscape) – Inconsistency with Regional Growth Strategy

No.	Submitter	Summary of Decision Sought	Further Submitter/s
63/3	Wairoa River Canal Partnership	Rejects Whole RPS Change as the proposal is inconsistent with the Auckland Regional Growth Strategy and the appropriate measures to avoid, remedy or mitigate the actual and potential adverse effects of the use, development and protection of land.	Supported By: 51 Federated Farmers of New Zealand (Inc) 41 Landco Limited

Decisions

Reject submission **63/3** and further submissions **51** and **41** in support.

Reasons for Decisions

The Hearings Committee does not accept that Change 8 is inconsistent with the relevant principles and desired outcomes of the Auckland Regional Growth Strategy. A key feature of the growth concept in relation to its environmental outcomes is: *“The Growth Concept avoids development of the most highly valued and sensitive catchments and coastal environment, and highly valued rural area, landscapes, bush, habitats and public open space, while protecting or enhancing environmental values in already urbanised areas.”* Change 6 to the RPS (Giving effect to the Regional Growth Concept and Integrating Landuse and Transport) brought the Growth Strategy into the statutory framework of the regional policy statement. Change 8 was publicly notified after Change 6 and had regard to the provisions of that earlier RPS change. The Committee has also considered the decisions and appeals to Change 6 when making its decisions on Change 8.

TOPIC 5.2 PUBLIC CONSULTATION

5.2.1 Whole Change 8 (Landscape) - Consultation Process

No.	Submitter	Summary of Decision Sought	Further Submitter/s
34/7	WH and CP Horring	Withdraw Plan Change 8 and consult with the general public, ratepayer groups and landowners, take into account their views and incorporate their views before re-advertising the plan change as due process for consultation has not been followed under the Local Government Act 2002.	Supported By: 51 Federated Farmers of New Zealand (Inc) 143 Matariki Forests 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
45/2	Carole Mary Young (previously Willmoth)	Seeks consultation with individual landowners regarding any decision relating to their particular property and existing and future land use.	Supported By: 51 Federated Farmers of New Zealand (Inc)
72/2	Concerned Awhitu Landowners (1)	Seeks consultation with landowners over the proposed change.	
74/2	L Rutherford	Suggests that all affected property owners have an input into any restrictive measures that may be taken to protect land from inappropriate subdivision and land use, buildings, structures etc.	Opposed By: 96 David Craig
35/7	Structure Plan Advocate Network (SPAN)	Withdraw Plan Change 8 and consult with the general public, ratepayer groups and landowners, take into account their views and incorporate their views before re-advertising the plan change as due process for consultation has not been followed under the Local Government Act 2002.	Supported By: 51 Federated Farmers of New Zealand (Inc)
50/3	Marianne Mawhinney	Rejects whole RPS change and seeks consultation with the general public, ratepayer groups, landowners (including landowners likely to be affected by the proposal) and take into account their views and incorporate their views before re-advertising the plan change.	

51/1	Federated Farmers of New Zealand (Inc)	Seeks further consultation with the Auckland Regional Council about its Proposal, as well as continued participation in the overall development of the Auckland Region, and considers that Council should have undertaken a publicity campaign.	<p>Supported By:</p> 41 Landco Limited 72 Concerned Awhitu Landowners (1) 90 Roger Malcolm Jones 96 David Craig 110 Kerry O. and W.G.M. Ruiterman 112 Ponui Farms Limited and J Chamberlin, M Chamberlin 113 Pollok Ratepayers Association 118 Rodney Irwin Atchinson 119 Frith Farms (2003) Ltd & Hoteo Trust 121 Olsen Farms Ltd 123 Tripp Andrews & Partners Ltd 124 AQ Farms Partnership 131 Alison Chitty 133 Anthony Stekelenburg 134 Falco Visser 135 Cheryle Gail 136 Ian Stuart McNaughton 137 Anna Elisabeth McNaughton 138 Peter R Fraser 142 Wendy June Clark 143 Matariki Forests 144 Carter Holt Harvey Limited 151 Evan Forbes McGregor 152 Ron Hogan 153 Hilary Claire Atchinson 154 Norm Clark 155 Meikle Brian Thomas 156 DL & FR Jamison 157 Martin Frank Bucksey 158 Dacey Balle 159 Brendan Rory Gerrard Balle 160 Chris Balle 161 Balle Bros Holdings Ltd 162 Shane Balle 163 Maurice Balle 164 Jim Balle 165 John McDonald 166 Donna Goettler 167 Shirley Carter 168 Anthony Stekelenburg (2) 169 Peter R Fraser (2) 170 Glenice Aro 171 George McGregor 172 Ian Joseph Chitty 173 Susan Mary Chitty 174 MJ & JM Patterson 175 John Rutherford 176 Jennifer Mary Morley 177 Edwin Raymond Morley 178 Aspin Farms Limited 179 Carol Howard Hamilton 180 Andrew Charles Hamilton 181 BR & RD Teague 182 Barry N Cochrane 183 Vivian Marshall Rutherford 184 Michael M Harper 185 Daniel J Verryt 186 Terence John Atchinson 187 PL & B Sergeant
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68/5	Paul and Karyn Mitchell	Seeks withdrawal of the whole RPS change until proper consultation with the public, ratepayer groups or landowners has taken place and their views taken into account. Incorporate their views before re-advertising the plan change.	
51/6	Federated Farmers of New Zealand (Inc)	Reject the RPS and withdraw it to comply with the requirements of s32 (1) of the Resource Management Act 1991 in the preparation of a new proposed regional Proposed Change.	<p>Supported By: 132 Geoff Chitty 133 Anthony Stekelenburg 134 Falco Visser 135 Cheryle Gail 136 Ian Stuart McNaughton 137 Anna Elisabeth McNaughton 154 Norm Clark 155 Meikle Brian Thomas 156 DL & FR Jamison 157 Martin Frank Bucksey 158 Dacey Balle 159 Brendan Rory Gerrard Balle 160 Chris Balle 161 Balle Bros Holdings Ltd 138 Peter R Fraser 162 Shane Balle 163 Maurice Balle 164 Jim Balle 165 John McDonald 166 Donna Goettler 167 Shirley Carter 168 Anthony Stekelenburg (2) 142 Wendy June Clark 169 Peter R Fraser (2) 170 Glenice Aro 171 George McGregor 172 Ian Joseph Chitty 173 Susan Mary Chitty 174 MJ & JM Patterson 123 Tripp Andrews & Partners Ltd 121 Olsen Farms Ltd 124 AQ Farms Partnership 151 Evan Forbes McGregor 152 Ron Hogan 153 Hilary Claire Atchinson 175 John Rutherford 176 Jennifer Mary Morley 177 Edwin Raymond Morley 178 Aspin Farms Limited 179 Carol Howard Hamilton 180 Andrew Charles Hamilton 181 BR & RD Teague 182 Barry N Cochrane 183 Vivian Marshall Rutherford 184 Michael M Harper 185 Daniel J Verryt 186 Terence John Atchinson</p>

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115/1	Michael Kenneth & Elizabeth Jane Warren	Seeks more information and consultation concerning Whole RPS Change 8. Would like to know what the changes mean regarding bush usage/protection and any possible future subdivision potential.	Supported By: 51 Federated Farmers of New Zealand (Inc)
109/1	Andrew and Liisa Hamilton	Seeks deferral of the proposal until everybody is fully informed. Then to modify the proposal so that it is workable on the Manukau Peninsula with the way the submitters conduct their business in managerial and economic terms.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
111/1	Roger and Alison Milne	Expresses complete opposition to Whole RPS Change 8 due to lack of consultation and information .	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
113/1	Pollok Ratepayers Association	Seeks to stop the whole process until satisfied about the submitters concerns. The submitters wish to receive all the information and have it properly explained to them as it has the propensity to affect their economic wellbeing.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
110/1	Kerry O. and W.G.M. Ruiterman	Seeks more consultation with landowners, and that affected landowners be informed by way of a personal letter rather than a brochure with their rates.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
96/2	David Craig	Seeks extensive consultation with affected landowners on the Awhitu Peninsula to see if other means are available to achieve the purpose of the RMA, if submission 96/1 is not accepted.	Supported By: 51 Federated Farmers of New Zealand (Inc)
104/2	Kaywood Downs Limited	Seeks much more consultation with landowners affected by Whole RPS Change 8. Individual landowners need to be contacted and consulted.	Supported By: 96 David Craig
77/2	Concerned Awhitu Landowners (2)	Expresses disappointment with the lack of communication and information regarding the proposed changes that directly affect private landowners. Also felt the title "Landscape and Volcanic Cones was very misleading and a large number of landowners were unaware that it affected them.	Supported By: 51 Federated Farmers of New Zealand (Inc) 148 Horticulture New Zealand
108/2	John Russell and Helen Sharp	Seeks consultation with affected landowners to ensure that they are not disadvantaged (refer submission 108/1).	Supported By: 96 David Craig
101/1	Carol Howard Hamilton and Ngaire	Seeks consultation and review with all parties	Supported By: 51 Federated Farmers of New Zealand (Inc)

	Constance Hamilton		96 David Craig
118/1	Rodney Irwin Atchinson	Seeks more consultation with landowners and more information on what is happening.	
117/1	Colin Arthur Hull & Judith Anne Hull	Seeks more consultation with landowners. Concerned that minimal and obscure general information was not directed to the implicated landowners, and that there was no known consultation.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
107/1	George and Judy Morris	Seeks more information regarding Whole RPS Change 8.	Supported By: 51 Federated Farmers of New Zealand (Inc)
106/1	George McGregor and Glenice McGregor	Delete Change 8 until landowners are consulted and there is complete landowner majority approval.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
102/1	John & Gayle Oswald	Opposes Change 8 as there has been insufficient notification and no personal contact with property owners and no public meetings.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
100/1	Awhitu Trust	Seeks to oppose Change 8 as there has been a lack of correspondence with landowners and asks for a more detailed map of Area 55 and more correspondence to owners.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
99/1	Patricia Craig	Delete Whole RPS Change 8 as there has been no consultation with landowners.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
98/1	Pollok Farms	Delete Whole RPS Change 8 as there has been no consultation with landowners.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
95/1	Margaret Elizabeth Irwin	Concerned that there has been a lack of landowner consultation.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
95/2	Margaret Elizabeth Irwin	Delete Auckland Regional Policy Statement - Proposed Change 8-Landscape and Volcanic Cones.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
94/1	Colin Stewart Irwin	Concerned that there has been a lack of landowner consultation.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
93/1	G and A Marson	Concerned that there has been no personal consultation with affected landowners and given half the Awhitu peninsula is affected, a public meeting should be held.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
103/1	Awhitu Peninsula Landcare Inc	Requests that individual notice of Change 8 be given to affected landowners and that the submission process be extended to accommodate landowner submissions.	Supported By: 51 Federated Farmers of New Zealand (Inc)

Decisions

Reject submissions **34/7, 45/2, 72/2, 74/2, 35/7, 50/3, 51/1, 68/5, 51/6, 115/1, 109/1, 111/1, 113/1, 110/1, 96/2, 104/2, 77/2, 108/2, 101/1, 118/1, 117/1, 107/1, 106/1, 102/1, 100/1, 99/1, 98/1, 95/1, 95/2, 94/1, 93/1** and **103/1** and further submissions **41, 51, 72, 90, 96, 110, 112, 113, 118, 119, 121, 123, 124, 131, 132, 133, 134, 135, 136, 137, 138, 142, 143, 144, 148, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196** and **197**.

Accept further submissions **37** and **96** in opposition.

Reasons for Decisions:

The Hearings Committee is aware of the concerns raised by residents and landowners of the region regarding the public notification process accompanying Change 8: Landscape and Volcanic Features. It acknowledges that although the Change 8 notification process followed the legal requirements of the RMA, a more extensive consultation process is required for further changes to the regional policy statement. However given the scale of the change (ie. it applies to

the whole of the Auckland Region), it was impossible for the Council to undertake one on one consultation with individual land owners prior to the notification of Change 8.

The Hearings Committee held one public meeting and one hearings meeting at the Pollok Hall in the Awhitu Peninsula to provide concerned landowners on the peninsula with the opportunity to voice their concerns. It has also made a number of changes to the issues, policies and methods in response to the concerns raised by both Awhitu landowners and by other submitters. These are discussed in more detail in later sections of this report. The Committee considers that making these specific amendments in response to submitters' concerns is more appropriate than withdrawing the change.

5.2.2 Whole Change 8 (Landscape) - Property Rights and Compensation

No.	Submitter	Summary of Decision Sought	Further Submitter/s
34/8	WH and CP Horring	Withdraw plan Change 8 or provide compensation for the removal of reasonable use of property.	Supported By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited
35/8	Structure Plan Advocate Network (SPAN)	Withdraw plan Change 8 or provide compensation for the removal of reasonable use of property.	Supported By: 51 Federated Farmers of New Zealand (Inc)
68/3	Paul and Karyn Mitchell	Seeks that if the Whole RPS change is not withdrawn, landowners are compensated for the removal of reasonable land use.	Supported By: 51 Federated Farmers of New Zealand (Inc)
66/1	KTR Trust	Delete the Whole RPS change or negotiate compensation to be inflation adjusted estimate \$200,000 per annum in relation to the submitter's property.	Supported By: 51 Federated Farmers of New Zealand (Inc)
65/1	MR & RR McNaughten Partnership, KTR Trust	Rejects the Whole RPS Change as it amounts to the loss of property rights that would need to be rectified by a major annual rental paid by ARC to landowners.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
67/3	Roslynde Rae & Murray Ross McNaughten	Seeks compensation for landowners/farmers whose rights have been diminished by the RPS change.	Supported By: 125 Michael O'Shea 126 M.P.J. O'Shea of Awana 127 Helen O'Shea 51 Federated Farmers of New Zealand (Inc) 96 David Craig
50/4	Marianne Mawhinney	Rejects whole RPS change and seeks compensation provisions for the removal of reasonable use of property.	Supported By: 125 Michael O'Shea 126 M.P.J. O'Shea of Awana 127 Helen O'Shea 51 Federated Farmers of New Zealand (Inc)
102/2	John & Gayle Oswald	Concerned how Change 8 will affect private property rights and future subdivision potential of property.	Supported By: 51 Federated Farmers of New Zealand (Inc)

Decisions

Reject submissions **34/8, 35/8, 68/3, 66/1, 65/1, 67/3, 50/4** and further submissions **143, 51, 144, 96, 125, 126** and **127** in support.

Reasons for Decisions

The provisions of Change 8 set the regional policy direction in relation to the management of ONLs and landscape in general. However they do not have the effect of a rule and therefore do not directly control the use of private property. The policy direction of Change 8 is in the first instance implemented through the provisions of district plans. Any changes to district plan rules to give effect to Change 8 have to go through a public process and they are not expected to render land incapable of reasonable use.

It should be noted that s85 of the RMA enables anyone who considers that their land has been rendered incapable of reasonable use through provisions of a plan (regional or district plan) to challenge the provisions to the Environment Court. There is no right to compensation through such a challenge. However the Court may direct the provisions to be changed.

TOPIC 5.3 GENERAL MISCELLANEOUS SUBMISSIONS AFFECTING WHOLE OF CHANGE 8

This section includes a variety of different topics raised by submitters, which affect the contents and structure of the whole of Change 8. They are grouped together here as they do not readily fit within the other topic areas.

5.3.1 Whole Change 8 (Landscape) - Inappropriate Subdivision, Use and Development

No.	Submitter	Summary of Decision Sought	Further Submitter/s
34/11	WH and CP Horring	Amend Whole Plan Change 8 to add the word 'inappropriate' before land use, subdivision, use and development etc. Throughout the section clarify that the proposed changes seek to prevent inappropriate use and development in all its forms.	Opposed By: 37 Waitakere City Council
35/10	Structure Plan Advocate Network (SPAN)	Amend Whole Plan Change 8 to add the word 'inappropriate' before land use, subdivision, use and development etc. Throughout the section clarify that the proposed changes seek to prevent inappropriate use and development in all its forms.	Opposed By: 141 West Coast Plan Liaison Group 37 Waitakere City Council
50/6	Marianne Mawhinney	Amend the whole RPS change by adding the word 'inappropriate' before land use, subdivision, use and development.	
15/1	JR Courtenay Family Trust	Withdraw Plan Change 8 in its entirety and seeks in the event that this is not granted that the policy provisions in Chapter 6 (Heritage) be amended so that the issues, objectives, policies and related provisions properly address the management of <u>appropriate</u> development within Outstanding Natural Landscape Areas (see also submissions 15/2 - 15/17).	Supported By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited

Decisions

Reject submissions **34/11**, **35/10**, **50/6** and **15/1** and further submissions **51**, **143** and **144** in support.

Accept further submissions **37** and **141** in opposition.

Reasons for Decisions

The Hearings Committee does not accept the blanket insertion of "inappropriate" where the terms "land use, subdivision, use and development" are used in Change 8, as sought by submission points **34/11**, **35/10** and **50/6**, as this rewording may not be correct in all circumstances. It has however reviewed the text and has included reference to inappropriate subdivision, use and development in some provisions where this is clearly warranted, for example Issue 6.2.7.1.

The Committee also rejects submission **15/1** that Change 8 should be withdrawn or that unspecified amendments made to the text of chapter 6. Changes have been made to the policies and methods in response to more detailed submissions. The Committee considers that these amendments have improved Change 8 and provided better clarity on what is appropriate subdivision, use and development in ONLs.

5.3.2 Whole Change 8 (Landscape) - Change Emphasis or Address Additional Matters

No.	Submitter	Summary of Decision Sought	Further Submitter/s
31/36	Haka International NZ Limited	Amend RPS Change 8 to provide greater certainty as to the level of impact of use and development considered appropriate within the defined areas that the Policy Statement requires territorial authorities to impose controls.	
33/3	Royal Forest and Bird Protection Society of New Zealand Inc	Amend chapter to include the concept of biodiversity, especially under the headings: Issues, Objectives, Policies, Methods and Reasons, Environmental Results Anticipated and Monitoring.	Supported By: 141 West Coast Plan Liaison Group Opposed By: 143 Matariki Forests 144 Carter Holt Harvey Limited 148 Horticulture New Zealand

19/1	N Fremlin (Ms.)	Concerned about ACC and ARC rates and their effect on vacant section owned by submitter on Waiheke Island.	
83/1	Marlene Everson	Amend the Proposed Change to include provisions that ensure farms are sold for further farming and not subdivision. If the rate of farms being subdivided continues there will be no farms left for young farmers.	
23/1	Sean Deery	Delete any reference to Waiheke Island and Great Barrier Island as the present Hauraki Gulf Islands District Plan and RCP are protection enough.	Supported By: 125 Michael O'Shea 126 M.P.J. O'Shea of Awana 127 Helen O'Shea
74/3	L Rutherford	Suggests the RPS be a living document with the ability to add features as they are identified or delete them as necessary.	Supported By: 129 Ngaati Te Ata 96 David Craig Opposed By: 51 Federated Farmers of New Zealand (Inc) 76 Ian Joseph Chitty & Susan Mary Chitty
84/3	Waiuku Windfarm Information Group	Seeks that the ARC encourage Environment Waikato to seek similar classification from its boundary on Kariotahi Rd south to the Waikato River mouth.	Opposed By: 96 David Craig
105/3	Douglas Armstrong	Seeks specific inclusion of provisions relating to rebuilding/replacement in event of fire.	Supported By: 69 Mile Purchase

Decisions

Reject submissions **31/36**, **19/1** and **83/1**.

Reject submission **33/3** and further submission **141** in support and accept further submissions **143**, **144** and **148** in opposition.

Reject submissions **23/1** and **74/3** and further submissions **125**, **126**, **127**, **129** and **96** in support and accept further submissions **51** and **76** in opposition.

Reject submission **84/3** and accept further submission **96** in opposition.

Reject submission **105/3** and further submission **69**.

Reasons for Decisions

The Hearings Committee is aware of the concerns expressed by submitter **31** and their preference for a high level of certainty in all regional planning documents. However given the general nature of submission **31/36**, the Committee was unable to ascertain the exact level of change envisaged by the submitter. It points out that the purpose of a regional policy statement is to provide an overview of the key resource management issues of the region, amongst other things. It is not required to provide a detailed checklist of acceptable or unacceptable adverse effects for every Outstanding Natural Landscape area. The Committee notes that changes have been made to various policies and methods in response to other submissions received, to improve the clarity of the provisions.

The Committee points out to submitter **33/3** that Change 8 deals with the identification and management of outstanding natural landscapes, other landscapes and outstanding natural features. It was not a review of the whole of Chapter 6: Heritage and was not intended to include new provisions on indigenous biodiversity. Biodiversity matters have formed part of the ARC's in house work on the review of the Operative Auckland Regional Policy Statement. This work will be transferred to the new Auckland Council for its consideration as part of the new planning framework.

The matters raised by submissions **19/1** and **83/1**, relating to local authority rates and farm sales, are outside the jurisdiction of the Resource Management Act. Hence the Committee is unable to address these concerns in Change 8.

The Committee considers that reference to Great Barrier Island and Waiheke Island is appropriate within the ARPS and does not accept the request from submission **23/1** that Change 8 delete all references to these two islands. Both Great Barrier and Waiheke islands have significant areas of Outstanding Natural Landscape and it is appropriate that the RPS recognises this fact. Identification and management of ONLs on the islands of the Hauraki Gulf is consistent

with the requirements of the RMA and with the national policy direction of the Hauraki Gulf Marine Park Act 2000.

Although the Hearings Committee understands the sentiments behind submission **74/3** it points out that any changes to a statutory RMA document, including the RPS can only be done through a formal change process undertaken in accordance with the First Schedule. The Committee notes that the ARC has reviewed existing data bases and planned to update the list of features or sites identified in the RPS, through the RPS review process. This information is being transferred to the Auckland Council for its consideration after November 2010.

The suggestion raised in submission **84/3** is noted. Environment Waikato was sent a full copy of Change 8 as part of the public notification process. However the Auckland Regional Council is unable to require Environment Waikato to undertake a landscape study and to implement similar landscape management approaches.

The level of prescription sought by Submitter **105/3** is not considered necessary or appropriate within the ARPS particularly as the provisions do not have the effect of a rule and section 10 of the RMA provides for existing use rights.

5.3.3 Whole of Change 8 (Landscape) – Inconsistencies in Land Use Change Provisions

No.	Submitter	Summary of Decision Sought	Further Submitter/s
48/36	Auckland City Council	<p>Seeks review of the wording throughout proposed change 8 to remove any possible inconsistencies such as those which follow:</p> <ul style="list-style-type: none"> The council notes the possible inconsistency in the proposed change 8 wording (in).....(6.2.7.2 footnote 10, and 6.4.24) and the tensions that may arise when landowners seek to introduce land use changes such as viticulture under the proposed change 8 policy framework such as 6.4.22.1. The policy requirement to <i>ensure high levels of naturalness are maintained</i> and <i>visually intrusive land uses are avoided</i>, could be at odds with land use changes in Outstanding Natural Landscapes, particularly in the <i>"cultured nature"</i> landscapes. This concern is accentuated in relation to policy 6.4.22.3, which refers to Highly Valued Landscapes and the requirement to identify and protect <i>"key landscape elements, features and patterns"</i>. 	<p>Supported By: 112 Ponui Farms Limited and J Chamberlin, M Chamberlin</p> <p>Opposed By: 54 Anglican Trust for Women and Children</p> <p>Support and Opposed By: 37 Waitakere City Council</p>
48/37	Auckland City Council	<p>Amend the Whole RPS by emphasising in the text the differentiation between "wild nature" and "cultured nature" in relation to their sensitivity to land use changes, with "cultured nature" being more accepting of such changes.</p>	<p>Supported By: 112 Ponui Farms Limited and J Chamberlin, M Chamberlin</p> <p>Support and Opposed By: 37 Waitakere City Council</p>

Decisions

Accept in part submissions **48/36** and **48/37** and further submissions **112** in support and that part of further submission **37** in support.

Reasons for Decisions

Auckland City Council (submissions **48/36** and **48/37**) identified a number of concerns, which were subsequent addressed and clarified in evidence presented to the Hearings Committee. The City Council's concerns focussed around how Change 8 dealt with rural production land uses and land use change in ONLs and the need to provide a policy distinction between wild nature and cultured nature. The submissions identified various statements in the issues and policies that it considered to be inconsistent or uncertain.

Mr John Hudson, Landscape Architect presented evidence that proposed a new definition for "naturalness", the inclusion of the term "cultured landscape" in the ONL policies to better reflect the cultured nature of much of the region's ONLs and updating the current RPS definition of

“natural character”. The Hearings Committee gave much thought to these proposed amendments, as they focus on a number of key policy issues for the structure of Change 8 and for future work on the RPS review.

Several of the submitter’s concerns relating to policy inconsistencies between different parts of change 8 have been removed, through other decisions of the Hearings Committee. This includes the deletion of Policy 6.4.22.2, the removal of references to Highly Valued Landscapes and the inclusion of new statements in Issue 6.4.7.1 and in Policy 6.4.22.1 to recognise and provide for rural production landuses and land use change.

The Hearings Committee also acknowledges that the current definition of “naturalness” is inappropriate for application to landscapes. It has retained the definition, but amended it so that it is clear that it refers to naturalness in terms of ecological matters. The Committee has inserted a new naturalness definition as it applies to landscape, but it has not adopted the term cultural landscape values and its associated definition as requested by submission **48/36** and **48/37** for several reasons.

It prefers to use the terms used in the RMA wherever possible to ensure that there is a clear link back to the relevant parts of the statute. Section 6 (b) talks about outstanding natural landscapes, but there is no specific reference in other parts of sections 6 or in section 7 to cultural landscapes. The Committee is concerned that use of the words cultural landscape values will cause un-necessary confusion and be legally ambiguous. The term “naturalness” uses the wording of section 6(b); it is included in the WESI criteria and it has been used by the Environment Court in various landscape decisions to distinguish ONLs from other landscapes. In the Committee’s view the distinguishing characteristic of naturalness is not the type of landcover, ie, indigenous forest versus pastoral land or horticultural use, but the type and scale of built structures of all types in that landscape. Outstanding Natural Landscapes do not preclude normal farming structures such as fences, barns, farm houses or horticultural structures per se. However it is the scale and intensity of the built structures that determines when a natural landscape becomes a domesticated one.

The Committee therefore proposes a new definition as follows:

Naturalness (Landscape)

*In an Outstanding Natural Landscape, **naturalness** means the qualities or landscape characteristics that are produced by nature, or natural processes, including rural land cover such as pasture, rather than landscapes that dominated by built structures or that are highly domesticated. Naturalness occurs in both wild nature and cultured nature Outstanding Natural Landscapes, where a key distinction is the type of land cover.*

The existing definition of naturalness in Appendix D remains, with minor amendments (see Appendix 1 text).

Auckland City Council also proposed updating or replacing the existing definition of natural character by a definition that recognises the legitimacy of human activity in the Cultured Nature ONLs. The Hearings Committee does not support this change. It considers that natural character is a term that should be used in the context of section 6(a) and not brought into a landscape definition. Natural character and landscape values are different matters and should be assessed separately. The Committee views the deletion of Policy 6.4.22.2 as a more useful approach than replacing the natural character definition.

TOPIC 5.4 PROVIDING FOR NORMAL RURAL ACTIVITIES AND LAND USE CHANGE IN OUTSTANDING NATURAL LANDSCAPES

This topic area addresses submissions and further submissions and evidence presented or tabled, relating to the way in which proposed Change 8 deals with land use change and rural activities in Outstanding Natural Landscapes. Most submissions specifically relate to rural land use matters, but some submissions refer to the management of land use in general. As Outstanding Natural landscapes principally apply to rural land, these more generally worded submissions are included in this topic as well. The topic includes submissions on the whole of Change 8, as well as those relating to Policies 6.4.22.1 and 6.4.22.2, as they relate to the issue

of the use of rural land. Other submissions to these two policies are discussed in Topic 12 of this report.

5.4.1 Whole RPS Change (Landscape) - Implications for rural land, farming and general land use

No.	Submitter	Summary of Decision Sought	Further Submitter/s
76/1	Ian Joseph Chitty & Susan Mary Chitty	Rejects the Whole RPS Change and requests its withdrawal as it will adversely affect the submitter's current farming practices and viability.	Supported By: 133 Anthony Stekelenburg 138 Peter R Fraser 51 Federated Farmers of New Zealand (Inc) 96 David Craig
70/2	E Ray & J.M. Morley	Concerned that any restrictions placed on the submitters as farmers need to be much more clearly defined and advised to them so that they can plan for any changes.	
65/3	MR & RR McNaughten Partnership, KTR Trust	Rejects the Whole RPS Change as it would restrict flexibility in farm management.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
75/1	William John (Bill) and Karen Elizabeth Maree Craig	Rejects the Whole RPS Change and requests its withdrawal as it will adversely affect the submitters current farming practices and viability.	Supported By: 51 Federated Farmers of New Zealand (Inc) 76 Ian Joseph Chitty & Susan Mary Chitty 96 David Craig
51/2	Federated Farmers of New Zealand (Inc)	Seeks to express concern that the proposal places excessive emphasis on the protection of rural areas which are at odds with the basic productive purposes for which the land is zoned, and for which it is held in private ownership.	Supported By: 41 Landco Limited 72 Concerned Awhitu Landowners (1) 90 Roger Malcolm Jones 96 David Craig 110 Kerry O. and W.G.M. Ruiterman 112 Ponui Farms Limited and J Chamberlin, M Chamberlin 113 Pollok Ratepayers Association 118 Rodney Irwin Atchinson 119 Frith Farms (2003) Ltd & Hoteo Trust 121 Olsen Farms Ltd 123 Tripp Andrews & Partners Ltd 124 AQ Farms Partnership 131 Alison Chitty 132 Geoff Chitty 133 Anthony Stekelenburg 134 Falco Visser 135 Cheryle Gail 136 Ian Stuart McNaughton 137 Anna Elisabeth McNaughton 138 Peter R Fraser 142 Wendy June Clark 143 Matariki Forests 144 Carter Holt Harvey Limited 148 Horticulture New Zealand 151 Evan Forbes McGregor 152 Ron Hogan 153 Hilary Claire Atchinson 154 Norm Clark 155 Meikle Brian Thomas 156 DL & FR Jamison 157 Martin Frank Bucksey 158 Dacey Balle 159 Brendan Rory Gerrard Balle

			<p>160 Chris Balle 161 Balle Bros Holdings Ltd 162 Shane Balle 163 Maurice Balle 164 Jim Balle 165 John McDonald 166 Donna Goettler 167 Shirley Carter 168 Anthony Stekelenburg (2) 169 Peter R Fraser (2) 170 Glenice Aro 171 George McGregor 172 Ian Joseph Chitty 173 Susan Mary Chitty 174 MJ & JM Patterson 175 John Rutherford 176 Jennifer Mary Morley 177 Edwin Raymond Morley 178 Aspin Farms Limited 179 Carol Howard Hamilton 180 Andrew Charles Hamilton 181 BR & RD Teague 182 Barry N Cochrane 183 Vivian Marshall Rutherford 184 Michael M Harper 185 Daniel J Verryt 186 Terence John Atchinson 187 PL & B Sergeant 188 Margaret Jean Hamilton 189 Clyde Harris Hamilton 190 Brian Blake 191 Kevin John Dodd 192 Maureen Mary Dodd 193 Christopher John Chitty 194 Karyn Jayne Chitty 195 Alex Fraser Chitty 196 Kaiua Citizens & Ratepayers Association 197 Duncan Crawford Munro</p>
48/99	Auckland City Council	Seeks to express concern that the Auckland Regional Policy Statement will present difficulties for landowners converting from uneconomic pastoral activity to a more economic form of agricultural activity. Perpetuating rural viability can reduce the justification for subdivision.	<p>Supported By: 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited Support and Opposed By: 125 Michael O'Shea 127 Helen O'Shea 126 M.P.J. O'Shea of Awana</p>
67/4	Roslynde Rae & Murray Ross McNaughten	Concerned that the proposed changes would restrict farm management practices as detailed in submission.	<p>Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig</p>
116/1	Brenda Elizabeth Lowry	Opposes whole RPS Change 8 as it affects the submitter's farm.	<p>Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig</p>
51/4	Federated Farmers of New Zealand (Inc)	Seeks that it should be possible to undertake normal farming activities without having to obtain a resource consent. FFNZ is concerned that there are many farmers in the Auckland Region who worry that in carrying out their everyday activities they are in breach of the Resource Management Act.	<p>Supported By: 41 Landco Limited 72 Concerned Awhitu Landowners (1) 90 Roger Malcolm Jones 96 David Craig 110 Kerry O. and W.G.M. Ruiterman 112 Ponui Farms Limited and J Chamberlin, M Chamberlin 113 Pollok Ratepayers Association 118 Rodney Irwin Atchinson</p>

			119 Frith Farms (2003) Ltd & Hoteo Trust 121 Olsen Farms Ltd 123 Tripp Andrews & Partners Ltd 124 AQ Farms Partnership 132 Geoff Chitty 133 Anthony Stekelenburg 134 Falco Visser 135 Cheryle Gail 136 Ian Stuart McNaughton 137 Anna Elisabeth McNaughton 138 Peter R Fraser 142 Wendy June Clark 143 Matariki Forests 144 Carter Holt Harvey Limited 151 Evan Forbes McGregor 152 Ron Hogan 153 Hilary Claire Atchinson 154 Norm Clark 155 Meikle Brian Thomas 156 DL & FR Jamison 157 Martin Frank Bucksey 158 Dacey Balle 159 Brendan Rory Gerrard Balle 160 Chris Balle 161 Balle Bros Holdings Ltd 162 Shane Balle 163 Maurice Balle 164 Jim Balle 165 John McDonald 166 Donna Goettler 167 Shirley Carter 168 Anthony Stekelenburg (2) 169 Peter R Fraser (2) 170 Glenice Aro 171 George McGregor 172 Ian Joseph Chitty 173 Susan Mary Chitty 174 MJ & JM Patterson 175 John Rutherford 176 Jennifer Mary Morley 177 Edwin Raymond Morley 178 Aspin Farms Limited 179 Carol Howard Hamilton 180 Andrew Charles Hamilton 181 BR & RD Teague 182 Barry N Cochrane 183 Vivian Marshall Rutherford 184 Michael M Harper 185 Daniel J Verryt 186 Terence John Atchinson 187 PL & B Sergeant 188 Margaret Jean Hamilton 189 Clyde Harris Hamilton 190 Brian Blake 191 Kevin John Dodd 192 Maureen Mary Dodd 193 Christopher John Chitty 194 Karyn Jayne Chitty 195 Alex Fraser Chitty 196 Kaiua Citizens & Ratepayers Association 197 Duncan Crawford Munro
90/1	Roger Malcolm Jones	Seeks information on Change 8 so an assessment can be made of how the change will affect the	Supported By: 51 Federated Farmers of

		submitter's farming practices.	New Zealand (Inc)
101/2	Carol Howard Hamilton and Ngaire Constance Hamilton	Concerned that the restriction on land use will have an adverse effect on the submitters' farming operation and would put at risk the total viability of farming on the Awhitu Peninsula.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
77/1	Concerned Awhitu Landowners (2)	Withdraw Change 8 because of concerns with its effect on rural landowners.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
104/1	Kaywood Downs Limited	Concerned that Change 8 will affect the submitters' ability to manage their property and have an adverse impact on their financial viability by taking away many of their development options.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
96/1	David Craig	Delete Whole RPS Change 8 as: <ul style="list-style-type: none"> The change will potentially not allow for the development of farming facilities within identified outstanding landscape areas and will therefore not provide the opportunities for benefits to be derived from the use and development of farming practices, and so will not meet the reasonably foreseeable needs of future generations The change does not represent the best means of achieving the purpose of the RMA, having regard to the efficiency and effectiveness of other available means. See also submission 96/2	Supported By: 51 Federated Farmers of New Zealand (Inc)
65/2	MR & RR McNaughten Partnership, KTR Trust	Rejects the Whole RPS Change as the change could prevent environmental global best practice such as planting trees to protect erosion of sensitive sandhills (Awhitu) or the installation of wind turbines as an energy source.	Supported By: 51 Federated Farmers of New Zealand (Inc) 76 Ian Joseph Chitty & Susan Mary Chitty 96 David Craig
66/4	KTR Trust	Concerned that the Whole RPS Change could restrict individuals from carrying out environmental protection e.g. planting trees in erosion prone landscapes or environmentally friendly activities such as wind farms. Property owners should be able to control such development on their property without unnecessary and costly application for resource consents.	Supported By: 76 Ian Joseph Chitty & Susan Mary Chitty
97/1	Peter John Robert Pinder	Concerned that Whole RPS Change 8 may prevent a planned sustainable lifestyle involving clearing a bush area to grow food, growing wood for heat and using a wind turbine to become self sufficient in energy.	
68/1	Paul and Karyn Mitchell	Seeks withdrawal of the Whole RPS Change as implementation through more restrictive district plan subdivision, building and controls will affect land values. The submitters oppose the further proposed restrictions on location of houses, minimum design standards, control of earthworks and vegetation clearance. These are all adequately covered under the Waitakere City Council's operative plan.	Supported By: 51 Federated Farmers of New Zealand (Inc)
79/4	Rodney District Council	Seeks clarification of which outstanding landscapes are considered affected by forestry or intensive horticulture and what methods the Auckland Regional Council considers appropriate to address the visual effects, without such detail the Council cannot determine fully the effect of the provisions on the common rural landscapes in the district.	Supported By: 144 Carter Holt Harvey Limited 148 Horticulture New Zealand
64/7	Agape High-Q Holistic Horsemanship Ltd	Seeks recognition of the need for buildings and other human modification within "cultured nature" landscapes.	

64/8	Agape High-Q Holistic Horsemanship Ltd	Seeks recognition that land use changes can be accommodated within Outstanding natural Landscapes.	
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Decisions

Accept in part submissions **70/2, 51/2, 48/99, 64/7, 64/8, 67/4, 51/4, 90/1, 101/2, 104/1, 66/4, 97/1 and 79/4** and further submissions **41, 72, 76, 90, 96, 110, 112, 113, 118, 119, 121, 123, 124, 131, 132, 133, 133, 134, 135, 136, 137, 138, 142, 143, 144, 148, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196** and **197** in support and those parts of further submissions **125, 126** and **127** in support.

Reject submissions **76/1, 75/1, 65/3, 116/1, 96/1, 65/2** and **68/1** and further submissions **51, 96, 76, 133** and **138** in support.

Reasons for Decisions

The Hearings Committee received oral and written submissions from many submitters who were concerned that the general tenor and as well as particular wording of the landscape provisions unnecessarily controlled normal farming activities in rural areas. Submitters and further submitters such Federated Farmers of NZ Inc (**51/2**), landowners from the Awhitu Peninsula, individual rural landowners from other parts of the region, eg Ponui Farms Ltd (**112**) and Frith Farms and Hoteo Trust Ltd (**119**) and other parties (Auckland City Council (**46/99**), Rodney District Council (**79/4**) and submitter **68/1**) identified the following provisions as being of particular concern:

- References in both policies (eg 6.4.22.1 and 6.4.22.2 (i)) and in various issues statements to avoiding built structures in ONLs did not distinguish between houses, and other buildings and structures such as fences, barns, pump houses and utility buildings that are a necessary part of normal farming operations;
- General references to built structures prevented the diversification of rural land uses into new activities such as renewable electricity generation (wind turbines);
- Paragraphs in Issue 6.2.7.1 and in Methods 6.4.23.3 that discussed the visual impacts associated with changes in land use, including a change from pastoral farming to exotic afforestation. Submitters were worried that these paragraphs could lead to land use controls being placed on changing rural land uses from dry stock to dairying or from pastoral farming to horticulture or exotic afforestation for example. There were also concerns that other sustainable land use practices, such as planting for erosion control would be unnecessarily restricted by the Change 8 provisions;
- The implications of the policies and methods in terms of future rural subdivision potential;
- Uncertainty over the relationship between Change 8 and district plan controls on subdivision, use and development in ONLs.

The Hearings Committee has given considerable attention to the concerns raised by these submissions. It accepts that some wording in the notified version of Change 8 was ambiguous and implied that the change was seeking to control land use changes and farming practices. A number of amendments have been made to the policies and to the issues statements to clarify that normal farming practices, including planting trees for erosion protection are part of a normal working landscape, even in an ONL. These changes are set out in full in Appendix 1 and summarised as follows:

- Issue 6.2.7.1 (Outstanding Natural Landscapes)
 - The inclusion of new paragraphs that discuss rural activities in ONLs and recognise ONLs as working landscapes;
 - The deletion of references to controlling changes in land use, including extensive afforestation;

- The addition of clause (viii) to Policy 6.4.22.1 that relating to the outcomes required for subdivision, use and development in ONLs :
 - (iv) *recognises and provides for ongoing primary production (excluding large scale factory farming) as part of a working landscape, particularly in Outstanding Natural Landscapes where pastoral land dominates;*
- Inclusion of the word *significant* in clause (i) of Method 6.4.23.3 to clarify that reference to buildings and other structures does not capture fences and other similar rural structures, that because of their type or size are not significant structures;
- The inclusion of additional explanation in section 6.4.24: Reasons;
- The inclusion of additional explanation in Appendix F-1: Outstanding Natural Landscape Assessment of the Auckland Region;
- The new policies 6.4.22.8 and 6.4.22.9 on regionally significant infrastructure specifically acknowledges wind turbines and provides guidance on how to balance the protection of ONLs while enabling appropriate infrastructure.

The Hearings Committee also considered the concerns expressed by landowners regarding the potential of Change 8: Landscape to restrict further opportunities for subdivision of rural land. (This issue is also discussed in relation to the changes proposed to Policies 6.4.22.1 and 6.4.22.2 and Method 6.4.23 in Topics 12 and 15 of this report.)

At the beginning of 2005, the ARC along with the seven territorial authorities in the Auckland Region, notified changes to the Regional Policy Statement and to the relevant district plans. Change 6 of the RPS entitled: Giving Effect to the Regional Growth Concept and Integrating Landuse and Transport amended Chapter 2 of the RPS and proposed a new Regional Overview and Strategic Direction. This change is commonly referred to the LGAAA Change 6. This change put in place a clear strategic framework for the management of urban growth and the associated management of rural areas, including rural subdivision and its associated adverse effects. Final appeals to the LGAAA change are nearing settlement. The Hearings Committee for Change 8 is aware of the overall strategic direction for rural subdivision in the region, as set out in LGAAA Change 6 and amended through appeal negotiations. The change continues a restrictive position in terms of future rural subdivision and Hearings Committee has ensured that the specific provisions relating to Outstanding Natural Landscape management set out in Change 8 are consistent with this overall regional position. Change 6 identifies Outstanding Natural Landscapes as areas for protection from inappropriate subdivision, use and development and the objectives, policies and methods in Chapter 6: Heritage provide more detail on how this overall regional strategic position is to be given effect. Hence the Committee points out to the submitters to Change 8, that the provisions relating to the management of subdivision effects in Outstanding Natural Landscapes are only one of a suite of provisions in the RPS that address this topic.

The Committee did not accept the view put forward by submission **68/1** that Change 8 should make no references to controls on buildings, earthworks and vegetation clearance. The methods identified by Change 8 are standard and accepted planning approaches to dealing with landscape management. One purpose of Change 8 is to ensure a consistent approach to landscape management across the Auckland region. This means the methods need to be considered by the new Auckland Council for the whole of the region and not just Waitakere City. The methods specified (subject to the recommended amendments) are considered appropriate and necessary to implement the policy direction of Change 8.

TOPIC 5.5 IDENTIFICATION OF HIGHLY VALUED LANDSCAPES

This section discusses submissions and further submissions and evidence presented or tabled before the Hearings Committee on the **whole of Change 8** and **Issue 6.2.7.2**, and the following policies, methods and reasons as they relate to Highly Valued Landscapes - **Policies 6.4.22.3, 6.4.22.4 and 6.4.22.9, Methods 6.4.23.1 and 6.4.23.2 and Reasons 6.4.24**. Submissions and further submissions are listed below, with the Hearings Committee's decision on each one. The reasons for the Council's decisions are stated in the section following the decisions.

5.5.1 Whole Change 8 (Landscape) - Highly Valued Landscapes

No.	Submitter	Summary of Decision Sought	Further Submitter/s
34/10	WH and CP Horring	Amend Whole Plan Change 8 to delete all references to Highly Valued Landscapes as a methodology for identification of Highly Valued Landscapes has not been developed and it is not possible for the public to identify these areas apart from the subjective definition provided in Appendix D.	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
35/9	Structure Plan Advocate Network (SPAN)	Amend Whole Plan Change 8 to delete all reference to Highly Valued Landscapes as a methodology for identification of Highly Valued Landscapes has not been developed and it is not possible for the public to identify these areas apart from the subjective definition provided in Appendix D.	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 54 Anglican Trust for Women and Children Opposed By: 141 West Coast Plan Liaison Group 37 Waitakere City Council
63/5	Wairoa River Canal Patnership	Rejects Whole RPS Change as the proposed definition of highly valued landscapes is vague and uncertain in its meaning and application.	Supported By: 51 Federated Farmers of New Zealand (Inc) 54 Anglican Trust for Women and Children 41 Landco Limited
50/5	Marianne Mawhinney	Amend the whole RPS change by deleting all references to highly valued landscapes. A methodology for the identification of highly valued landscapes has not been developed and then used to identify highly valued landscapes. Highly valued landscapes have not been included in Map Series 3a so it is not possible for the public to identify these areas apart from the subjective definition provided in Appendix D.	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 54 Anglican Trust for Women and Children
26/10	Environmental Defence Society	Supports the identification of Highly Valued Landscapes of regional significance and incorporation of provisions to provide them with appropriate protection.	Supported By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group Opposed By: 148 Horticulture New Zealand 54 Anglican Trust for Women and Children 42 Mike Murphy

Decisions

Accept in part submission **26/10** and further submissions **140** and **141** in support and reject further submissions **148**, **54** and **42** in opposition.

Reject submissions **34/10**, **35/9**, **63/5** and **50/5** and further submissions **7**, **51**, **54**, and **41** in support and accept further submissions **37** and **141** in opposition.

5.5.2 Issue 6.2.7.2 - Other/Highly Valued Landscapes

No.	Submitter	Summary of Decision Sought	Further Submitter/s
55/1	Bral Holdings Limited	Delete Issue 6.2.7.2 as <ul style="list-style-type: none"> The provisions relating to Highly Valued Landscapes and their buffer areas lack certainty There is no provision for landowners to know whether their properties are included in Highly Valued Landscapes. (See also submission 55/21) 	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
54/1	Anglican Trust for Women and Children	Delete Issue 6.2.7.2 as <ul style="list-style-type: none"> The provisions relating to Highly Valued Landscapes and their buffer areas lack 	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 51 Federated Farmers of

		<p>certainty</p> <ul style="list-style-type: none"> There is no provision for landowners to know whether their properties are included in Highly Valued Landscapes. (See also submission 54/21) 	<p>New Zealand (Inc) Opposed By: 37 Waitakere City Council</p>
53/1	Huron Holdings Limited	<p>Delete Issue 6.2.7.2 as</p> <ul style="list-style-type: none"> The provisions relating to Highly Valued Landscapes and their buffer areas lack certainty There is no provision for landowners to know whether their properties are included in Highly Valued Landscapes. (See also submission 53/21) 	<p>Supported By: 7 Genesis Power Ltd ("Genesis Energy") 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 148 Horticulture New Zealand 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council</p>
37/10	Waitakere City Council	<p>Retain 6.2.7.2 but include further discussion to detail the RMA mandate for this provision.</p>	<p>Supported By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group</p>
16/27	Transpower New Zealand Ltd (Transpower)	<p>Delete the sentence in 6.2.7.2 beginning "Some of these landscapes include..." and replace with the following: <i>Those Highly Valued Landscapes to which the provisions of Chapter 6 of the ARPS apply are identified in XXX. Other landscapes meeting the definition of Highly Valued Landscapes will be identified and managed as appropriate at a district council level.</i></p>	<p>Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council Support and Opposed By: 54 Anglican Trust for Women and Children</p>
40/24	Stevenson Resources Limited	<p>Amend the explanation to Issue 6.2.7.2 by deleting the sentence beginning "Some of these landscapes include" and replacing it with text along the following lines: <i>"Those Highly Valued Landscapes to which the provisions of Chapter 6 of the ARPS apply are identified in XXX. Other landscapes meeting the definition of Highly Valued Landscapes will be identified and managed as appropriate at a district council level".</i></p>	<p>Opposed By: 37 Waitakere City Council Support and Opposed By: 54 Anglican Trust for Women and Children</p>
40/10	Stevenson Resources Limited	<p>Amend 6.2.7.2, paragraph 4 to read (underlined text added): <i>However change within these landscapes needs to be managed to ensure, to the extent practicable, that the retention of the important landscape elements,...</i></p>	<p>Supported By: 39 Rodney Aggregate Supplies 38 Winstone Aggregates Opposed By: 37 Waitakere City Council</p>
13/13	North Shore City Council	<p>Retain Issue 6.2.7.2.</p>	<p>Supported By: 150 Counties Power Ltd Opposed By: 143 Matariki Forests 144 Carter Holt Harvey Limited</p>
16/6	Transpower New Zealand Ltd (Transpower)	<p>Retain 6.2.7.2, paragraphs 3 & 4.</p>	
15/5	JR Courtenay Family Trust	<p>Retain Issue 6.2.7.2, paragraphs 4 & 5 beginning "Some of these landscapes" and "However change within these landscapes"</p>	<p>Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited</p>
5/4	Papakura District Council	<p>Amend 6.2.7.2 to appropriately identify the adverse impacts of landscape change within the context of the ability of the landscape to absorb change or opportunities for landscape restoration or enhancement consistent with the policies identified in 6.4.22-10 & 11.</p>	<p>Support and Opposed By: 37 Waitakere City Council</p>
20/6	Ports of Auckland Limited	<p>Amend 6.2.7.2, page 6-6, paragraph 2 to delete or amend the reference to Tamaki Drive so that it is</p>	

		not implied that landscapes such as Tamaki Drive are experiencing change as a result of residential growth and expansion of the countryside, which is incorrect.	
49/8	Man O'War Station Limited ("MOWS")	Amend 6.2.7.2 including explanatory paragraphs to address the matters stated in the submission points 4.18 -4.36 and in particular to distinguish between appropriate and inappropriate forms of development, and to so as enable identification of those qualities and features of a landscape which make it outstanding (by reference to the established Environment Court criteria) and further amend the text to clarify that whether any particular form of subdivision, use or development is seen as appropriate must be assessed by reference to those criteria, including the enhancement of the relevant landscape qualities and features in conjunction with such development.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Opposed By: 37 Waitakere City Council Support and Opposed By: 16 Transpower New Zealand Ltd (Transpower)

Decisions

Reject submissions **55/1**, **54/1** and **53/1** and further submissions **7**, **51**, **143**, **144** and **148** in support and accept further submission **37** in opposition.

Accept submission **37/10** and further submissions **140** and **141** in support.

Reject submissions **16/27** and **40/24** and further submissions **143** and **144** and that part of **54** in support and accept further submissions **37** and that part of **54** in opposition.

Reject submission **40/10** and further submissions **38** and **39** in support and accept further submission **37** in opposition.

Accept submissions **13/13**, **16/6** and **15/5** and further submission **150** and reject further submissions **143** and **144** in opposition.

Accept submission **20/6**.

Reject submissions **5/4** and **49/8** and further submissions **143**, **144**, **112** and part **16** in support and accept further submission **37** and part **16** in opposition.

Reasons for Decisions

This set of submissions and the evidence presented to the Hearings Committee identified a number of different concerns. The first set opposed the concept of Highly Valued Landscapes and sought either the withdrawal of Change 8 or deletion of all references to these landscapes. There is one submission (**26/10**) in support of the concept of Highly Valued Landscapes. Several submitters (**55/1**, **54/1**, **53/1**, **16/27**, **40/24**) sought that either highly valued landscapes in the RPS be identified and that this be spelt out in the issue, or else all references to highly valued landscapes be deleted. Other submitters (**5/4**, **49/8**) requested further clarification of what adverse impacts of landscape change meant and the criteria for determining appropriate or inappropriate subdivision, use and development. A fourth group of submitters supported the issue either in whole or in part (**37/10**, **13/13**, **15/5**, **16/6**).

The ARC has chosen to retain the concept of Highly Valued Landscapes, but has renamed these areas "Amenity Landscapes". It has also amended its approach in relation to buffer areas and this is discussed further in Topic 7. This decision is in keeping with Environment Court decisions, including C180/99 (*Waikatipu Environmental Society Inc and others v Queenstown-Lakes District Council*). In that decision, the Court established that landscape is a natural and physical resource and as such all landscapes need to be considered under section 5 (the sustainable management purpose of the RMA). It also established that there are effectively three types of landscapes within the RMA context, being ONLs, other important landscapes or visual amenity landscapes and landscapes in respect of which there is no significant resource management issue. It also identified the criteria by which ONLs should be assessed.

The ARC considers that the adverse effects of subdivision, use and development on amenity landscapes are an issue of regional significance, to be addressed in the RPS, although their detailed identification and management is a matter for district plans to address. There are relatively rapid changes in land use occurring in the Auckland region, which have the potential to positively or negatively affect amenity values across the region, depending on how this change is managed. This has social and economic, as well as environmental implications for future development in the Auckland Region.

However the Council does not consider the issues statement should identify the policy response, but rather focus on the environmental issue. It is also aware that the framework for identifying amenity landscapes sits in section 7 of the RMA, particular section 7(c) the maintenance and enhancement of amenity values; and 7 (f) the maintenance and enhancement of the quality of the environment. Sections 7(d) and 7(g) are also relevant. References to the protection of highly valued landscapes have been reviewed and have generally been replaced with a maintenance and enhancement policy approach, or with an avoid, remedy or mitigate management regime, rather than a strict avoidance policy.

The ARC has been mindful of the matters raised by submitters in evidence to the Hearings Committee, including submitter **49/8**, and has rewritten the issue statement 6.2.7.2 to acknowledge that subdivision, use and development has the ability to both enhance and degrade amenity values, depending on how it is undertaken. Reference has also been made to landscapes undergoing change, particularly those in rural and coastal areas in response to the assertion that Change 8 was trying to freeze frame landscapes in time.

A number of submissions sought that Highly Valued Landscapes be identified by the ARC and mapped in the RPS. This included support from two district councils (**37/10** and **13/13**) for the RPS to address landscapes other than those that are ONLs. Options for identifying amenity type landscapes at the regional level were considered by the ARC, as part of its initial preparation of a variation to Change 8. However following the decisions to establish a new Auckland Council and for that council to have both regional and district planning functions, the ARC felt that this level of mapping was better done under the new planning framework. District plans already identify some amenity landscapes, but this is not complete across the region, or consistent in purpose and approach.

Wording changes have been made to the second paragraph in Issue 6.4.7.2 to clarify the landscape character of Tamaki Drive, in response to Submission **20/6**. The matters raised by submission **49/8** in terms of reference to Environment Court criteria and further clarification of appropriate and inappropriate development are addressed in the policies, methods and reasons, rather than in the issues statement. However the third paragraph has been included that identifies a number of landscape elements and patterns that are important for their contribution to amenity values.

5.5.3 Policies 6.4.22.3 and 6.4.22.4 (and other related references) Highly Valued Landscapes

5.5.3.1 Policy 6.4.22.3

No.	Submitter	Summary of Decision Sought	Further Submitter/s
37/16	Waitakere City Council	Retain 6.4.22.3	Supported By: 141 West Coast Plan Liaison Group Opposed By: 54 Anglican Trust for Women and Children
5/12	Papakura District Council	Supports intent of 6.4.22 Policies 3 and 4, but has concerns that reliance is placed on territorial authorities to identify these areas and to provide rules that protect their values.	
38/6	Winstone Aggregates	Delete references in 6.4.22.3 to protecting Highly Valued Landscapes, as the RMA does not require the protection of landscapes which do not meet the tests to be classified as outstanding, and refer to the management of adverse effects on such landscapes.	Supported By: 139 Holcim (New Zealand) Limited 7 Genesis Power Ltd ("Genesis Energy") 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 148 Horticulture New Zealand 144 Carter Holt Harvey Limited Opposed By: 141 West Coast Plan Liaison Group 37 Waitakere City Council

39/1	Rodney Aggregate Supplies	Amend 6.4.22 (3) by deleting references to protecting Highly Valued Landscapes and refer to the management of adverse effects on such landscapes. Protection is the term used in s6 (b) RMA in regard to outstanding natural landscapes. The Act does not require protection of landscapes that do not meet the tests to be classified as outstanding. It is submitted that the wording in Policy (9) is more appropriate. That policy refers to managing the effects of subdivision, use and development in highly valued landscapes.	Supported By: 7 Genesis Power Ltd ("Genesis Energy")
24/14	Mighty River Power Limited ("MRP")	Amend Policy 6.4.22.3 as the inclusion of 'Highly Valued Landscapes' is opposed as these areas have not been identified and are not of regional significance and the reference creates uncertainty in the interpretation and implementation of this policy (refer submission 24/12 for the submitters amended policies).	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 148 Horticulture New Zealand Opposed By: 37 Waitakere City Council
55/2	Bral Holdings Limited	Delete Policy 6.4.22.3 as <ul style="list-style-type: none"> The provisions relating to Highly Valued Landscapes and their buffer areas lack certainty There is no provision for landowners to know whether their properties are included in Highly Valued Landscapes. (See also submission 55/21) 	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
53/2	Huron Holdings Limited	Delete Policy 6.4.22.3 as <ul style="list-style-type: none"> The provisions relating to Highly Valued Landscapes and their buffer areas lack certainty There is no provision for landowners to know whether their properties are included in Highly Valued Landscapes. (See also submission 53/21) 	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
54/2	Anglican Trust for Women and Children	Delete Policy 6.4.22.3 as <ul style="list-style-type: none"> The provisions relating to Highly Valued Landscapes and their buffer areas lack certainty There is no provision for landowners to know whether their properties are included in Highly Valued Landscapes (See also submission 54/21) 	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
38/8	Winstone Aggregates	Delete 6.4.22.3 as the policies for Highly Valued Landscapes are too uncertain. The definition of Highly Valued Landscapes encompasses large but undefined areas of the Region. The provisions are inconsistent with the requirements of the RMA.	Supported By: 139 Holcim (New Zealand) Limited 7 Genesis Power Ltd ("Genesis Energy") 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 148 Horticulture New Zealand 144 Carter Holt Harvey Limited Opposed By: 141 West Coast Plan Liaison Group
39/3	Rodney Aggregate Supplies	Delete 6.4.22 (3) as these policies for highly valued landscapes are too uncertain. The definition of HVL encompasses large but undefined areas of the Region. The provisions are inconsistent with the requirements of the RMA.	Supported By: 139 Holcim (New Zealand) Limited 7 Genesis Power Ltd ("Genesis Energy") 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
13/51	North Shore City	Amend Policy 6.4.22.3 to clarify 'highly valued	Supported By:

	Council	landscapes' and how these relate to the other three landscape types as these landscapes are not shown on the supporting maps.	37 Waitakere City Council Opposed By: 39 Rodney Aggregate Supplies 38 Winstone Aggregates
48/42	Auckland City Council	Amend 6.4.22.3 to clarify that Highly Valued Landscapes can be defined in a district plan to include current methods used such as ridgeline controls and does not have to be in the form of an additional overlay specifically identified as Highly Valued Landscapes.	Opposed By: 54 Anglican Trust for Women and Children Support and Opposed By: 37 Waitakere City Council
13/52	North Shore City Council	Amend Policy 6.4.22.3 to include a definition of the term 'sense of place.'	Opposed By: 39 Rodney Aggregate Supplies 38 Winstone Aggregates
31/35	Haka International NZ Limited	Delete 6.4.22, policy 3 as it does not achieve the ARC's section 30 function.	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council

Decisions

Accept in part submissions **37/16** and **5/12** and further submission **141** in support and reject in part further submission **54** in opposition.

Accept submissions **38/6**, **39/1** and **24/14** and further submissions **139**, **7**, **143**, **51**, **148** and **144** in support and reject further submissions **141** and **37** in opposition.

Reject submissions **55/2**, **53/2**, **54/2**, **38/8**, **39/3** and **31/35** and further submissions **7**, **51**, **143**, **144**, **139** and **148** in support and accept further submissions **37** and **141** in opposition.

Accept in part submission **13/51** and further submission **37** in support and accept in part further submissions **38** and **39** in opposition.

Accept submission **48/42** and accept in part submission **37** in both support and opposition and reject submission **54**.

Reject submission **13/52** and accept further submissions **38** and **39** in opposition.

5.5.3.2 Policies 6.4.22.4, 6.4.22.8, 6.4.22.9 and 6.4.22.11

No.	Submitter	Summary of Decision Sought	Further Submitter/s
39/2	Rodney Aggregate Supplies	Amend 6.4.22 (4) by deleting references to protecting Highly Valued Landscapes and refer to the management of adverse effects on such landscapes. Protection is the term used in s6 (b) RMA in regard to outstanding natural landscapes. The Act does not require protection of landscapes that do not meet the tests to be classified as outstanding. It is submitted that the wording in Policy (9) is more appropriate. That policy refers to managing the effects of subdivision, use and development in highly valued landscapes.	Supported By: 139 Holcim (New Zealand) Limited 51 Federated Farmers of New Zealand (Inc)
39/5	Rodney Aggregate Supplies	Amend 6.4.22 (4) by deleting references to Highly Valued Landscapes as these policies for highly valued landscapes are too uncertain. The definition of HVL encompasses large but undefined areas of the Region. The provisions are inconsistent with the requirements of the RMA. See submissions 39/6-8.	Supported By: 139 Holcim (New Zealand) Limited 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
24/15	Mighty River Power Limited ("MRP")	Amend Policy 6.4.22.4 as the inclusion of 'Highly Valued Landscapes' is opposed and this policy should not reiterate the references to 'naturalness' provided in Policy 1 (refer submission 24/12 for the submitters amended policies).	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
38/7	Winstone Aggregates	Delete references in 6.4.22.4 to protecting Highly Valued Landscapes, as the RMA does not require the protection of landscapes which do not meet the tests to be classified as outstanding, and refer to the management of adverse effects on such landscapes.	Supported By: 139 Holcim (New Zealand) Limited 20 Ports of Auckland Limited 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 148 Horticulture New Zealand

			144 Carter Holt Harvey Limited Opposed By: 141 West Coast Plan Liaison Group 37 Waitakere City Council
38/9	Winstone Aggregates	Delete references to Highly Valued Landscapes in 6.4.22.4 as the policies for Highly Valued Landscapes are too uncertain. The definition of Highly Valued Landscapes encompasses large but undefined areas of the Region. The provisions are inconsistent with the requirements of the RMA.	Supported By: 139 Holcim (New Zealand) Limited 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 148 Horticulture New Zealand 144 Carter Holt Harvey Limited Opposed By: 141 West Coast Plan Liaison Group 37 Waitakere City Council
54/5	Anglican Trust for Women and Children	Amend Policy 6.4.22.4 by deleting the words 'the landscape qualities of Highly Valued Landscapes'. (See also submission 54/21)	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
55/5	Bral Holdings Limited	Amend Policy 6.4.22.4 by deleting the words 'the landscape qualities of Highly Valued Landscapes'.(See also submission 55/21)	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
53/5	Huron Holdings Limited	Amend Policy 6.4.22.4 by deleting the words 'the landscape qualities of Highly Valued Landscapes'.(See also submission 53/21)	Supported By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
54/6	Anglican Trust for Women and Children	Amend Policy 6.4.22.4 (iii) by deleting the words 'or the key elements, features and patterns of Highly Valued Landscapes'. (See also submission 54/21)	Supported By: 51 Federated Farmers of New Zealand (Inc)
53/6	Huron Holdings Limited	Amend Policy 6.4.22.4 (iii) by deleting the words 'or the key elements, features and patterns of Highly Valued Landscapes'.(See also submission 53/21)	Supported By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited
55/6	Bral Holdings Limited	Amend Policy 6.4.22.4 (iii) by deleting the words 'or the key elements, features and patterns of Highly Valued Landscapes'.(See also submission 55/21)	Supported By: 51 Federated Farmers of New Zealand (Inc)
16/28	Transpower New Zealand Ltd (Transpower)	Amend 6.4.22 (4), (8), (9) and (11) by replacing the references to Highly Valued Landscapes with references to <i>"Highly Valued Landscapes that are identified in [the definition of Highly Valued Landscapes or Appendix XX]"</i>	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
40/25	Stevenson Resources Limited	Amend 6.4.22 (4) by replacing the reference to 'Highly Valued Landscapes' with references to "Highly Valued Landscapes that are identified in [the definition of Highly Valued Landscapes or Appendix XX]".	Opposed By: 37 Waitakere City Council
40/26	Stevenson Resources Limited	Amend 6.4.22 (8) by replacing the reference to 'Highly Valued Landscapes' with references to "Highly Valued Landscapes that are identified in [the definition of Highly Valued Landscapes or Appendix XX]".	Supported By: 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
40/27	Stevenson Resources	Amend 6.4.22 (9) by replacing the reference to 'Highly Valued Landscapes' with references to	Support and Opposed By: 54 Anglican Trust for Women

	Limited	"Highly Valued Landscapes that are identified in [the definition of Highly Valued Landscapes or Appendix XX]."	and Children
40/28	Stevenson Resources Limited	Amend 6.4.22 (11) by replacing the reference to 'Highly Valued Landscapes' with references to "Highly Valued Landscapes that are identified in [the definition of Highly Valued Landscapes or Appendix XX]".	Support and Opposed By: 54 Anglican Trust for Women and Children
54/9	Anglican Trust for Women and Children	Amend Policy 6.4.22.9 by deleting the words 'and the management of the effects of subdivision, use and development in Highly Valued Landscapes'. (See also submission 54/21)	Supported By: 7 Genesis Power Ltd ("Genesis Energy")
53/9	Huron Holdings Limited	Amend Policy 6.4.22.9 by deleting the words 'and the management of the effects of subdivision, use and development in Highly Valued Landscapes'. (See also submission 53/21)	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 143 Matariki Forests 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
55/9	Bral Holdings Limited	Amend Policy 6.4.22.9 by deleting the words 'and the management of the effects of subdivision, use and development in Highly Valued Landscapes'. (See also submission 55/21)	Supported By: 7 Genesis Power Ltd ("Genesis Energy")
53/10	Huron Holdings Limited	Amend Policy 6.4.22.11 (ii) by deleting the words 'or the key elements, features and patterns of Highly Valued Landscapes'. (See also submission 53/21)	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited
54/10	Anglican Trust for Women and Children	Amend Policy 6.4.22.11 (ii) by deleting the words 'or the key elements, features and patterns of Highly Valued Landscapes'. (See also submission 54/21)	
55/10	Bral Holdings Limited	Amend Policy 6.4.22.11 (ii) by deleting the words 'or the key elements, features and patterns of Highly Valued Landscapes'. (See also submission 55/21)	
24/20	Mighty River Power Limited ("MRP")	Amend Policy 6.4.22.11 by deleting the reference to 'Highly Valued Landscapes' (refer to submission 24/12 for the submitters amended policies).	Supported By: 148 Horticulture New Zealand

Decisions

Accept submissions **39/2, 39/5, 24/15, 38/7, 38/9, 54/5, 55/5, 53/5, 54/6, 53/6 and 55/6** and further submissions **139, 51, 20, 143, 148, 144** in support and reject further submissions **37** and **141** in opposition.

Reject submissions **16/28, 40/25, 40/26, 40/27 and 40/28** and further submissions **143, 144** and **54** in support and further submissions **37** in opposition.

Reject submissions **37/17** and **26/7** and further submission **141** in support and accept further that part of further submission **54** in opposition.

Accept submissions **54/9, 53/9, 55/9, 53/10, 54/10, 55/10** and **24/20** and further submissions **7, 143, 144** and **148** in support and reject further submission **37** in opposition.

Reasons for Decisions

Policies 6.4.22.3 and 6.4.22.4 are discussed together as submissions raised very similar matters in relation to the two policies. Submissions that also seek changes to Policies 6.4.22.8, 6.4.22.9 and 6.4.22.11 in terms of references to Highly Valued Landscapes are also listed in this group. Amendments to these three policies have been made consequential to the Hearings Committee's decisions on Policies 6.4.22.3 and 6.4.22.4.

There were submissions in support of and in opposition to Policy 6.4.22.3 which requires the protection of key elements, features and patterns in Highly Valued Landscapes. The first group comprising Auckland territorial authorities supported the concept of Highly Valued Landscapes, but sought various clarifications of what was meant by the policy (**37/16, 5/12, 48/42** and **13/52**). Submission **5/12** was concerned that the policy put the requirement on territorial authorities to identify these Highly Valued Landscapes and to provide rules to protect their values. The second group of submissions sought the deletion of the policy. This was in line with their other submissions opposing the concept of Highly Valued Landscapes on the basis of it being difficult to apply to areas that weren't identified on any map (**24/14, 55/2, 58/2, 54/2, 38/8** and **39/3**). A

third set of submissions (**38/6** and **39/1**) pointed out the statutory distinction between protection of landscapes under section 6(b) and the management of the effects of subdivision, use and development (**38/6, 39/1**). Submission **31/35** sought the deletion of Policy 6.4.22.3 as they considered it did not achieve ARC's section 30 functions.

The submissions to Policy 6.4.22.4 followed similar themes to those to Policy 6.4.22.4. The first group of submissions (**38/9, 54/5, 55/5, 53/5, 54/6, 53/6, 55/6**) sought the deletion of references to High Valued Landscapes in Policy 6.4.22.4, or amendments to refer to Highly Valued Landscapes that are identified by a definition or by maps (**16/28, 40/25, 40/26, 40/27, 40/28**). Other submissions sought changes to the wording, particularly by deleting reference to protection and replacement with wording relating to the management of effects in Highly Valued Landscapes (**39/2, 38/7**). Submission **24/5** sought the deletion of references to naturalness in the policy. There was support from submissions **37/17** and **26/7** for the retention of Highly Valued Landscapes in the change.

Having considered these submissions and the evidence presented during hearings, the Hearings Committee has determined that it will retain a policy relating to landscapes that are not Outstanding Natural Landscapes. The revised Policy 6.4.22.2 is based is on Policy 6.4.19.2 of the operative RPS and focuses on the identification of key elements, features and patterns that contribute to landscape character and amenity value, or which help to accommodate adverse visual effects. The policy requires that these landscape factors be maintained and where practicable enhanced, and that this be achieved through an avoid, remedy or mitigate adverse effects management approach. The Hearings Committee considers that this policy is consistent with the direction of Section 7(c), and distinguishable from the protection directive of Section 6(b) and that the emphasis on the identification of key elements, features and patterns that contribute positively to the landscape is consistent with current landscape assessment and management approaches. The revised policy 6.4.22.2 makes no reference to naturalness, thereby addressing the concerns of submission **24/5**.

Policy 6.4.22.3 is given effect through Method 6.4.23.4 that directs implementation to the district plans or other suitable joint plans of the new Auckland Council. The Committee considers that this new planning framework will provide good opportunities to address landscape management for amenity purposes in urban, rural and coastal areas of the region.

Policy 6.4.22.4 has been deleted in response to concerns described above and also by submissions which requested a simplification of the policies, and the removal of duplication and inconsistent use of words among the policies. Several of the policies in the notified version of 6.4.22.4 have been retained, but have been transferred to Policy 6.4.22.1, which deals only with ONLs.

5.5.4 Methods 6.4.23 – Delete References to Highly Valued Landscapes

No.	Submitter	Summary of Decision Sought	Further Submitter/s
38/11	Winstone Aggregates	Delete references to Highly Valued Landscapes in 6.4.23 (1), (2) and (3) (v) as the policies for Highly Valued Landscapes are too uncertain. The definition of Highly Valued Landscapes encompasses large but undefined areas of the Region. The provisions are inconsistent with the requirements of the RMA.	Supported By: 139 Holcim (New Zealand) Limited 143 Matariki Forests 148 Horticulture New Zealand 144 Carter Holt Harvey Limited Opposed By: 141 West Coast Plan Liaison Group Support and Opposed By: 38 Winstone Aggregates
39/6	Rodney Aggregate Supplies	Amend Method 6.4.23 (1) (2) and (3) (v) by deleting references to Highly Valued Landscapes as a consequence of accepting submissions 39/4 and 39/5.	Opposed By: 37 Waitakere City Council Support and Opposed By: 39 Rodney Aggregate Supplies
24/21	Mighty River Power Limited ("MRP")	Delete from Methods 6.4.23.1, 6.4.23.2 and 6.4.23.3(i) and (v) the inclusion of 'Highly Valued Landscapes' and 'areas that are visually or physically related to ONL areas' (refer to submission 24/24 for the submitters amended	Supported By: 148 Horticulture New Zealand

		policies).	
96/17	David Craig	Delete the inclusion (Methods 6.4.23.1 - 6.4.23.4) of references to Highly Valued Landscapes and "Areas that are visually or physically related to ONL areas"	
53/11	Huron Holdings Limited	Amend Method 6.4.23.1 by deleting the words 'and highly valued landscapes that are important in their district or those areas that are visually or physically related to Outstanding Natural Landscapes'.(See also submission 53/21)	Supported By: 144 Carter Holt Harvey Limited Opposed By: 143 Matariki Forests
54/11	Anglican Trust for Women and Children	Amend Method 6.4.23.1 by deleting the words 'and highly valued landscapes that are important in their district or those areas that are visually or physically related to Outstanding Natural Landscapes'. (See also submission 54/21)	
55/11	Bral Holdings Limited	Amend Method 6.4.23.1 by deleting the words 'and highly valued landscapes that are important in their district or those areas that are visually or physically related to Outstanding Natural Landscapes'.(See also submission 55/21)	
54/12	Anglican Trust for Women and Children	Amend Method 6.4.23.2 by deleting the words 'and may chose to control subdivision in Highly Valued Landscapes'. (See also submission 54/21)	
53/12	Huron Holdings Limited	Amend Method 6.4.23.2 by deleting the words 'and may chose to control subdivision in Highly Valued Landscapes'.(See also submission 53/21)	
55/12	Bral Holdings Limited	Amend Method 6.4.23.2 by deleting the words 'and may chose to control subdivision in Highly Valued Landscapes'.(See also submission 55/21)	
53/13	Huron Holdings Limited	Amend Method 6.4.23.3(i) by deleting the words 'and Highly Valued Landscapes'.(See also submission 53/21)	Supported By: 143 Matariki Forests 148 Horticulture New Zealand
54/13	Anglican Trust for Women and Children	Amend Method 6.4.23.3(i) by deleting the words 'and Highly Valued Landscapes'. (See also submission 54/21)	
55/13	Bral Holdings Limited	Amend Method 6.4.23.3(i) by deleting the words 'and Highly Valued Landscapes'.(See also submission 55/21)	
53/14	Huron Holdings Limited	Amend Method 6.4.23.3(v) by deleting the words 'or other key elements, features and patterns of Highly Valued Landscapes'.(See also submission 53/21)	Supported By: 143 Matariki Forests 148 Horticulture New Zealand
55/14	Bral Holdings Limited	Amend Method 6.4.23.3(v) by deleting the words 'or other key elements, features and patterns of Highly Valued Landscapes'.(See also submission 55/21)	
54/14	Anglican Trust for Women and Children	Amend Method 6.4.23.3(v) by deleting the words 'or other key elements, features and patterns of Highly Valued Landscapes'. (See also submission 54/21)	
5/15	Papakura District Council	Opposes the reliance on district councils to identify areas of Highly Valued Landscapes as this will make achieving the policies difficult and seeks that Highly Valued Landscapes be more accurately defined or mapped in Map Series 3a.	Opposed By: 54 Anglican Trust for Women and Children Support and Opposed By: 148 Horticulture New Zealand

Decisions

Accept submissions **38/11, 39/6, 24/21 96/17, 53/11, 54/11, 55/11, 53/12, 54/12, 55/12, 53/13, 54.13, and 55/13** and further submissions **139, 143, 148** and **144** in support and those parts of further submissions **38** and **39** in support and reject further submissions **141, 37, 143** in opposition.

Reject submissions **53/14, 54/14** and **55/14** and further submissions **143** and **148** in support.

Reject submission **5/15** and accept further submission **54** in opposition and that part of further submission **148** in opposition.

Reasons for Decisions

The Hearings Committee does not accept the views put forward by submitters that all references to Highly Valued Landscapes be removed from the methods section. It has decided to retain a policy relating to Amenity Landscapes and considers that it is appropriate that a method give guidance on how the policy should be implemented. However it acknowledges that combining ONLs, Highly Valued Landscapes and landscape buffer areas together in a number of methods in section 6.4.23 is confusing and not consistent with the protection versus maintenance and enhancement directives of Part II of the RMA. As the Committee has restructured the policies relating to Highly Valued Landscapes and landscape buffer areas, it has made consequential amendments to the methods to give effect to these wider changes.

Separate methods now apply to Outstanding Natural Landscapes and to Amenity Landscapes. Amended Method 6.4.23.4 focuses on the maintenance of amenity values and as appropriate their enhancement. The wording also supports submissions that seek more recognition be given to environmental enhancement initiatives in rural parts of the region.

5.5.5 Reasons 6.4.24 - Delete Highly Valued Landscapes

No.	Submitter	Summary of Decision Sought	Further Submitter/s
53/16	Huron Holdings Limited	Amend Reason 6.4.24 by deleting paragraph 8.(See also submission 53/21)	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited
53/15	Huron Holdings Limited	Amend Reason 6.4.24 by deleting paragraph 7.(See also submission 53/21)	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited
55/15	Bral Holdings Limited	Amend Reason 6.4.24 by deleting paragraph 7.(See also submission 55/21)	
55/16	Bral Holdings Limited	Amend Reason 6.4.24 by deleting paragraph 8.(See also submission 55/21)	
55/18	Bral Holdings Limited	Amend Reason 6.4.24 paragraph 10 by deleting the words 'both ... and Highly Valued Landscapes'.(See also submission 55/21)	
54/15	Anglican Trust for Women and Children	Amend Reason 6.4.24 by deleting paragraph 7. (See also submission 54/21)	
53/18	Huron Holdings Limited	Amend Reason 6.4.24 paragraph 10 by deleting the words 'both ... and Highly Valued Landscapes'.(See also submission 53/21)	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited
54/16	Anglican Trust for Women and Children	Amend Reason 6.4.24 by deleting paragraph 8.(See also submission 54/21)	
54/18	Anglican Trust for Women and Children	Amend Reason 6.4.24 paragraph 10 by deleting the words 'both ... and Highly Valued Landscapes'.(See also submission 54/21)	
55/17	Bral Holdings Limited	Amend Reason 6.4.24 by deleting paragraph 11.(See also submission 55/21)	
53/17	Huron Holdings Limited	Amend Reason 6.4.24 by deleting paragraph 11.(See also submission 53/21)	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited
54/17	Anglican Trust for Women and Children	Amend Reason 6.4.24 by deleting paragraph 11.(See also submission 54/21)	
40/30	Stevenson Resources Limited	Amend 6.4.2, Page 6/15, Column 1, Paragraph 3 by replacing the reference to 'Highly Valued Landscape' with a reference to: "Highly Valued Landscapes that are identified in [the definition of Highly Valued Landscapes or Appendix XX]" by amending the following sentence along the following lines: Method 6.4.23.3 identifies a number of techniques that should be used to maintain Outstanding Natural Landscape and Highly	Supported By: 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council

		Valued Landscape values that are identified in [the definition of Highly Valued Landscapes or Appendix XX].	
16/30	Transpower New Zealand Ltd (Transpower)	Amend 6.4.24 paragraph 10 by replacing the reference to Highly Valued Landscapes with a reference to " <i>Highly Valued Landscapes that are identified in [the definition of Highly Valued Landscapes or Appendix XX]</i> " by amending the following sentence along the following lines (additions underlined): <i>Method 6.4.23.3 identifies a number of techniques that should be used to maintain <u>Outstanding Natural Landscape and Highly Valued Landscape</u> values that are identified in [the definition of Highly Valued Landscapes or Appendix XX]</i>	Supported By: 54 Anglican Trust for Women and Children
55/19	Bral Holdings Limited	Amend Reason 6.4.24 paragraph 15 by deleting the words 'and the values of other landscapes'.(See also submission 55/21)	
54/19	Anglican Trust for Women and Children	Amend Reason 6.4.24 paragraph 15 by deleting the words 'and the values of other landscapes'.(See also submission 54/21)	
53/19	Huron Holdings Limited	Amend Reason 6.4.24 paragraph 15 by deleting the words 'and the values of other landscapes'.(See also submission 53/21)	Supported By: 144 Carter Holt Harvey Limited Opposed By: 143 Matariki Forests

Decisions

Reject submissions **53/15**, **54/15** and **55/15** and further submissions **143** and **144** in support.
 Reject submissions **53/16**, **54/16** and **55/16** and further submissions **143** and **144** in support.
 Reject submissions **53/17**, **54/17** and **55/7** and further submissions **143** and **144** in support.
 Accept submissions **53/18**, **54/18** and **55/18** and further submissions **143** and **144** in support.
 Reject submission **40/30** and further submission **54** in support and accept further submission 37 in opposition.
 Reject submission **16/30** and further submission **54** in support.
 Accept in part submissions **55/19**, **54/19** and **53/19** and further submission **144** in support and reject further submission **143** in opposition.

Reasons for Decisions

In line with its other decisions, the Hearings Committee has deleted references to Highly Valued Landscapes throughout the Reasons section. It has however resolved to retain a policy and a method relating to the maintenance and enhancement of amenity landscapes through district plan provisions. This approach is reflected in the seventh paragraph of section 6.4.24, which has been amended rather than deleted as requested by some submissions. Other submissions (**53/16**, **54/16** and **55/16**) wanted the eighth paragraph deleted. However the Committee has retained this paragraph, as it sets out some key landscape elements that contribute to amenity values and that warrant maintenance and/or enhancement. Similarly it has chosen to retain paragraph eleven, but to reword it to better reflect the revised Policy 6.4.22.3. Amendments have been made to the notified paragraph 10 of Reasons 6.4.24 to remove references to Highly Valued Landscapes and the paragraph is now number 12 in the Decisions version – see Appendix 1 (**16/30**). Paragraph 15 of the notified version of Section 6.4.24 has been amended by deleting the words "the values of other landscapes" and replaced with a more general reference to the restoration of degraded landscapes. The paragraph is now number 17 in section 6.4.24 (**55/19**, **54/19** and **53/19**)

5.5.6 Map Series 3a

87/24	Watercare Services Limited ("Watercare")	Amend the Map Series so that highly Valued Landscapes be identified and shown on the maps and in an appendix and become part of the public process for submission and approval.	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 150 Counties Power Ltd Opposed By: 140 Huia-Cornwallis
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			Ratepayers and Residents Association 141 West Coast Plan Liaison Group 37 Waitakere City Council Support and Opposed By: 20 Ports of Auckland Limited
5/13	Papakura District Council	Amend Map Series 3a to more accurately define or map Highly Valued Landscapes.	Supported By: 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council 148 Horticulture New Zealand Support and Opposed By: 38 Winstone Aggregates

Decisions

Reject submissions **87/4** and **5/13** and further submissions **7**, **150** and **54** in support and accept further submissions **140**, **141**, **37** and **148** in opposition and accept that part of further submissions **20** and **38** in opposition.

Reasons for Decisions

The Hearings Committee has removed the provisions relating to Highly Valued Landscapes and replaced them with a more generally worded policy on amenity landscapes. The wording of Policy 6.4.22.2 means that there is no requirement to map these amenity landscapes in Map Series 3a of the RPS.

5.5.7 Definitions and Abbreviations

No.	Submitter	Summary of Decision Sought	Further Submitter/s
5/19	Papakura District Council	Supports Highly Valued Landscapes being defined but seeks that they be more accurately defined or mapped.	Supported By: 54 Anglican Trust for Women and Children Opposed By: 76 Ian Joseph Chitty & Susan Mary Chitty
31/34	Haka International NZ Limited	Delete from Appendix D the "Highly Valued Landscapes" definition.	
24/26	Mighty River Power Limited ("MRP")	Delete the definition of "Highly Valued Landscape."	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 148 Horticulture New Zealand
53/20	Huron Holdings Limited	Delete from Definitions and Abbreviations the definition of Highly Valued Landscape.(See also submission 53/21)	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
54/20	Anglican Trust for Women and Children	Delete from Definitions and Abbreviations the definition of Highly Valued Landscape. (See also submission 54/21)	Opposed By: 37 Waitakere City Council
55/20	Bral Holdings Limited	Delete from Definitions and Abbreviations the definition of Highly Valued Landscape.(See also submission 55/21)	Opposed By: 37 Waitakere City Council
38/15	Winstone Aggregates	Either: (a) Delete from the definition of Highly Valued Landscape the words " <i>district or local</i> "; or (b) Use the variation process to identify and define land which is within the scope of the proposed definition and set out the significant resource management issues for the region which warrant such definition; or	Supported By: 139 Holcim (New Zealand) Limited 20 Ports of Auckland Limited 143 Matariki Forests 144 Carter Holt Harvey Limited 54 Anglican Trust for Women and Children Support and Opposed By: 148 Horticulture New

		(c) Delete from Appendix D the definition of highly valued landscape and consequentially delete proposed provisions for Highly Valued Landscapes.	Zealand
39/10	Rodney Aggregate Supplies	Either: (a) Delete the words "district or local" from the proposed definition; or (b) Use the variation process to identify and define land which is within the scope of the proposed definition and set out the significant resource management issues for the region which warrant such definition; or (c) Delete the definition and consequentially delete proposed provisions for Highly Valued Landscapes.	Supported By: 139 Holcim (New Zealand) Limited 7 Genesis Power Ltd ("Genesis Energy") 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
16/25	Transpower New Zealand Ltd (Transpower)	Amend the definition of Highly Valued Landscape as follows (deleted text in strikethrough): <i>Include(s) places or areas that have important amenity values, or that have distinctive cultural or historical qualities and characteristics, or that are important for their sense of place at the regional, district or local level.</i>	Opposed By: 54 Anglican Trust for Women and Children
40/22	Stevenson Resources Limited	Amend the definition of Highly Valued Landscape to read (strikethrough deleted); <i>Highly Valued Landscapes: Include(s) places or areas that have important amenity values, or that have distinctive cultural or historical qualities or characteristics, or that are important for their sense of place at the regional, district or local level.</i>	Opposed By: 37 Waitakere City Council
16/26	Transpower New Zealand Ltd (Transpower)	Seeks that a list of Highly Valued Landscapes be developed to include only those landscapes that are of regional value and that are specifically identified in Chapter 6 as proposed, and include this list either in the definition of Highly Valued Landscapes or in an Appendix referred to in the definition. Include any other specific landscapes by way of Variation. This could be achieved by amending the definition of a highly valued landscape presented in Appendix D to read (additions underlined and deletions in strikethrough): <i>Highly Valued Landscapes: Include(s) places or areas that have important amenity values, or that have distinctive cultural or historical qualities and characteristics, or that are important for their sense of place at the regional, district or local level. <u>Those Highly Valued Landscapes to which the provisions of Chapter 6 of the RPS apply are identified in [the definition of Highly Valued Landscapes or Appendix XX].</u></i>	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 143 Matariki Forests 144 Carter Holt Harvey Limited 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
40/23	Stevenson Resources Limited	Develop a list of Highly Valued Landscapes to include only those landscapes that are of regional value and that are specifically	Opposed By: 37 Waitakere City Council

		<p>identified in Chapter 6 as proposed, and include this list either in the definition of Highly Valued Landscapes or in an Appendix referred to in the definition. Include any other specific landscapes by way of Variation. this could be achieved by making the following changes to the definition of Highly Valued Landscapes as follows (underlined text added, strike through deleted):</p> <p><i>Highly Valued Landscapes:</i></p> <p><i>Include(s) places or areas that have important amenity values, or that have distinctive cultural or historical qualities and characteristics, or that are important for their sense of place at the regional, district or local level. <u>Those highly Valued Landscapes to which the provisions of Chapter 6 of the ARPS apply are identified in [the definition of Highly Valued Landscapes or Appendix XX].</u></i></p>	
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Decisions

Reject submission **5/19** and further submission **54** in support and accept further submission **76** in opposition.

Accept submissions **31/34, 24/26, 53/20, 54/20, 55/20 38/15, 39/10** and further submissions **7, 139, 20, 143, 144, 54, 51, 148** in support and that part of **148** in support and reject further submission **37** in opposition.

Reject submissions **16/25, 40/22, 16/26, 40/23** and accept further submissions **54** and **37** in opposition.

Reasons for Decision

The definition of Highly Valued Landscapes is deleted as a consequential decision to the Committee's other decisions on this topic.

TOPIC 5.6 AREAS CONNECTED TO HIGHLY VALUED LANDSCAPES

This section discusses **general submissions** to Areas Connected to Highly Valued Landscapes and submissions on **Policies 6.4.22.5** and **6.2.22.6, Method 6.4.23.1** and references to buffer areas in **Reasons section 6.4.24**, particularly paragraph 10. The Reasons for the Committee's decisions are located at the end of the section.

5.6.1 Whole Change 8 (Landscape) - Areas Connected to Outstanding Natural Landscapes

No.	Submitter	Summary of Decision Sought	Further Submitter/s
84/13	Waiuku Windfarm Information Group	Retain in Whole RPS Change 8 references to areas adjacent to Outstanding Natural Landscapes as submitters strongly support the recognition of the influence of areas adjacent and need to manage as buffer zones or because of their visual relationship or physical connection to ONLs.	Opposed By: 143 Matariki Forests 144 Carter Holt Harvey Limited 54 Anglican Trust for Women and Children 96 David Craig
37/18	Waitakere City Council	Retain 6.4.22.5	Supported By: 141 West Coast Plan Liaison Group 198 Wendy Macdonald
112/9	Ponui Farms Limited and J Chamberlin, M Chamberlin	Amend 6.4 Policies - Landscape, by deleting all references to 'a physical or visual connection' to an Outstanding Natural Landscape and to 'regionally wide cumulative effects'.	Supported By: 51 Federated Farmers of New Zealand (Inc)
92/2	John and Jude Denny	Seeks a review of the controls on subdivision and numbers of dwellings in ONLs with reference to the land use of adjoining properties.	

Decisions

Accept in part submissions **84/13** and **37/18** and further submissions **141** and **198** in support and reject further submissions **143, 144, 54** and **96** in opposition.

Reject submissions 112/9 and 92/2 and further submission 51 in support.

5.6.2 Policy 6.4.22.5 – Delete Policy

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
11/17	Manukau City Council	Delete policy 6.4.22(5) as oppose the assessment of areas that have a visual or physical connection to Outstanding Natural Areas. If the Outstanding Natural Area is in a prominent location for example, this rule would apply to all areas that can be seen from this site. Also concerned that ARC determines what inappropriate subdivision is when this is the role of the local authority.	Supported By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 148 Horticulture New Zealand 144 Carter Holt Harvey Limited 54 Anglican Trust for Women and Children
48/102	Auckland City Council	Delete 6.4.22.5 (areas with physical or visual connections to Outstanding Natural Landscapes) as it adds a third layer of complexity.	Supported By: 51 Federated Farmers of New Zealand (Inc) 54 Anglican Trust for Women and Children
49/16	Man O'War Station Limited ("MOWS")	Delete 6.4.22.5, for reasons including: <ul style="list-style-type: none"> The policy creates uncertainty as to whether any particular area has a physical or visual connection to an outstanding natural landscape. The criteria of existing subdivision acting as a buffer is especially difficult to interpret and could extend the ambit of land use intervention beyond that mandated in section 6(b) of the RMA. 	Supported By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 148 Horticulture New Zealand 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin
55/3	Bral Holdings Limited	Delete Policy 6.4.22.5 as the provisions which determine visual or physical connections to outstanding natural landscapes are vague and give no surety to landowners whether or not their land is affected. (See also submission 55/21)	Supported By: 51 Federated Farmers of New Zealand (Inc)
48/47	Auckland City Council	Delete 6.4.22.5. See also submission 48/46.	Supported By: 51 Federated Farmers of New Zealand (Inc) 112 Ponui Farms Limited and J Chamberlin, M Chamberlin
53/3	Huron Holdings Limited	Delete Policy 6.4.22.5 as the provisions which determine visual or physical connections to outstanding natural landscapes are vague and give no surety to landowners whether or not their land is affected.(See also submission 53/21)	Supported By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited
54/3	Anglican Trust for Women and Children	Delete Policy 6.4.22.5 as the provisions which determine visual or physical connections to outstanding natural landscapes are vague and give no surety to landowners whether or not their land is affected.(See also submission 54/21)	Supported By: 51 Federated Farmers of New Zealand (Inc)
51/12	Federated Farmers of New Zealand (Inc)	Delete 6.4.22 policy 5 as FFNZ considers that the policy is excessively wide-ranging, vague and subjective. The Policy is unclear as to what constitutes an area with "connections to" Outstanding Natural Landscapes. Neither is it clear as to what extent activities in areas with "connections to Outstanding Natural Landscapes" will be managed. Additionally, the policy creates uncertainty by not indicating how activities are to be managed. FFNZ considers it inappropriate for areas that have no landscape merit of their own to be managed in the way indicated by the policy.	Supported By: 41 Landco Limited 54 Anglican Trust for Women and Children 72 Concerned Awhitu Landowners (1) 90 Roger Malcolm Jones 96 David Craig 110 Kerry O. and W.G.M. Ruiterman 112 Ponui Farms Limited and J Chamberlin, M Chamberlin 113 Pollok Ratepayers Association

			118 Rodney Irwin Atchinson 119 Frith Farms (2003) Ltd & Hoteo Trust 121 Olsen Farms Ltd 123 Tripp Andrews & Partners Ltd 124 AQ Farms Partnership 132 Geoff Chitty 133 Anthony Stekelenburg 134 Falco Visser 135 Cheryle Gail 136 Ian Stuart McNaughton 137 Anna Elisabeth McNaughton 138 Peter R Fraser 139 Holcim (New Zealand) Limited 142 Wendy June Clark 143 Matariki Forests 144 Carter Holt Harvey Limited 148 Horticulture New Zealand 151 Evan Forbes McGregor 152 Ron Hogan 153 Hilary Claire Atchinson 154 Norm Clark 155 Meikle Brian Thomas 156 DL & FR Jamison 157 Martin Frank Bucksey 158 Dacey Balle 159 Brendan Rory Gerrard Balle 160 Chris Balle 161 Balle Bros Holdings Ltd 162 Shane Balle 163 Maurice Balle 164 Jim Balle 165 John McDonald 166 Donna Goettler 167 Shirley Carter 168 Anthony Stekelenburg (2) 169 Peter R Fraser (2) 170 Glenice Aro 171 George McGregor 172 Ian Joseph Chitty 173 Susan Mary Chitty 174 MJ & JM Patterson 175 John Rutherford 176 Jennifer Mary Morley 177 Edwin Raymond Morley 178 Aspin Farms Limited 179 Carol Howard Hamilton 180 Andrew Charles Hamilton 181 BR & RD Teague 182 Barry N Cochrane 183 Vivian Marshall Rutherford 184 Michael M Harper 185 Daniel J Verryt 186 Terence John Atchinson 187 PL & B Sergeant 188 Margaret Jean Hamilton 189 Clyde Harris Hamilton 190 Brian Blake 191 Kevin John Dodd 192 Maureen Mary Dodd 193 Christopher John Chitty 194 Karyn Jayne Chitty 195 Alex Fraser Chitty
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			196 Kaiawa Citizens & Ratepayers Association 197 Duncan Crawford Munro
31/25	Haka International NZ Limited	Delete 6.4.22, policy 5 as the concept of 'physical or visual connection' is not defined.	Supported By: 51 Federated Farmers of New Zealand (Inc) 54 Anglican Trust for Women and Children
67/6	Roslynde Rae & Murray Ross McNaughten	Concerned that interpretation of 6.4.22(5), restricting development in areas connected with ONLs could prevent development on the entire Awhitu Peninsular.	Supported By: 51 Federated Farmers of New Zealand (Inc)
96/14	David Craig	Delete 6.4.22 policies 5 and 6 as there is no mandate for a regional council to direct the control of land use activities on sites that are not ONL areas.	Supported By: 51 Federated Farmers of New Zealand (Inc) 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
24/16	Mighty River Power Limited ("MRP")	Delete Policies 6.4.22.5 & 6.4.22.6 as there is no mandate for a regional council to direct the control of land use activities on sites that are not ONL areas.	Supported By: 51 Federated Farmers of New Zealand (Inc) 148 Horticulture New Zealand 54 Anglican Trust for Women and Children

Decisions

Accept in part submissions **11/17, 48/102, 49/16, 55/3, 48/47, 53/3, 54/3, 51/12, 31/25** and **67/6** and further submissions **41, 51, 54, 72, 90, 96, 110, 112, 113, 118, 119, 121, 123, 124, 132, 133, 134, 135, 136, 137, 138, 139, 142, 143, 144, 148, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196** and **197** in support.

Accept in part submissions **96/14** and **24/16** and further submissions **51, 54** and **148** in support and accept in part further submission 37 in opposition.

5.6.3 Policy 6.4.22.5 – Amend Policy

No.	Submitter	Summary of Decision Sought	Further Submitter/s
48/46	Auckland City Council	Amend 6.4.22.5 by incorporating a reference to physical and visual connections to Outstanding Natural Landscapes in the definition of Highly Valued Landscapes. Policy 6.4.22.5 introduces a third layer of control and this third layer could be removed by amending the definition of highly valued landscapes to include a reference to physical and visual connections to Outstanding Natural Landscapes, and policy 6.4.22.5 could then be deleted. See also submission 48/47.	Opposed By: 54 Anglican Trust for Women and Children
7/3	Genesis Power Ltd ("Genesis Energy")	Either delete Policy 6.4.22.5 or amend it to clearly identify adjacent areas to Outstanding Natural Landscapes as transitional or buffer zones, and to elaborate on what this would mean for the management of such areas in terms of subdivision, use and development.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
66/3	KTR Trust	Concerned about references to "connected land" and seeks reconsideration of this provision and its explanation.	
49/17	Man O'War Station Limited ("MOWS")	Amend 6.4.22.5 by carefully defining what resources constitute a "connection" with an Outstanding Natural Landscape, for reasons including: <ul style="list-style-type: none"> The policy creates uncertainty as to whether any particular area has a physical or visual connection to an outstanding natural landscape. 	Supported By: 20 Ports of Auckland Limited 143 Matariki Forests 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin

		<ul style="list-style-type: none"> The criteria of existing subdivision acting as a buffer is especially difficult to interpret and could extend the ambit of land use intervention beyond that mandated in section 6(b) of the RMA. 	
78/4	BioMarine Ltd	Amend 6.4.22.5 to include clear criteria defining "adjacent areas" and to provide many more guidelines to define the important characteristics of ONLs that would need managing in an adjacent area.	
29/3	Jon Nicholson	Amend 6.4.22.5 to provide clear criteria as to what constitutes an "adjacent area" and to elaborate on the important characteristics of these that require managing.	Support and Opposed By: 143 Matariki Forests 144 Carter Holt Harvey Limited
13/54	North Shore City Council	Amend Policy 6.4.22.5 to provide clearer links to the issue statements and the objectives and provide a clear definition of 'Areas that have physical or visual connections to Outstanding Natural Landscapes' and identify the areas on the map series.	Opposed By: 39 Rodney Aggregate Supplies 38 Winstone Aggregates 54 Anglican Trust for Women and Children
40/12	Stevenson Resources Limited	Amend 6.4.22.5 to read (underlined text added): <i>(5) Areas that have physical or visual connections to Outstanding Natural Landscapes shall be managed to maintain these connections to the extent practicable having regard to the nature, including regional significance, of the proposed land use, and to ensure that the qualities of Outstanding Natural Landscapes are not significantly adversely affected by inappropriate subdivision, use and development in adjacent areas.</i>	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited
16/20	Transpower New Zealand Ltd (Transpower)	Amend 6.4.22.5 to read (additions underlined): <i>...and to ensure that the qualities of Outstanding Natural Landscapes are not significantly adversely affected by inappropriate subdivision, use and development in adjacent zones.</i>	

Decisions

Reject submissions **48/46**, **13/54**, **40/12** and **16/20** and further submissions **143** and **144** in support and accept further submissions **54**, **39** and **38** in opposition.

Accept in part submissions **7/3**, **66/3**, **49/17**, **78/4** and **29/3** and further submissions **143**, **144**, **20** and **112** in support and reject further submission **37** in opposition.

5.6.4 Policy 6.4.22.6 – Delete Policy

No.	Submitter	Summary of Decision Sought	Further Submitter/s
54/23	Anglican Trust for Women and Children	Delete Policy 6.4.2.22.6 if submissions 54/21 and 54/22 are accepted.	Opposed By: 37 Waitakere City Council
55/23	Bral Holdings Limited	Delete Policy 6.4.2.22.6.	Opposed By: 37 Waitakere City Council
53/4	Huron Holdings Limited	Delete Policy 6.4.22.6 as the provisions which determine visual or physical connections to outstanding natural landscapes are vague and give no surety to landowners whether or not their land is affected.(See also submission 53/21)	Supported By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited
49/18	Man O'War Station Limited ("MOWS")	Delete 6.4.22.6. for reasons including: <ul style="list-style-type: none"> The policy creates uncertainty as to whether any particular area has a physical or visual connection to an outstanding natural landscape. The criteria of existing subdivision acting as a buffer is especially difficult to interpret and could extend the ambit of land use intervention beyond that mandated in section 6(b) of the RMA. 	Supported By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited 54 Anglican Trust for Women and Children 112 Ponui Farms Limited and

31/26	Haka International NZ Limited	Delete 6.4.22, policy 6 as this is a method statement.	J Chamberlin, M Chamberlin
55/4	Bral Holdings Limited	Delete Policy 6.4.22.6 as the provisions which determine visual or physical connections to outstanding natural landscapes are vague and give no surety to landowners whether or not their land is affected.(See also submission 55/21)	Supported By: 51 Federated Farmers of New Zealand (Inc)
54/4	Anglican Trust for Women and Children	Delete Policy 6.4.22.6 as the provisions which determine visual or physical connections to outstanding natural landscapes are vague and give no surety to landowners whether or not their land is affected.(See also submission 54/21)	Supported By: 51 Federated Farmers of New Zealand (Inc)
53/23	Huron Holdings Limited	Delete Policy 6.4.22.6.	Supported By: 51 Federated Farmers of New Zealand (Inc) 143 Matariki Forests 144 Carter Holt Harvey Limited
48/48	Auckland City Council	Delete 6.4.22.6 as it relates to 6.4.22.5. See also submissions 48/46 and 48/47.	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
7/4	Genesis Power Ltd ("Genesis Energy")	Delete Clause 6.4.22.6	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited

Decisions

Accept in part submissions **54/23, 55/23, 53/4, 49/18, 31/26, 55/4, 54/4, 53/23, 48/48** and **7/4** and further submissions **143, 144, 51, 54** and **112** in support and reject further submission **37** in opposition.

5.6.5 Policy 6.4.22.6 – Amend Policy

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
49/19	Man O'War Station Limited ("MOWS")	Amend 6.4.22.6 by carefully defining what resources constitute a "connection" with an Outstanding Natural Landscape, for reasons including: <ul style="list-style-type: none"> The policy creates uncertainty as to whether any particular area has a physical or visual connection to an outstanding natural landscape. The criteria of existing subdivision acting as a buffer is especially difficult to interpret and could extend the ambit of land use intervention beyond that mandated in section 6(b) of the RMA. 	Supported By: 143 Matariki Forests 148 Horticulture New Zealand 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Support and Opposed By: 54 Anglican Trust for Women and Children
13/55	North Shore City Council	Amend Policy 6.4.22.6 to clarify the intent and the issues raised in this policy could form the basis of the definition of the zone surrounding the ONL.	Opposed By: 54 Anglican Trust for Women and Children
40/15	Stevenson Resources Limited	Seeks if submission 40/13 is accepted to reintroduce 6.4.22.6 (i), if necessary and by way of a further Plan Change and qualify what, in the context of the wider environment, makes an "important public view" and identify any regionally significant viewshafts on the Planning Maps.	Supported By: 38 Winstone Aggregates 54 Anglican Trust for Women and Children
16/19	Transpower New Zealand Ltd (Transpower)	Amend to clarify what public view points are considered to be, considers in many cases it would be neither practicable nor necessary to prevent development from occurring on land between public roads (in particular).	
16/21	Transpower New Zealand Ltd (Transpower)	Delete 6.4.22.6(i) (see also submission 16/22)	Supported By: 51 Federated Farmers of New Zealand (Inc)
16/22	Transpower New	If necessary and by way of a variation reintroduce	Supported By:

	Zealand Ltd (Transpower)	Policy 6.4.22.6(i) and qualify what in the context of the wider environment makes an "important public view" from a particular public viewing point significant at a regional level and identify on the planning maps the relevant and appropriate regionally significant viewshafts (see also submission 16/21).	54 Anglican Trust for Women and Children
11/18	Manukau City Council	Delete policy 6.4.22.6(ii) as oppose the reference to public access to Outstanding Natural Landscapes from adjacent areas. Many of the Outstanding Natural Landscapes identified in Manukau are in private ownership and it is inappropriate to have regard to public access as an assessment criteria.	Supported By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited
40/16	Stevenson Resources Limited	Seeks if submission 40/13 is accepted to reintroduce 6.4.22.6 (ii), if necessary and by way of a further Plan Change and qualify what, in the context of the wider environment, makes an "important public access" and identify any regionally significant viewshafts on the Planning Maps.	Supported By: 54 Anglican Trust for Women and Children
40/13	Stevenson Resources Limited	Amend 6.4.22.6 to read (strike through text deleted): (6) <i>In determining whether an area has physical or visual connections to Outstanding Natural Landscapes in the presence of any of the following matters are relevant:</i> (i) important public views to an Outstanding Natural Landscape from adjacent areas; (ii) important public access to Outstanding Natural Landscapes from adjacent areas; (iii) <i>significant land forms and/or vegetation that physically connect Outstanding Natural Landscapes with adjacent areas;</i> (iv) <i>existing subdivision densities that are transitional and act as a buffer between Outstanding Natural Landscapes and more intensive development in urban areas. (See also submissions 40/15 and 40/16.)</i>	Support and Opposed By: 54 Anglican Trust for Women and Children
37/19	Waitakere City Council	Amend 6.4.22.6 (iv) to include reference to the existing scale and extent of development.	Supported By: 141 West Coast Plan Liaison Group Opposed By: 54 Anglican Trust for Women and Children

Decisions

Accept in part submissions **49/19, 13/55, 16/19, 16/21, 11/18 and 40/13** and further submissions **51, 143, 144, 148** and **112** in support and that part of further submission **54** in support.

Reject submissions **13/55, 40/15, 40/16, 16/22** and **37/19** and further submissions **38, 54, 141** in support and accept that part of submission **54** in opposition.

Reasons for Decisions

The notified versions of Policy 6.4.22.5 relate to the maintenance of buffer areas around Outstanding Natural Landscapes, while Policy 6.4.22.6 lists a number of criteria for determining what comprises a buffer area. The Hearings Committee considered a large number of submissions and evidence relating to these policies, which requested a variety of different reliefs, ranging from deleting the policies, through to various wording amendments, or the inclusion of new definition of Highly Valued Landscapes. In response to the concerns raised by the submissions and the different suggestions made on how best to resolve these concerns, the Committee has determined that it will delete Policies 6.4.22.5 and 6.4.22.6 in their current form.

This decision means that it has made consequential changes to the issues, methods and reasons relating to Highly Valued Landscapes.

The Committee considers that management of areas adjoining Outstanding Natural Landscapes is an important landscape issue and what happens on the boundaries of ONLs has potential to adversely impact on their landscape quality. It has therefore replaced Policy 6.4.22.5 with a new Policy 6.4.22.3. This policy states:

- 3 *Subdivision, use and development in landscapes adjoining Outstanding Natural Landscapes should have regard to its adverse physical and visual effects on the Outstanding Natural Landscape and should manage these effects to:*
 - (i) *Maintain significant landforms and indigenous vegetation and habitats that are also significant elements or features in the Outstanding Natural Landscape to protect the visual and biophysical linkages between the two areas;*
 - (ii) *avoid locating significant built elements on the boundary with an Outstanding Natural Landscape, and in particular Outstanding Natural Landscapes within:*
 - (a) *regional parks*
 - (b) *Department of Conservation estate*
 - (c) *significant local reserves*
 - (d) *the coastal marine area*

The policy identifies two circumstances where management of adverse effects across the boundaries of landscape units is important. Clause (i) acknowledges the importance of maintaining biophysical factors that exist across ONL boundaries. This clause is carried over from notified Policy 6.4.22.6 (iii) and is consistent with national landscape assessment criteria that acknowledge the importance of biophysical factors in ONL determination. The second clause identifies important public areas where management of boundary activities is necessary. Regional Parks, DoC estate and the coastal marine area are readily identifiable on maps and are key reservoirs of the region's Outstanding Natural Landscapes. Reference to significant local reserves also includes those that contain ONLs. This means many local purpose reserves will not be caught by this policy. The Reasons section identifies that reference to significant built elements does not include fences.

The Committee considers that management of areas that adjoin or surround Outstanding Natural Landscapes is an important landscape management issue. However it acknowledges the concerns raised by the submitters, regarding the uncertainty associated with the buffer areas not being mapped or being defined by more acceptable criteria than those in Policy 6.4.22.6. The Hearings Committee considers that further work is required to refine the concept of ONL buffer areas. This work could be undertaken by the new Auckland Council as part of its review of existing regional and district planning documents.

Concerns raised by submission **112/9** in relation to region wide cumulative effects are discussed in Topic 5.13. Submissions such as **92/2** that raise concerns relating to controls on subdivision and the number of dwellings in ONLs are directed to the discussion in Topic 12 of this report, relating to Policy 6.4.22.1 and Topic 15 Methods.

TOPIC 5.7 GREATER RECOGNITION OF REGIONAL INFRASTRUCTURE, RENEWABLE ENERGY GENERATION AND QUARRYING IN OUTSTANDING NATURAL LANDSCAPES.

This group of submitters seek recognition of regionally significant infrastructure, renewable energy generation and quarrying activities in ONLs. Changes are sought to various sections of Change 8, from the issues to the anticipated environmental results and Appendix F: Explanatory Material and ONL Summary Information. Submissions to the objectives are discussed in the section dealing with individual objectives. Due to the variation in relief sought by the submissions, they are generally discussed by change provision.

5.7.1 Whole Change 8 (Landscape) - Withdraw Change – Implications for Renewable Energy

No.	Submitter	Summary of Decision Sought	Further Submitter/s
24/1	Mighty River Power Limited ("MRP")	Withdraw the Proposed Change and reconsider its approach towards landscape protection in conjunction with reviewing the Energy Chapter to ensure that both Chapters achieve appropriate acknowledgement of the benefits to be derived from the use and development of renewable energy. It is recommended that the ARC should have regard to the approach taken by Wellington City Council for their recent plan changes 32 and 33 to the Wellington City District Plan which introduce new landscape protection and renewable energy provisions.	Supported By: 51 Federated Farmers of New Zealand (Inc) 42 Mike Murphy 69 Mile Purchase
24/2	Mighty River Power Limited ("MRP")	As an alternative to submission 24/1 amend the proposed change to give effect to the concerns set out in submissions 24/3 - 24/28.	Supported By: 69 Mile Purchase 96 David Craig

Decisions

Reject submission **24/1** and further submissions **51**, **42** and **69** in support.

Accept in part submission **24/2** and further submissions **69** and **96** in support.

Reasons for Decisions

Submission **24/1** seeks the withdrawal of Change 8 and its review, in conjunction with RPS Chapter 5: Energy to achieve appropriate acknowledgement of the benefits to be derived from the use and development of renewable energy. Mighty River Power Ltd in both its subsequent submissions and in its evidence to the Hearings Committee requested that greater recognition be given in Change 8 to the benefits of renewable energy and that provision be made in ONLs for the establishment and operation of renewable energy generation structures. It requested that the ARC make a commitment to a review of the energy chapter of the RPS and it directed the Council to the approaches adopted in the Wellington City District Plan. It proposed that Change 8 not be progressed until the changes to the energy chapter have reached a similar procedural stage to enable the policy framework for wind energy to be considered in a more comprehensive manner.

The background to and the reasons for the ARC proceeding to issue its decisions on the landscape submissions are outlined in Section 1.4 of this report. No changes are proposed to Chapter 5: Energy as part of decisions made on Change 8: Landscape. This is a matter for the new Auckland Council to consider after 1 November 2010. The ARC has considered the points of detail referred to in submission **24/2** and its consequential submissions and made changes to the text and the ONL maps and appendix as it considers appropriate. Prior to issuing this decision report the ARC reviewed the Wellington City District Plan, but felt that provisions developed for a district plan were not necessarily transferrable to a regional policy document. In many instances the provisions related to district plan rules.

5.7.2 Whole RPS Change 8 (Landscape) - Wind Turbines

No.	Submitter	Summary of Decision Sought	Further Submitter/s
84/14	Waiuku Windfarm Information Group	Amend the RPS to identify landscape characteristics that may be sensitive to wind turbine development and that a cautious approach be taken in relation to particular landscapes that are rare or valued.	Opposed By: 96 David Craig

Decision

Accept in part submission **84/14**.

Accept in part further submission **96** in opposition.

Reasons for Decision

The level of prescription sought by the submitter is not appropriate within the ARPS. Change 8 sets the policy direction in relation to the management of ONLs. In response to other submissions received, new policies dealing with existing and proposed new infrastructure, such as wind turbines in ONLs have been included. Policy 6.4.22 8 sets out areas that regionally

significant infrastructure and mineral extraction are encouraged to avoid. The first clause in this policy gives a clear direction to avoid areas that are unique, rare or iconic, while in ONLs that are more widespread the policy direction is one of avoiding significant adverse effects.

5.7.3 Whole RPS Change (Landscape) - Power Generation, Great Barrier Island

No.	Submitter	Summary of Decision Sought	Further Submitter/s
48/101	Auckland City Council	Seeks to express concern that restrictions on built structures in the landscape might restrict power generation on an island with no reticulated power.	Supported By: 51 Federated Farmers of New Zealand (Inc)

Decision

Accept submission **48/101** and further submission **51** in support.

Reasons for Decision

New Policy 6.4.22.9 (ii) specifically acknowledges the Great Barrier Island situation and recognises the economic, social and cultural benefits arising from infrastructure that supports local self sufficiency.

5.7.4 Introduction 6.1 – Renewable Energy

No.	Submitter	Summary of Decision Sought	Further Submitter/s
24/3	Mighty River Power Limited ("MRP")	Amend 6.1, page 6-2, bullet points to include a final bullet point that states " <i>the benefits to be derived from the use and development of renewable energy (RM Act section 7(j))</i> "	Supported By: 7 Genesis Power Ltd ("Genesis Energy") Opposed By: 37 Waitakere City Council
88/2	Meridian Energy (Meridian)	Amend the RPS change to include section 7 (i) to (j) of the Resource Management Act.	

Decisions

Accept submission **24/3** and further submission **7** in support.

Accept in part submission **88/2** and reject further submission **37** in opposition.

Reasons for Decisions

The Hearings Committee accepts that the Introduction to Chapter 6: Heritage needs to identify the relevant provisions of Part II of the RMA as they are relevant to Heritage management generally and landscape management in particular. It has included reference to section 7(j) which relates specifically to the use and development of renewable energy, as requested by submitter **24/3**. The provision of renewable energy infrastructure has direct implications for landscape management. However Section 7(i) which deals with the effects of climate change has not been included, as requested by submitter **88/2**. At present Chapter 6 does not address the landscape implications of climate change. Although the Hearings Committee acknowledges that climate change is a relevant matter for an RPS to address, it considers this topic is better addressed as part of the full RPS review, which will now be the decision of the new Auckland Council.

5.7.5 Issue 6.2.7 - Dams and Related Infrastructure

No.	Submitter	Summary of Decision Sought	Further Submitter/s
87/1	Watercare Services Limited ("Watercare")	Amend the Proposed Change to the Regional Policy Statement to address the matters set out in the submission so that Watercare's concerns regarding over emphasis on protection and enhancement and the provision of their infrastructure service are met. See also submissions 87/2 - 87/28.	
87/6	Watercare Services Limited ("Watercare")	Amend Issue 6.2.7, bullet point 2 to read (underlined words added) <ul style="list-style-type: none"> <i>The iconic indigenous rainforest and landforms of the Waitakere Ranges, its water catchment lakes, <u>dams and related infrastructure</u> and its associated eastern foothills that provide ecological linkages with</i> 	Support and Opposed By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group 37 Waitakere City Council

		<i>the Ranges and contribute a sense of contrast and a buffer between metropolitan Auckland and the Ranges.</i>	
87/7	Watercare Services Limited ("Watercare")	Amend Issue 6.2.7, bullet point 10 to read (additions underlined): <ul style="list-style-type: none"> <i>The forest covered hills of the Hunua and Waitakere ranges, with its water catchment lakes, <u>dams and related infrastructure</u> adjoining foothills and the vegetation corridors linking to the coastal margins of the Firth of Thames.</i> 	Support and Opposed By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group 37 Waitakere City Council

Decisions

Accept submissions **87/1**, **87/6** and **87/7** and accept those parts of further submissions **140**, **141** and **37** in support.

Reject those parts of further submissions **140**, **141** and **37** in opposition.

Reasons for Decisions

The Hearings Committee accepts that the RPS needs to recognise the importance of both new and existing regionally significant infrastructure and to enable its operation and development. This includes infrastructure owned and operated by Watercare Services Ltd. It has responded to various submissions by including a new set of policies on infrastructure and mineral resources (6.4.22.8 to 6.4.22.12) and it has included discussion of infrastructure in ONLs in the issues. The Committee also points out to Watercare Services that Change 6 to the RPS includes provisions on regionally significant infrastructure.

In addition, reference to dams and related infrastructure is a relevant matter for inclusion in clauses (iii) and xii) of Issue 6.2.7, as it recognises what is already in place and part of the landscape character of some areas in the Waitakere and Hunua ranges. Reference has also been made to bulk water supply dams and pipelines in Issue 6.2.7.1 in recognition of the Waitakere and Hunua water supply infrastructure. These changes are included in the full text of revised Issue 6.2.7 and 6.2.7.1 in Appendix A.

5.7.6 Issue 6.2.7 - Role of Mineral Resources to be Recognised

No.	Submitter	Summary of Decision Sought	Further Submitter/s
40/7	Stevenson Resources Limited	Amend 6.2.7 to read (underlined text added): <i><u>Mineral extraction and processing operations which have their own distinctive visual landscape and have a strong influence on the wider landscape context.</u></i>	

Decision

Accept in part submission **40/7**.

Reasons for Decision:

The Committee does not accept the addition of a further clause in the listed landscapes in Issue 6.2.7 that is specific to mineral and processing operations. Mineral extraction is a specific focus of Chapter 13 of the ARPS and specific reference to associated operations within the context of Issue 6.2.7 is not considered necessary or appropriate. One purpose of Issue 6.2.7 is to identify the range of different landscapes in the region and their key characteristics and the approach proposed by submission **40/7** does not fit within this framework. However references to *production activities* and *some significant quarries* have been included in clauses (vii) and (x) of Issue 6.2.7. These additions recognise the presence of significant quarries in these landscapes.

5.7.7 Issue 6.2.7.1 - Provision for Essential Infrastructure

No.	Submitter	Summary of Decision Sought	Further Submitter/s
16/5	Transpower New Zealand Ltd (Transpower)	Amend 6.2.7.1, paragraph 3 to read (underlined text added): <i><u>Activities such as urban development, land clearance, mining, quarrying, exotic afforestation, intensive horticulture or the development of built</u></i>	Supported By: 150 Counties Power Ltd Opposed By: 37 Waitakere City Council

		<i>structures including houses, coastal protection works, roads, transmission lines, power generation structures and some other infrastructure may result in an increase in the level of modification in the landscape and an associated reduction in naturalness. However it is recognised that some essential infrastructure may already be located within or may need to locate within such areas or that upgrading or duplicating existing infrastructure within Outstanding Natural Landscape Area may be the most environmentally appropriate approach.</i>	
7/5	Genesis Power Ltd ("Genesis Energy")	Amend 6.2.7.1 to provide greater recognition of the importance of essential infrastructure in Outstanding Natural Landscapes or adjacent areas.	Supported By: 20 Ports of Auckland Limited Opposed By: 37 Waitakere City Council 198 Wendy Macdonald
24/7	Mighty River Power Limited ("MRP")	Delete Issue 6.2.7.1, paragraph 4, or amend to include reference to the importance of certain structures in meeting the purpose of the RMA as follows (additions underlined): <i>Activities such as urban development, land clearance, mining, quarrying, exotic afforestation, intensive horticulture or the development of built structures, including houses, coastal protection works, roads, transmission lines, power generation structures and other infrastructure may result in an increase in the level of modification in the landscape and an associated reduction in naturalness. It is noted that some structures may be appropriate within Outstanding Natural Landscapes in order to meet the broader purpose of the Act. For example power generation structures harnessing renewable energy resources may be appropriate in order to provide for the sustainable management of natural and physical resources and the energy requirements of future generations.</i>	Supported By: 150 Counties Power Ltd 42 Mike Murphy 69 Mile Purchase Opposed By: 198 Wendy Macdonald 37 Waitakere City Council
40/9	Stevenson Resources Limited	Amend 6.2.7.1, paragraph 3 to read (underlined text added): <i>Activities such as urban development ... power generation structures and some other infrastructure may result in an increase in the level of modification in the landscape and an associated reduction in naturalness. However it is recognised that some essential infrastructure may already be located within or may need to locate within such areas and that extractive industries may need to be located within close proximity of an Outstanding Natural Area because of the presence of a mineral resource.</i>	Opposed By: 37 Waitakere City Council

Decisions

Accept in part submissions **16/5**, **7/5**, **24/7** and **40/9** and further submissions **150**, **20**, **42** and **69** in support and reject further submissions **37** and **198** in opposition.

Reasons for Decisions

The Hearings Committee accepts the need to recognise the presence of existing regionally significant infrastructure in ONLs and the likelihood of new infrastructure wanting to locate in these areas. It considered the legal submissions and evidence of submitters presented to it in 2007, the National Policy Statement on Renewable Electricity Generation, the infrastructure provisions in Chapter 2: Regional Overview and Strategic Direction in framing its amendments to Change 8: Landscape. The Committee has made minor wording changes to the third paragraph of Issue 6.2.7.1, but considered that the inclusion of two new paragraphs eight and nine in Issue 6.2.7.1 to refer to regionally significant infrastructure in general, and to distinguish between existing infrastructure in ONLs and likely new infrastructure to be a preferred approach. These paragraphs are drafted as issues, rather than being discussing the policy approach, as proposed

by submissions **16/5** and **24/7**. The new paragraphs are set out in full in Issue 6.2.7.1 in Appendix 1.

5.7.8 Policies 6.4.22 (and Reasons 6.4.24) – New Policy on Essential and Regional Infrastructure

No.	Submitter	Summary of Decision Sought	Further Submitter/s
7/6	Genesis Power Ltd ("Genesis Energy")	Amend section 6.4.22 by adding a new policy providing guidance as to how the adverse effects of essential infrastructure may be assessed with Outstanding Natural Landscapes or adjacent areas.	Supported By: 16 Transpower New Zealand Ltd (Transpower) 24 Mighty River Power Limited ("MRP") 87 Watercare Services Limited ("Watercare") Support and Opposed By: 37 Waitakere City Council
16/11	Transpower New Zealand Ltd (Transpower)	Amend 6.4.22 to include a new policy to read: <i>To strike a balance between the community's desire for essential infrastructure services and the community's desire to protect Outstanding Natural Landscape Areas from significant adverse effects, including cumulative effects and effects on the coastal environments or wetlands, rivers and their margins.</i>	Supported By: 87 Watercare Services Limited ("Watercare")
87/21	Watercare Services Limited ("Watercare")	Amend Policy 6.4.22 by adding the following new policy (or words to like effect): <i>The continued maintenance, operation and development of the water supply infrastructure of the Auckland region shall be provided for in and around outstanding natural landscapes and highly valued landscapes through regional or district plan provisions.</i>	Support and Opposed By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group 37 Waitakere City Council
87/28	Watercare Services Limited ("Watercare")	Amend reasons 6.4.24 by adding a new paragraph to read (or words to like effect): <i>The regional water supply for the Auckland region has various water storage lakes, dams, pipelines and associated structures located in some of the outstanding natural landscape areas. The facilities are crucial for the provision of water for domestic and industrial use and for fire fighting for the whole of the Auckland region. It is important that these existing structures can be maintained and upgraded as necessary and that future demand can be provided for.</i>	

Decisions

Accept in part submissions **7/6**, **16/11**, **87/21** and **87/28** and further submissions **16**, **24** and **87** in support and accept those parts of further submissions **37,140 and 141**.

Reasons for Decision

The need for a specific policy dealing with regionally significant infrastructure in Outstanding Natural Landscapes is accepted. However the Hearings Committee felt that the wording proposed by submissions **16/11** and **87/12** did not meet the task. It noted the request by submitter **7/6** that a new policy provide guidance on how the adverse effects of essential infrastructure may be assessed in ONLs. However Genesis Power Ltd did not present evidence to the Hearings Committee to expand on what type of guidance it had in mind. The Committee has therefore relied on the evidence presented by Transpower NZ Ltd, Mighty River Power Ltd and Watercare Services Ltd in the development of the new policies 6.4.22.8 to 6.4.22.12. In particular it has included the points made by Mighty River Power relating to the potential for mitigation of adverse visual impacts from wind farms, through design and location methods (6.4.22.9 (iv) (b)) and through restoration and enhancement of degraded landscapes (6.4.22.12). Changes have also been made to other landscape policies in response to concerns raised by Mighty River Power and these are discussed in more detail in the relevant sections of this report.

Evidence presented by Transpower NZ Ltd identified the need to distinguish between the maintenance and replacement of existing infrastructure in or near ONLs and the construction of new infrastructure or the significant upgrading of existing infrastructure. Watercare Services Ltd sought similar recognition for existing and future bulk water supply infrastructure. New policy 6.4.22.10 provides for the operation, maintenance and replacement of existing regionally significant infrastructure in ONLs, such as the Waitakere and Hunua water supply areas. The policy does require that this work take account of the key elements, patterns and processes of the ONL and that an avoid, remedy or mitigate adverse effects approach be adopted.

However it is the Committee's view that a policy distinction should be made between replacement activities and upgrading or extension activities. It considers that proposals to upgrade or extend regionally significant infrastructure may have the potential for significant impacts on ONLs and that these proposals should be subject to the same policy considerations as are proposed for new infrastructure. This decision is given effect to by Policy 6.4.22.11.

Additional explanation of these two policies is included in Section 6.4.24: Reasons Landscape paragraphs 20 and 21. The particular example of the bulk water supply system is acknowledged as requested by Watercare Services Ltd (87/28).

5.7.9 Methods 6.4.23.3

No.	Submitter	Summary of Decision Sought	Further Submitter/s
24/22	Mighty River Power Limited ("MRP")	Amend Method 6.4.23.3 to address concerns of the mandatory nature of the method and the inclusion of undefined techniques in the list, specifically (iv) (v), (vi) and (vii) (refer to submission 24/24 for the submitters amended policies).	
24/23	Mighty River Power Limited ("MRP")	Amend Method 6.4.23.3 to direct territorial authorities to include specific assessment criteria in district plans relating to the assessment of renewable energy proposals to assist with balancing the need for landscape protection with the benefits to be derived from the use and development of renewable energy resources (refer to submission 24/24 for the submitters amended policies).	
24/24	Mighty River Power Limited ("MRP")	Amend 6.4.23 Methods to read: <ol style="list-style-type: none"> 1. Local authorities shall identify in their district and regional plans Outstanding Natural Landscapes and should include provisions, including rules that protect the values of these landscape areas. 2. Territorial authorities shall control the subdivision of land in Outstanding Natural Landscapes identified in Map Series 3A by: <ol style="list-style-type: none"> (i) Prohibiting further subdivision beyond that provided for in district plans: (ii) Encouraging the use of existing approved certificates of title, rather than the creation of new subdivisions when establishing subdivision rules in these areas. 3. Local authorities shall use the following techniques (as relevant to their function under the RMA) to maintain landscape quality and diversity: <ol style="list-style-type: none"> (i) Controls on the establishment and location of buildings and other structures including infrastructure and their scale and design (including colour and materials) in Outstanding Natural Landscapes. (ii) Controls on earthworks and other land disturbing activities that may adversely affect important landforms and landscape 	<p>Supported By: 39 Rodney Aggregate Supplies 38 Winstone Aggregates</p> <p>Opposed By: 37 Waitakere City Council</p> <p>Support and Opposed By: 54 Anglican Trust for Women and Children</p>

		<p>values;</p> <p>(iii) Controls on the clearance of significant indigenous vegetation;</p> <p>(iv) Criteria for the assessment of proposals involving the use and development of renewable energy resources within Outstanding Natural Landscapes (or specific criteria for the assessment of renewable energy proposals generally).</p> <p>4. Territorial authorities and the Auckland Regional Council should adopt compatible landscape assessment methodologies to enable the integration of landscape assessment findings at the regional and district level and to enable monitoring of changes in landscape quality and diversity across the Auckland Region over time.</p>	
48/61	Auckland City Council	Amend 6.4.23.3 to ensure that the change does not preclude the appropriate location of sustainable and renewable energy methods such as wind energy on the Hauraki Gulf Islands.	

Decisions

Accept submissions **24/22**, **24/23** and **24/24** and accept further submissions **38** and **39** in support and that part of further submission **54** in support and reject further submission **37** in opposition. Accept submission **48/61**

Reasons for Decisions

The Hearings Committee noted the concerns raised by submissions **24/22**, **24/23**, **24/24** and **48/61** and has generally given effect to the requested changes, although not necessarily through the direct rewording of Method 6.4.23.3 as requested by these submitters. The chapeau (beginning part of the method) requires councils to include “suitable methods” in plans, but provides flexibility as to the actual methods to be chosen. Clauses (i) to (v) list methods that may be chosen, rather than being mandatory.

Reference to controls on infrastructure is retained in clause (i) of the Decisions Version of Method 6.4.23.3 and a new clause (v) is included as requested by submissions **24/23** and **24/24**. This new clause, along with Policy 6.4.22.9 (ii) provides flexibility for the establishment of renewable energy generation operations on Great Barrier Island, as requested by submission **48/61**. (See also section 5.7.3 of this report). The changes made by the Hearings Committee to Method 6.4.23.3 give effect to the Committee’s decisions relating to changes to the policies in section 6.4.22.

5.7.10 Appendix F - Areas Traversed by Power Lines

No.	Submitter	Summary of Decision Sought	Further Submitter/s
16/32	Transpower New Zealand Ltd (Transpower)	Amend Appendix F so that for each identified Outstanding Natural Landscape Area traversed by a transmission line or lines, including [but not limited to] areas 1, 3, 8, 9, 23, 53 and 62, include the following notation under the column ‘Additional Information’: <i>“Transmission line corridor passes through.”</i> Appendix 1 (pg 25) of the submission provides a list of transmission lines in the Auckland region.	

Decision

Reject submission **16/32**.

Reasons for Decisions

The Hearings Committee does not accept the request to annotate various ONLs by referring to the presence of transmission line corridors. It considers that it is inappropriate to identify one type of infrastructure, development or activity from the broader matrix of human activities and structures that are found within individual ONL landscape units. Assessment of the regional

landscape has involved comprehensive evaluation of the landscape in a holistic sense and the results of that evaluation reflect this whole rather than the “sum of its parts”. Consequently, it is not appropriate to start dissecting and lending undue weight to specific components of each landscape unit.

However, the Committee has made a number of changes to both the text of Change 8 (inclusion of regionally significant infrastructure provisions) and Map Series 3a (removal of part of ONL 62). It considers that these changes give adequate recognition to the matters raised by Transpower NZ Ltd in its submissions to Change 8.

The information provided by Transpower NZ Ltd will be given to the Auckland Council for its use as part of a future RPS review.

TOPIC 5.8 SECTION 6.1: INTRODUCTION

This section discusses submissions received and evidence presented on Section 6.1: Introduction. Submissions relating to highly valued landscapes, areas connected to ONLs and regionally significant infrastructure that affect section 6.1 are discussed as part of Topics 5.5, 5.6 and 5.7 and not in this topic area.

5.8.1 Introduction 6.1 - Terminology

No.	Submitter	Summary of Decision Sought	Further Submitter/s
31/2	Haka International NZ Limited	Amend 6.1, paragraph 4, by changing “This area is valued for” to “This resource contains”	Opposed By: 37 Waitakere City Council
31/3	Haka International NZ Limited	Amend 6.1, paragraph 7 by changing ‘effects of physical and cultural’ to ‘impact of natural and human’.	
31/4	Haka International NZ Limited	Amend 6.1, paragraph 9 by changing ‘ <i>development and change</i> ’ to ‘ <i>land use and development</i> ’ and delete the last part of the sentence: “ whether or not development affects outstanding natural landscapes ”.	Opposed By: 37 Waitakere City Council

Decisions

Reject submission **31/2** and accept further submission in opposition **37**.

Accept submission **31/3**.

Accept in part submission **31/4** and reject further submission **37** in opposition.

Reasons for Decisions

Submissions **31/2**, **31/3** and **31/4** seek wording changes to various sentences in Section 6.1: Introduction. The Committee agrees that the changes sought in submission **31/3** are to be preferred and has amended the sentence accordingly. It also agrees to changes to paragraph 9 to include reference to land use as well as development. However it does not accept the change sought by submission **31/2**. Natural character and outstanding natural landscapes are valued based matters, rather than natural resources per se. The existing wording of Change 8 more correctly reflects this situation.

5.8.2 Introduction 6.1 - Relationship between Chapter 6 and Other Chapters

No.	Submitter	Summary of Decision Sought	Further Submitter/s
16/3	Transpower New Zealand Ltd (Transpower)	Amend 6.1, page 6-2, right hand column, paragraph 2 to read (underlined text added): <i>Other chapters of this regional policy statement <u>may conflict with, contribute to and/or reinforce the objective, policies and methods of this chapter. In particular this chapter should be read with and in the context of Chapters 2, 3, 5, 7, 8, 9, 13, 14 and 18.</u></i>	Supported By: 24 Mighty River Power Limited (“MRP”) 150 Counties Power Ltd 39 Rodney Aggregate Supplies 38 Winstone Aggregates
40/5	Stevenson Resources Limited	Amend 6.1, final paragraph to read (underlined text added): <i>Other chapters of this regional policy statement</i>	

		<i>may <u>conflict with</u>, contribute to and/or reinforce the objectives, policies and methods of this chapter. In particular this chapter should be read in conjunction with <u>and in the context of</u> Chapters 2, 3, 7, 8, 9, 13, 14 and 18.</i>	
24/4	Mighty River Power Limited ("MRP")	Amend Introduction 6.1 pages 6-2, right-hand column paragraph 2 to read (underlined text added): <i>Other chapters of this regional policy statement contribute to and reinforce the objective, policies and methods of this chapter. In particular this chapter should be read in conjunction with Chapters 2, 3, <u>5</u>, 7, 8, 9, 13, 14 and 18</i>	
16/2	Transpower New Zealand Ltd (Transpower)	Amend 6.1, page 6-2, right hand column, paragraph 2 to read (underlined text added): <i>...In particular this chapter should be read in conjunction with Chapters 2, 3, <u>5</u>, 7, 9, 13, 14 and 18</i> (see also submission 16/3)	Supported By: 150 Counties Power Ltd
40/4	Stevenson Resources Limited	Retain the reference to Chapter 13 (Minerals) in 6.1, final paragraph as follows: <i>"In particular this chapter should be read in conjunction with Chapters 2, 3, 7, 8, 9, <u>13</u>, 14 and 18".</i>	
48/4	Auckland City Council	Amend 6.1 to include a clear cross reference between Chapters 6 and 7 to alert plan users to the fact that the policies in Chapter 6 (after inclusion of proposed change 8) relate to the objectives in Chapter 7.	
26/9	Environmental Defence Society	Seeks revision of the text to better incorporate cross-referencing between chapter 2 and the other text.	Supported By: 141 West Coast Plan Liaison Group 37 Waitakere City Council Opposed By: 42 Mike Murphy

Decisions

Reject submissions **16/3** and **40/5** and further submissions **24**, **150**, **39** and **38** in support.
Accept submissions **24/4**, **16/2**, **40/4**, **48/4** and **26/9** and further submissions **150**, **141** and **37** in support and reject further submission **42** in opposition.

Reasons for Decisions

The Hearings Committee accepts that there is a need to provide clearer guidance on how the different chapters of the RPS should be considered and policy conflicts resolved. It points out that Chapter 2: Regional Overview and Strategic Direction, as amended by Change 6 provides the overview framework for the implementation of the resource, area or function based policies in the rest of the RPS. Given this framework, the Committee does not agree with the words proposed by submissions **16/3** and **40/5** and proposes alternative wording to be included in the last paragraph of Section 6.1 (see Appendix 1). However the points raised by these two submissions led the Committee to review its position on regionally significant infrastructure in Outstanding Natural Landscapes and the inclusion of new policies 6.4.22.8 to 6.4.22.12. It considered giving clearer policy direction was preferable to more general wording in the Introduction.

The Committee does accept the need for better cross references between the landscape provisions of Chapter 6 and the landscape objectives and policies in Chapter 7: Coastal Environment. This has been included in the last paragraph of Section 6.1 in response to submission **48/4**. It has also included references to all relevant chapters and Chapter 5: Energy has been included in the text. Reference to Chapter 13: Minerals is retained as requested by submission **40/4**.

Cross references to various provisions in Chapter 2: Regional Overview and Strategic Direction have been inserted in the policies to give effect to the request by submission **26/9**, for example

Policy 6.4.22.1 (xiii). The Committee considers that this approach is a more effective way of integrating the landscape provisions in Chapter 6, with the Strategic Direction set out in Chapter 2.

5.8.3 Introduction 6.1 – Landscape Management

No.	Submitter	Summary of Decision Sought	Further Submitter/s
16/1	Transpower New Zealand Ltd (Transpower)	Amend 6.1 paragraph 10 to read (underlined text added): <i>The management of the biophysical components of the landscape, including the management of <u>appropriate development within landscapes is</u> addressed in the objectives and policies of this chapter relating to Natural and Cultural Heritage and in the other resource specific chapters of the RPS.</i>	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
15/2	JR Courtenay Family Trust	Amend 6.1 (Introduction), paragraph 10 to read (underlined text added): <i>The management of the biophysical components of landscape <u>including the management of appropriate development within landscapes are-is</u> addressed in the objectives and policies of this chapter relating to Natural and Cultural Heritage and in the other resource specific chapters of this RPS</i>	Supported By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
31/5	Haka International NZ Limited	Amend 6.1, paragraph 10 so that it clearly explains where the relevant information is to be found as the use of the term biophysical is not consistent with the Oxford dictionary definition.	
40/3	Stevenson Resources Limited	Amend 6.1, Paragraph 10 to read (underlined added): <i>The management of the <u>interaction of biophysical and land use components of landscape...</u></i>	Opposed By: 37 Waitakere City Council

Decisions

Accept in part submissions **16/1**, **15/2**, **31/5** and **40/3** and further submissions **51**, **143**, **114** in support and reject further submission **37** in opposition.

Reasons for Decisions

Paragraph 10 of Section 6.1 has been rewritten to clarify its intent, partly in response to submissions **16/1**, **15/2**, **31/5**, and **40/3**, but also as a result of the review of the ONL areas against the WESI criteria, as requested by other submitters. The redraft paragraph now commences with “*this chapter addresses the management of...*” The Hearing Committee considered the original wording of paragraph 10 was confusing and did not adequately explain that Chapter 6: Heritage includes policies and information that relate to biodiversity (natural heritage) and cultural heritage, both of which can feed into landscape assessments using the WESI criteria. Further information is contained Appendix F. Reference has been included to the management of appropriate development as requested by **16/1** and **15/2** in the decisions version of the paragraph.

5.8.4 Introduction 6.1 – Landscape Perception and Environment Court Criteria

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
49/2	Man O'War Station Limited ("MOWS")	Amend 6.1, Page 6-1, Column 2, Paragraph 2 by deleting proposed additional text from words “ <i>Landscape comprises</i> ” to words “ <i>place of the Auckland Region</i> ”.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Opposed By: 37 Waitakere City Council
49/3	Man O'War Station Limited ("MOWS")	Amend 6.1 by inserting paragraph explaining how outstanding natural landscapes are appropriately identified by reference to the Environment Court	Supported By: 143 Matariki Forests 144 Carter Holt Harvey

		criteria set out in the submission.	Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Opposed By: 48 Auckland City Council 37 Waitakere City Council Support and Opposed By: 16 Transpower New Zealand Ltd (Transpower)
112/3	Ponui Farms Limited and J Chamberlin, M Chamberlin	Amend 6.1, Page 6-1, Paragraph 7 by deleting the following: <i>“Visual appreciation of the landscape is also influenced by people’s visual perception; whether it is pleasing or not to look at. The interaction of the physical and perceptual aspects of the landscape are of central importance in creating the distinctive character and sense of place that is the Auckland region.”</i> And substitute it with a paragraph outlining the Environment Court criteria for identifying Outstanding Natural Landscapes.	Opposed By: 48 Auckland City Council 37 Waitakere City Council

Decisions

Reject submissions **49/2** and **112/3** and further submissions **143**, **144** and **112** in support and accept further submissions **37** and **48** in opposition.

Accept in part submission **49/3** and further submissions **143**, **144** and **112** in support and that part of further submission **16** in support and reject further submissions **48** and **37** in opposition,

Reasons for Decisions

The Committee has included a general reference to the WESI criteria (nationally accepted landscape assessment criteria) in paragraph 8, as requested by submissions **49/3**, but it has not deleted the paragraph as requested by submissions **49/2** and **112/3** and replaced it with a detailed discussion of the WESI criteria. The Committee notes that the WESI criteria that have been endorsed by the Environment Court includes factors such as landform, landcover and land use, as well as perceptual factors. Appendix F includes further discussion of the WESI criteria and each of the ONL areas listed in map series 3A and described in Appendix F has been assessed using the WESI criteria. Reference to the WESI criteria has been included in paragraph 11 and explained in more detail in Appendix F. It is not considered necessary to include a detailed discussion of these criteria in the Introductory section 6.1. This is better addressed in the appendix.

5.8.5 Introduction 6.1 – Inclusion of other areas in the region or additional commentary.

No.	Submitter	Summary of Decision Sought	Further Submitter/s
37/4	Waitakere City Council	Amend 6.1 by adding a paragraph which identifies the unique contribution that the Waitakere Ranges makes to the natural and cultural heritage of the Auckland Region, and the national significance of the Waitakere Ranges.	Supported By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group Opposed By: 51 Federated Farmers of New Zealand (Inc)
37/5	Waitakere City Council	Delete or amend the relevant part of 6.1 so as to ensure that the landscapes of the Titirangi/Langholm and coastal village areas are managed in a way consistent with the rest of the Waitakere Ranges. Appropriately cross-reference this to Chapter 2.	Supported By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group
91/4	The Guardians of the Kaipara Inc Society - Nga Kaitiaki o Kaipara	Amend 6.1 by adding a paragraph that identifies all of Auckland’s harbours as key places of regional significance that give the Auckland Region its rich sense of maritime diversity and its sense of place. Identify in particular the Kaipara Harbour’s regional, national and international significance and high natural character values which should be	Opposed By: 7 Genesis Power Ltd ("Genesis Energy") 20 Ports of Auckland Limited 148 Horticulture New Zealand 38 Winstone Aggregates

		protected and managed as an integrated whole.	144 Carter Holt Harvey Limited
81/3	Britta Hietz	Amend 6.1 by adding an additional section that identifies Auckland's Harbours, such as the Kaipara Harbour and other harbours and estuaries as key places that give the Auckland Region a sense of place. Give more details to the values of harbour landscapes similar to those sections describing the Hauraki Gulf and volcanic cones. There appears to be particular emphasis in Section 6.1 on the values of the Hauraki Gulf and the volcanic cones.	Supported By: 37 Waitakere City Council Opposed By: 7 Genesis Power Ltd ("Genesis Energy") 20 Ports of Auckland Limited 148 Horticulture New Zealand 38 Winstone Aggregates
51/8	Federated Farmers of New Zealand (Inc)	Amend 6.1 to include appropriate commentary about: <input type="checkbox"/> Outstanding Natural Landscape and Highly Valued Landscape resources are in some cases identified on land that is privately owned and are resources that are used for rural production activities <input type="checkbox"/> Restrictions placed on the use of land identified as Outstanding Natural Landscape and Highly Valued Landscape come at a cost to the landowners <input type="checkbox"/> Rural production activities contribute significantly to the economy, and in general landowners undertake those activities in a way that promotes rural sustainability, and should be encouraged, while at the same time ensuring the effects are sustainably managed <input type="checkbox"/> The section (6.1) should recognise that people value the ability to use and develop air, land and water resources for activities including all forms of farming and horticulture	Supported By: 41 Landco Limited 72 Concerned Awhitu Landowners (1) 90 Roger Malcolm Jones 96 David Craig 110 Kerry O. and W.G.M. Ruiterman 112 Ponui Farms Limited and J Chamberlin, M Chamberlin 113 Pollok Ratepayers Association 118 Rodney Irwin Atchinson 119 Frith Farms (2003) Ltd & Hoteo Trust 121 Olsen Farms Ltd 123 Tripp Andrews & Partners Ltd 124 AQ Farms Partnership 125 Michael O'Shea 126 M.P.J. O'Shea of Awana 127 Helen O'Shea 132 Geoff Chitty 133 Anthony Stekelenburg 134 Falco Visser 135 Cheryle Gail 136 Ian Stuart McNaughton 137 Anna Elisabeth McNaughton 138 Peter R Fraser 142 Wendy June Clark 143 Matariki Forests 144 Carter Holt Harvey Limited 148 Horticulture New Zealand 151 Evan Forbes McGregor 152 Ron Hogan 153 Hilary Claire Atchinson 154 Norm Clark 155 Meikle Brian Thomas 156 DL & FR Jamison 157 Martin Frank Bucksey 158 Dacey Balle 159 Brendan Rory Gerrard Balle 160 Chris Balle 161 Balle Bros Holdings Ltd 162 Shane Balle 163 Maurice Balle 164 Jim Balle 165 John McDonald 166 Donna Goettler 167 Shirley Carter 168 Anthony Stekelenburg (2) 169 Peter R Fraser (2) 170 Glenice Aro 171 George McGregor 172 Ian Joseph Chitty

			173 Susan Mary Chitty 174 MJ & JM Patterson 175 John Rutherford 176 Jennifer Mary Morley 177 Edwin Raymond Morley 178 Aspin Farms Limited 179 Carol Howard Hamilton 180 Andrew Charles Hamilton 181 BR & RD Teague 182 Barry N Cochrane 183 Vivian Marshall Rutherford 184 Michael M Harper 185 Daniel J Verryt 186 Terence John Atchinson 187 PL & B Sergeant 188 Margaret Jean Hamilton 189 Clyde Harris Hamilton 190 Brian Blake 191 Kevin John Dodd 192 Maureen Mary Dodd 193 Christopher John Chitty 194 Karyn Jayne Chitty 195 Alex Fraser Chitty 196 Kaiua Citizens & Ratepayers Association 197 Duncan Crawford Munro Opposed By: 76 Ian Joseph Chitty & Susan Mary Chitty 141 West Coast Plan Liaison Group
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Decisions

Accept submission **37/4** and further submissions **140** and **141** in support and reject further submission **51** in opposition

Accept in part submission 37/5 and further submissions 140 and 141 in support.

Accept in part submissions **91/4** and **81/3** and further submission **37** in support and reject further submissions **7, 20, 148, 38** and **144** in opposition.

Reject submission **51/8** and further submissions **41, 72, 90, 96, 110, 112, 113, 118, 119, 121, 123, 124, 125, 126, 127, 132, 133, 134, 135, 136, 137, 138, 142, 143, 144, 148, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196** and **197** and accept further submissions **76** and **141** in opposition.

Reasons for Decisions

In response to submission **37/4**, addition references to the rugged west coast have been included in the 5th paragraph of Section 6.1, but more specific discussion of the Waitakere Ranges is included in paragraphs (iii) and (iv) of 6.2.7. This includes recognition of the Waitakere Ranges Heritage Area Act. This section provides a summary overview of the landscape types of the region and the Committee considers it is a more appropriate location for the reference, than in the introductory Section 6.1.

The Committee notes that the original wording in the Introduction section 6.1 relating to the management of Outstanding Natural Landscapes and landscapes within the Metropolitan Urban Limits was confusing. Titirangi and Laingholm are the only areas in the MULs that have Outstanding Natural Landscapes. Changes have therefore been made to the 10th paragraph of Introduction 6.1 to clarify this situation. The reference to policies in chapter 2 clarifies that they deal with urban design components of urban landscapes, rather than with ONLs within the MUL.

A reference to harbours being part of the region's landscapes has been included in the first line of the first paragraph of Introduction 6.1. Reference to the significance of the Kaipara Harbour as a bird habitat area has also been included in clause (vii) of Issue 6.2.7, which discusses both the Manukau and Kaipara Harbours.

However this part of the RPS deals with landscape values, rather than natural character or ecological values. The Committee therefore considers that reference to these other values of the Kaipara Harbour should be addressed in the review of the heritage and coastal environment chapters of the whole RPS, rather than inserted into the landscape discussion in section 6.1.

The Hearings Committee is sympathetic to the concerns expressed to it by submitter **51/8** (Federated Farmers of NZ Inc) and the significant number of further submitters in support, which seek the inclusion of additional commentary relating to rural landowners, rural production activities and use of private property. However it does not accept that including references to the points raised by submission **51/8** in the Introduction section 6.1 is the best way of dealing with the concerns identified in the submissions. Many of the general points relating to the role of rural areas in the community and economy of the Auckland region are already addressed in Chapter 2: Regional Overview and Strategic Direction. This is particularly the case now that most appeals to RPS Change 6 have been resolved. The Committee is of the view that repeating these general comments relating to rural land ownership and rural land use in general in a section dealing with natural and cultural heritage and landscape management is not effective. It has preferred to deal with the use of rural land within ONLs through changes to the relevant issues (6.2.7.1) and policies (6.4.22.1) that provide a clear direction the role of ONLs as working landscapes.

TOPIC 5.9: SECTION 6.2: ISSUES

5.9.1 Issue 6.2.5 - Define Issue better

No.	Submitter	Summary of Decision Sought	Further Submitter/s
31/6	Haka International NZ Limited	Amend 6.2.5, paragraph 1 by deleting the last paragraph and replace with ' <i>Protection of sensitive landscapes from particular forms of subdivision, use or development is necessary.</i> '	

Decision

Reject submission **31/6**.

Reasons for Decision

Issue 6.2.5 relates to Geological Heritage, rather than Outstanding Natural Landscapes. Hence the change sought by submission **31/6** is not relevant or appropriate for a discussion of geological heritage. No change has been made to give effect to this submission.

5.9.2 Issue 6.2.7 – Landscape – Support for or Requests for Various Wording Changes

No.	Submitter	Summary of Decision Sought	Further Submitter/s
27/3	Te Atatu Residents' and Ratepayers' Association Inc	Retain 6.2.7 paragraphs 1, 3 and 4.	
27/4	Te Atatu Residents and Ratepayers Association Inc	Amend 6.2.7 paragraph 5 to include a bullet point covering the Waitemata Harbour.	Opposed by 20 Ports of Auckland Ltd Supported and Opposed by 37 Waitakere City Council
48/11	Auckland City Council	Amend 6.2.7 by adding Auckland's urban streams to the list of landscapes.	Supported By: 37 Waitakere City Council Opposed By: 54 Anglican Trust for Women and Children
20/5	Ports of Auckland Limited	Amend 6.2.7, page 6-5 by adding additional bullet points to the submitter's satisfaction which recognise the place of the built environment in Auckland Region's landscape and which recognise the need to provide for growth of the City and Region.	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
59/5	Franklin District Council	Amend 6.2.7, paragraph 2 by adding the underlined and deleting the strikethrough: Auckland's volcanic <u>features</u> , its urban, coastal and island landscapes and maritime views and rural landscapes provide an important	Supported By: 37 Waitakere City Council Opposed By: 150 Counties Power Ltd 148 Horticulture New

		reference point and sense of identity for the people of the Region.	<i>Zealand</i> 38 Winstone Aggregates
81/4	Britta Hietz	Amend 6.2.7 to include descriptions of the high diversity and unique habitats for harbours such as the Kaipara Harbour.	Opposed By: 7 Genesis Power Ltd ("Genesis Energy") 148 Horticulture New Zealand 38 Winstone Aggregates
31/7	Haka International NZ Limited	Amend 6.2.7, paragraph 2 by inserting after Outstanding Natural Landscape the following words: " <i>....of regional significance requiring coordinated protection from uncontrolled use and development. The process by which these areas have been defined is explained in Appendix F.</i> "	Supported By: 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
31/8	Haka International NZ Limited	Delete 6.2.7, paragraph 3 as the paragraph is redundant as the landscapes appropriate for protection have already been identified by Appendix F.	Supported By: 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
31/9	Haka International NZ Limited	Delete 6.2.7, paragraph 4 as the term natural landscape is neither clear to the reader nor defined and is therefore redundant.	Supported By: 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
31/10	Haka International NZ Limited	Amend 6.2.7, paragraph 5 including bullet points by moving the section to Appendix F after paragraph 2 with the heading 'Range of Auckland's Landscapes' as it is out of context as the identification of Outstanding Natural Landscape is already explained.	Opposed By: 37 Waitakere City Council
31/11	Haka International NZ Limited	Delete 6.2.7, penultimate paragraph beginning 'The unique...' as it does not make sense and is completely redundant.	
31/12	Haka International NZ Limited	Delete 6.2.7, last paragraph and replace with ' <i>The issues associated with the need to protect regionally significant landscapes are:</i> ' as the issue statements provide the justification for the level of protection required. It is assumed that the protection requirement is being implemented under RMA s30 (1)(b).	

Decisions

Accept submissions **27/3** and **27/4** and that part of further submission **37** in support and reject further submission **20** and that part of further submission **37** in opposition.

Accept submission **48/11** and further submission **37** in support and reject further submission **54** in opposition.

Accept in part submission **20/5** and further submission **51** in support and reject further submission **37** in opposition.

Accept in part submission **59/5** and further submission **37** in support and reject further submissions **150**, **148** and **38**.

Accept in part submission **81/4** and reject further submissions **7**, **148** and **38** in opposition.

Accept in part submission **31/7** and further submission **54** in support and reject further submission **37** in opposition.

Reject submissions **31/8**, **31/9**, **31/10** and **31/12** and further submission **54** in support and accept further submission **37** in opposition.

Accept submission **31/11**.

Reasons for Decisions

The Committee thanks submission **27/3** (Te Atatu Residents' and Ratepayers' Association Inc) for its support. Paragraphs 1, 3 and 4 have been retained, with some amendments to reflect other submissions. It has also included a new clause (ix) in Issue 6.2.7 relating to the Waitemata Harbour in response to submission **27/4**.

The Committee points out to submission **48/11** that urban streams are only one component of the urban landscape. It is therefore not appropriate to single them out above other components. Hence the Committee has included reference to the streams within the wider context of green

corridors and open space in clause (xvi) of Issue 6.2.7, which discusses Auckland's built environment.

The Hearings Committee agrees with submission **20/5** that further recognition is required of the place of the built environment in the Auckland region's landscape. It has therefore replaced the last bullet point in Issue 6.2.7 with a more expansive clause (xvi) that discusses Auckland's built environment, including key infrastructure components such as the Port of Auckland. No reference is made to the need to provide for growth of the city and region in this clause. This issue is discussed in Chapter 2: Strategic Overview and Regional Direction. The purpose of the clauses in Issue 6.2.7 is to provide brief descriptors of the different landscapes in the Auckland Region.

The Committee also supports the request by submission **59/5** to recognise the importance of rural landscapes in the region and the sense of identity they provide. It has however decided to retain the reference to volcanic cones, rather than replace it with volcanic features. The cones are key visual identifiers and reference points, but this is not always the case for volcanic features per se. This decision is also in line with the resolution of appeals relating to the Volcanic Features part of Change 8.

Issue 6.2.7 relates to landscape management issues in the Auckland region. It is not intended to be an extensive discussion of biodiversity values. The changes sought by submission **81/4** are considered to be more appropriately addressed as part of the RPS review relating to the region's natural biodiversity, rather than being specifically addressed in the landscape part of the RPS. The Committee has however included a reference to the bird habitat values of the Kaipara and Manukau Harbours in clause (viii) in response to this submission.

The Hearings Committee considered the wording changes or deletions requested by submissions **31/7, 31/8, 31/9, 31/10, 31/11** and **31/12**. It has included the words "within the context of the Auckland Region" to acknowledge that the Change 8 deals with ONLs that have been identified for this region. It has not however made the other changes requested by submission **31/7**, as it prefers to keep the cross references to Appendix F to the end of the issues section. The Committee does not accept that the deletions of the third and fourth paragraphs of Issue 6.2.7 (**31/8 and 31/9**) are appropriate or necessary. Change 8 deals with both ONLs and other landscapes in the region and it is necessary for the third paragraph to acknowledge the need to manage amenity landscapes. It also points out in response to submission **31/9** that Section 6(b) of the RMA refers to the protection of outstanding natural features and (natural) landscapes. These landscapes are not defined in the Act, but are left to individual local authorities to determine according to their region or district. Change 8 has identified Outstanding Natural Landscapes of the Auckland region in its map series. The more generic reference to natural landscapes at the beginning of paragraph 4 is to recognise natural landscapes over areas characterised by built development and to link natural landscape management with the management of natural character. Both naturalness and natural character are defined in Appendix D.

The Hearings Committee has also decided to retain the list of bullet points (now renumbered as clauses) following the fifth paragraph in Issue 6.2.7. It has received a number of submissions endorsing these points and seeking the inclusion of additional material. It therefore considers that this list of landscape descriptions is more appropriately left in the text of Chapter 6, rather than being placed in Appendix F as requested by submission **31/10**.

The penultimate paragraph in Issue 6.2.7 has been deleted in response to submission **31/11**. Issues relating to landscape management and economic and social needs have been retained in the issues section, but have been re-worded in response to requests from other submissions relating to recognising existing land use activities. No change has been made to the last paragraph of Issue 6.2.7 as requested by submission **31/12**. The Hearings Committee prefers the existing notified version of the paragraph, as it has deliberately referred to both landscape management and landscape protection. This concept is lost in the alternative wording proposed by submission **31/12**.

5.9.3 Issue 6.2.7 - Appropriate and Inappropriate Subdivision, Use and Development

No.	Submitter	Summary of Decision Sought	Further Submitter/s
112/4	Ponui Farms Limited and J Chamberlin, M Chamberlin	Amend 6.2.7 (including 6.2.7.1 to 4) as they relate to Outstanding Natural Landscapes along the following line: developments (including buildings) which enhance or do not detract from the features and qualities of the landscape which make it outstanding or otherwise important are permissible.	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
49/5	Man O'War Station Limited ("MOWS")	Amend 6.2.7 by inserting additional explanatory text to clarify the circumstances in which subdivision, use and development are appropriate, including development which enhances (but does not detract from) the features and qualities of a landscape which make it outstanding or otherwise important, in terms of the Environment Court criteria set out in the submission and Issue 6.2.7.4 as sought to be amended in submissions 49/10 and 49/11.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Support and Opposed By: 16 Transpower New Zealand Ltd (Transpower)
49/4	Man O'War Station Limited ("MOWS")	Amend 6.2.7, paragraph 1 to read (underlined text added): <i>The quality and diversity of Auckland's landscapes are reduced by individual and cumulative adverse effects of <u>inappropriate</u> subdivision, use and development.</i>	Supported By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 49 Man O'War Station Limited ("MOWS") 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin
20/4	Ports of Auckland Limited	Amend 6.2.7, paragraph 1 to read: <i>The quality and diversity of Auckland's landscapes is being reduced by individual and cumulative adverse effects of <u>inappropriate</u> subdivision, use and development.</i> (underlined text added).	Supported By: 51 Federated Farmers of New Zealand (Inc) 87 Watercare Services Limited ("Watercare")
16/4	Transpower New Zealand Ltd (Transpower)	Amend 6.2.7, paragraph 1 to read (underlined text added): <i>The quality and diversity of Auckland's landscapes is being reduced by individual and cumulative adverse effects of <u>inappropriate</u> subdivision, use and development.</i>	
87/5	Watercare Services Limited ("Watercare")	Amend Issue 6.2.7, paragraph 1 to read (additions underlined): <i>The quality and diversity of Auckland's landscapes is being reduced by individual and cumulative adverse effects of <u>inappropriate</u> subdivision, use and development.</i>	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group
40/6	Stevenson Resources Limited	Amend 6.2.7 to read as follows (underlined text added, strike through deleted): <i>The quality and diversity of Auckland's landscapes is being can be reduced by individual and cumulative adverse effects of <u>inappropriate</u> subdivision, use and development.</i>	Supported By: 51 Federated Farmers of New Zealand (Inc)
21/2	Kawau Properties Limited ("Kawau Properties")	Amend 6.2.7, paragraph 1 to read: <i>The quality and diversity of Auckland's landscapes is being reduced by individual and cumulative adverse effects of <u>inappropriate</u> subdivision, use and development.</i>	Supported By: 51 Federated Farmers of New Zealand (Inc)
49/6	Man O'War Station Limited ("MOWS")	Amend 6.2.7 by deleting the word "often" in existing explanatory text and replace with "sometimes".	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M

			Chamberlin Opposed By: 37 Waitakere City Council
15/4	JR Courtenay Family Trust	Amend Issue 6.2.7, paragraph 1 to read (underlined text added): <i>The quality and diversity of Auckland's landscapes is being reduced by individual and cumulative effects of <u>inappropriate</u> subdivision, use and development.</i>	Supported By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited

Decisions

Reject submissions **112/4** and **49/5** and further submissions **51, 143, 144** and **112** in support and that part of further submission **16** in support and accept further submission **37** in opposition.

Reject submissions **49/4, 20/4, 16/4, 87/5, 21/2** and **15/4** and further submissions **49, 51, 87, 143, 144** and **112** in support and accept further submissions **140** and **141** in opposition.

Accept in part submission **40/6** and further submission **51** in support.

Reject submission **49/6** and further submissions **143, 144, 112** in support and accept further submission **37** in opposition.

Reasons for Decisions:

The Hearings Committee carefully considered whether to amend Issue statement 6.2.7 by the inclusion of the word “inappropriate” in relation to subdivision, use and development as requested by submissions **49/4, 20/4, 16/4, 87/5, 21/2** and **15/4**, but decided to retain the existing wording. It acknowledges that section 6 (b) refers to the protection of Outstanding Natural Landscapes from inappropriate subdivision, use and development. However this does not mean that a regional policy statement should mirror the exact wording of the RMA. The regional document is required to give effect to Part II of the Act, recognising the particular circumstances of the region.

Section 6.2 is an issues statement, rather than a statement of policy intent. The Hearings Committee is of the view that subdivision, use and development does adversely affect the quality and diversity of Auckland's landscapes. This includes subdivision, use and development which can be assessed as being either appropriate or inappropriate. It is the Committee's view that the issue statement needs to start from this base, rather than the assumption that some types of subdivision are appropriate and hence are exempt from the consideration of their individual or cumulative adverse effects. A decision on what is appropriate or inappropriate subdivision, use and development in an ONL is a matter to be addressed by the policies and methods of the chapter, rather than discussed in the issues statement.

For this reason the changes requested by the submitters including **112/4** and **49/5** have not been given effect to in Issues statement 6.2.7. The Committee has however taken these concerns into account when redrafting the policies and methods. It has also chosen not to change the issues statement as requested by submitters **40/6**, and **49/6** preferring the existing wording.

5.9.4 Issue 6.2.7 - Economic Wellbeing and Assistance to Farmers

No.	Submitter	Summary of Decision Sought	Further Submitter/s
119/1	Frith Farms (2003) Ltd & Hoteo Trust	Amend 6.2.7 to enable people, in this case the landowners/farmers, to provide for their economic welfare, while attaining the goal of sustainable management.	Supported By: 51 Federated Farmers of New Zealand (Inc) Support and Opposed By: 37 Waitakere City Council
69/2	Mile Purchase	Seeks a rewrite of the entire section (6.2.7) and in particular subsections 6.2.7.1 to 6.2.7.4 inclusive to reflect the issues set out in the submission. A clause should be inserted that acknowledges sustainable development, one that avoids, remedies or mitigates adverse effects on the surrounding environment, would be suitable, even within an ONL.	Supported By: 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
112/5	Ponui Farms Limited and J Chamberlin, M Chamberlin	Amend 6.2.7 (including 6.2.7.1 to 4) as they relate to Outstanding Natural Landscapes along the following line: make consequential amendments in relation to Outstanding Natural Landscapes to focus upon inappropriate land use but not upon those which are on balance beneficial or neutral or buildings which are erected according to	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council

		appropriate criteria.	
112/6	Ponui Farms Limited and J Chamberlin, M Chamberlin	Amend 6.2.7 (including 6.2.7.1 to 4) as they relate to Outstanding Natural Landscapes along the following line: recognise that this is private land, by allowing existing uses to expand and allow changes of farming uses as of right.	Supported By: 148 Horticulture New Zealand 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
31/14	Haka International NZ Limited	Delete 6.2.7.2 as it unnecessarily limits property owners' rights.	Supported By: 51 Federated Farmers of New Zealand (Inc) 143 Matariki Forests 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
50/7	Marianne Mawhinney	Seeks assistance for landowners in the outstanding natural landscapes for maintaining their properties and with realistic incentives to enhance property.	Supported By: 51 Federated Farmers of New Zealand (Inc) Support and Opposed By: 37 Waitakere City Council
34/12	WH and CP Horring	Seeks assistance to landowners in the Outstanding Natural Landscapes for the maintenance of their property and with realistic incentives to enhance property.	Supported By: 51 Federated Farmers of New Zealand (Inc) Support and Opposed By: 37 Waitakere City Council
35/11	Structure Plan Advocate Network (SPAN)	Seeks assistance to landowners in the Outstanding Natural Landscapes for the maintenance of their property and with realistic incentives to enhance property.	Supported By: 51 Federated Farmers of New Zealand (Inc) Support and Opposed By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group 37 Waitakere City Council

Decisions

Reject submissions **119/1**, **69/2**, **112/5**, **112/6** and **31/14** and further submissions **51**, **54**, **148**, **143**, and **144** in support and accept further submission **37** in opposition.

Accept in part submissions **50/7**, **34/12** and **35/11** and further submission **51** in support and reject those parts of further submissions **37**, **140** and **141** in opposition.

Reasons for Decisions

The first group of submissions seek various changes to the issues, and in particular Issue 6.2.7 to give greater recognition of property rights, landowners' economic wellbeing, farming activities and sustainable development in general. While the Hearings Committee is sympathetic to the concerns raised by the submitters, it does not believe that amending the issues statements is the appropriate approach to addressing these concerns. An issue is a statement of the problem, rather than identifying how this problem is going to be addressed. This latter matter is the role of the policies and methods. The Committee has considered these concerns when making changes to the policies and methods in sections 6.4.22 and 6.4.23. It has included additional paragraphs in Issues 6.2.7.1 and 6.2.7.2 relating to working landscapes in the Auckland region.

The second group of submissions seek council assistance for landowners in Outstanding Natural Landscapes. The provisions of this ARPS already acknowledge the role of non-regulatory methods for protecting ONLs and for land enhancement in general, such as Method 6.4.23.3(vi) which cross references to the mechanisms in Method 6.4.2.2. The ARC's Environmental Initiatives Fund is available (by application) to groups and individuals who are undertaking practical projects that enhance, restore and protect the region's environment. However Change 8 also acknowledges the difficult balance to be met between environmental enhancement through additional land subdivision and the adverse cumulative effects of further countryside living subdivision in the Auckland region. No specific changes have been made to Change 8 to give effect to the relief sought by submissions **50/7**, **34/12** and **35/11**, as the Committee considers this issue is adequately addressed in the notified version of Change 8.

5.9.5 Issue 6.2.7 – Other Changes Requested

This group of submissions covers a range of different matters relating to Issue 6.2.7.

No.	Submitter	Summary of Decision Sought	Further Submitter/s
13/8	North Shore City Council	Amend 6.2.7 to clarify whether there are three different types of landscapes: Outstanding Natural Landscapes and Outstanding Natural Features, other landscapes and natural landscapes and provide an appropriate definition of the different landscape types referred to within the issue.	Supported By: 143 Matariki Forests 150 Counties Power Ltd 144 Carter Holt Harvey Limited 54 Anglican Trust for Women and Children Opposed By: 39 Rodney Aggregate Supplies 38 Winstone Aggregates
5/1	Papakura District Council	Amend 6.2.7 (page <u>Heritage 6-5</u>): " <i>The Auckland Region's rich and varied landscape includes:...</i> " to describe the landscape features or characteristics of the Papakura District.	
5/2	Papakura District Council	Seeks ARC assistance in working with PDC officers and the landscape assessment resource material available to define the key features or characteristics of the Papakura District.	Opposed By: 38 Winstone Aggregates
5/3	Papakura District Council	Amend 6.2.7 to include the Ponga Rd forest as an area with significant landscape values.	Opposed By: 39 Rodney Aggregate Supplies
37/8	Waitakere City Council	Amend 6.2.7 to remove unnecessary duplication and by making the following changes: 1. Retain discussion of landscapes other than Outstanding Natural Landscape. 2. Insert the following at the end of the paragraph: "Management of landscapes adjacent or connected to areas of Outstanding Natural Landscape can impact on the Outstanding Natural Landscape if not appropriately managed. For example, unsympathetic development directly adjacent to an area of Outstanding Natural Landscape can detract from the appreciation of that Outstanding Natural Landscape if it is overly intrusive or of a scale and nature that dominates an area." 3. Retain discussion of the Waitakere Ranges and associated features as important contributors to the landscape of the Auckland Region. 4. Delete discussion of the Waitakere Ranges from 6.2.7, page 6.5, bullet point 11.	Supported By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group Opposed By: 20 Ports of Auckland Limited 51 Federated Farmers of New Zealand (Inc) 148 Horticulture New Zealand 144 Carter Holt Harvey Limited 54 Anglican Trust for Women and Children

Decisions

Accept in part submission **13/8** and further submissions **143**, **144**, **150** and **54** in support and reject further submissions **38** and **39** in opposition.

Accept in part submission **5/1**

Reject submissions **5/2** and **5/3** and accept further submissions **38** and **39** in opposition.

Accept in part submission **37/8** and further submissions **140** and **141** in support and reject further submissions **20**, **51**, **148**, **144** and **54**.

Reasons for Decisions

The Committee has not made specific changes to Issue 6.2.7 to give effect to the concerns of submitter **13/8**. It has however reviewed the policies, methods and reasons and the explanatory material in the issues statement to improve their clarity. A distinction is made between Outstanding Natural Landscapes and Amenity Landscapes and a new definition of the latter is included Definitions appendix of the RPS. Outstanding Natural Landscapes are identified by reference to Map Series 3a. Changes to the definition of Outstanding Natural Features were considered as part of the resolution of appeals to the Volcanic Features part of Change 8. Decisions on this section of Change 8 were released in October 2007. These changes give effect in part to the relief sought by submission **13/8**.

The discussion of the different landscape types in Issue 6.2.7 is not intended to be a comprehensive inventory of all landscapes in the Auckland region. Rather they were identified as representative examples of the range and diversity of landscapes. Reference to Papakura District has been included in clause (x) of Issue 6.2.7 to give effect to submission 5/1, but a detailed assessment of the whole landscape of Papakura has not been undertaken (submission 5/2). This level of detail is not considered necessary or appropriate in a regional policy document.

Although the Ponga Road forest may be important at the local district level, a professional landscape architect assessment of the area did not rate it as having outstanding landscape values at the regional level. Hence no change has been made to Map Series 3a to give effect to submission 5/3.

The Hearings Committee has accepted some, but not all of the changes requested by submitter 37/8. The text has been revised to remove unnecessary duplication and reference to amenity landscapes has been retained. Reference to the Waitakere Ranges and their landscape importance has been retained in the bullet points (now renumbered as clauses) and incorrect reference to the Waitakere Ranges in the discussion of the Hunua Ranges and Firth of Thames has been removed.

The additional wording requested in the second point in submission 37/8 has not been included in Issue 6.2.7, as the Hearings Committee considered this issue is better addressed in Issue 6.2.7.1. Reference to the Waitakere Ranges, the pressure for countryside living in this area and its effects on landscape values is included at the end of the seventh paragraph. The Committee prefers a more generally worded issues statement, rather than the words requested by submission 37/8. The Committee also points out that it has revised the provisions relating to the management of landscapes adjacent to ONLs and these changes to the issues statements are consequential to these changes.

5.9.6 Issue 6.2.7.1 – Appropriate and Inappropriate Subdivision, Use and Development, including Structures

No.	Submitter	Summary of Decision Sought	Further Submitter/s
21/3	Kawau Properties Limited ("Kawau Properties")	Amend 6.2.7.1, paragraph 1 to read: <i>"The naturalness of the Outstanding Natural Landscapes is being diminished by changes in land use and increasing levels of human modification, in particular from inappropriate rural residential subdivision (countryside living) and coastal development."</i>	
96/3	David Craig	Delete Issue 6.2.7.1 as any provisions which suggest or state that any structures within ONL areas are inappropriate and not meet the purpose in regard to sustainable management and resources given the very broad-brush type mapping of the ONL area. See also submissions 96/4 and 96/5.	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
96/4	David Craig	Amend Issue 6.2.7.1, Paragraph 1 by rewording as follows: <i>"The naturalness of Outstanding Natural Landscapes can be adversely affected by inappropriate changes in land use and increasing level of human modification"</i> . See also submission 96/3.	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
96/6	David Craig	Amend 6.2.7.1, Paragraph 4 by adding the following: <i>"It is noted that some structures may be appropriate within Outstanding Natural Landscapes in order to meet the broader purpose of the RMA. For example future structures may be appropriate in order to provide sustainable management of natural and physical resources and farming requirements of future generations."</i> (See also submissions 96/5 and 96/3.)	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
24/5	Mighty River	Delete Issue 6.2.7.1 as it effectively states that any	Supported By:

	Power Limited ("MRP")	structures will be inappropriate within Outstanding Natural Landscape areas. (See also submissions 24/6 and 24/7)	51 Federated Farmers of New Zealand (Inc) 42 Mike Murphy 69 Mile Purchase Opposed By: 37 Waitakere City Council
24/6	Mighty River Power Limited ("MRP")	Amend 6.2.7.1 paragraph 1 to read: <i>The naturalness of the Outstanding Natural Landscapes can be adversely affected is being diminished by inappropriate changes in land use, and increasing levels of human modification, particularly in particular rural residential and coastal subdivision (countryside living) and coastal development.</i>	Supported By: 16 Transpower New Zealand Ltd (Transpower) 54 Anglican Trust for Women and Children 42 Mike Murphy 69 Mile Purchase Opposed By: 37 Waitakere City Council Support and Opposed By: 148 Horticulture New Zealand
40/8	Stevenson Resources Limited	Amend 6.2.7.1 to read (underlined text added, strikethrough deleted): <i>The naturalness of the Outstanding Natural Landscapes is being <u>can be diminished by changes in land use ...</u></i>	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
49/7	Man O'War Station Limited ("MOWS")	Amend 6.2.7.1, including explanatory paragraphs to address the matters stated in the submission points 4.18 - 4.36 and in particular to distinguish between appropriate and inappropriate forms of development, and to so as enable identification of those qualities and features of a landscape which make it outstanding (by reference to the established Environment Court criteria) and further amend the text to clarify that whether any particular form of subdivision, use or development is seen as appropriate must be assessed by reference to those criteria, including the enhancement of the relevant landscape qualities and features in conjunction with such development.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Opposed By: 48 Auckland City Council 37 Waitakere City Council Support and Opposed By: 16 Transpower New Zealand Ltd (Transpower)
13/12	North Shore City Council	Seeks clarification of Issue 6.2.7.1 to ensure that the issue statement clearly articulates subdivision and land use will adversely affect Outstanding Natural Landscapes and Outstanding Natural Features.	Supported By: 143 Matariki Forests 37 Waitakere City Council 144 Carter Holt Harvey Limited Opposed By: 148 Horticulture New Zealand 38 Winstone Aggregates

Decisions

Reject submissions **21/3** and **96/3** and further submission **51** in support and accept further submission **37** in opposition.

Accept in part submission **96/4** and further submission **51** in support and reject further submission **37** in opposition.

Reject submission **24/5** and further submissions **51**, **42** and **69** in support and accept further submission **37** in opposition.

Accept in part submission **24/6** and further submissions **16**, **54**, **42** and **69** in support and that part of further submission **148** in support and reject further submission **37** in opposition.

Reject submission **40/8** and further submission **51** in support and accept further submission **37** in opposition.

Reject submission **49/7** and further submissions **143**, **144** and **112** in support and that part of further submission **16** in support and accept further submissions **48** and **37** in opposition.

Accept in part submission **13/12** and further submissions **143**, **144** and **37** and reject further submissions **148** and **38** in opposition.

Reasons for Decisions

These submitters sought either the deletion of Issue statement 6.2.7.1 or various wording changes. The Committee does not accept that the issue should be deleted. However it has

made a number of changes to both the issues statement itself (in bold) and the accompanying explanatory text to address the concerns raised by submissions. These changes include, replacing the phrase “is being diminished“ with “is being adversely affected” (submission **13/12**), replacing reference to “changes in land use” with “inappropriate changes in subdivision, use and development” and including reference to coastal development, as well as countryside living.

The points raised by submitters **96/3**, **96/4**, **24/5** and **24/6** in their notices of submission and in evidence to the Hearings Committee have been taken into account in making changes to the accompanying text of Issue 6.2.7. The Committee considers it was clearer to include specific reference the various issues in the explanatory text, rather than trying to accommodate the myriad of different views on how the initial issue statement should be drafted. This means that reference to working landscapes, structures in the landscape and landscape change is included in the fourth paragraph of explanatory text and a new paragraph seven addresses the issue of infrastructure locating in Outstanding Natural Landscapes. As submitter **13/12** did not present evidence to the Committee, it remained unclear as to the extent of further changes sought.

The Committee preferred the existing wording of Issue 6.2.7.1 to that proposed by submitter **40/8**. However it has made reference to mineral resources in the eight paragraph of the explanatory text to address some of the concerns raised by the major mineral extraction companies.

The additions sought by submission **49/7** are similar to those raised by the same submitter to Issue 6.2.7. The Hearings Committee has considered the matters raised by this submitter in its amendments to the policies and methods and to Appendix F, rather than including them in the issues statement. The views expressed in submission **49/7** are matters of policy and technical explanation, rather than issue statements.

5.9.7 Issue 6.2.7.1 – Other Changes Requested

No.	Submitter	Summary of Decision Sought	Further Submitter/s
13/11	North Shore City Council	Seeks clarification of the word/issue of 'naturalness'. Points out that the majority of Auckland's landscapes are not in their natural state and reflect the result of both European and pre-European modification and vegetation removal.	Supported By: 143 Matariki Forests 37 Waitakere City Council 144 Carter Holt Harvey Limited
33/2	Royal Forest and Bird Protection Society of New Zealand Inc	Amend 6.2.7.1 to include a definition of the term 'naturalness' as it is very subjective. The term naturalness needs to be clearly defined to include the concept of biodiversity and ecosystem health.	Supported By: 141 West Coast Plan Liaison Group 37 Waitakere City Council Support and Opposed By: 143 Matariki Forests 148 Horticulture New Zealand
31/13	Haka International NZ Limited	Delete 6.2.7.1, paragraph 1 and replace with: "The definition in an accurate and precise manner (of) use and development considered acceptable in the identified Protected Landscapes". The real issue is one of identifying and justifying the level of intervention being required by the Policies.	Opposed By: 37 Waitakere City Council
37/9	Waitakere City Council	Retain 6.2.7.1 but amend it to include reference to the Waitakere Ranges. For example amend the end of the last paragraph in this section as follows: "...include the Firth of Thames coastline, Waiheke and Great Barrier Islands. The Waitakere Ranges are an area where the desire for rural residential lifestyles in areas with high natural and landscape values in close proximity to the urban area threatens to undermine those values."	Supported By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group Opposed By: 51 Federated Farmers of New Zealand (Inc)
96/5	David Craig	Delete Issue 6.2.7.1, Paragraph 4 (3) commencing "Activities such as urban and rural development, land clearance". See also submission 96/3 and on 96/6.	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
84/5	Waiuku Windfarm Information Group	Amend Issue 6.2.7.1, paragraph 4 to include "poor pastoral farming practices' under the list of activities that reduce naturalness.	Opposed By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig

Decisions

Accept in part submissions **13/11** and **33/2** and further submissions **143**, **37**, **144** and **141** in support and those parts of further submissions **143** and **148** in support.

Reject submission **31/13** and accept further submission **37** in opposition.

Accept submission **37/9** and further submissions **140** and **141** in support and reject further submission **51** in opposition.

Reject submission **96/5** and further submission **51** in support and accept further submission **37** in opposition.

Reject submission 84/5 and accept further submissions 51 and 96 in opposition.

Reasons for Decisions

The Hearings Committee agrees that a new definition of naturalness is necessary as part of the provisions dealing with Outstanding Natural Landscapes. The inclusion of a landscape naturalness definition was an oversight in the notified version of Change 8. The Committee considers that the existing definition of naturalness in Appendix D should be amended to make it clear that it applies to naturalness in an ecological sense. Words to this effect are included in the existing definition (see Appendix 1 of this report). Any changes to the definition of naturalness (ecological) should be considered as part of the review of the RPS. This will enable consideration of matters such as biodiversity raised by submission **33/2**.

In drafting a new definition of **Naturalness (Landscape)** the Committee has considered case law from the Environment Court in its decisions relating to Outstanding Natural Landscapes, and the matters included in the WESI landscape assessment criteria. The distinction in terms of naturalness is not made on the basis of whether a landscape is pristine natural (ie pre European disturbance), but on the basis of the absence of significant levels of built modification and low levels of domestication. Naturalness includes both pristine and modified vegetation (indigenous forest through to exotic pasture) and this is reflected in the new definition as follows:

Naturalness (Landscape)

*In an Outstanding Natural Landscape, **naturalness** means the qualities or landscape characteristics that are produced by nature or natural processes, including rural land cover such as pasture, rather than landscapes that are dominated by built structures or that are highly domesticated. Naturalness occurs in both wild nature and cultivated nature Outstanding Natural Landscapes, where a key distinction is the type of landcover.*

The Hearings Committee does not support the amendment sought by submission **31/13**. The proposed wording is an analysis of the purpose of the policies and methods, rather than a statement of the issues associated the management of Outstanding Natural Landscapes. It does not provide any clear statement of what are the actual issues.

Additional wording has been added to the end of the sixth paragraph in the explanation to Issue 6.2.7.1 in response to submission **37/9**.

The Committee has not deleted the fourth paragraph in Issue 6.2.7.1 as requested by submission **96/5**, but it has amended it by removing references to extensive exotic afforestation and intensive horticulture. This is in line with its decisions to remove references in Change 8 to controlling land use change in Outstanding Natural Landscapes.

No changes have been made in response to submission b The impact of poor farming practices on Outstanding Natural Landscapes is not limited to pastoral farming. The problem of inappropriate land management practices is addressed in Issue 6.2.7.4 and Policy 6.4.22.5.

5.9.8: Issue 6.2.7.3 – Cumulative Effects of Land use Changes

No.	Submitter	Summary of Decision Sought	Further Submitter/s
37/11	Waitakere City Council	Retain sub-issue 6.2.7.3, as the identification of potential cumulative adverse effects is supported.	Supported By: 141 West Coast Plan Liaison Group
5/5	Papakura District Council	Amend 6.2.7.3 to identify that landscape characteristics and values change with generational perceptions and desires and that the	Support and Opposed By: 148 Horticulture New Zealand

		cumulative effects of land use change may not necessarily be negative and may result in other positive outcomes including the restoration of degraded landscapes and ecosystems and opportunities for lifestyle choice.	37 Waitakere City Council
31/15	Haka International NZ Limited	Delete 6.2.7.3, paragraph 1 and replace with " <u>Public provision of wilderness landscape areas for urban dwellers to escape to is considered necessary.</u> " Include relevant policy to implement, in the form of financial contributions from urban development to purchase wilderness areas via the Air, Land and Water Plan. Otherwise delete all of 6.2.7.3.	Opposed By: 37 Waitakere City Council
49/9	Man O'War Station Limited ("MOWS")	Amend 6.2.7.3, including explanatory paragraphs to address the matters stated in the submission points 4.18 -4.36 and in particular to distinguish between appropriate and inappropriate forms of development, and to so as enable identification of those qualities and features of a landscape which make it outstanding (by reference to the established Environment Court criteria) and further amend the text to clarify that whether any particular form of subdivision, use or development is seen as appropriate must be assessed by reference to those criteria, including the enhancement of the relevant landscape qualities and features in conjunction with such development.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Opposed By: 37 Waitakere City Council Support and Opposed By: 16 Transpower New Zealand Ltd (Transpower)
21/4	Kawau Properties Limited ("Kawau Properties")	Amend 6.2.7.3, paragraphs 1 and 2 to read: <i>"Landscape quality and diversity and the endemic characteristics that give Auckland's regional landscape its sense of place are being lost by the cumulative effects of inappropriate land use changes throughout the Region.</i> <i>The cumulative effects of inappropriate subdivision, use and development are progressively changing the rural and coastal landscapes of the Auckland region."</i>	Supported By: 20 Ports of Auckland Limited
13/14	North Shore City Council	Amend Issue 6.2.7.3 to clarify the term wilderness by defining "wilderness area".	Supported By: 37 Waitakere City Council Opposed By: 39 Rodney Aggregate Supplies 38 Winstone Aggregates

Decisions

Accept submission **37/11** and further submission **141** in support.

Reject submissions **21/4** and **49/9** and further submissions **20, 143, 144, 112** and that part of submission 16 in support and accept further submission **37** in opposition.

Reject submission **5/5** and those parts of further submissions **148** and **37** in support.

Reject submission **31/15** and accept further submission **37** in opposition.

Reject submission **13/14** and further submission **37** in support and accept further submissions **38** and **39** in opposition.

Reasons for Decisions

The Hearings Committee acknowledges the support of submission **37/11** for Issue 6.2.7.3 and has retained this issue, with some amendments. In response to submitter concerns about the term "land use change", it has been replaced with the words of the RMA – subdivision, use and development as part of across the board amendments to Change 8. However the Committee has not accepted submission **21/4** and no reference to the word "inappropriate" has been included in the header paragraph, for the same reasons it has been left out of Issue 6.4.2.1. Part of the assessment of what constitutes appropriate and inappropriate subdivision, use and development is a consideration of adverse cumulative effects. Appropriate development may still have adverse cumulative effects. The wording proposed by submission **21/4** means that there is the presumption that only inappropriate subdivision, use and development has adverse cumulative effects. This is not accepted by the Hearings Committee.

The main focus of Issue 6.2.8 is addressing problems arising from the adverse cumulative effects of subdivision, use and development. The wording changes requested by submissions **5/5** and **49/9** are matters that are better addressed in the objectives, policies and methods, rather than being issues statements. Reference to the Environment Court criteria for landscape assessment (ie the WESI criteria) has been included in the Introductory section 6.1, Reasons section 6.4.24 and in Appendix F. The Hearings Committee has also amended parts of Issue 6.2.8 to include references to rural production and environmental enhancement activities, both of which were matters identified by submission **49/9** as having positive landscape effects. It has however retained reference to adverse cumulative effects associated with continuing subdivision for countryside living purposes, as the Committee considers this activity has the most significant effects on the region's rural and coastal landscapes.

The reference to wilderness areas has been removed from the third paragraph and natural character has been replaced with naturalness. In light of the changes requested by submissions **13/14** and **31/15**, the Committee decided that use of the term wilderness areas was confusing and did not add to the discussion of adverse cumulative effects. It has replaced natural character with naturalness as a consequential response to submissions received to other parts of Change 8.

5.9.9 Issue 6.2.7.4: Landscape Enhancement

No.	Submitter	Summary of Decision Sought	Further Submitter/s
37/12	Waitakere City Council	Retain 6.2.7.4 as the identification of the potential for both the positive and negative effects of restoration associated with subdivision is strongly supported.	Supported By: 141 West Coast Plan Liaison Group
31/16	Haka International NZ Limited	Delete 6.2.7.4 as it unnecessarily limits property owners' rights.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
96/7	David Craig	Delete Issue 6.2.7.4 Paragraph 3, Final Sentence, "The addition of further built elements" as any provisions that suggest or state that any structures are inappropriate cannot meet the purpose in regard to sustainable management of resources. See also submissions 96/3 and 96/8.	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
108/9	John Russell and Helen Sharp	Amend 6.2.7.4 paragraph 3 (and reference through the document) to remove any reference to the addition of houses or built elements detracting from natural character values. This is a subjective assumption and the decision should be made on a case by case basis by the district council in consultation with surrounding landowners and the wider district community.	Supported By: 96 David Craig
21/5	Kawau Properties Limited ("Kawau Properties")	Amend 6.2.7.4, paragraph 3, sentence 5 to read: <i>"The addition of further built elements into the landscape <u>may</u> detract from natural character values and may give rise to its own set of landscape effects as discussed in issues 6.2.7.1 to 6.2.7.3 above.</i>	Supported By: 20 Ports of Auckland Limited Opposed By: 37 Waitakere City Council
96/8	David Craig	Amend 6.2.7.4 Paragraph 3, Final Sentence by rewording as follows: <i>"The addition of further built elements into the landscape <u>may</u> give rise to effects on natural character and landscape values as discussed in Issues 6.2.7.1 to 6.2.7.3."</i> See also submission 96/7.	Opposed By: 37 Waitakere City Council
24/8	Mighty River Power Limited ("MRP")	Delete the final sentence of the last paragraph in Issue 6.2.7.4 or amend to read as follows: <i>"..... The addition of further built elements into the landscape will detract from natural character values and may give rise to its own set of landscapes effects on natural character and landscape values, as discussed in Issues 6.2.7.1</i>	Supported By: 16 Transpower New Zealand Ltd (Transpower) 150 Counties Power Ltd Opposed By: 37 Waitakere City Council Support and Opposed By:

		<i>to 6.2.7.3 above."</i>	148 Horticulture New Zealand
49/10	Man O'War Station Limited ("MOWS")	Amend Issue 6.2.7.4 by adding the words " <i>and which therefore should be appropriate to the landscape</i> " at the end of the issue statement.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 69 Mile Purchase 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Opposed By: 37 Waitakere City Council
49/11	Man O'War Station Limited ("MOWS")	Amend 6.2.7.4, paragraph 2 of explanatory statement (last sentence) by adding the following text: <i>The addition of inappropriate built elements into the landscape may create adverse landscape effects where it detracts from those features and qualities which make the landscape important or outstanding as identified in issues 6.2.7.1 to 6.2.7.3 above.</i>	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 69 Mile Purchase 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Opposed By: 37 Waitakere City Council
67/5	Roslynde Rae & Murray Ross McNaughten	Seeks clarification on whether incentives to protect land are to be diminished.	Supported By: 96 David Craig
84/6	Waiuku Windfarm Information Group	Retain Issue 6.2.7.4, final paragraph "the visual effects of development....." which has been deleted in the Change.	Opposed By: 96 David Craig

Decisions

Accept submission **37/12** and further submission **141** in support.

Reject submission **31/16** and further submission **143** and **144** in support and accept further submission **37** in opposition.

Reject submissions **96/7** and **108/9** and further submissions **51** and **96** in support and accept further submission **37** in opposition.

Accept submissions **21/5** and **96/8** and further submission **20** in support and reject further submission **37** in opposition.

Accept in part submission **24/8** and further submissions **16** and **150** in support and that part of submission 148 in support and reject further submission **37** in opposition.

Reject submission **49/10** and further submissions **143**, **144**, **66** and **112** in support and accept further submission **37** in opposition.

Accept in part submission **49/11** and further submissions **143**, **144**, **69** and **112** in support and reject further submission **37** in opposition.

Reject submissions **67/5** and further submission **96** in support.

Reject submission **84/6** and accept further submission **96** in opposition.

Reasons for Decisions

The Hearings Committee notes the support of submission **37/12**. It has retained Issue 6.2.7.4, which it has named Landscape Management, rather than Landscape Enhancement, as it considers enhancement initiatives to be a subset of landscape management. The claim by submission **31/16** that the issue unnecessarily limits property owners' rights is not accepted by the Committee. It is difficult to envisage an issues statement, controlling landowners rights.

The Committee considered the group of submissions (**96/7**, **21/5**, **96/8**, **24/8** and **49/11**) relating to the statements in Issue 6.2.7.4 concerning structures, built elements and houses in the landscape. It prefers the wording changes sought by submissions **21/5**, **96/8** and **24/8**, rather than deleting references to further built elements as requested by submissions **96/7** and **108/9**. Therefore the word "may" has been inserted before "give rise to adverse effects" in the second explanatory paragraph. Reference to natural landscape values has also been included in response to submission **28/4**. However the additional wording proposed by submissions **49/10** and **49/11** are considered to be policy matters, rather than an issues statement.

Issue 6.4.7.4 identified the potential conflict between subdivision incentives and the introduction of further built elements into an Outstanding Natural Landscape. However it does not state a

policy direction on this issue. Submitter **67/5** is referred to the section of this report that discusses Policy 6.4.22.5 and 6.4.22.6 (under Topic 5.6).

The reinstatement of the last paragraph from the operative Regional Policy Statement, requested by submitter 84/6 is not supported. The Committee considers that Change 8 still identifies the visual effects of subdivision, use and development as a key management issue in Outstanding Natural Landscapes in Issue 6.2.7.1 and in Policy 6.4.22.1. Retaining the last paragraph in Issue 6.4.7.4 is therefore not necessary.

The Hearings Committee points out to submitter **13/15** that section 6.2.7.4 is an issues statement, rather than a policy direction. It does not agree that the issue statement requires the level of clarification sought by this submitter. Subdivision associated with landscape management is discussed in the Hearings Committee's decision on Policy 6.4.22.6.

5.9.10 Issue 6.2.7.4 - Subdivision Incentives

No.	Submitter	Summary of Decision Sought	Further Submitter/s
5/6	Papakura District Council	Amend 6.2.7.4 to state the need for subdivision incentive options to be supported by rigorous performance standards, assessment criteria and monitoring programmes to ensure the outcomes sought are achieved and any adverse effects from the introduction of further built elements are avoided or mitigated.	
5/7	Papakura District Council	Amend 6.2.7.4 to state that opportunities for Transferable Lot Right mechanisms should be identified as a means of shifting development right options and reducing the introduction of further built elements.	Support and Opposed By: 37 Waitakere City Council
13/15	North Shore City Council	Amend 6.2.7.4 to clearly state whether the intention is to prevent subdivision and land use activities from ONL and ONF.	Opposed By: 38 Winstone Aggregates Support and Opposed By: 37 Waitakere City Council

Decisions

Reject submissions **5/6** and **5/7** and that part of further submission 37 in support.

Reject submission **13/15** and accept further submission **38** in opposition and that part of further submission **37** in opposition.

Reasons for Decisions

The Hearings Committee acknowledges that the matters raised by submissions **5/6**, **5/7** and **13/15** are important and relevant to the management of Outstanding Natural Landscapes in the Auckland Region. However they are matters that are addressed in the policies and more particularly the methods relating to ONLs. They are not appropriate in an issues statement, whose purpose is to identify problems, rather than promote solutions. The Committee also points out that the rural areas provisions of Chapter 2: Regional Direction and Strategic Overview deal in more detail with rural subdivision matters. These provisions are the leading statement of the Regional Policy Statement's position on further subdivision in rural areas, including Outstanding Natural Landscapes.

5.9.11 Issue 6.2.8 - Management of Heritage Resources

No.	Submitter	Summary of Decision Sought	Further Submitter/s
27/5	Te Atatu Residents' and Ratepayers' Association Inc	Retain 6.2.8	Supported By: 86 New Zealand Historic Places Trust Pouhere Taonga
84/7	Waiuku Windfarm Information Group	Amend Issue 6.2.8 by substitute 'is' for 'may be' to strengthen the need for the precautionary approach.	Supported By: 37 Waitakere City Council Opposed By: 96 David Craig

Decisions

Accept submission **27/5** and further submission **86** in support.

Reject submission **84/7** and further submission **37** in support and accept further submission **96** in opposition.

Reasons for Decisions

The Hearings Committee notes the support of submission **27/5** for Issue 6.2.8. However it does not support changing the sentence relating to the precautionary approach as requested by submission **84/7**. Although the precautionary approach has been accepted by the Environment Court as an appropriate technique for use in RMA plans and resource consents, it is not always necessary. Hence the Hearings Committee prefers to retain “may be” to indicate that it is an optional management choice and dependent on the particular circumstance.

TOPIC 5.10: SECTION 6.3: OBJECTIVES

5.10.1 Objectives General and Objectives 6.3.3 and 6.3.3

No.	Submitter	Summary of Decision Sought	Further Submitter/s
11/3	Manukau City Council	Retain 6.3 Objectives	Supported By: 54 Anglican Trust for Women and Children 86 New Zealand Historic Places Trust Pouhere Taonga
37/13	Waitakere City Council	Retain 6.3.4, 6.3.5, 6.3.6, 6.3.7 and 6.3.8.	Supported By: 141 West Coast Plan Liaison Group 198 Wendy Macdonald 54 Anglican Trust for Women and Children
5/8	Papakura District Council	Retain 6.3 Objective 3.	
49/12	Man O'War Station Limited ("MOWS")	Retain 6.3.4, as the new objective requires focus on whether development within an outstanding natural landscape is appropriate.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 54 Anglican Trust for Women and Children 112 Ponui Farms Limited and J Chamberlin, M Chamberlin
40/11	Stevenson Resources Limited	Retain Objective 6.3.4: <i>"To protect outstanding natural landscapes from inappropriate subdivision, use and development."</i>	Supported By: 54 Anglican Trust for Women and Children
16/7	Transpower New Zealand Ltd (Transpower)	Amend 6.3.4 to read (underlined text added): <i>To protect outstanding natural landscapes from inappropriate subdivision, use and development where such activities do not represent the most environmentally appropriate approach.</i>	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
13/18	North Shore City Council	Amend Objective 6.3.4 to read: <i>To protect outstanding natural landscapes from inappropriate subdivision and land use activities use and development</i> (see also submission 13/17 & 13/19)	Opposed By: 143 Matariki Forests 148 Horticulture New Zealand 38 Winstone Aggregates 144 Carter Holt Harvey Limited 54 Anglican Trust for Women and Children
13/19	North Shore City Council	Amend Objective 6.3.4 to read: <i>To protect and enhance the outstanding natural landscapes from inappropriate subdivision and land use activities use and development</i> (see also submission 13/17& 13/18)	Supported By: 37 Waitakere City Council 54 Anglican Trust for Women and Children Opposed By: 143 Matariki Forests 20 Ports of Auckland Limited 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey

			Limited
27/6	Te Atatu Residents' and Ratepayers' Association Inc	Amend 6.3.4 to read: <i>To protect outstanding natural landscapes, and significant geological heritage features from inappropriate subdivision, use and development.</i>	Opposed By: 54 Anglican Trust for Women and Children
24/9	Mighty River Power Limited ("MRP")	Amend Objective 6.3.4 to read: <i>To protect outstanding natural landscapes from inappropriate subdivision, use and development, while at the same time providing for the use and development of renewable energy within the region.</i>	Opposed By: 37 Waitakere City Council
84/8	Waiuku Windfarm Information Group	Amend Objective 6.3.4 by defining 'inappropriate' or remove and change to 'subdivision, use and development that has an impact on the landscape'.	Opposed By: 96 David Craig
119/2	Frith Farms (2003) Ltd & Hoteo Trust	Amend 6.3.4 to enable people, in this case the landowners/farmers, to provide for their economic welfare, while attaining the goal of sustainable management.	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
96/9	David Craig	Amend Objective 6.3.4 to read as follows: <i>"To protect outstanding natural landscapes from inappropriate subdivision, use and development, while at the same time providing for use and development of future farming needs within the region."</i>	Opposed By: 37 Waitakere City Council
31/17	Haka International NZ Limited	Delete 6.3, Clause 4 and replace with: <i>"To require defined levels of protection of the Protected Landscape areas detailed in Map Series 3a"</i> .	Opposed By: 37 Waitakere City Council

Decisions

Accept submissions **11/3, 37/13, 5/8, 49/12 and 40/11** and further submissions **54, 86, 141, 198, 143, 144** and **112** in support.

Reject submissions **16/7, 13/18, 13/19, 27/6, 24/9, 84/8, 119/2, 96/9 and 31/17** and further submissions **143, 144, 54, 37** and **51** in support and accept further submissions **37, 143, 148, 38, 144, 54, 20, 51** and **96** in opposition.

Reasons for Decisions

Objectives 6.3.4 and 6.3.5 relate specifically to landscape matters. The other objectives deal with natural heritage matters, volcanic features and volcanic sightlines. Submissions **11/3, 37/13, 49/12** and **40/11** requested the retention of Objective 6.3.4, which relates to Outstanding Natural Landscapes. Submission **37/13** supports all the objectives in Change 8. Other submissions **16/7, 13/18, 13/19, 27/6, 24/9, 84/8, 119/2** and **96/9** wanted additions to the objective, mainly to qualify how ONL protection should be balanced against other economic and social outcomes, or to define "inappropriate. Submission **31/17** requested that Objective 6.3.4 be completely redrafted. Submission **5/8** supported the retention of Objective 6.3.3, which relates to ecosystems and other heritage resources.

The Hearings Committee considered whether Objective 6.3.4 should be qualified by including balancing references to various activities, such as renewable energy generation or farming (**16/7, 24/9, 119/2 and 96/9**). It concluded that the objective should not identify particular activities over others for recognition in ONLs. It prefers that this level of detail be addressed in the policies, where more guidance has been given on balancing protection versus development matters. The Committee is aware that Objective 6.3.4 is a direct quote of Section 6 (b) of the RMA. However it considers the section 6(b) requirements to be clear and concise and subject to well established case-law. In the Committee's view, the reference to protection from "Inappropriate" subdivision, use and development provides sufficient flexibility to deal with activities such as farming or regionally significant infrastructure, particularly as these activities are now referenced in the policies. It is also mindful of the submissions that supported the retention of Objective 6.3.4 in its notified wording (**11/3, 37/13, 49/12, 40/11**).

The Committee did not support the suggestions made by submissions **13/18** and **13/19**. It prefers to retain consistent wording with Section 6(b) of the RMA which refers only to protection and not enhancement, and to subdivision, use and development and not land-use activities. This level of detail is better addressed in the policies, as they elaborate on what is appropriate versus inappropriate subdivision, use and development. .

The change sought by submission **31/17** is more of a methods statement than an objective. The Committee prefers to retain an outcome focussed objective. It advises submission **5/8** that Objective 6.3.3 remains unchanged and points out to submission **27/6** that a separate new objective has been included in Section 6.3 relating to geological heritage features as part of the October 2007 decisions on the Volcanic Features component of the change.

5.10.2 Objective 6.3.3 – Amend Objective

No.	Submitter	Summary of Decision Sought	Further Submitter/s
108/8	John Russell and Helen Sharp	Amend Objective 6.3.3 to include: <i>“To promote and reward for restoration of ecosystems”,</i> as if there is a reward for restoration of ecosystems and other heritage resources more people will be inclined to do so.	Supported By: 96 David Craig

Decision

Reject submission 108/8 and further submission 96 in support.

Reasons for Decision

The Hearings Committee does not support the amendment to Objective 6.3.3 at this time for several reasons. Change 8 dealt with landscape and volcanic cones, rather than natural ecosystems and heritage, which is the subject of Objective 6.3.3. It considers that provisions relating to restoration of ecosystems are matters lie outside Change 8 and should be addressed as part of the review of the RPS. The issue of ecosystem restoration has implications for many chapters of the RPS and requires further consideration before any new objectives are included.

5.10.3 Objective 6.3.5 – Amend or Delete Objective

No.	Submitter	Summary of Decision Sought	Further Submitter/s
24/10	Mighty River Power Limited ("MRP")	Delete 6.3.5 as it is unclear whether this objective relates only to areas outside of the mapped ONL area; or Highly Valued Landscapes (HVL) referred to in the Proposed Change, or all parts of the Region, including ONL areas and it is considered that there should be a clear distinction between the objectives and policies applying to ONL areas, and "other" areas.	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 148 Horticulture New Zealand 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
96/10	David Craig	Delete Objective 6.3.5 as it is not clear whether this objective relates to ONLs only or ONLs and Highly Valued Landscapes. If the objective is to refer to HVL areas it is inappropriate for a regional policy statement to include any such reference as they have not been identified in the Proposed Change or RPS.	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
31/18	Haka International NZ Limited	Amend Objective 6.3.5 to read as follows: To maintain the overall quality and diversity of character and sense of place of the regionally significant landscapes of the Auckland Region.	Supported By: 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
13/20	North Shore City Council	Seeks definition or removal of the term 'sense of place' in Objective 6.3.5 due to ambiguity of term.	Opposed By: 37 Waitakere City Council 39 Rodney Aggregate Supplies 38 Winstone Aggregates
69/3	Mile Purchase	Delete 6.3.5 as this objective which states "the overall quality and diversity of character and sense of place" is vague and creates uncertainty.	Supported By: 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council

Decisions

Reject submissions 24/10, 96/10 31/18, 13/20 and 69/3 and further submissions **7, 148** and **54** in support and accept further submissions **37, 38 and 39** in opposition.

Reasons for Decisions

The Hearings Committee has retained Objective 6.3.5 without change. It does not accept the submissions requesting its deletion or those seeking wording changes or the inclusion of definitions of sense of place. The wording of the objective has been carefully chosen by the Committee to distinguish it from Objective 6.3.4, which relates to Outstanding Natural Landscapes. It is given effect to through the policies and methods on Amenity Landscapes Policy 6.4.22.2 and Method 6.4.23.4 and through Policy 6.4.22.3. It sets the general direction in relation to having an integrated approach to landscape management, so that the overall outcome is an overall maintenance of overall diversity and identity at the regional level.

The phrase "sense of place" encompasses the particular characteristics and qualities of a landscape that make it unique to the region or district, providing regional and local identity. The term is also given context through the discussion in Issues 6.2.7 (including the sub-issues) and in 6.4.24 Reasons. Additional clarification is not considered necessary. The amendment sought in submission **31/8** is not supported as the objective is not limited to regionally significant landscapes, with locally significant landscapes equally relevant.

5.10.5 Objective 6.3.8

No.	Submitter	Summary of Decision Sought	Further Submitter/s
13/24	North Shore City Council	Retain Objective 6.3.8.	
87/10	Watercare Services Limited ("Watercare")	Amend 6.3, objective 8 to read (additions underlined, strikethrough deleted): <i>8. To manage heritage resources in an integrated way to ensure their contribution to the variety of heritage values is protected <u>and enhanced from inappropriate subdivision, use and development.</u></i>	Supported By: 148 Horticulture New Zealand Opposed By: 140 Huia-Cornwallis Ratepayers and Residents Association 37 Waitakere City Council Support and Opposed By: 141 West Coast Plan Liaison Group

Decisions

Accept submission **13/24**.

Reject submission **87/10** and further submission **148** in support and accept further submissions **37** and **140** in opposition and that part of further submission **141** in opposition.

Reasons for Decisions

Objective 6.3.8 is derived from the purpose of a regional policy statement, as set out in Section 59 of the RMA, which is *to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region*. The focus is on the integrated management of heritage resources to ensure that heritage values as a whole are protected. This objective has a different focus than one of simply dealing with the adverse effects of appropriate or inappropriate development through the resource consent process. Other objectives, such as 6.3.4 focus on the protection from inappropriate subdivision, use and development. Accordingly the Hearings Committee accepts the support of submission **13/24** and rejects the wording changes requested by submission **87/10**

TOPIC 11: SECTION 6.4: POLICIES 6.4.22 GENERAL

This topic discusses a variety of submissions received to the policies in Section 6.4.22 as a whole or which request general relief in relation to these policies. Submissions to specific policies are discussed in separate sections following this general discussion.

5.11.1 General Submissions and those not relating to specific policies

No.	Submitter	Summary of Decision Sought	Further Submitter/s
26/6	Environmental Defence Society	Supports the retention of provisions that require the protection of landscape quality and diversity and avoidance of subdivision and introduction of built structures into ONLs.	Supported By: 141 West Coast Plan Liaison Group Opposed By: 42 Mike Murphy
80/2	Gulf District Plan Association Inc	Supports the provisions in Change 8 that restrict subdivision, earthworks and the introduction of built structures. This level of protection is necessary to protect significant or coastal landscapes on Waiheke Island.	
56/1	Leith Duncan	Supports the wording of Change 8, as it seeks tighter controls on subdivision, earthworks and built structures.	Opposed By: 143 Matariki Forests 144 Carter Holt Harvey Limited
48/98	Auckland City Council	Seeks to express concern that Proposed Change 8 view subdivision as something to be avoided without scope for mitigation or reference to scale.	
48/107	Auckland City Council	Seeks that restoration and enhancement initiatives should be encouraged as a means of mitigation for proposed development.	
105/2	Douglas Armstrong	Seeks the removal of any restrictions on development that conforms to the current district plan where the property is privately owned and/or where buildings are able to be shielded by planting.	Supported By: 69 Mile Purchase
92/3	John and Jude Denny	Seeks the allowable subdivision of properties in ONLs be restricted but that that restriction be to prevent subdivision of properties into lots of less than one acre.	Opposed By: 37 Waitakere City Council
92/1	John and Jude Denny	Concerned that the proposed changes relating to subdivision are too restrictive.	
96/11	David Craig	Delete Policies 6.4.22 for the reasons set out in the submission including: <ul style="list-style-type: none"> The list is long and repetitive There are many similar but differently worded policies RSP policies should be for protecting areas of regional or greater significance, any others are for the territorial authorities to decide on The proposed change needs to acknowledge the potential of mitigation as part of a balancing exercise Policies on Highly Valued Landscapes should be removed as the areas have not yet been identified. 	Supported By: 51 Federated Farmers of New Zealand (Inc) 54 Anglican Trust for Women and Children 76 Ian Joseph Chitty & Susan Mary Chitty Opposed By: 37 Waitakere City Council
69/4	Mile Purchase	Seeks a rewrite of Policy 6.4.22 as the section, as it exists, will create difficulties for future subdivision, use and development on the subject site and for reasons set out in the submission	Opposed By: 37 Waitakere City Council
34/13	WH and CP Horring	Reject 6.4 changes relating to <ul style="list-style-type: none"> The prohibition of subdivision beyond that provided for in district plans; Restriction on the use of colours and material; The use of existing certificates of title 	Opposed By: 37 Waitakere City Council

		<p>rather than the creation of new subdivisions when establishing subdivision rules;</p> <ul style="list-style-type: none"> The promotion of land use for visual purposes only; <p>and retain the existing (pre RPS Change 8) policies.</p>	
112/7	Ponui Farms Limited and J Chamberlin, M Chamberlin	Amend 6.4 Policies - Landscape, to ensure that it is only where the features and qualities of the natural landscape areas are adversely affected by inappropriate development that subdivision and other development is prohibited and provide criteria as to the adverse effects which bring that about.	<p>Supported By: 51 Federated Farmers of New Zealand (Inc)</p> <p>Opposed By: 37 Waitakere City Council</p>
112/8	Ponui Farms Limited and J Chamberlin, M Chamberlin	Amend 6.4 Policies - Landscape, to allow appropriate development (including furtherance of existing uses) and provide criteria for such development.	<p>Supported By: 51 Federated Farmers of New Zealand (Inc) 148 Horticulture New Zealand</p> <p>Opposed By: 37 Waitakere City Council</p>
51/10	Federated Farmers of New Zealand (Inc)	<p>Amend 6.4 by replacing all occurrences of “must”, “shall”, “will”, etc with “are encouraged to” with appropriate grammatical corrections because:</p> <ul style="list-style-type: none"> FFNZ considers that the lack of discretion in the way the provisions are worded leaves insufficient room for territorial local authorities to introduce provisions into their district plans that are appropriate for their districts The Resource Management Amendment Act 2005 significantly alter the relationship between the Regional Policy Statement and other planning instruments. Regional Plans and District Plans are now required to “give effect to” rather than “not be inconsistent with” a regional policy statement. FFNZ considers that in the circumstances, it is inappropriate for the Proposal to contain provisions that are compelling in nature. FFNZ considers that, given the timeframes involved (the Proposal was notified less than 2 months after the Resource Management Amendment Act 2005 became law) the consultation requirements cannot possibly have been complied with. 	<p>Supported By: 132 Geoff Chitty 133 Anthony Stekelenburg 134 Falco Visser 135 Cheryle Gail 136 Ian Stuart McNaughton 154 Norm Clark 155 Meikle Brian Thomas 156 DL & FR Jamison 157 Martin Frank Bucksey 158 Dacey Balle 159 Brendan Rory Gerrard Balle 137 Anna Elisabeth McNaughton 160 Chris Balle 161 Balle Bros Holdings Ltd 138 Peter R Fraser 162 Shane Balle 163 Maurice Balle 164 Jim Balle 165 John McDonald 166 Donna Goettler 167 Shirley Carter 168 Anthony Stekelenburg (2) 142 Wendy June Clark 169 Peter R Fraser (2) 170 Glenice Aro 171 George McGregor 172 Ian Joseph Chitty 173 Susan Mary Chitty 20 Ports of Auckland Limited 123 Tripp Andrews & Partners Ltd 121 Olsen Farms Ltd 124 AQ Farms Partnership 151 Evan Forbes McGregor 152 Ron Hogan 151 Evan Forbes McGregor 153 Hilary Claire Atchinson 174 MJ & JM Patterson 175 John Rutherford 176 Jennifer Mary Morley 178 Aspin Farms Limited 179 Carol Howard Hamilton 180 Andrew Charles Hamilton 181 BR & RD Teague 182 Barry N Cochrane</p>

			<p>183 Vivian Marshall Rutherford 184 Michael M Harper 185 Daniel J Verryt 186 Terence John Atchinson 187 PL & B Sergeant 188 Margaret Jean Hamilton 189 Clyde Harris Hamilton 190 Brian Blake 191 Kevin John Dodd 192 Maureen Mary Dodd 193 Christopher John Chitty 194 Karyn Jayne Chitty 143 Matariki Forests 195 Alex Fraser Chitty 196 Kaiaua Citizens & Ratepayers Association 197 Duncan Crawford Munro 148 Horticulture New Zealand 144 Carter Holt Harvey Limited 72 Concerned Awhitu Landowners (1) 90 Roger Malcolm Jones 96 David Craig 110 Kerry O. and W.G.M. Ruiterman 112 Ponui Farms Limited and J Chamberlin, M Chamberlin 113 Pollok Ratepayers Association 118 Rodney Irwin Atchinson 119 Frith Farms (2003) Ltd & Hoteo Trust 41 Landco Limited Opposed By: 37 Waitakere City Council 141 West Coast Plan Liaison Group</p>
50/8	Marianne Mawhinney	Retain the existing (pre-Plan Change 8) Policies.	<p>Supported By: 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council</p>
119/3	Frith Farms (2003) Ltd & Hoteo Trust	Amend 6.4.22 by rewriting to ensure that individual property rights are protected, and the interests of the wider community are balanced against the need for people to provide for their economic welfare.	<p>Supported By: 51 Federated Farmers of New Zealand (Inc) 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council</p>
24/11	Mighty River Power Limited ("MRP")	<p>Delete the 12 policies in 6.4.22 - Landscape and replace with the 6 policies as follows: 1. The naturalness of Outstanding Natural Landscapes identified in Map Series 3A shall be protected by: (i) maintaining the visual coherence and integrity of the landscape; (ii) maintaining significant natural landforms, natural processes and significant vegetation patterns; (iii) avoiding subdivision (except as provided by Policy 5 below); (iv) ensuring that any built structures sited within these areas are essential for the sustainable management of natural and physical resources and that the effects of any appropriate structures are avoided, remedied or mitigated; and (v) having regard to the benefits that can be derived from the use and development of renewable energy.</p>	<p>Supported By: 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council Support and Opposed By: 148 Horticulture New Zealand</p>

		<p>2. Subdivision, use and development in other areas should have regard to the key elements, features and patterns in the landscape so that their contribution to the visual amenity, sense of place or landscape character of the area is maintained.</p> <p>3. The cumulative adverse effects of subdivision, use and development shall be avoided in Outstanding Natural Landscapes and shall be avoided, remedied or mitigated in other landscapes.</p> <p>4. Restoration and enhancement of degraded landscapes in the vicinity of Outstanding Natural Landscapes can mitigate the effects of structures within Outstanding Natural Landscapes and the management of all landscapes shall be encouraged through appropriate land management practices.</p> <p>5. Subdivision associated with restoration and enhancement initiatives may be appropriate where:</p> <p>(i) the scale and intensity of any subdivision has been demonstrated to be necessary and commensurate with achieving environmental benefits;</p> <p>(ii) built structures associated with such subdivisions are able to be visually accommodated without adversely affecting the naturalness of Outstanding Natural Landscapes.</p> <p>6. The identification of landscape values on the islands and coastline within the Hauraki Gulf, and their protection and management shall recognise and provide for the management objectives stated in Section 8 of the Hauraki Gulf Marine Park Act 2000.</p>	
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Decisions

Accept submissions **26/6, 80/2** and **56/1** and further submission **141** in support and reject further submissions **42, 143** and **144** in opposition.

Accept in part submission **24/11** and further submission **54** in support and reject further submissions **37** and **148** in opposition.

Accept in part submissions **48/98** and **48/107**.

Reject submissions **105/2, 92/3, 92/1, 96/11, 35/12, 34/13, 50/8** and **69/4** and further submission **54** in support and accept further submission **37** in opposition.

Accept in part submissions **112/7** and **112/8** and further submissions **51** and **148** in support and reject further submission **37** in opposition.

Reject submission **51/10** and further submissions **132, 133, 134, 135, 136, 154, 155, 156, 157, 158, 159, 137, 160, 161, 138, 162, 163, 164, 165, 166, 167, 168, 142, 169, 170, 171, 172, 173, 20, 123, 121, 124, 151. 152, 153, 174, 175, 176, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 143, 195, 196, 197, 148, 144, 72, 90, 96, 110, 112, 113, 118, 119** and **41** and accept further submissions **37** and **141** in support.

Accept in part submission **119/3** and further submissions **51** and **54** in support and reject further submission **37** in opposition.

Reasons for Decisions

This set of submissions raises a number of concerns relating to the general tenor and direction of the policies in section 6.4 of Change 8. Some of these concerns have already been raised by submitters in relation to the issues section. The Hearings Committee considered the matters raised in the submissions and the alternatives put forward in oral and written submissions and evidence presented during the hearings process. It has made changes to Section 6.4 (set out in Appendix 1) on the following basis:

- 1 The policies and methods have been reviewed and un-necessary repetition has been removed (**96/11** and **24/11**);

- 2 Highly Valued Landscape Areas have been changed to Amenity Landscapes and the provisions relating to these areas are more flexible, with choice being left to district and regional plans on how they may be identified and managed **(96/11 and 24/11)**.
- 3 Policy 6.4.22.1 has been reworded to focus on landscape outcomes, with particular emphasis on maintenance of high levels of naturalness in ONLs. This provides flexibility for district and regional plans to determine the location, type and scale of development, rather than requiring that all subdivision be avoided. Policies 6.4.22.5 and 6.4.22.6 address restoration and enhancement initiatives. **(48/98, 48/107 and 24/11)**.
- 4 The policies (eg Policy 6.4.22.1) continue to acknowledge the significance of built structures and earthworks as being major contributors to adverse effects on the visual qualities of Outstanding Natural Landscapes in the Auckland Region. **(26/6, 80/2, 56/1)**
- 5 Method 6.4.23.2 requires that councils control subdivision in Outstanding Natural Landscapes but provides flexibility on the mechanisms to be used to do this. This means that the detailed provisions sought by submissions **(105/2, 92/1 and 92/3)** are matters to be considered by district plans, rather than specified in the Regional Policy Statement.
- 6 Method 6.2.23.2 relating to restrictions on further subdivision in all ONLs has been deleted. However new Method 6.4.23.2 (ii) supports the avoidance of further subdivision in specified areas of the region, which are those places that are Outstanding Natural Landscapes, and areas of high natural character and significant indigenous and significant habitats of indigenous fauna. The Committee also points out that a cross reference has been made to the rural areas policies of Chapter 2: Regional Overview and Strategic Direction. It is these chapter 2 provisions that provide the overall regional policy direction in terms of subdivision. **(32/12 and 34/13)**
- 7 Other methods such as controls on colours and material, and preference for the use of existing titles over the creation of new titles are acceptable methods for addressing adverse effects in Outstanding Natural Landscapes and they have been retained. **(32/12 and 34/13)**
- 8 Policy 6.4.22.1 has been redrafted to address concerns of submitters such as **112/7, 112/8 and 119/3** by recognising the role of Outstanding Natural Landscapes as working landscapes and acknowledging primary production activities. The matters specified in Policy 6.2.22.1 form the criteria basis for what is appropriate development in ONLs.
- 9 Policies continue to be written using directive language such as shall. This is consistent with decisions made by the relevant Hearings Committee on Change 6 to the RPS (Integration of Landuse and Transport). It is appropriate for a higher level document such as the RPS to provide direction on regional policy. However greater flexibility has been introduced into the methods, by use of the word "may". **(51/10)**

Many of the matters raised by these submissions are reiterated in submissions to specific policies and methods, which are discussed in more detail in other sections of this report. This relates particularly to the changes sought by submission **24/11**. Submitters are directed to these provision specific sections for further discussion of their points of concern.

5.11.2 Include New Policies

No.	Submitter	Summary of Decision Sought	Further Submitter/s
48/34	Auckland City Council	Amend 6.4.22 Policies by including an additional policy recognising the ecological and natural landscape significance of the city's streams.	Supported By: 37 Waitakere City Council Opposed By: 54 Anglican Trust for Women and Children
84/10	Waiuku Windfarm Information Group	Amend Policies-Landscape 6.4.22 to strengthen by bringing in 'height sensitive areas' designation to significant features, ridgelines etc...	Opposed By: 24 Mighty River Power Limited ("MRP") 96 David Craig
81/6	Britta Hietz	Amend 6.4.22 by adding a section that emphasises the importance of maintaining high water quality.	Opposed By: 51 Federated Farmers of New Zealand (Inc)
81/5	Britta Hietz	Supports the policies in 6.4.22 but seeks that a section be added stating that buildings, major earthworks or native vegetation clearance on ridgelines should be <u>avoided</u> in Outstanding Natural Landscapes.	Opposed By: 7 Genesis Power Ltd ("Genesis Energy") 16 Transpower New Zealand Ltd (Transpower) 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc)

			39 Rodney Aggregate Supplies 38 Winstone Aggregates 144 Carter Holt Harvey Limited 54 Anglican Trust for Women and Children
91/5	The Guardians of the Kaipara Inc Society - Nga Kaitiaki o Kaipara	Generally supports 6.4.22, but requests that a section be added that states structures, vegetation clearance and major earthwork activities are not permitted in Outstanding Natural Landscapes.	Supported By: 54 Anglican Trust for Women and Children Opposed By: 48 Auckland City Council 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 39 Rodney Aggregate Supplies 38 Winstone Aggregates 144 Carter Holt Harvey Limited Support and Opposed By: 37 Waitakere City Council

Decisions

Reject submissions **48/34**, **84/10**, **81/6**, **81/5** and **91/5** and further submissions **37** and **54** in support and accept further submissions **54**, **24**, **96**, **51**, **7**, **16**, **143** **39**, **38**, **144** and **48** in opposition.

Reasons for Decisions

These submissions seek a variety of new policies be included in Section 6.4. Submission 48/34 is referred to Topic 5.9.2 which discusses a similar request by the same submitter for recognition for the landscape and ecological significance of the city's urban streams. Although the Hearings Committee supports the concept put forward by submission **48/34**, the decisions version of Change 8 has limited provisions relating to urban landscapes. It points out that the policy on amenity landscapes and Method 6.4.23.4 relating to the identification and management of these landscapes, provides flexibility for recognising the place of urban streams in urban landscapes, without specific reference to these features. In the case of ONLs, the Committee considers that the provisions relating to the maintenance of natural landforms, processes and vegetation provides sufficient recognition of the landscape contribution made by natural streams.

The request for the identification of further height sensitive areas made by submission **84/10** is beyond the scope of this Hearings Committee to give effect to through these decisions. Further work would be needed to identify any new height sensitive areas, beyond those existing around identified volcanic cones. Any new policies and maps relating to these areas would need to be introduced by a new change to the regional policy statement.

Policy 6.4.22.1 focuses on the maintenance of high levels of naturalness in ONLs, but is not a rule requiring avoidance of buildings, earthworks and native vegetation in ONLs. These activities are recognised in Method 6.4.23.3 as requiring attention in district plans. However it cannot be said that all these activities regardless of their scale should be avoided on ridgelines in ONLs. The level of detail requested by submissions **81/5** and **91/5** are left to district plans to determine.

5.11.3 Policies 6.4.22 – Naturalness and Natural Character

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
48/32	Auckland City Council	Amend 6.4.22 Policies by substituting the words "natural character" wherever "naturalness" is used throughout the policies. See also submission 48/33.	Support and Opposed By: 37 Waitakere City Council
48/33	Auckland City Council	Amend 6.4.22 if submission 48/32 is not accepted, by including a definition of "naturalness" in the proposed change. The definition should be based on a review of the definition of natural character used in the Stage 1 Report supporting document.	Support and Opposed By: 148 Horticulture New Zealand
48/43	Auckland City Council	Amend 6.4.22.4 by substituting the words "natural character" wherever "naturalness" is used	Supported By: 42 Mike Murphy

		throughout the policies. See also submission 48/44.	112 Ponui Farms Limited and J Chamberlin, M Chamberlin Support and Opposed By: 37 Waitakere City Council
48/44	Auckland City Council	Amend 6.4.22.4 by including a definition of "naturalness" in the proposed change if submission 48/43 is not accepted. The definition should be based on a review of definition of natural character used in the Stage 1 Report supporting document.	Supported By: 42 Mike Murphy 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Support and Opposed By: 37 Waitakere City Council
48/55	Auckland City Council	Amend 6.4.22.11 by replacing the word "naturalness" with "natural character" (with an appropriate definition). See also submission 48/44.	
48/38	Auckland City Council	Amend the RPS Change by developing definitions for "naturalness" and of "natural character".	Supported By: 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Support and Opposed By: 37 Waitakere City Council

Decisions

Accept in part submissions **48/33** and **48/44** and further submissions **42** and **112** in support and that part of further submission **37** and **148** in support.

Reject submissions **48/32**, **48/43** and **48/55** and further submissions 42 and 112 in support and that part of further submission 37 in support.

Accept in part **48/38** and further submissions **112** in support and that part of **37** in opposition.

Reasons for Decisions

Submitters **48/33** and **48/44** is referred to Topic 5.3.3 which discusses another request from the same submitter seeking a definition of naturalness. The proposed new definition is discussed in this earlier section of this Decisions report.

The Committee does not accept the changes sought by submissions **48/32**, **48/43** and **48/55**. It considers that the term naturalness is more consistent with the wording used in Environment Court decisions on Outstanding Natural Landscapes. Natural character is a term that is associated with Section 6(a) – relating to the coastal environment, wetlands, lakes, rivers and their margins. Although landscape assessment professional may use natural character when discussing landscape characteristics, the Committee thinks that the provisions of Change 8 should be clear in the distinction between landscape protection as set out in Section 6(b) of the RMA, and preservation of natural character as prescribed by Section 6(a).

Appendix D of the RPS already includes a definition of natural character. No change has been made to this definition to give effect to submission 48/38. The Committee considers that this is a matter for the full RPS review. This may also provide the opportunity to take account of the Government approved version of the proposed New Zealand Coastal Policy Statement 2008.

5.11.4 Other Policies in Section 6.4 not included in Change 8 Clauses

No.	Submitter	Summary of Decision Sought	Further Submitter/s
27/8	Te Atatu Residents' and Ratepayers' Association Inc	Retain 6.4.1.1.	
5/9	Papakura District Council	Amend 6.4.10 to recognise the mechanisms (eg Environmental Lot Type) currently employed by TAs across the region to address the restoration of natural heritage.	Opposed By: 37 Waitakere City Council
5/10	Papakura District Council	Amend 6.4.11 to recognise the mechanisms (eg Environmental Lot Type) currently employed by TAs across the region to address the restoration of natural heritage.	Opposed By: 37 Waitakere City Council
27/9	Te Atatu Residents' and Ratepayers' Association Inc	Amend 6.4.13.1 by adding 3 additional criteria: (ix) the status of the feature or site in the New Zealand Geopreservation Inventory; (x) The vulnerability of the feature or site to destruction, modification or masking; (xi) The potential for or likelihood of the aesthetic, educational, research, recreational or	

		other values of the site being lost or degraded. Or words to that effect.	
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Decisions

Accept submission **27/8**

Reject submissions **5/9, 5/10** and **27/9** and accept further submission **37** in opposition.

Reasons for Decisions

These four submissions support or seek changes to policies that are not related to the landscape component of Change 8. Hence the Committee has limited ability to amend these provisions, as they are generally outside the scope of the change.

It notes the points raised by the submitters, but has made no changes to the Decisions version of Change 8: Landscape to give effect to these requests. These issues have however been taken into account in the ARC's in house work on the full review of the Auckland Regional Policy Statement. This work is being transferred to the new Auckland Council for its consideration,

TOPIC 5.12 POLICIES 6.4.22.1, 6.4.22.2 AND 6.4.22.4

This section addresses submissions received and evidence presented on three policies, 6.4.22.1, 6.4.22.2 and 6.4.22.4. Topic 5.5 deals with submissions to Policy 6.4.22.3.

5.12.1 Policy 6.4.22.1

No.	Submitter	Summary of Decision Sought	Further Submitter/s
37/14	Waitakere City Council	Retain 6.4.22.1 as avoiding visually intrusive development and ensuring high levels of naturalness in Outstanding Natural Landscapes is strongly supported.	Supported By: 141 West Coast Plan Liaison Group 198 Wendy Macdonald
13/48	North Shore City Council	Retain Policy 6.4.22.1 but clarify the use of term 'naturalness'.	Supported By: 37 Waitakere City Council
96/12	David Craig	Delete 6.4.22 Policy 1 as it does not provide any guidance on what might be considered a visually intrusive structure or landuse.	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
31/19	Haka International NZ Limited	Delete 6.4.22, policy 1 as it is already covered by policy 4.	Supported By: 54 Anglican Trust for Women and Children
87/22	Watercare Services Limited ("Watercare")	Amend Policy 6.4.22.1 to read (additions underlined): <i>...and visually intrusive built elements or land uses are avoided, <u>remedied or mitigated</u>.</i>	Supported By: 39 Rodney Aggregate Supplies 38 Winstone Aggregates Opposed By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group 37 Waitakere City Council
21/6	Kawau Properties Limited ("Kawau Properties")	Amend 6.4.22.1 to read: <i>"Any subdivision, use or development in Outstanding Natural landscapes identified in Map Series 3a, shall ensure that high levels of naturalness are maintained and visually intrusive built elements or land uses are avoided, <u>remedied or mitigated</u>."</i>	
108/14	John Russell and Helen Sharp	Amend policy 6.4.22.1 by deleting " avoided" and replacing it with "mitigated or minimised".	Supported By: 96 David Craig Opposed By: 37 Waitakere City Council
49/13	Man O'War Station Limited ("MOWS")	Amend 6.4.22.1 by rewording it as follows: <i>Protect outstanding natural landscapes identified in map series 3A, and in particular the features and qualities which make them outstanding, from inappropriate subdivision, use and development.</i>	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 54 Anglican Trust for Women and Children

		<p>For reasons including:</p> <ul style="list-style-type: none"> • Policy 6.4.22.1 is not a policy but rather an absolute directive • The policy inappropriately focuses on maintaining levels of naturalness (through avoiding visually intrusive built elements) • Proper recognition of the Environment Court criteria for identifying outstanding natural landscapes would be of assistance. 	<p>112 Ponui Farms Limited and J Chamberlin, M Chamberlin Opposed By: 37 Waitakere City Council Support and Opposed By: 16 Transpower New Zealand Ltd (Transpower)</p>
24/12	Mighty River Power Limited ("MRP")	Amend Policy 6.4.22.1 as it will prevent the inclusion of wind farm or other renewable energy infrastructure within the ONL and the policy does not provide guidance on what might be considered to be a visually intrusive structure or land use (refer submission 24/12 for the submitters amended policies).	Opposed By: 37 Waitakere City Council
88/3	Meridian Energy (Meridian)	Amend 6.4.22.1 to include the word "mitigation" to be consistent with the wording of the RMA.	Supported By: 87 Watercare Services Limited ("Watercare") Opposed By: 37 Waitakere City Council
16/8	Transpower New Zealand Ltd (Transpower)	Amend 6.4.22.1 to read (underlined text added, delete strikethrough test): <i>Any subdivision, use or development in Outstanding Natural Landscapes identified in Map Series 3a shall ensure that high levels of naturalness are maintained, <u>and that visually intrusive new built elements or land uses are avoided, and that existing built elements or land uses, including changes to existing such structures or uses, do not result in significant adverse effects on the overall landscape.</u></i>	Opposed By: 37 Waitakere City Council
15/6	JR Courtenay Family Trust	Amend 6.4.22.1 to read (underlined text added); <i>Any subdivision, use and development in Outstanding Natural Landscapes identified in Map Series 3a, shall ensure that high levels of naturalness are maintained, <u>and that visually intrusive new built elements or land uses are avoided and that existing built elements or land uses, including changes to existing such structures or uses, do not result in significant adverse effects on the overall landscape.</u></i>	Opposed By: 37 Waitakere City Council

Decisions

Accept in part submission **37/14** and **13/48** and further submissions **37**, **141** and **198** in support.
Reject submissions **96/12** and **31/19** and further submissions **51** and **54** in support and accept further submission 37 in **opposition**.
Reject submissions **87/22**, **21/6**, **108/14**, **49/13**, **88/3**, **16/8** and **15/6** and further submissions **39**, **38**, **96**, **143**, **144**, **54** and **112** and those parts of further submissions **37** and **16** in support and accept further submissions **140**, **141** and **37** in opposition.
Accept submissions **24/12** and reject further submission **37** in opposition.

Reasons for Decisions

The Hearings Committee has made significant changes to Policy 6.4.22.1 in response to the wide ranging concerns expressed by submitters over particular words used in the notified version of the policy, the overall approach to landscape management in Outstanding Natural Landscapes set out in Change 8, and the duplication, overlap and uncertainty among the different policies. These concerns and the Committee's responses to these are discussed in earlier sections of this report, including Topics 5.1, 5.4 and 5.7. The Committee notes that the key issues raised by the submitters listed above relate to the uncertainty around the term "visually intrusive", the focus on avoidance without acknowledgement of remediation or mitigation, the potential to prevent the establishment of certain uses in Outstanding Natural Landscapes (eg renewable electricity generators), the approach to new and existing structures and the overlap with notified Policy 6.4.22.4.

Reference to visually intrusive built elements and their avoidance is deleted. The outcomes listed in the notified Policy 6.4.22.4 have been transferred (with amendments) to the decisions version of Policy 6.4.22.1. This policy now sets out the level of visual and physical performance that is required to be met by subdivision, use and development in Outstanding Natural Landscapes in the form of clauses (i) to (vii). Maintaining the primary of naturalness is the key outcome, but there is flexibility on how this is achieved. This allows for a management regime of avoidance, remediation and mitigation, rather than a strict avoidance only policy approach. The Committee has recognised the concerns of submitters such as **24/12**, **88/3** and **16/8** by the inclusion of clause (ix). It has also deleted references that could imply a control on existing land uses (**15/6**).

The Hearings Committee considers that the specific wording changes to Policy 6.4.22.1 along with changes to other policies are an appropriate means of meeting submitters concerns.

5.12.2 Policy 6.4.22.2 – Delete or Amend Policy

No.	Submitter	Summary of Decision Sought	Further Submitter/s
96/13	David Craig	Delete 6.4.22 policy 2 as preventing the location of structures within certain areas, irrespective of their visual impact or public benefits, is inconsistent with the purpose of the RMA.	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
108/10	John Russell and Helen Sharp	Delete Policy 6.4.22.(i) & (ii) (assume the submitter means 6.4.22.2(i) & (ii) as it amounts to a blanket ban on subdivision or introduction of built elements.	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
16/9	Transpower New Zealand Ltd (Transpower)	Amend 6.4.22.2 to read (underlined text added): <i>Outstanding Natural Landscapes located in the coastal environment or near wetlands, lakes, rivers and their margins shall be protected, to the extent practicable, by</i>	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
31/20	Haka International NZ Limited	Amend 6.4.22, policy 2 by changing 'near' to 'incorporating'.	Opposed By: 37 Waitakere City Council
21/7	Kawau Properties Limited ("Kawau Properties")	Amend 6.4.22.2 "(i) to read: (i) avoiding inappropriate subdivision and built structures in those areas...."	Opposed By: 37 Waitakere City Council
87/23	Watercare Services Limited ("Watercare")	Amend Policy 6.4.22.2 (i) to read (additions underlined, strikethrough deleted): (i) avoiding inappropriate subdivision and the introduction of built structures into these areas, particularly where little or no subdivision or built structures presently exists ...	Opposed By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group 37 Waitakere City Council
49/14	Man O'War Station Limited ("MOWS")	Amend 6.4.22.2 by rewording it as follows: Outstanding natural landscapes located in the coastal environment or near wetlands, lakes, rivers and their margins should be protected by: (i) Avoiding inappropriate subdivision and the introduction of inappropriate built structures in these areas, <u>having regard to the extent of existing subdivision and development.</u> [emphasis added] For reasons including: (i) Policy 6.4.22.2 is in the nature of a rule (2) The fact that there are few built structures in a particular landscape area does not mean that the introduction of other built structures is necessarily inappropriate. (3) The extent to which new structures are appropriate should be assessed by the reference to the extent to which there are existing built structures present.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin
48/39	Auckland City Council	Amend 6.4.22.2 to incorporate "Avoid, remedy or mitigate" rather than just "avoid" in relation to the first part of (i), which relates to subdivision and the	Supported By: 148 Horticulture New Zealand

		introduction of built structures in these areas.	69 Mile Purchase 112 Ponui Farms Limited and J Chamberlin, M Chamberlin
64/2	Agape High-Q Holistic Horsemanship Ltd	Amend 6.4.22.2 to recognise that the effects of subdivision in ONL's in the coastal environment should be avoided, remedied or mitigated.	Opposed By: 37 Waitakere City Council
31/21	Haka International NZ Limited	Amend 6.4.22, policy 2 (i) by changing 'built structures' to 'structures visible from public land'.	Opposed By: 37 Waitakere City Council
13/49	North Shore City Council	Amend Policy 6.4.22.2 to clarify what 'little or no subdivision' means and how it is to be measured.	
13/50	North Shore City Council	Amend Policy 6.4.22.2 to clarify the meaning of 'presently exists' i.e. does this mean from the point in time the RPS becomes operative or is this at the time of the subdivision and/or land use consent application.	Supported By: 37 Waitakere City Council
48/41	Auckland City Council	Amend 6.4.22.2 by changing the words "subdivision or built structures" to "development".	Supported By: 112 Ponui Farms Limited and J Chamberlin, M Chamberlin
24/13	Mighty River Power Limited ("MRP")	Amend Policy 6.4.22.2 as it is very similar to Policy 6.4.22.1 and appears to prevent all structures within ONL areas close to the coast or waterbodies, regardless of the visual impact and is unclear in respect of the requirement to avoid all structures in all areas referred to and is considered inconsistent with the RMA (refer submission 24/12 for the submitters amended policies).	Opposed By: 37 Waitakere City Council
15/7	JR Courtenay Family Trust	Amend Policy 6.4.22.2(i) to read (underlined text added): (i) <u>avoiding subdivision in these areas and the introduction of built structures where such structures would not be subservient to the natural landscape.</u>	Opposed By: 37 Waitakere City Council
48/40	Auckland City Council	Amend 6.4.22.2 by deleting the word "particularly" from (i) as this tends to diminish the strength of the first part of (i).	Supported By: 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Opposed By: 37 Waitakere City Council
44/3	MLW Adams Trust	Amend 6.4.22.2 to read (underlined text added, strikethrough deleted): Outstanding Natural Landscapes located in the coastal environment or near wetlands, lakes, rivers and their margins shall be protected by; <u>either avoiding subdivision and the introduction of built structures in these areas particularly where little or no subdivision or built structures presently exist, or by mitigating such proposals by way of landscape rehabilitation or other forms of environmental enhancement</u> As presently worded, the proposed Policy fails to adequately recognise the purpose and principles of the Act relating to the use, development and protection of the region's natural and physical resources, and overemphasises protection rather than recognising that use and development can also have positive effects, not only in protecting ONLs, but also through environmental enhancement measures.	Opposed By: 37 Waitakere City Council
42/3	Mike Murphy	Amend 6.4.22.2 to allow for restoration and enhancement of the landscape by way of controlled subdivision opportunities.	Opposed By: 37 Waitakere City Council
31/22	Haka International NZ Limited	Amend 6.4.22, policy 2 (ii) by deleting whole policy and replacing with 'classifying relevant areas of high natural character in Policy 7.4.4.1 (i)'.	Opposed By: 37 Waitakere City Council
37/15	Waitakere City Council	Retain 6.4.22.2 but identify that this policy applies to Waitakere City's coastal villages here and/or elsewhere in the chapter.	Supported By: 140 Huia-Cornwallis Ratepayers and Residents Association

Decisions

Accept submission **96/13** and further submission **51** in support and reject further submission **37** in opposition.

Accept in part submission **108/10** and further submission **51** in support and reject further submission **37** in opposition.

Reject submissions **16/9, 31/20, 21/7, 87/23, 49/14, 48/39, 64/2, 31/21, 13/49, 13/50, 48/41, 24/13, 15/7, 48/40, 44/3, 42/4, 31/22** and **37/15** and further submissions **140, 141, 143, 144, 112, 148** and **69** in support and accept further submissions **37, 140** and **141** in opposition.

Reasons for Decisions

The Hearings Committee heard the wide ranging concerns about Policy 6.4.22.2, expressed in submissions and in evidence presented to it. It accepts that the policy was too absolute and did not have regard to the type of subdivision proposed and the options for managing adverse landscape effects. It has therefore decided to delete this policy. However clause (ii) relating to natural character components has been transferred into Policy 6.4.22.1. Reference to wetlands, lakes, rivers and their margins has also been included as clause (vii) in the same policy. The Committee considers that the issues relating to the management of Outstanding Natural Landscapes in the coastal environment of the region are adequately addressed by amendments to the set of policies in Section 6.4.22. The decision to delete Policy 6.4.22.2 has meant that those submissions requesting specific changes to the wording are consequentially declined.

5.12.3 Policy 6.4.22.4

No.	Submitter	Summary of Decision Sought	Further Submitter/s
13/53	North Shore City Council	Amend Policy 6.4.22.4 to reflect the different landscape types and define 'naturalness.'	Opposed By: 39 Rodney Aggregate Supplies 38 Winstone Aggregates
31/23	Haka International NZ Limited	Amend 6.4.22, policy 4 by inserting at start 'District Plan provisions shall ensure that' and change 'naturalness' to 'natural character' and 'shall be' to 'is' and delete 'and the landscape qualities of highly valued landscapes'.	Opposed By: 37 Waitakere City Council
44/4	MLW Adams Trust	Amend 6.4.22.4 (i) to read (underlined text added, strikethrough deleted): "maintaining the visual coherence and integrity of the landscape; <u>and enhancing its value and appreciation through appropriate subdivision, use and development and/or landscape rehabilitation.</u> " As presently worded, the proposed Policy fails to adequately recognise the purpose and principles of the Act relating to the use, development and protection of the region's natural and physical resources, and overemphasises protection rather than recognising that use and development can also have positive effects, not only in protecting ONLs, but also through environmental enhancement measures.	Opposed By: 37 Waitakere City Council
31/24	Haka International NZ Limited	Amend 6.4.22, policy 4 (ii) by deleting "is necessary and" and the rest of the sentence - "on the key elements....." to the end.	
11/16	Manukau City Council	Delete policy 6.4.22(4)(iii).	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
88/4	Meridian Energy (Meridian)	Amend 6.4.22.4 (iii) by replacing the word "necessary" with the word "appropriate" so that it reads: "ensure that any subdivision, use or development is appropriate and is of.."	
48/45	Auckland City	Amend 6.4.22.4 by deleting the word "necessary"	Supported By:

	Council	from the policy.	42 Mike Murphy 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Opposed By: 37 Waitakere City Council
44/5	MLW Adams Trust	Amend 6.4.22.4 (iii) to read (underlined text added, strikethrough deleted): "iii) Ensuring that any subdivision, use or development is necessary and is of a type, scale, intensity and location that does not adversely ..." Sub-clause (iii) introduces a dubious criterion requiring subdivision, use or development to be necessary.	Opposed By: 37 Waitakere City Council
21/8	Kawau Properties Limited ("Kawau Properties")	Amend 6.4.22.4 (iii) to read: "(iii) ensuring that any subdivision, use or development is appropriate and is of a type...."	
87/25	Watercare Services Limited ("Watercare")	Amend Policy 6.4.22.4 (iii) to read (additions underlined, strike through deleted): (i) Ensuring that any subdivision use or development is necessary <u>appropriate</u> and is of a type, scale, intensity and location that does not <u>significantly</u> affect the naturalness....	Opposed By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group
108/11	John Russell and Helen Sharp	Amend Policy 6.4.22.4(iii) to read (underlined added): "... location that does not <u>significantly</u> adversely affect...."	
15/8	JR Courtenay Family Trust	Amend 6.4.22.4(iii) to read (underlined text added): <i>(iii) ensuring that any subdivision, use or development is <u>either necessary or</u> and is of a type, scale, intensity and location that does not adversely affect the naturalness of Outstanding Natural Landscapes or the key elements, features and patterns of Highly Valued Landscapes.</i>	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited Opposed By: 54 Anglican Trust for Women and Children
49/15	Man O'War Station Limited ("MOWS")	Amend 6.4.22.4 by rewording as follows: The features and qualities of a natural landscape which make it outstanding and the landscape qualities of highly valued landscapes shall be protected by: (i) Maintaining the visual coherence and integrity of the landscape; (ii) Maintaining significant natural landforms, natural processes and significant vegetation patterns; (iii) Ensuring that any subdivision, use or development is appropriate by reference to its type, scale, intensity and location and that it does not adversely affect the features and qualities of the natural landscape that make it outstanding, or the key elements, features and patterns of highly valued landscapes. For reasons including: <ul style="list-style-type: none"> ▪ The assumption that naturalness is the critical distinguishing feature of an outstanding natural landscape ▪ Whether or not a landscape is outstanding depends on an assessment of its features by reference to the Environment Court criteria ▪ The policy imposes a necessity test (in paragraph (iii)), which is not required by section 6(b) of the Resource Management Act 1991. 	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Opposed By: 37 Waitakere City Council 54 Anglican Trust for Women and Children Support and Opposed By: 16 Transpower New Zealand Ltd (Transpower)

Decisions

Accept in part submission **13/53** and reject further submissions **39 and 38** in opposition.

Reject submissions **31/23, 44/4** and accept further submission **37** in opposition.

Accept submissions **31/24, 11/6** and 49/15 and accept further submissions **143, 144, 54** and 112 in support and that part of further submission 16 in support and reject further submission **37** in opposition.

Reject submissions **88/4, 108/11, 15/8** and further submissions **143** and **144** and accept further submission 54 in opposition.

Accept submissions **48/45, 44/5, 21/8** and further submissions **42, 112** in support and reject further submission **37** in support.

Accept in part submission **87/25** and reject further submissions **140** and **141** in opposition.

Reasons for Decision

The notified version of Policy 6.4.22.4 related to both Outstanding Natural Landscapes and Highly Valued Landscapes. The decision of the Hearings Committee to delete references to Highly Valued Landscapes has resulted in this term being removed from the policy. Concerns about the repetition and overlap among the policies led the Committee to amalgamate Policy 6.4.22.4 into the main policy 6.4.22.1 relating to Outstanding Natural Landscapes. The beginning part of the new Policy 6.4.22.1 (chapeau) now incorporates concepts from clause (iii) of notified Policy 6.4.22.4, while clauses (i) and (ii) of the notified policy 6.4.22.4 now form clauses (ii) and (iii) of Policy 6.4.22.1. The Committee considers that these clauses reflect the criteria set out in WESI or the Environment Court accepted landscape assessment criteria and are important outcomes to be met in terms of appropriate subdivision, use and development in Outstanding Natural Landscapes. (Refer to Appendix F-1 and 2 which is part of Appendix 1 of this Decisions report for further information).

Clause (iii) of Policy 6.4.22.4 has been deleted, as the Hearings Committee acknowledges that there is no statutory support in the RMA for consideration of the necessity for subdivision in Outstanding Natural Landscapes. The Committee is also aware of the approach taken in Change 6 to the RPS which sets out the strategic framework for the overall management of subdivision in the region. The provisions relating to Outstanding Natural Landscapes are prescribed by this overall strategic management framework. Hence issues such as necessity for further subdivision are addressed in Chapter 2 of this RPS, rather than in individual resource chapters.

Other points of relief sought by submitters in relation to Policy 6.4.22.4, such as those relating to the term naturalness (**13/53**) are addressed in other sections of this report.

TOPIC 5.13 CUMULATIVE ADVERSE EFFECTS – POLICIES 6.4.22.7 AND 6.4.22.8.

This group of submissions relate to Policies 6.4.22.7 and 6.4.22.8 which provide a framework for the management of cumulative adverse effects.

5.13.1 Policy 6.4.22.7 – Support, Delete or Amend Policy

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
48/49	Auckland City Council	Amend 6.4.22.4 and 6.4.22.8 by considering integrating the two policies. The items listed in 6.4.2.8 equally relate to 6.4.22.4 as they apply to the protection of Outstanding Natural Landscapes and not just cumulative effects. See also submission 48/50.	Opposed By: 54 Anglican Trust for Women and Children
48/50	Auckland City Council	Amend 6.4.22.4 and 6.4.22.8 by reviewing the policy wording so that the good guidance provided in 6.4.22.8 is also included in 6.4.22.4. See also submission 48/49.	
37/20	Waitakere City Council	Retain 6.4.22.7	Supported By: 141 West Coast Plan Liaison Group Opposed By: 54 Anglican Trust for Women and Children
49/20	Man O'War Station Limited	Delete 6.4.22.7, for reasons including that a region-wide assessment of cumulative impacts is	Supported By: 143 Matariki Forests

	("MOWS")	impractical and not within the scope of section 104 (<i>Dye v Rodney District Council [2001] NZRMA 513</i>), and the policy is in the nature of a rule.	51 Federated Farmers of New Zealand (Inc) 148 Horticulture New Zealand 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin
31/27	Haka International NZ Limited	Delete 6.4.22, policy 7, as there is no such animal as 'cumulative adverse effects' under the adverse effect purpose of the RMA. Once an allowed adverse effect is mitigated it becomes irrelevant. The relevant concern is with the cumulative impact of negative effects which in themselves are not considered to be adverse (unacceptable). This matter is covered by policy 4 so the provision is redundant.	Supported By: 51 Federated Farmers of New Zealand (Inc)
108/6	John Russell and Helen Sharp	Amend Policy 6.4.22.7 to read: <i>The cumulative adverse effects of subdivision, use and development shall be avoided, remedied or mitigated in all landscapes.</i>	Opposed By: 54 Anglican Trust for Women and Children 96 David Craig
40/29	Stevenson Resources Limited	Amend 6.4.22.7 by deleting the text "and shall be avoided, remedied and mitigated in other landscapes".	
54/7	Anglican Trust for Women and Children	Amend Policy 6.4.22.7 by deleting the words 'and shall be avoided, remedied or mitigated in other landscapes'. (See also submission 54/21)	Supported By: 7 Genesis Power Ltd ("Genesis Energy")
53/7	Huron Holdings Limited	Amend Policy 6.4.22.7 by deleting the words 'and shall be avoided, remedied or mitigated in other landscapes'. (See also submission 53/21)	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 143 Matariki Forests 144 Carter Holt Harvey Limited
55/7	Bral Holdings Limited	Amend Policy 6.4.22.7 by deleting the words 'and shall be avoided, remedied or mitigated in other landscapes'. (See also submission 55/21)	Supported By: 7 Genesis Power Ltd ("Genesis Energy")
16/29	Transpower New Zealand Ltd (Transpower)	Amend Policy 6.4.22.7 by deleting the text "and shall be avoided, remedied or mitigated in other landscapes".	Supported By: 7 Genesis Power Ltd ("Genesis Energy")
16/10	Transpower New Zealand Ltd (Transpower)	Amend 6.4.22.7 to read (underlined text added): <i>The cumulative adverse effects of subdivision, use and development shall be avoided, <u>to the extent practicable, in</u></i>	Supported By: 143 Matariki Forests 39 Rodney Aggregate Supplies 38 Winstone Aggregates 144 Carter Holt Harvey Limited
13/56	North Shore City Council	Amend Policy 6.4.22.7 to clarify whether it is intending to prevent subdivision and land use activities within the ONL and ONF and allow activities in the others subject to assessment and identify what approach is appropriate in the other landscapes referred to (the Highly Valued, other landscapes and the natural landscapes).	Opposed By: 148 Horticulture New Zealand 54 Anglican Trust for Women and Children
15/10	JR Courtenay Family Trust	Amend Policy 6.4.22.7 to read (underlined text added): <i>The cumulative adverse effects of <u>inappropriate</u> subdivision, use and development shall be avoided in Outstanding Natural Landscapes.</i>	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited
49/21	Man O'War Station Limited ("MOWS")	Amend 6.4.22.7 to require regard to be had (rather than mandatory avoidance of) cumulative adverse effects of subdivision, use and development in relation to outstanding natural landscape areas.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin

Decisions

Accept in part submissions **48/49** and **48/50** and reject further submission **54** in opposition.

Accept submission **37/20** and further submission **141** in support and reject further submission **54** in opposition.

Reject submissions **49/20**, **49/21** and **31/27** and further submissions **143**, **51**, **148**, **144** and **112** in support.

Reject submission **108/6** and accept further submissions 54 and 96 in opposition.

Accept submissions **40/29**, **54/7**, **53/7**, **55/7**, and **16/29** and further submissions **7**, **143**, **144** in support.

Reject submissions **16/10**, **13/56** and **15/10** and further submissions **143**, **39**, **38** and **144** in support and accept further submissions **148** and **54** in opposition.

Reasons for Decisions

Submissions to Policy 6.4.22.7 raised a number of issues. One submitter (**37/20**) supported its retention. Another submitter **48/49** requested that the policy be amalgamated with Policy 6.4.22.4, so that the good policy guidance in each separate policy would be strengthened by being brought together. A third group of submitters wanted Policy 6.4.22.7 deleted as they did not agree with its provisions; considered it to be too mandatory and in the nature of a rule, or did not accept the concept of cumulative adverse effects (**49/20**, **49/21**, **31/27**). A fourth group of submissions (**16/10**, **13/56** and **15/10**) sought clarification of the intent of the policy in terms of preventing subdivision, the inclusion of the word “inappropriate”, or the words “to the extent practicable”. The final group of submissions wanted the reference to “avoid, remedied or mitigated” in other landscapes deleted (**40/29**, **54/7**, **53/7**, **55/7** and **16/29**).

The Hearings Committee gave considerable thought to the range of ideas put forward in the submissions and the concerns expressed in evidence and in legal submissions presented at the hearings. These submissions questioned the basis for having a regional policy on cumulative effects based on the Court of Appeal’s decision (*Dye v Rodney District Council* [2001] NZRMA 513). The Hearings Committee is aware that despite the Dye decision there have been subsequent Environment Court decisions that have supported the consideration of cumulative effects. On this basis the Committee strongly supports the retention of a policy on cumulative adverse effects in relation to the management of Outstanding Natural Landscapes. Cumulative adverse effects are a significant landscape management issue that warrants clear regional policy direction. Accordingly the Committee does not support requests from submissions to make the policy less directive (**49/21**).

The claim by submission (**31/27**) that there is no such thing as cumulative adverse effects under the adverse effect purpose of the RMA led the Hearings Committee to seek a legal review of the meaning of the words cumulative adverse effects. This was done with reference to existing case law, where the terms cumulative adverse effects and adverse cumulative effects are used interchangeably and there is no distinction made between the two. However following receipt of legal advice the Hearings Committee has determined that it prefers the use of the term adverse cumulative effect, rather than cumulative adverse effect and has changed all references in Change 8 to this preferred version.

The Hearings Committee considers that continuing the use the term “cumulative adverse effects” will unintentionally set a very restrictive test, whereby attention will be focused on the adverse effects of the second and subsequent developments in the landscape. In contrast changing the policy to focus on adverse cumulative effects will focus attention on the threshold beyond which cumulative effects on the landscape should not be tolerated. This approach is in keeping with the overall approach of the other policies relating to the management of subdivision, use and development in Outstanding Natural Landscapes and provides a less restrictive policy direction.

The Committee does not accept requests from submissions **15/10** to include reference to inappropriate subdivision, use and development. A development may be argued to be appropriate for other reasons, despite having significant adverse cumulative effects, as set out in Policy 6.4.22.8 (now decisions version Policy 6.4.22.4). The interpretation of what is practicable is a matter for consideration in implementing the policy, rather than acting as an initial qualifier of the policy itself. This approach to policy development is not supported by the Committee (**16/10**).

As part of the change wide amendments made to the provisions relating to Highly Valued Landscapes, reference to shall be avoided, remedied or mitigated in other landscapes have been

deleted from Policy 6.4.22.7 (40/29, 54/7, 53/7, 55/7 and 16/29). These changes also give effect to part of the concerns raised by submission (13/56).

As Policy 6.4.22.7 has been amended to apply only to Outstanding Natural Landscapes, it has been incorporated into clause (xi) of Policy 6.4.22.1 to simplify the provisions.

5.13.2 Policy 6.4.22.8 – Criteria for Assessing Cumulative Adverse Effects

No.	Submitter	Summary of Decision Sought	Further Submitter/s
37/21	Waitakere City Council	Retain 6.4.22.8	Supported By: 141 West Coast Plan Liaison Group Opposed By: 54 Anglican Trust for Women and Children
31/28	Haka International NZ Limited	Delete 6.4.22, policy 8.	Supported By: 51 Federated Farmers of New Zealand (Inc)
49/22	Man O'War Station Limited ("MOWS")	Delete 6.4.22.8 for reasons including that: <ul style="list-style-type: none"> A region wide assessment of cumulative impacts is impractical and not within the scope of section 104 (<i>Dye v Rodney District Council [2001] NZRMA 513</i>). The policy is in the nature of a rule. 6.4.22.8 can trigger 6.4.22.7 creating a de facto prohibition on all subdivision, use and development in outstanding natural landscapes 6.4.22.8 (v) is difficult to interpret 	Supported By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 148 Horticulture New Zealand 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin
24/17	Mighty River Power Limited ("MRP")	Delete Policy 6.4.22.8 as Policy 6.4.22.7 is sufficient to deal with the issue of cumulative effects (refer to submission 24/12 for the submitters amended policies).	Supported By: 51 Federated Farmers of New Zealand (Inc)
15/9	JR Courtenay Family Trust	Delete policy 6.4.22.8(v).	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
16/12	Transpower New Zealand Ltd (Transpower)	Delete 6.4.22.8(v).	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
53/8	Huron Holdings Limited	Amend Policy 6.4.22.8(v) by deleting the words 'and Highly Valued Landscapes'. (See also submission 53/21)	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
54/8	Anglican Trust for Women and Children	Amend Policy 6.4.22.8(v) by deleting the words 'and Highly Valued Landscapes'. (See also submission 54/21)	
55/8	Bral Holdings Limited	Amend Policy 6.4.22.8(v) by deleting the words 'and Highly Valued Landscapes'.(See also submission 55/21)	Opposed By: 37 Waitakere City Council
39/4	Rodney Aggregate Supplies	Amend 6.4.8 (v) by deleting references to Highly Valued Landscapes as these policies for highly valued landscapes are too uncertain. The definition of HVL encompasses large but undefined areas of the Region. The provisions are inconsistent with the requirements of the RMA. See submissions 39/6-8.	Supported By: 139 Holcim (New Zealand) Limited 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
38/10	Winstone Aggregates	Delete references to Highly Valued Landscapes in 6.4.8(v), as the policies for Highly Valued Landscapes are too uncertain. The definition of	Supported By: 139 Holcim (New Zealand) Limited

		Highly Valued Landscapes encompasses large but undefined areas of the Region. The provisions are inconsistent with the requirements of the RMA.	143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 148 Horticulture New Zealand 144 Carter Holt Harvey Limited Opposed By: 141 West Coast Plan Liaison Group 37 Waitakere City Council
40/14	Stevenson Resources Limited	Amend 6.4.22.8 to read (underlined text added, strikethrough deleted): (8) <i>In determining whether subdivision, use and development contributes to the cumulative adverse effects on landscape, regard shall be had to whether it:</i> (i) <i>has <u>significant</u> adverse visual effects immediately beyond the boundary of the site;</i> (ii) <i>reduces <u>compromises</u> the visual coherence or integrity of the wider landscape unit <u>without providing some corresponding regional benefit</u>;</i> (iii) <i>reduces significantly and adversely affects the landscape quality and diversity of the <u>local area, or within the district or across the wider Auckland Region</u>;</i> (iv) <i>reduces <u>compromises</u> the visual or physical qualities which make the landscape iconic, rare or scarce at the national, regional or district level;</i> (v) <i>is contrary to the achievement of long term certainty in the management of Outstanding Natural Landscapes and Highly Valued Landscapes through regional or district plan provisions.</i>	Supported By: 143 Matariki Forests 39 Rodney Aggregate Supplies 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
87/26	Watercare Services Limited ("Watercare")	Amend Policy 6.4.22.8 by adding a new clause (vi) to read (or words to like effect): (vi) <i>will provide for regional social, economic and cultural wellbeing.</i>	Supported By: 16 Transpower New Zealand Ltd (Transpower) 39 Rodney Aggregate Supplies 38 Winstone Aggregates Opposed By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group 37 Waitakere City Council
13/57	North Shore City Council	Amend Policy 6.4.22.8 to clarify: <ul style="list-style-type: none"> • the type of landscape referred to; • whether the landscape units referred to in subclause (ii) are areas in Appendix F; • which landscapes are locally, regionally, nationally and internationally significant (clauses iii & iv); • what clause (v) is trying to achieve. 	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited Support and Opposed By: 54 Anglican Trust for Women and Children
15/11	JR Courtenay Family Trust	Amend 6.4.22.8 to read (underlined text added): <i>In determining whether subdivision, use and development contributes to the cumulative adverse effects on the landscape regard shall be had to whether it, <u>in the context of the landscape type descriptors and other information contained in Table 1 of Appendix F:</u></i>	
49/23	Man O'War	Amend 6.4.22.8 to require regard to be had (rather	Supported By:

	Station Limited ("MOWS")	than mandatory avoidance of) cumulative adverse effects of subdivision, use and development in relation to outstanding natural landscape areas.	143 Matariki Forests 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Opposed By: 37 Waitakere City Council
108/3	John Russell and Helen Sharp	Delete Policy 6.4.22.8(ii) as a use, subdivision or development may be compliant in all respects but not in the wider landscape unit which will give the ARC an opportunity to block a venture that is compliant at a local council level. It also leaves no scope for future technology, innovation or ecological improvement.	Supported By: 51 Federated Farmers of New Zealand (Inc) 54 Anglican Trust for Women and Children

Decisions:

Accept submission **37/21** and further submission **141** in support and reject further submission **54** in opposition.

Reject submissions **31/28**, **49/22** and **24/17** and further submissions **51**, **143**, **148**, **144**, **112** in support

Accept in part submissions **15/9**, **16/12** and further submissions **143**, **144** in support and reject submission **37** in opposition.

Accept submissions **53/8**, **54/8**, **55/8**, **39/4** and **38/10** and further submissions **143**, **144**, **139**, **51**, and **148** in support and reject further submissions **37** and **141** in opposition.

Accept in part submission **40/14** and further submissions **143**, **144** and **39** in support and reject further submission **37** in opposition.

Reject submissions **87/26**, **13/57**, **15/11**, **49/23** and **108/3** and further submissions **16**, **39**, **143**, **144**, **112**, **51** and **54** and accept submissions **140**, **141**, that part of **54** in opposition and **37**.

Reasons for Decisions:

The Hearings Committee notes that submissions to Policy 6.4.22.8 fall into four main groups. Submission **37/21** supports the retention of the policy and the Committee has accepted this submission and retained Policy 6.4.22.8 as Policy 6.4.22.4 with some amendments. The second group of submissions (**31/28**, **49/22** and **24/17**) seek the deletion of the whole policy, because they consider it is an irrelevant methods statement (**31/28**) or it is too prescriptive and is a defacto rule (**49/22**) or is ineffective (**24/17**). The third group of submissions relate to clause (v) and seek either its deletion in whole, or deletion of references to Highly Valued Landscapes. Other submissions (**87/26**, **13/57**, **15/11**, **49/23** and **108/3**) seek a number of different changes to Policy 6.4.22.8.

The Hearings Committee does not accept those submissions that seek the deletion of Policy 6.4.22.8. Having retained a policy on adverse cumulative effects in clause xi of Policy 6.4.22.1, it is appropriate that guidance be given on how the issue of adverse cumulative should be assessed in terms of their effects on Outstanding Natural Landscapes. The Committee acknowledges that Clause (vi) of the original policy, focusing on precedent effects is not appropriate in a policy relating to adverse cumulative effects. It has therefore been removed from new policy 6.4.22.4 and transferred as a new clause into Policy 6.4.22.1. This amendment means that reference to highly valued landscapes has been deleted (**16/12**, **53/8**, **54/8**, **55/8**, **39/4**, **38/10** and **40/14**).

Changes have been made to the beginning part of Policy 6.4.22.8 (now 6.4.22.4) in response to concerns by **49/22** and **49/23**, so that an overall judgement has to be made on the type and level of adverse cumulative effects, listed in clauses (i) to (iv). This wording is considered to be less directive than the original heading to Policy 6.4.22.8. Amendments have also been made to clause (i) of decisions Policy 6.4.22.4 to give effect to one of the concerns raised by submission **40/14**.

Other wording changes requested by **40/14**, **87/26**, **15/11** and **13/57** are not considered necessary. Reference has been included to Outstanding Natural Landscapes in the header of Policy 6.4.22.4 (decisions version), so that the changes sought by **13/57** and **15/11** are not considered necessary. Concerns raised by Watercare Services Ltd (**87/26**) are addressed through the inclusion of a new policy suite relating to regionally significant infrastructure, rather than by changes to this policy.

The Committee considers that clauses (i) to (iv) provide a stepped assessment framework for consideration of adverse cumulative effects. The wording of the clauses has been carefully chosen to provide some flexibility, and they do not limit consideration of future technology, innovation or ecological improvement as suggested by Submission 108/3. All these activities can occur within an Outstanding Natural Landscape, depending on how they deal with adverse visual and physical effects.

TOPIC 5.14 Policies 6.4.22.9, 6.4.22.10, 6.4.22.11 and 6.4.22.12

This section addresses submissions to and evidence presented on Policies 6.4.22.9- relationship with strategic objectives and policies of Chapter 2 of the RPS, 6.4.22.10 and 6.4.22.11 – landscape restoration and enhancement, including subdivision and 6.4.22.12 – Hauraki Gulf Marine Park Act.

5.14.1 Policy 6.4.22.9 - Links to RPS Chapter 2

No.	Submitter	Summary of Decision Sought	Further Submitter/s
13/58	North Shore City Council	Retain Policy 6.4.22.9.	Opposed By: 54 Anglican Trust for Women and Children
24/18	Mighty River Power Limited ("MRP")	Delete Policy 6.4.22.9 as it relates to 'Highly Valued Landscapes' and should not be included in the RPS change.	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 51 Federated Farmers of New Zealand (Inc) 143 Matariki Forests 148 Horticulture New Zealand 144 Carter Holt Harvey Limited
44/6	MLW Adams Trust	Delete 6.4.22.9 as proposed policy 9 seeks to impose a mandatory link between landscape identification issues and other RPS policies relating to Strategic Objectives and the Urban Containment and Rural Development Control, and Strategic Objectives should stand on their own merits.	
31/29	Haka International NZ Limited	Delete 6.4.22, policy 9.	Supported By: 51 Federated Farmers of New Zealand (Inc)
48/51	Auckland City Council	Amend 6.4.22.9 "to protect outstanding natural landscapes and manage the effects of subdivision, use and development in Highly Valued Landscapes, consent authorities should ensure consistency with the Strategic Objectives, and the Urban Containment and Rural Development Control Policies and Methods in Chapter 2 of this RPS."	Opposed By: 54 Anglican Trust for Women and Children
54/9	Anglican Trust for Women and Children	Amend Policy 6.4.22.9 by deleting the words 'and the management of the effects of subdivision, use and development in Highly Valued Landscapes'. (See also submission 54/21)	Supported By: 7 Genesis Power Ltd ("Genesis Energy")
53/9	Huron Holdings Limited	Amend Policy 6.4.22.9 by deleting the words 'and the management of the effects of subdivision, use and development in Highly Valued Landscapes'. (See also submission 53/21)	Supported By: 7 Genesis Power Ltd ("Genesis Energy") 143 Matariki Forests 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
55/9	Bral Holdings Limited	Amend Policy 6.4.22.9 by deleting the words 'and the management of the effects of subdivision, use and development in Highly Valued Landscapes'. (See also submission 55/21)	Supported By: 7 Genesis Power Ltd ("Genesis Energy")
37/22	Waitakere City Council	Amend chapter 6 (and chapter 2) to reflect that the Titirangi/Langholm and coastal village areas should be managed in a way that reflects their role as an integral component of the Waitakere Ranges, and the highly important landscape and	Supported By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison

	other heritage resources found there.	Group
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Decisions

Accept submissions **13/58** and reject further submission **54** in opposition.

Reject submissions **44/6**, **31/29** and **48/51** and further submissions **51** in support and accept further submission **54** in opposition.

Accept submissions **24/18**, **54/9**, **53/9**, **55/9** and further submissions **7**, **51**, **143**, **144** and **148** in support and reject further submission **37** in opposition.

Reject submission **37/22** and further submissions **140** and **141** in support.

Reasons for Decision

The Hearings Committee considered submissions in support and opposed to Policy 6.4.22.9. North Shore City Council and Auckland City Council supported the policy, although the latter requested wording changes to clarify its intent. Submissions **24/18**, **54/9**, **53/9** and **55/9** opposed the policy due to its references to Highly Valued Landscapes. Submission **44/6** opposed a mandatory link between landscape management policies and strategic urban containment and rural development policies, while submission **31/29** considers the policy to be unnecessary.

The Committee has retained the policy, with some amendments. It has now been incorporated into Policy 6.4.22.1 as clause (xiii), which now means that the link between landscape management provisions and the wider strategic objectives and policies of Chapter 2: Regional Overview and Strategic Direction only apply to Outstanding Natural Landscapes. Chapter 2 has been amended by Change 6: Giving Effect to the Regional Growth Concept and Integrating Landuse and Transport. It provides a strategic framework for the management of urban growth and subdivision, use and development in rural areas, including Outstanding Natural Landscapes. The links between the two chapters is considered both appropriate and necessary. The Committee has amended the wording of clause (xii) of Policy 6.4.22.1 to clarify its intent, although it has not used the exact words suggested by Auckland City Council. It has also updated the references to the objectives and policies as they are titled in the appeals version of Change 6.

References to Highly Valued Landscapes have been removed as requested by submissions **24/18**, **54/9**, **53/9** and **55/9**. This is consequential to the Hearings Committee's decision to delete references to Highly Valued Landscapes from the whole of Change 8.

No change has been made to clause (xiii) to give effect to the concerns raised by submission **37/22**. The Hearings Committee considers that these matters are better addressed by the submitter's appeals to Change 6, relating to the Regional Overview and Strategic Direction, rather than in amendments to the Outstanding Natural Landscapes policies.

5.14.2 Policy 6.4.22.10 - Landscape Restoration and Enhancement

No.	Submitter	Summary of Decision Sought	Further Submitter/s
37/23	Waitakere City Council	Retain 6.4.22.10	Supported By: 141 West Coast Plan Liaison Group
5/14	Papakura District Council	Retain 6.4.22 Policies 10 & 11.	
96/15	David Craig	Delete 6.4.22 policy 10 as it should acknowledge that restoration and enhancement of degraded landscapes within or in the vicinity of ONL can mitigate the effects of structures within the ONL.	Supported By: 51 Federated Farmers of New Zealand (Inc)
31/30	Haka International NZ Limited	Delete 6.4.22, policy 10.	Supported By: 51 Federated Farmers of New Zealand (Inc) 54 Anglican Trust for Women and Children
49/24	Man O'War Station Limited ("MOWS")	Amend 6.4.22.10 to provide further guidance as to what constitutes appropriate land management practices for restoration.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin
13/59	North Shore City Council	Amend Policy 6.4.22.10 to link it and the issue statement regarding enhancement.	
48/52	Auckland City Council	Amend 6.4.22.10 to reword the policy so that it only relates to Outstanding Natural Landscapes.	Supported By: 20 Ports of Auckland Limited

		While the council accepts the merits (of the values of other landscapes), to encourage council to manage all landscapes is an unrealistic task, beyond the fact that they manage all landscapes through the district plan and this policy is so broad that it can only be given effect to through general policies in the district plan.	148 Horticulture New Zealand Opposed By: 54 Anglican Trust for Women and Children
24/19	Mighty River Power Limited ("MRP")	Amend Policy 6.4.22.10 as it should include acknowledgement that restoration and enhancement of degraded landscapes in the vicinity of ONL's can mitigate the effects of structures within ONL's (refer to submission 24/12 for the submitters amended policies).	

Decisions

Accept in part submissions **37/23**, **5/14** and **24/19** and further submission **141** in support.

Accept submission **48/52** and further submissions **20** and **148** in support and reject further submission **54** in opposition.

Reject submissions **96/15**, **31/30**, **13/59** and **49/24** and further submissions **51**, **54**, **143**, **144** and **112** in support.

Reasons for Decisions

The Committee does not agree that Policy 6.4.22.10 should be deleted as requested by **96/15** and **31/30**, as the encouragement of appropriate land management practices to manage landscapes and achieve restoration and enhancement of degraded landscapes is considered appropriate. It does however accept the reasons put forward by submission **48/52** and has amended the policy to apply only to Outstanding Natural Landscapes. The decisions version of the policy is now 6.4.22.5.

The concerns raised by submission **24/19** have been recognised by the inclusion of references to landscape enhancement in Policy 6.4.22.12, which relates to regionally significant infrastructure. However the Committee considers the detail sought by submission **49/24** is better addressed in a district or regional plan, rather being listed in an RPS policy. It points out that the seventeenth paragraph of the revised Reasons section (6.4.24) identifies a number of restoration and enhancement actions. The Committee also considered the relationship between the issues statement 6.2.7.4 which it has named Landscape Management and the contents of Policies 6.4.22.10 and 6.4.22.11. As submitter **13/59** did not provide evidence on what sort of changes it felt necessary to give effect to the relief sought, the Hearings Committee remained uncertain about the submitter's concern. Accordingly no changes have been made to give effect to submission **13/59**.

5.14.3 Policy 6.4.22.11 – Subdivision incentives

No.	Submitter	Summary of Decision Sought	Further Submitter/s
37/24	Waitakere City Council	Retain 6.4.22.11	Supported By: 141 West Coast Plan Liaison Group
96/16	David Craig	Supports part of Policy 6.4.22.11 as follows: Subdivision associated with restoration and enhancement where: a) The scale and intensity of any subdivision has been demonstrated to be necessary and commensurate with achieving significant environmental benefits b) Built structures associated with such subdivisions are able to be visually accommodated without affecting the naturalness of the ONL.	Opposed By: 37 Waitakere City Council
31/31	Haka International NZ Limited	Delete 6.4.22, policy 11 as if buildings can be set in a landscape ' <i>without adversely affecting the naturalness of Outstanding Natural Landscapes</i> ' then there are no adverse effects and no justification for imposing controls.	
49/25	Man O'War	Delete 6.4.22.11 and replace with a policy which	Supported By:

	Station Limited ("MOWS")	clearly defines the circumstances in which landscape restoration and enhancement are considered to be appropriate, by reference to the features and qualities of the outstanding landscape at issue (sought to be protected from inappropriate development) and the type of measures that can be undertaken to enhance those features and qualities.	143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin Opposed By: 37 Waitakere City Council
13/60	North Shore City Council	Amend Policy 6.4.22.11 to define 'significant environmental benefits' and 'naturalness'.	
48/53	Auckland City Council	Amend 6.4.22.11 so the first line reads (underlined added): <i>"Subdivision incentives associated with restoration and enhancement initiatives may be appropriate where"</i>	
48/54	Auckland City Council	Amend 6.4.22.11 (i) by removing the word "necessary".	
21/9	Kawau Properties Limited ("Kawau Properties")	Amend 6.4.11(i) to read: <i>"(i) the scale and intensity of any subdivision has been demonstrated to be appropriate and commensurate with achieving significant environmental benefit."</i>	
108/7	John Russell and Helen Sharp	Amend Policy 6.4.22.11(ii) to read"(underlined added): <i>"... Visually accommodated without significantly affecting"</i> so that there is more scope for the local council. An ecological restoration programme may be of significant benefit but cannot proceed due to a small perceived adverse effect on the naturalness.	Supported By: 96 David Craig

Decisions

Accept submissions **37/24** and **96/16** and further submission **141** in support and reject further submission **37** in opposition.

Reject submissions **31/31** and **49/25** and further submissions **143**, **51**, **144** and **112** in support and accept further submission **37** in opposition..

Reasons for Decisions

Policy 6.4.22.11 has been retained (**37/24**), with some amendments made in response to submissions received. It is now Policy 6.4.22.6 in Appendix 1. The Hearings Committee does not accept the reasoning behind Submission **31/31**. It considers subdivision associated with restoration and enhancement initiatives to be both a critical landscape management matter in the region's Outstanding Natural Landscapes, as well as having significant implications in terms of the overall strategic direction for rural subdivision. It further considers that the imposition of controls is necessary to ensure that the environmental outcomes specified in clause (ii) are met.

There is significant variation in the characteristics of the region's Outstanding Natural Landscapes. Hence it is difficult to list in a regional level policy the features and qualities of the ONL that are to be enhanced and the type of enhancement to do this. These will vary between coastal, wetland, harbour and hill-country areas. Therefore no changes have been made to Policy 6.4.22.11 (now 6.4.22.6) to give effect to submission **49/25**.

References to Highly Valued Landscapes are deleted, so that the policy now only applies to Outstanding Natural Landscapes (**96/16**). The change sought by Submission 48/53 has been accepted and reference to "incentives" has been inserted. Reference to "necessary" has been removed in response to Submissions **48/54**, as the Committee acknowledges that the RMA refers to appropriate rather than necessary subdivision, use and development. However the Committee prefers to retain reference to appropriate in the beginning part of the policy, rather than include it in clause (i) as requested by submission **21/9** and has not amended clause (ii) to refer to significantly affecting. After considering the various wording changes requested by submitters, the Hearings Committee has included new clauses (iii) and (iv) which cross reference back to the environmental outcomes identified for the management of Outstanding Natural Landscapes in

Policy 6.4.22.1 and the strategic direction for rural subdivision, detailed in Chapter 2 of the RPS. It prefers this approach rather than adding further qualifiers to Policy 6.4.22.11 (now 6.4.22.6).

Amendments have already been made to Change 8 to give effect to similar requests from submitter **13/60** in relating to defining naturalness and no specific changes have been made to Policy 6.4.22.11 to give effect to this request. The Committee also feels that it is not necessary or appropriate to define significant environmental benefits and it is more appropriate for these to be defined at the district plan level, taking account of the particular landscape characteristics of the area.

5.14.4 Policy 6.4.22.12 – Hauraki Gulf Marine Park Act 2000

No.	Submitter	Summary of Decision Sought	Further Submitter/s
13/61	North Shore City Council	Retain Policy 6.4.22.12.	
37/25	Waitakere City Council	Retain 6.4.22.12	Supported By: 141 West Coast Plan Liaison Group
31/32	Haka International NZ Limited	Amend 6.4.22 Policy 12 to read: " <i>the identification of <u>relevant adverse effects in the context of landscape values on the islands and coastline within the Hauraki Gulf, and their implementation protection and management shall recognise and provide for the management objectives stated in section 8 of the Hauraki Gulf Marine Park Act 2000.</u></i> "	

Decisions

Accept submissions **13/61** and **37/25** and further submission **141** in support.
Reject submission **31/32**.

Reasons for Decision

Policy 6.4.22.12 relates to the landscapes of the Hauraki Gulf, both land and water and identifies the need to manage these landscapes with regard to the objectives of the Hauraki Gulf Marine Park Act 2000. The support of North Shore and Waitakere City Councils in regard to this policy is noted. The Hearings Committee does not accept that the changes proposed by Haka International NZ Ltd. They are considered unnecessary and confusing and inappropriately change the focus of the policy. Policy 6.4.22.12 remains unchanged in Appendix 1, but has been renumbered as Policy 6.4.22.7.

TOPIC 5.15 METHODS

This section addresses submissions on Section 6.4.23: Methods, relating to the landscape component of Change 8. It also includes submissions received to other methods in Chapter 6: Heritage.

5.15.1 Method 6.4.2.2 – Heritage Preservation and Protection

No.	Submitter	Summary of Decision Sought	Further Submitter/s
38/12	Winstone Aggregates	Amend 6.4.2.2 by replacing "preservation and protection" with "preservation or protection" as preservation is required by Section 6 of the RMA only in the circumstances set out in clause (a).	Supported By: 139 Holcim (New Zealand) Limited
39/7	Rodney Aggregate Supplies	Amend 6.4.2.2 by replacing "preservation and protection" with "preservation or protection" in the introductory clause as this wording is consistent with Objective 6.3.1, Policy 6.4.1.2 and Method 6.4.2.1.	
84/9	Waiuku Windfarm Information Group	Amend Method 6.4.2.2 to include 'monitoring of erosion and sandblows on Awhitu West Coast cliff tops.	Supported By: 96 David Craig

Decisions

Reject submissions **38/12**, **39/7** and **84/9** and further submissions **139** and **96** in support

Reasons for Decisions

Method 6.4.2.2 relates to Policies 6.4.1: Heritage Preservation and Protection, which set out the broad management framework for a range of natural and physical heritage addressed in Chapter 6 of the RPS. These policies did not form part of Change 8. Method 6.4.2.2 uses wording consistent with Policies 6.4.1, which refer to preservation and protection. The Hearings Committee does not support changing the wording of the methods, separate from the relevant policies. It notes that the future wording of Policy 6.4.1 and Method 6.4.2.2 is a matter that should be considered as part of the full review of the ARPS.

It also considers that the new method sought by submission **84/9** represents a level of prescription that is not considered appropriate within the RPS. The monitoring sought by this submission is provided for by the general provision at Section 6.6(vii) of this chapter. Chapter 11 of the RPS deals with natural hazards and the identification and assessment of coastal hazards. This includes the Awhitu Peninsula situation.

5.15.2 Methods 6.4.2, 6.4.20, 6.4.23 More Flexibility for Local Authorities

No.	Submitter	Summary of Decision Sought	Further Submitter/s
14/2	Massey University	Amend Methods 6.4.2, 6.4.20 and 6.4.23 to provide more flexibility for local authorities to identify relevant controls that are appropriate within their local areas.	Supported By: 54 Anglican Trust for Women and Children Support and Opposed By: 37 Waitakere City Council

Decisions

Submission **14/2** and further submissions **54** and **37** in support are rejected.
Further submission **37** in opposition is accepted.

Reasons for Decision

The submission from Massey University and the evidence presented to the Hearings Committee in support of it, relates to three groups of methods in Chapter 6: Heritage. Methods 6.4.2 relate to the general policies on Heritage Preservation and Protection, Section 6.4.20 relate to Volcanic Features and Section 6.4.23 relate to Landscape.

In his evidence Mr Bryce Powell of Opus International Ltd outlined his support for “a combination of advocacy, liaison, education and information provision (which) can be as effective as regulatory mechanisms to deliver sound resource management policy”. He made further reference to non regulatory means such as codes of practice, advocacy and liaison and economic instruments and incentives, but made no suggestions as to any particular wording, or and how and where he considered these references should be included in the landscape methods section 6.4.23.

The Hearings Committee is aware of these other non-regulatory methods. It points out that they are already discussed in a general way in Methods 6.4.2 which relates to all types of heritage, including landscape. Policy 6.4.23.3 (vii) already makes a cross reference to these methods. Without further detail on additional non-regulatory methods that specifically relate to Outstanding Natural Landscapes beyond those already contained in Method 6.4.2, the Committee was unwilling to accept the submission by Massey University.

5.15.3 Methods 6.4.23 – General Submissions All Methods

No.	Submitter	Summary of Decision Sought	Further Submitter/s
84/11	Waiuku Windfarm Information Group	Retain Methods-Landscape 6.4.23, submitters strongly support this section.	Opposed By: 96 David Craig
91/6	The Guardians of the Kaipara Inc Society - Nga Kaitiaki o Kaipara	Amend 6.4.23 to state that TAs shall implement stringent controls in ONL Map 3a and correspondingly implement stringent controls in Highly Valued Landscapes. It is not acceptable for TAs to choose, if they wish, to adhere to stringent	Opposed By: 148 Horticulture New Zealand 54 Anglican Trust for Women and Children

		development controls in ONLs.	
64/4	Agape High-Q Holistic Horsemanship Ltd	Concerned that the methods proposed in Section 6.4.23 appear to be stronger/more restrictive than the Objectives and Policies.	
119/5	Frith Farms (2003) Ltd & Hoteo Trust	Amend 6.4.23 by rewriting to ensure that individual property rights are protected, and the interests of the wider community are balanced against the need for people to provide for their economic welfare.	Supported By: 51 Federated Farmers of New Zealand (Inc)
119/4	Frith Farms (2003) Ltd & Hoteo Trust	Amend 6.4.23 to enable people, in this case the landowners/farmers, to provide for their economic welfare, while attaining the goal of sustainable management and not be beholden to the preferences of local authorities.	Supported By: 51 Federated Farmers of New Zealand (Inc)

Decisions

Accept submission **84/11** and reject further submission **96** in opposition.

Reject submissions **91/6** and accept further submissions **54** and **148** in opposition.

Reject submissions **64/4**, **119/5** and **119/4** and further submission **51** in support.

Reasons for Decisions

These submissions raised a number of concerns relating to Methods 6.4.23 as a whole. The Hearings Committee notes the support of submission **84/11**. It also notes the request by Submission **91/6** to have stringent development controls at the district plan level in both ONLs and Highly Valued Landscapes. Although the Hearings Committee has made some changes to Methods 6.4.23, it has retained a more stringent requirement for the management of Outstanding Natural Landscapes, than for Highly Valued Landscapes. The latter have been amended to be Amenity Landscapes. (Further discussion on why Highly Valued Landscapes have been changed is contained in Topic 5 of this report.) The methods use the word “shall” rather than “may” to indicate that it is a matter that district plans must give effect to. However further prescription on what technique is appropriate in individual ONLs is left to the district plans to determine. This level of detail is neither appropriate nor achievable in a regional policy statement.

In response to the concerns raised by submission **64/4**, the Hearings Committee points out method statements are normally more specifically worded than policies, because they identify particular techniques that are used to implement the policy. The methods in section 6.4.23 identify a range of different techniques and distinguish between those that are mandatory and those that are optional. The Committee does not consider general changes need to be made to the methods in response to submission **64/4**.

Changes have been made to the introductory statements (section 6.1), Issue 6.2.7.1 and to Policy 6.4.22.1 to give recognition to normal rural activities in Outstanding Natural Landscapes. (See Topics 4 and 9 of this report). It is the Hearings Committee’s view that changes to the policies are more useful than changes to the methods, as requested by submissions **119/4** and **119/5**. It also considers that the methods do not unnecessarily restrict private property rights as contended by Frith Farms (2003) Ltd & Hoteo Trust. Most of the techniques identified in the methods are already used in district plans.

5.15.4 Methods 6.4.23 – Additional Method, Protection of Region's Streams

No.	Submitter	Summary of Decision Sought	Further Submitter/s
48/64	Auckland City Council	Amend 6.4.23 to include an additional method to ensure protection of the city's streams, particularly those on the gulf islands.	Opposed By: 54 Anglican Trust for Women and Children

Decision

Accept in part submission **48/64** and reject in part submission **54** in opposition.

Reasons for Decision:

The Hearings Committee agrees that a new method that recognises the region’s, as opposed to just Auckland City’s streams is useful. However it does not support the particular words requested by submission **48/64** as it considers they are too general. It has included a new clause (iv) in Method 6.4.23.3, as follows: *Controls to maintain and enhance rivers and streams and their*

riparian margins for their contribution to landscape quality. This new clause focuses on the landscape qualities associated with the management of riparian margins and rivers and streams, rather than dealing with wider ecological or water quality matters, as these issues are addressed in other RPS policies. No particular area has been singled out for identification, as the Hearings Committee is aware that the methods apply to landscapes across the region.

5.15.5 Methods 6.4.23 - Replace Methods

No.	Submitter	Summary of Decision Sought	Further Submitter/s
31/33	Haka International NZ Limited	Delete 6.4.23 and replace with: <ol style="list-style-type: none"> 1. <u>District and relevant regional plans are to identify the areas detailed in Map Series 3a and the adverse effects relevant to the control of use and development of resources within the areas to provide certainty as to the environmental results expected.</u> 2. <u>Detail acceptable mitigation requirements (environmental offset or financial contributions) for proposals for use/development that will result in adverse effects.</u> 3. <u>Ensure plan provisions prevent the establishment of uses/developments that will generate adverse effect for which adequate mitigation is not provided.</u> 	

Decision

Reject submission **31/33**.

Reasons for Decisions

The Hearings Committee does not agree with the wording proposed by submission **31/33** to replace the notified version of Methods 6.4.23. The methods included in the regional policy statement are framed in terms of regulatory and non-regulatory approaches, with specific types of actions required by specified parties. This is the approach understood and used in the RMA policy and plan development process. The wording proposed by submission **31/33** does not assist in providing clarity or certainty to users of the RPS. It would require district and regional plans to specify all relevant adverse effects for land use and development and their level of acceptability. This amount of detailed prescription is not considered workable or indeed necessary for district and regional plans. The proposed new wording is also based on the submitter's own view of what constitutes adverse effects and the relationship between adverse effects and mitigation requirements, which is not consistent with established practice.

5.15.6 Methods 6.4.23.1

No.	Submitter	Summary of Decision Sought	Further Submitter/s
37/26	Waitakere City Council	Seeks clarification of how 6.4.23.1 Methods will work in a regional and local context.	Supported By: 141 West Coast Plan Liaison Group 150 Counties Power Ltd
37/27	Waitakere City Council	Amend 6.4.23.1 as follows: "... important in their district, or <u>and</u> those areas that are visually or physically related..."	Supported By: 141 West Coast Plan Liaison Group
13/62	North Shore City Council	Amend Method 6.4.23.1 to clarify: <ul style="list-style-type: none"> • The level of protection is proposed for the "Other and Natural Landscapes" and whether this is to be left to the TAs. • In terms of the ONF and ONL should the methods not seek to prevent subdivision and land use activities within these areas in accordance with the issue statement. 	
11/19	Manukau City Council	Delete 6.4.2(1) as consider it is the role of the Local Authority to identify Outstanding Natural Landscapes and initiate a plan change rather than	Supported By: 143 Matariki Forests 144 Carter Holt Harvey

		the Regional Council identifying them and requiring a District Plan change to achieve consistency with the RPS.	Limited 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
40/17	Stevenson Resources Limited	Amend 6.4.23.1 to read (underlined text added, strikethrough deleted): <i>Local Authorities shall identify in their district and regional plans Outstanding Natural Landscapes and Highly Valued Landscapes that are important in their district, or those areas that are visually or physically related to Outstanding Natural Landscapes and should include provisions, including a description of the process against <u>which such areas have been assessed and identified, the mapping of such areas at an appropriate scale and details of the particular management approach to apply to such areas including, where necessary, rules, that recognise existing and anticipated built elements and the presence of other natural and physical resources, including minerals, which will influence land development and management while that seeking to afford an appropriate degree of protection to the values of these landscape areas.</u></i>	Opposed By: 37 Waitakere City Council 54 Anglican Trust for Women and Children Support and Opposed By: 39 Rodney Aggregate Supplies 38 Winstone Aggregates
15/12	JR Courtenay Family Trust	Amend Method 6.4.23.1 to read (underlined text added); <i>Local Authorities shall identify in their district and regional plans Outstanding Natural Landscapes and Highly Valued Landscapes that are important in their district or those areas that are visually of physically related to Outstanding Natural Landscapes and should include provisions including a description of the process against <u>which such areas have been assessed and identified, the mapping of such areas at an appropriate scale and details of the particular management approach to apply to such areas including where necessary rules, that recognise existing built elements while that protecting the values of these landscape areas.</u></i>	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited Opposed By: 54 Anglican Trust for Women and Children
16/13	Transpower New Zealand Ltd (Transpower)	Amend 6.4.23.1 to read (underlined text added, strikethrough deleted): <i>Local Authorities shall identify in their district and regional plans Outstanding Natural Landscapes and Highly Valued Landscapes that are important in their districts, or those areas that are visually or physically related to Outstanding Natural Landscapes and should include provisions, including a description of the process against <u>which such areas have been assessed and identified, the mapping of such areas at an appropriate scale and details of the particular management approach to apply to such areas including, where necessary, rules that recognise existing built elements while that protecting the values of these landscape areas.</u></i>	Opposed By: 54 Anglican Trust for Women and Children
44/7	MLW Adams Trust	Amend 6.4.23.1 to read (underlined text added, strikethrough deleted): <i>Local authorities shall identify in their district and regional plans Outstanding Natural Landscapes and Highly Valued Landscapes ... and should include provisions, including rules that protect and <u>where appropriate, enhance the values and appreciation of these landscape areas through appropriate use, development and environmental provisions.</u></i>	Opposed By: 37 Waitakere City Council 54 Anglican Trust for Women and Children

		As presently worded, the proposed method fails to balance other aspects of sustainable development, notably use and development, with the protection mandate.	
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Decisions

Accept in part submission **37/26** and further submissions **141** and **150** in support.

Reject submission **37/27** and further submission **141** in support

Accept in part submission **13/62**.

Reject submission **11/19** and further submissions **143**, **144** and **54** in support and accept further submission **37** in opposition.

Reject submissions **40/17**, **15/12** and **16/13** and those parts of further submissions **39**, **38**, **143**, **144** in support and accept further submissions **37** and **54** in opposition.

Reject submissions **44/7** and accept further submissions **37** and **54** in opposition.

Reasons for Decisions

The Hearings Committee considered submission **11/19** as a statement opposing Method 6.4.23.1, which is the principle method linking the RPS policies to their implementation through district and regional plans. It did not accept the contention put forward by Manukau City Council (**11/19**) that it only territorial authorities should identify Outstanding Natural Landscapes and determine how and when this identification should be done. The Committee points out that section 6 (b) is a matter of national importance, to which every person exercising authority under the RMA, must recognise and provide for. This requires that the ARPS considers the matter. However it does not mean that district plans cannot identify outstanding natural landscapes that are important at the district level, if they so choose. The Committee also points out that Method 6.4.23.1 (as amended in Appendix 1 of this report) is deliberately worded in general terms to provide flexibility as to how district plans identify Outstanding Natural Landscapes and give effect to the policies in 6.4.22.

The Committee felt this more general reference was preferable to the wording proposed by submissions **40/17**, **15/12**, **16/13** and **44/7**. In the case of the first three submissions, their proposed wording was considered to be too detailed for inclusion in this method. However reference to these matters has been included in revised Method 6.4.23.3. In the case of submission **44/7** the Committee has chosen to make a more general reference to giving effect to Policies 6.4.22.1 to 6.4.22.12. These policies address the matters such as appropriate use, development and environmental provisions, which were matters identified by submission **44/7**.

The Committee also considered the submission by Stevenson Resources Ltd and considered that recognition of mineral resources and mineral extraction was better addressed in a policy, rather than being detailed in a method. It therefore included a new clause (x) in revised Policy 6.4.22.1 to provide for existing mineral operations.

Submissions from Waitakere City Council (**37/26** and **37/27**) sought clarification of how Method 6.4.23.1 would work in a regional and district context. The Committee understands, although it was not clear from the evidence presented by the City Council that its main concern related to the implications arising from the provisions relating to areas associated with ONLs. Waitakere City's second submission sought a wording change from "or" to "and". The Hearings Committee has made significant changes to the policies relating to Highly Valued Landscapes and areas associated with Outstanding Natural Landscapes (See Topics 5.5 and 5.6). The changes sought by submissions **37/26** and **37/27** are therefore no longer necessary.

The Committee considers that its redraft of Method 6.4.23.1 responds to the concerns of North Shore City Council (**13/62**). The issue of subdivision control in Outstanding Natural Landscapes is addressed in Method 6.4.23.2 and in Chapter 2: Regional Overview and Strategic Direction.

5.15.7 Method 6.4.23.2

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
37/28	Waitakere City Council	Retain Method 6.4.23.2 as it is strongly supported.	Supported By: 141 West Coast Plan Liaison Group Opposed By:

			54 Anglican Trust for Women and Children
26/8	Environmental Defence Society	Supports requiring territorial authorities to prohibit further subdivision in ONLs beyond that provided for in district plans.	Supported By: 141 West Coast Plan Liaison Group Opposed By: 42 Mike Murphy
49/26	Man O'War Station Limited ("MOWS")	Delete 6.4.20.2 (assume submitter means 6.4.23.2) for reasons including that it is in the nature of a rule, and is outside the scope of the extent to which methods in a Regional Policy Statement can be rules by directing local authorities control subdivision in outstanding natural landscapes by prohibiting further subdivision beyond that provided for in District Plans, and it is ambiguous in specifying that subdivision be prohibited beyond that "provided for" in the District Plan.	Supported By: 51 Federated Farmers of New Zealand (Inc) 148 Horticulture New Zealand 112 Ponui Farms Limited and J Chamberlin, M Chamberlin
64/5	Agape High-Q Holistic Horsemanship Ltd	Opposes the use of the prohibited activity status in Method 6.4.23.2	Supported By: 51 Federated Farmers of New Zealand (Inc) 54 Anglican Trust for Women and Children
48/58	Auckland City Council	Amend 6.4.23.2 by deleting the requirement for territorial authorities to control subdivision in Outstanding Natural Landscapes through the use of prohibited activities.	Supported By: 42 Mike Murphy 69 Mile Purchase
48/57	Auckland City Council	Amend 6.4.23.2 by replacing the word "shall" with the word "may", and adding the words "by using options including" before (i).	
44/8	MLW Adams Trust	Amend 6.4.23.2 (i) to read as follows: <i>Affording discretionary activity status to further subdivision beyond that provided for in district plans as at (the date that Plan Change 8 becomes operative).</i> As proposed method 2 is overly prescriptive in directing territorial authorities to prohibit further subdivisions beyond that provided for in district plans and as presently worded, the method contradicts 2.4.24, paragraph 10 reasons, which states "this ARPS does not prescribe particular techniques for particular landscape areas as this level of detail is more appropriately contained in district plans....."	Opposed By: 37 Waitakere City Council
44/9	MLW Adams Trust	Delete 6.4.23.2 (ii), because this clause encourages a locking in of the current pattern of rural and coastal subdivision. In doing so the method prejudices that further subdivision will inherently result in adverse effects on ONLs and HVLs. The inclusion of such a policy in district plans would limit the territorial authorities ability to impartially consider future applications for subdivision consents.	Opposed By: 37 Waitakere City Council
69/5	Mile Purchase	Delete Method 6.4.2.2 (assume submitter means 6.4.23.2) unless the section can be reworded to take account of the submission including that it fails to take areas of sustainable management as it seeks to place a moratorium on further subdivision, use and development.	
108/4	John Russell and Helen Sharp	Delete Policy 6.4.23.2(i) as it is too prescriptive on local councils.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
108/5	John Russell and Helen Sharp	Delete Policy 6.4.23.2(ii) as it is too prescriptive on local councils.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
63/7	Wairoa River Canal Partnership	Delete 6.4.23 as it is inappropriate and unnecessary in the "landscape" policies and methods to provide for and required prohibited	Supported By: 54 Anglican Trust for Women and Children

		activity status in respect of "further subdivision beyond that provided for in district plans" (proposed method 6.4.23)	41 Landco Limited
81/7	Britta Hietz	Amend 6.4.23.2 to read (additional underlined and strike through deleted): <i>Territorial Authorities shall control the subdivision of land implement stringent controls in Outstanding Natural Landscapes identified in Map Series 3a and may chose to control subdivision correspondingly stringent controls in Highly Valued Landscapes:</i>	Opposed By: 48 Auckland City Council 7 Genesis Power Ltd ("Genesis Energy") 16 Transpower New Zealand Ltd (Transpower) 20 Ports of Auckland Limited 148 Horticulture New Zealand 54 Anglican Trust for Women and Children
48/56	Auckland City Council	Amend 6.4.23.2 to correct the typographical error with the word "chose", which should be "choose".	
48/59	Auckland City Council	Seeks reconsideration of the relationship between Chapters 6 and 7 of the RPS, so that any reference to the Coastal Environment in Chapter 6 is unequivocally supported by robust objectives.	
48/60	Auckland City Council	Amend 6.4.23.2 by relocating it to 6.4.23.3.	
36/2	Friends of Lucas Creek Society Inc	Retain 6.4.23.2 (i) to ensure Territorial Authorities control the subdivision of land in Outstanding Natural Landscapes. Highly Valued Landscapes	Opposed By: 54 Anglican Trust for Women and Children
112/10	Ponui Farms Limited and J Chamberlin, M Chamberlin	Delete 6.4.20.2 Methods - Landscape, namely "Territorial authorities shall control the subdivision of land in Outstanding Natural Landscapes identified in Map series 3a" as it is in the nature of a rule.	Supported By: 51 Federated Farmers of New Zealand (Inc)
11/20	Manukau City Council	Delete policy 6.4.2(2) as consider it is the role of the Local Authority to set policies and rules regarding subdivision rather than policies specified by the Regional Council.	Supported By: 54 Anglican Trust for Women and Children
5/16	Papakura District Council	Amend 6.4.23 Method 2 to identify subdivision methods that promote the restoration and enhancement of degraded landscapes, i.e. Environmental Lots, Farm Parks.	
5/17	Papakura District Council	Amend 6.4.23 Method 2 to identify that Transferable Development Right options can be used to address latent potential or capacity issues.	

Decisions

Accept in part submission **37/28** and further submission **141** in support and reject further submission **54** in opposition.

Reject submissions **26/8**, **49/26**, **44/8**, **44/9**, **69/5**, **108/5**, **63/7**, **81/7**, **48/59**, **48/60**, **36/2**, **112/10**, **11/20** **5/16** and **5/17** and further submissions **141**, **51**, **148**, **112**, **96**, **54**, **41** in support and accept further submissions **42**, **37**, **48**, **7**, **16**, **20**, **148**, **54** in opposition.

Accept submissions **64/5**, **48/58**, **48/57**, **64/5**, **108/4** and **48/56** and further submissions **51**, **54** **42** and **69** in support.

Reasons for Decisions

Method 6.4.23.2 currently states that TAs shall control subdivision in ONLs by using prohibited activity status for subdivision beyond that provided for in district plans and may choose to apply the same technique in relation to HVLs. It also encourages the use of existing titles over the creation of new titles.

This method is a principal means by which inappropriate subdivision, use and development in Outstanding Natural Landscapes is managed. The Hearings Committee wishes to retain a method for this purpose, and rejects the requests by submitters for its deletion (**49/26**, **69/5**, **63/7**, **112/10** and **11/20**). However it acknowledges submitter concerns and has made a number of

changes to Method 6.4.23.2 to address some of the concerns raised by submissions and discussed in the evidence presented to it.

The first change is to remove reference to Highly Valued Landscapes from Method 6.4.23.2 and to focus it solely on Outstanding Natural Landscapes. The method still requires that the Auckland Council through its district plan functions control subdivision in Outstanding Natural Landscapes, but the reference to use of the prohibited activity status has been removed. Clauses (i) and (ii) of Method 6.4.23.2 have been made flexible by the use of the word “may”, rather than being mandatory. This has been done by including the following reference in the header (chapeau) to the method - using a range of appropriate techniques that may include. (96/18, 48/58, 48/57, 49/26, 64/5, 108/4, 81/7).

The Hearings Committee is aware that the provisions relating to rural subdivision in Chapter 2: Regional Overview and Strategic Direction set the overall regional position in relation to this matter. This is acknowledged by the inclusion of a cross reference at the end of Method 6.4.23.2 to the relevant provisions in Chapter 2. It is more appropriate that Chapter 2 address the subdivision issue at the regional level, rather than these being addressed in Chapter 6. Hence various changes sought by submitters have been considered with this inter-chapter relationship in mind.

Chapter 2 of the RPS identifies Outstanding Natural Landscapes, as well as other areas with important natural values, as areas warranting specific management. The Hearings Committee has identified particular areas of these Outstanding Natural Landscapes for a higher level of protection. It considers that further subdivision should be avoided in areas where Outstanding Natural Landscape, High Natural Character and Significant Vegetation and Habitat values overlap. These areas are less extensive than the Outstanding Natural Landscape areas identified in Map Series 3a. Their protection from the adverse effects that arise from use and development following land subdivision is consistent with Part II of the RMA and the directions of the New Zealand Coastal Policy Statement.

The Committee continues to encourage the use of existing titles, over the creation of new titles and has retained this provision as it considers it consistent with the direction in Chapter 2. It does not accept the need to include some of the matters requested by submission 5/16 and 5/17 as these are addressed in Chapter 2.

The Committee also prefers to retain a separate method relating to subdivision, apart from Method 6.4.23.3, which deals with appropriate methods to use for landscape management. It therefore has reject the suggestion to amalgamate the two methods together (48/60). No particular changes have been made to the methods section in response to submission 48/59, as the Committee considers this is a matter for the RPS review.

5.15.8 Method 6.4.23.3 General

No.	Submitter	Summary of Decision Sought	Further Submitter/s
96/18	David Craig	Amend Method 6.4.23.3 as concerned that methods are mandatory due to use of the words “shall use”	
11/21	Manukau City Council	Delete policy 6.4.2(3) in its entirety. Consider it is the role of the Local Authority to set policies and rules regarding subdivision rather than policies specified by the Regional Council.	Supported By: 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council
13/64	North Shore City Council	Amend Method 6.4.23.3 to clarify whether it is seeking the same level of protection for Outstanding Natural Landscapes and Highly Valued Landscapes in accordance with the issue statement.	Support and Opposed By: 54 Anglican Trust for Women and Children
40/18	Stevenson Resources Limited	Amend 6.4.23.3 (i) to read as follows (underlined text added, strikethrough deleted): <i>Local Authorities shall use the following techniques (as relevant to their functions under the RMA) to maintain <u>the landscape quality and diversity of Outstanding Natural Landscape Areas;</u></i> (i) ...	Supported By: 54 Anglican Trust for Women and Children Opposed By: 37 Waitakere City Council

		<p>(ii) Controls on the <u>nature and scale of earthworks and other land disturbing activities that adversely affect important landforms and landscape values and on mineral extraction activities of regional significance where these are proposed within Outstanding Natural Landscape Areas:</u></p> <p>(iii) Controls on the clearance of significant indigenous vegetation;</p> <p>(iv) ...</p> <p>(v) Provisions including rules to address the visual effects of significant land use changes, where such changes have the potential to <u>significantly adversely affect the naturalness of Outstanding Natural Landscapes or the key elements, features and patterns of Highly Valued Landscapes and where there is no consequential benefit to the Region from the activity;</u></p> <p>(vi) ...</p>	
69/6	Mile Purchase	Amend 6.4.2.3 (assume submitter means 6.4.23.3) to remove reference to techniques to “maintain” the landscape quality and diversity of an area.	

Decisions

Accept submission **96/18**.

Reject submission **11/21** and further submission **54** in support and accept further submission **37** in opposition.

Accept submission **13/64** and accept that part of submission **54** in support.

Accept in part submission **40/18** and further submission **54** in support and reject further submission **37** in opposition.

Reject submission **69/6**

Reasons for Decisions

The Committee has amended Method 6.4.23.3 so that the controls listed in the clauses are suggestions, rather than mandatory. This has been done by including reference to *and these methods may include:* at the end of the header part of the method (**96/18**).

The Committee does not accept submission **11/21** for the same reasons as it has rejected similar submissions from Manukau City Council requesting that various methods be deleted. It reiterates that it is within the scope of a regional policy statement to identify methods by which the policies should be implemented. Submitter **13/64** is advised that the scope of Method 6.4.23.3 has been clarified so that it now only applies to Outstanding Natural Landscapes. This is consistent with the decisions of the Hearings Committee on Change 8 as a whole.

Submission **40/18** put forward a number of suggested wording changes to this method. The Committee has adopted the change to the chapeau (header) part of the policy, preferring this to the approach requested by submission **69/6**. It means that the maintenance of landscape quality and diversity is clearly directed to Outstanding Natural Landscapes, rather than unspecified areas, as was the case in the notified version of the method. Changes have been made to clause (ii) to refer to nature and scale of earthworks (see Topic 5.15.10) and to mineral extraction activities in general in ONLs (40/18). The Committee considers that this wording provides sufficient flexibility for controls to be appropriately targeted to the relevant scale of mineral extraction, be it of local or regional significance.,

5.15.9 Method 6.4.23.3(i) – Limit Controls to “New” Structures

No.	Submitter	Summary of Decision Sought	Further Submitter/s
16/14	Transpower New Zealand Ltd (Transpower)	Amend 6.4.23.3(i) to read (underlined text added, strikethrough text deleted): <i>Controls on the establishment and location of <u>new buildings and other structures including controls on and their scale and design (including colours and</u></i>	Opposed By: 54 Anglican Trust for Women and Children

		<i>materials) in Outstanding Natural Landscaped and Highly Valued Landscapes.</i>	
15/13	JR Courtenay Family Trust	Amend Method 6.4.23.3(i) to read (underlined text added): <i>Controls on the establishment and location of <u>new</u> buildings and other structures including <u>controls on</u> and their scale and design (including colours and materials) in Outstanding Natural Landscapes and Highly Valued Landscapes.</i>	Opposed By: 54 Anglican Trust for Women and Children

Decisions:

Accept submissions **15/13** and **16/14** and reject further submissions 54 in opposition.

Reasons for Decisions:

The amended text sought by the submitters has been accepted by the Committee, with the additional reference made to infrastructure to give effect to its decisions on other submissions from infrastructure providers. The Committee considers the amendments improve the understanding of clause (i) .

5.15.10 Method 6.4.23.3(ii) – Earthworks

No.	Submitter	Summary of Decision Sought	Further Submitter/s
51/13	Federated Farmers of New Zealand (Inc)	Amend 6.4.23 method 3 (ii) to include the underlined words “...earthworks and other types of significant land disturbance (<u>not including cultivation</u>)” as FFNZ is concerned to see that normal farming and horticultural activities such as cultivation are not encompassed by the phrase “earthworks and other types of significant land disturbance”.	Supported By: 151 Evan Forbes McGregor 133 Anthony Stekelenburg 134 Falco Visser 135 Cheryle Gail 136 Ian Stuart McNaughton 153 Hilary Claire Atchinson 154 Norm Clark 155 Meikle Brian Thomas 156 DL & FR Jamison 157 Martin Frank Bucksey 158 Dacey Balle 159 Brendan Rory Gerrard Balle 137 Anna Elisabeth McNaughton 160 Chris Balle 161 Balle Bros Holdings Ltd 138 Peter R Fraser 162 Shane Balle 163 Maurice Balle 164 Jim Balle 165 John McDonald 166 Donna Goettler 167 Shirley Carter 168 Anthony Stekelenburg (2) 142 Wendy June Clark 169 Peter R Fraser (2) 170 Glenice Aro 171 George McGregor 172 Ian Joseph Chitty 173 Susan Mary Chitty 123 Tripp Andrews & Partners Ltd 121 Olsen Farms Ltd 124 AQ Farms Partnership 151 Evan Forbes McGregor 152 Ron Hogan 174 MJ & JM Patterson 175 John Rutherford 176 Jennifer Mary Morley 177 Edwin Raymond Morley 178 Aspin Farms Limited 179 Carol Howard Hamilton 180 Andrew Charles

			<p>Hamilton 181 BR & RD Teague 182 Barry N Cochrane 183 Vivian Marshall Rutherford 184 Michael M Harper 185 Daniel J Verryt 186 Terence John Atchinson 187 PL & B Sergeant 188 Margaret Jean Hamilton 189 Clyde Harris Hamilton 190 Brian Blake 191 Kevin John Dodd 192 Maureen Mary Dodd 193 Christopher John Chitty 143 Matariki Forests 194 Karyn Jayne Chitty 195 Alex Fraser Chitty 196 Kaiaua Citizens & Ratepayers Association 197 Duncan Crawford Munro 148 Horticulture New Zealand 72 Concerned Awhitu Landowners (1) 90 Roger Malcolm Jones 96 David Craig 110 Kerry O. and W.G.M. Ruiterman 112 Ponui Farms Limited and J Chamberlin, M Chamberlin 113 Pollok Ratepayers Association 118 Rodney Irwin Atchinson 119 Frith Farms (2003) Ltd & Hoteo Trust 41 Landco Limited Opposed By: 37 Waitakere City Council 141 West Coast Plan Liaison Group</p>
16/16	Transpower New Zealand Ltd (Transpower)	Amend 6.4.23.3(ii) to read (underlined text added): <i>Control on the <u>scale and nature of earthworks and/or other land disturbing activities that may adversely affect important landforms and landscape values.</u></i>	Opposed By: 37 Waitakere City Council

Decisions

Accept submission **16/6** and reject submission **37** in opposition.

Reject submission **51/13** and further submissions **151, 133, 134, 135, 136, 153, 154, 155, 156, 157, 158, 159, 137, 160, 161, 138, 162, 163, 164, 165, 166, 167, 168, 142, 169, 170, 171, 172, 173, 123, 121, 124, 151, 152, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 143, 194, 195, 196, 197, 148, 72, 90, 96, 110, 112, 113, 118, 119** and **41** and accept further submissions **37** and **141** in support.

Reasons for Decisions

The wording suggested by submission 16/16 provides additional clarity and has been accepted by the Committee. However it does not consider it appropriate to exclude cultivation from the land disturbing activities referred to in the method as sought by submission **51/13**. This decision is more appropriately addressed at the district or regional plan level where decisions can be made on the type and scale of all land disturbing activities.

5.15.11 Method 6.4.23.3(iii) – Clearance of Significant Indigenous Vegetation

No.	Submitter	Summary of Decision Sought	Further Submitter/s
51/14	Federated Farmers of New Zealand (Inc)	Delete 6.4.23 Method 3 (iii) as FFNZ considers that controls on the clearance of vegetation are inappropriate in the Auckland Region. At least one territorial local authority in the Region does not have any vegetation clearance controls in place. Other mechanisms to encourage the retention of areas of significant indigenous vegetation are available (such as transferable rights).	<p>Supported By:</p> <p>151 Evan Forbes McGregor 132 Geoff Chitty 133 Anthony Stekelenburg 134 Falco Visser 135 Cheryle Gail 136 Ian Stuart McNaughton 153 Hilary Claire Atchinson 154 Norm Clark 155 Meikle Brian Thomas 156 DL & FR Jamison 157 Martin Frank Bucksey 158 Dacey Balle 159 Brendan Rory Gerrard Balle 137 Anna Elisabeth McNaughton 160 Chris Balle 161 Balle Bros Holdings Ltd 138 Peter R Fraser 162 Shane Balle 163 Maurice Balle 164 Jim Balle 165 John McDonald 166 Donna Goettler 167 Shirley Carter 142 Wendy June Clark 168 Anthony Stekelenburg (2) 169 Peter R Fraser (2) 170 Glenice Aro 171 George McGregor 172 Ian Joseph Chitty 173 Susan Mary Chitty 123 Tripp Andrews & Partners Ltd 121 Olsen Farms Ltd 124 AQ Farms Partnership 151 Evan Forbes McGregor 152 Ron Hogan 174 MJ & JM Patterson 175 John Rutherford 176 Jennifer Mary Morley 177 Edwin Raymond Morley 178 Aspin Farms Limited 179 Carol Howard Hamilton 180 Andrew Charles Hamilton 181 BR & RD Teague 182 Barry N Cochrane 183 Vivian Marshall Rutherford 184 Michael M Harper 185 Daniel J Verryt 186 Terence John Atchinson 187 PL & B Sergeant 188 Margaret Jean Hamilton 189 Clyde Harris Hamilton 190 Brian Blake 191 Kevin John Dodd 192 Maureen Mary Dodd 193 Christopher John Chitty 194 Karyn Jayne Chitty 195 Alex Fraser Chitty 196 Kaiaua Citizens & Ratepayers Association 197 Duncan Crawford Munro 144 Carter Holt Harvey</p>

			Limited 148 Horticulture New Zealand 72 Concerned Awhitu Landowners (1) 90 Roger Malcolm Jones 96 David Craig 110 Kerry O. and W.G.M. Ruiterman 112 Ponui Farms Limited and J Chamberlin, M Chamberlin 113 Pollok Ratepayers Association 118 Rodney Irwin Atchinson 119 Frith Farms (2003) Ltd & Hoteo Trust 41 Landco Limited Opposed By: 37 Waitakere City Council 141 West Coast Plan Liaison Group
13/65	North Shore City Council	Amend Method 6.4.23.3(iii) to define the term "clearance of significant indigenous" and align this term within the objectives and policies.	

Decisions

Reject submissions **13/65** and **51/14** and further submissions **151, 132, 133, 134, 135, 136, 153, 154, 155, 156, 157, 158, 159, 137, 160, 161, 138, 162, 163, 164, 165, 166, 167, 142, 168, 169, 170, 171, 172, 173, 123, 121, 124, 151, 152, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 144, 148, 72, 90, 110, 112, 113, 118, 119** and **41** and accept further submissions **37** and **141** in opposition.

Reasons for Decisions

The deletion of the method as sought by submission **51/14** is not accepted. The Committee considers the protection of areas of significant indigenous vegetation to be a key component in the management of Outstanding Natural Landscapes. The retention of clause (iii) is also consistent with the nationally accepted landscape assessment criteria (WESI), as well as giving effect to section 6(c) of the RMA. The Committee points out that Method 6.3.22.3 now makes the matters identified in the clauses optional, rather than mandatory.

It is not considered necessary to define the term "clearance of significant indigenous vegetation", as sought by submission **13/65**, as it has common meaning and what constitutes significant vegetation will need to be determined at the district level. The method is directly aligned to the policies which seek the protection of naturalness in ONLs.

5.15.12 Method 6.4.23.3 (iv)

No.	Submitter	Summary of Decision Sought	Further Submitter/s
96/19	David Craig	Delete method 6.4.23.3(iv) as it is not directly relevant to landscape protection.	Supported By: 51 Federated Farmers of New Zealand (Inc)
13/66	North Shore City Council	Amend Method 6.4.23.3(iv) to define the term 'special character, conservation or coastal management areas' and align this term within the objectives and policies.	
37/30	Waitakere City Council	Amend 6.4.23.3(iv) to identify that the landscapes within the Titirangi/Langholm and coastal village areas should be managed in a way that is consistent with the management of the other areas of the Waitakere Ranges, and which utilises the full range of provisions available for the management of those areas.	Supported By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group

Decisions

Accept submissions **96/19** and further submission **51** in support.
Reject submissions **13/66** and **37/30** and further submissions **140** and **141** in support.

Reasons for Decisions

The Hearings Committee has deleted clause (iv) of Method 6.4.23.3 as part of its decisions on submissions relating to Highly Valued Landscapes (96/19). It has been replaced by new Method 6.4.23.4, which the Committee considers is more in line with the new policy approach relating to amenity landscapes (13/66). It considers that this new method also provides sufficient opportunities for management of specific areas such as Titirangi and Laingholm (37/30).

5.15.13 Method 6.4.23.3(v) – Method not Clear

No.	Submitter	Summary of Decision Sought	Further Submitter/s
96/20	David Craig	Delete method 6.4.23.3(v) as it is unclear as to what type of activities it is attempting to control.	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
13/67	North Shore City Council	Amend Method 6.4.23.3(v) to define the term 'significant land use changes' as this term appears to be contrary to the issue statement seeking to prevent subdivision and land use activities within the ONL and ONF.	Support and Opposed By: 148 Horticulture New Zealand
37/29	Waitakere City Council	Seeks clarification of 6.4.23.3(v) and identification or provision of objectives and policies which relate to this method.	Supported By: 141 West Coast Plan Liaison Group
79/3	Rodney District Council	Seeks clarification that forestry and intensive horticulture will continue to be regarded as normal and therefore permitted activities in the rural context under clauses 6.4.23.3(v) and 6.4.24	Supported By: 143 Matariki Forests 148 Horticulture New Zealand Support and Opposed By: 79 Rodney District Council

Decisions

Accept submission 96/20 and further submission 51 in support and reject submission 37 in opposition.

Reject submissions 13/67, 37/29 and 79/3 and further submissions 141, 143 and 148 in support and those parts of submission 79 in support.

Reasons for Decisions

Clause (v) of Method 6.4.23.3 has been deleted by the Hearings Committee as part of its decisions to remove references in the issues, policies and methods to controls on land use changes in Outstanding Natural Landscapes. It acknowledges that further thought is required on this issue and if it is to be pursued in the RPS review, then more a more targeted approach is necessary.

5.15.14 Method 6.4.23.3(vi) - Clarify Natural Features and Public Views.

NO.	Submitter	Summary of Decision Sought	Further Submitter/s
13/68	North Shore City Council	Amend Method 6.4.23.3(vi) to clarify how these areas are to be defined and what level of control is sought.	
37/31	Waitakere City Council	Seeks clarification of 6.4.23.3(vi) and (vii). Point (vi) refers to natural features significant at a district level. It would be useful to have this expanded upon, either through a discussion in the text or definition. It is not clear what point (vii) refers to.	Supported By: 141 West Coast Plan Liaison Group 54 Anglican Trust for Women and Children
40/19	Stevenson Resources Limited	Amend 6.4.23.3 (vi) to read underlined text added strike through added): The identification (including reasons) of natural features that are significant at the district level and of important public views to and from those natural features that are significant at the district level.	Supported By: 54 Anglican Trust for Women and Children
16/23	Transpower New Zealand Ltd (Transpower)	Amend 6.4.23.3(vi) to read (added text underlined, deleted text strikethrough): The identification (including reasons) of natural features that are significant at the district level and	Supported By: 54 Anglican Trust for Women and Children

		of important public views to and from those natural features that are significant at the district level .	
88/5	Meridian Energy (Meridian)	Amend 6.4.23.3(vi) to read: "The identification of natural features and popular public views to and from natural features that are significant at the district level", so that views from obscure points are not overemphasised.	Supported By: 54 Anglican Trust for Women and Children

Decisions

Reject submissions **13/68**, **37/31**, **40/19**, **16/23** and **88/5** and further submissions **141** and **54** in support.

Reasons for Decisions

The Committee acknowledges that the wording of clause (vi) in the notified version of Method 6.4.23.3 was too uncertain, and provided no guidance on what views are important. The issue of views to and from natural features has also been addressed in the decisions and appeals to the Volcanic Features components of Change 8. The inclusion of clause (vi) in revised Method 6.4.23.3 is out of place and has therefore been deleted. The Committee has however included reference to certain viewshafts in its new policies on regionally significant infrastructure (see Policy 6.4.22.8. These views are mapped in the Regional Parks Management Plan 2010 and generally, but not always affect land within the regional park itself or the coastal marine area.

5.15.15 Method 6.4.23.3(vii) - Rewards for Environmental Restoration

No.	Submitter	Summary of Decision Sought	Further Submitter/s
108/13	John Russell and Helen Sharp	Amend method 6.4.23.3(vii) to include promote and reward for landscape protection, management, restoration and enhancement.	Support and Opposed By: 37 Waitakere City Council
96/21	David Craig	Delete method 6.4.23.3(vii) as it is not appropriate as a mandatory requirement on local authorities.	Supported By: 51 Federated Farmers of New Zealand (Inc) Opposed By: 37 Waitakere City Council
13/69	North Shore City Council	Amend Method 6.4.23.3(vii) to clarify how the approaches in 6.4.22 achieve restoration and enhancement and whether the issues statement supports enhancement.	

Decisions

Reject submissions 108/13, 96/21 and 13/69 and further submissions 51 in support and that part of 37 in support and accept that part of submission 37 in opposition.

Reasons for Decisions

The Committee points out that clause (vii) of Method 6.4.23.3 (now clause (vi) in the decisions version of Method 6.4.23.3) is no longer mandatory. Changes to the introductory section of the method has meant the actions identified in the individual clauses are optional, rather an mandatory. **(96/21)**

The Committee has not changed clause (vii), (now clause vi) to meet the request of submissions **108/13** and **13/69**. It considers that the provisions relating to landscape protection, enhancement and restoration require further consideration and it is recommended to the new Auckland Council that the issue be reconsidered as part of the RPS view.

5.15.16 Method 6.4.23.3 – Additional Clauses, New Methods

No.	Submitter	Summary of Decision Sought	Further Submitter/s
16/15	Transpower New Zealand Ltd (Transpower)	Amend 6.4.23.3 to include the following clauses (underlined text to be added): (x) <u>Controls on the establishment and location of new transmission lines to ensure that, as far as is practicable, these are not visually intrusive where they are located within Outstanding Natural Landscapes and Highly Valued Landscapes.</u>	

		<i>(xi) Controls that recognise the need for the upgrading of existing transmission lines including controls that provide for vegetation trimming necessary to maintain security of electricity supply or other such works where they are capable of being carried out without generating significant adverse effects.</i>	
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Decision

Accept in part submission **16/15**.

Reasons for Decision

The Committee has adopted part of the wording proposed by 16/15 and included it as new clause (v) of Method 6.4.23.3. It has preferred to use a generally worded method, as it considers that the wording proposed by Transpower for new clause (x) is better as a policy than a method.

Proposed new clause (xi) is felt to be too detailed for inclusion in a regional policy statement method. The Committee is aware that network utility operators have powers under their own legislation to deal with works such as tree trimming, so specific recognition for this activity is not necessary or appropriate in the RPS. However the distinction made in submission 16/15 between new and existing infrastructure and maintenance and upgrading has been carried over into the new regionally significant infrastructure policies 6.4.22.8 to 6.4.22.12.

Method 6.4.23.4 – Landscape Methodology

No.	Submitter	Summary of Decision Sought	Further Submitter/s
13/70	North Shore City Council	Retain Method 6.4.23.3 (Assume the submitter means method 6.4.23.4 as submissions 13/64 - 13/69 request amendments to Method 6.4.23.3).	
37/32	Waitakere City Council	Retain 6.4.23.4, but the submitter notes that this is best facilitated through ARC working with the TAs.	Supported By: 142 Wendy June Clark
96/22	David Craig	Retain method 6.4.23.4.	
81/8	Britta Hietz	Amend 6.4.23.4 by rewriting this section to ensure that outstanding and significant natural landscapes that have been overlooked by the broadbrush approach taken by the Auckland Regional Council are identified properly and are not omitted through too broad an approach. Include the following points; <ul style="list-style-type: none"> Landscape methodology is to be robust and surveys of communities need to be robust too. TAs and RAs will both comply with the above point. 	Supported By: 37 Waitakere City Council Opposed By: 48 Auckland City Council 144 Carter Holt Harvey Limited 148 Horticulture New Zealand
48/62	Auckland City Council	Amend 6.4.23.4 to state that territorial authorities and the ARC should "adopt landscape assessment methodologies that give compatible results" rather than they should "adopt compatible landscape methodologies".	Opposed By: 148 Horticulture New Zealand

Decisions

Accept submissions **13/70**, **96/22** and **37/32** and further submission **142** in support.

Reject submission **81/8** and further submission **37** in support and accept further submissions **48**, **144** and **148** in opposition.

Reject submission **48/62** and accept further submission **148** in opposition. is accepted.

Reasons for Decisions

The Committee acknowledges the support for Method 6.4.23.4 from submissions **13/70**, **37/32** and **96/22**. It has made no changes to the method to give effect to the requests from submission 81/8, as it considers changes based on these broad brush comments are not necessary. It points out to submitter **81/8** that changes have been made to Appendix F: Outstanding Natural Landscapes of the Auckland Region to recognise new assessments of the regional ONLs..

The Committee also considered the change in emphasis from compatible methodology to compatible results as requested by Auckland City Council (**48/62**). However it is aware that the

Proposed New Zealand Coastal Policy Statement (February 2008) includes a policy setting out the criteria by which outstanding natural landscapes and features should be identified. The Committee also understands that the Board of Inquiry on the Proposed New Zealand Coastal Policy Statement has considered submissions relating to landscape assessment methodology. Although the final contents of the national coastal policy statement process remains uncertain, the Committee prefers to retain the wording of Method 6.4.23.4, as it considers it is more in line with current national policy, than the changes sought by submission **48/62**.

TOPIC AREA 5.16 SECTIONS 6.4.12 and 6.4.24: REASONS

5.16.1 Reasons 6.4.12 - TLA Environmental Lot Type Practice

No.	Submitter	Summary of Decision Sought	Further Submitter/s
5/11	Papakura District Council	Amend 6.4.12 to recognise the mechanisms (eg Environmental Lot Type) currently employed by TAs across the region to address the restoration of natural heritage.	Opposed By: 37 Waitakere City Council

Decision

Reject submission **5/11** and accept further submission **37** in opposition.

Reasons for Decision

Reasons 6.4.12 does not form part of Change 8 and amendments to them are therefore outside the scope of consideration.

5.16.2 Reasons 6.4.24

No.	Submitter	Summary of Decision Sought	Further Submitter/s
84/12	Waiuku Windfarm Information Group	Retain Reasons-Landscape 6.4.24, submitters strongly support the recognition of 'cultured nature' as contributing to the quality of outstanding natural landscapes.	Support and Opposed By: 96 David Craig
17/2	Jon.Mapes Land Solutions Ltd	Seeks clarification of the methods of the public preference survey. Does not dispute Outstanding Natural Landscapes identified in Map Series 3a, but is concerned about the general nature of the Policy.	
16/18	Transpower New Zealand Ltd (Transpower)	Amend 6.4.24 Reasons to reflect changes made to the issues, objectives and policies (see submissions 16/1 - 16/17)	
16/31	Transpower New Zealand Ltd (Transpower)	Amend Section 6.4.24 Reasons to include all consequential changes as a result of submissions 16/25 -16/30.	
40/31	Stevenson Resources Limited	Amend 6.4.24 Reasons by making all consequential changes arising the relief sought in submissions 40/21 - 40/30.	
40/20	Stevenson Resources Limited	Amend 6.4.24 Reason to make all required consequential changes as a result of submissions 40/3 to 40/19.	
16/24	Transpower New Zealand Ltd (Transpower)	Amend Section 6.4.24 Reasons for all consequential changes as a result of changes from submissions 16/20 - 16.23.	
87/27	Watercare Services Limited ("Watercare")	Amend Policy 6.4.24, column 2, paragraph 3 to read (additions underlined, strikethrough deleted):Policy 6.4.22.2 requires a high level of protection be afforded to these areas, by avoiding further inappropriate subdivision and the introduction of built structures, particularly in areas characterised by no built modification.	Opposed By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group
21/10	Kawau Properties Limited ("Kawau Properties")	Amend 6.4.1, right hand side paragraph 3 sentence 3 to read: "In giving effect to the dual requirements of Sections 6(a) and 6(b) of the RMA Policy 6.4.22.2 requires a high level of protection be afforded to these areas, by avoiding inappropriate subdivision	

		and the introduction of built structures, particularly in areas characterised by no built modification."	
49/28	Man O'War Station Limited ("MOWS")	Amend Reasons - Landscapes 6.4.21 (assume submitter means 6.4.24) by deleting the first to sixth paragraphs of this section of Change 8.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin
49/27	Man O'War Station Limited ("MOWS")	Amend Reasons - Landscapes 6.4.21 (assume submitter means 6.4.24) as appropriate to better reflect the changes sought in submissions 49/1-49/28.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 112 Ponui Farms Limited and J Chamberlin, M Chamberlin
44/10	MLW Adams Trust	Amend 6.4.24, paragraph 5 by deleting the final two sentences referring to the prohibition of and presumption against future subdivision.	Opposed By: 37 Waitakere City Council
44/11	MLW Adams Trust	Delete 6.4.24, paragraph 14 as it seeks to justify the direct linkage of landscape provisions to strategic objectives in a manner that seeks to unjustifiably bolster the latter.	Opposed By: 37 Waitakere City Council
69/7	Mile Purchase	Seeks a rewrite of 6.4.24 - Landscape Reasons to recognise that appropriate subdivision, use and development should be allowed to occur providing it meets the tests of the RMA, in that a specific proposal is a sustainable development that avoids, remedies or mitigates any adverse effects on the environment.	Opposed By: 37 Waitakere City Council
37/33	Waitakere City Council	Amend 6.4.24 to better reflect the requirements of landscape management in the Titirangi/Langholm and coastal village areas as set out in this submission (37/5, 37/6, 37/7, 37/22, 37/29 and 37/37) and clarify that the mapped boundaries between areas of Outstanding Natural Landscapes and other areas are not intended to represent sharp boundaries on the ground.	Supported By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group Opposed By: 54 Anglican Trust for Women and Children
15/15	JR Courtenay Family Trust	Seeks all consequential changes to be made in 6.4.24 Reasons having regard to submissions 15/1 - 15/14	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited
24/25	Mighty River Power Limited ("MRP")	Amend Reasons 6.4.24 to reflect the changes requested to the issues, objectives, policies and methods in submissions 24/3 - 24/24 and in particular the following: <ul style="list-style-type: none"> • Delete 6.4.24 paragraphs 6, 8, 9, 11 and 14 • Amend 6.4.27 paragraph 7 by retaining the first sentence and delete the remainder of this paragraph. • Amend 6.4.24 paragraph 10 to change the reference to policy 6.4.22.4 to 6.4.22.1. • Amend 6.4.24 paragraph 12 by changing the references to policies 6.4.22.7 and 6.4.22.8 to 6.4.22.3 • Amend 6.4.24 paragraph 15 by changing the reference to policy 6.4.22.10 to 6.4.22.4. • Amend 6.4.24 paragraph 16 by changing the reference to policy 6.4.22.11 to 6.4.22.5. • Amend 6.4.24 paragraph 17 by changing the reference to policy 6.4.22.12 to 6.4.22.6. • Amend 6.4.24 paragraph 18 by replacing the reference to 6.4.23.5 to 6.4.23.4. 	Support and Opposed By: 148 Horticulture New Zealand

Decisions

Accept submission **84/12** and that part of further submission **96** in support.
Accept in part submission **17/2**.

Accept submissions **16/18, 16/31, 40/31, 40/20, 16/24, 87/24, 21/10, 49/27, 44/10 15/15** and **24/25** and further submissions **143, 144, 112** and that part of **148** in support and reject further submissions **37, 140** and **141** in opposition.

Reject submissions **49/28** and **69/7** and further submissions **143, 144** and **122** in support and accept further submission **37** in opposition.

Reject submission 44/11 and accept further submission 37 in opposition.

Accept in part **37/33** and further submissions **140** and **141** in support and reject further submission **54** in opposition.

Reasons for Decisions

The Committee acknowledges the support of submission **84/12**. References to cultured nature have been retained in the first and second paragraphs of Reasons 6.4.24. They are also retained in Appendix F 1, which discusses the regional landscape assessment methodologies and in Appendix F-2 which presents the findings of both assessments in table form. The comments made by submission **17/2** are noted, but no specific wording changes have been made to give effect to this policy. The Committee hopes that the material in the Reasons section and in Appendix F will assist this submitter

Consequential amendments have been made to the Reasons section to reflect changes made to the policies and methods. These decisions give effect to the general submissions requesting consequential changes, as well as those submissions seeking the deletion of specific sentences (**44/10**)

Several submitters **69/7, 87/27** and **21/10** sought changes to various sentences or paragraphs in section 6.4.24 to give more explicit recognition to the appropriateness of subdivision, use and development in Outstanding Natural Landscapes. The Committee has not undertaken a general rewrite of the Reasons as requested by **69/7** to give effect to this request, or the deletion of the first six paragraphs of this section as requested by **49/28**, but has redrafted various paragraphs to align them with changes made to the policies and methods. Careful consideration was given when making changes to the policies and methods, whether inclusion of the words appropriate or inappropriate was the correct response. The Committee has discussed its decisions in this regard in the sections on the affected objectives, policies and methods. It considers that changes to these earlier provisions are more effective than changes to the Reasons section.

The Committee points out to submission **49/11** that it has retained reference to being consistent with the strategic direction set out in Chapter 2 of the RPS. However this reference has been moved from being a separate policy 6.4.22.9 to being a clause in policy 6.4.22.1. Accordingly paragraph 14 of the Reasons has been retained, with minor amendments and is now paragraph 16 of the Decisions version of Section 64.24.

No changes have been made to the Reasons section to give effect to submission **37/33** in terms of the Titirangi- Laingholm areas. However an additional paragraph has been included in the section entitled Map Series 3a: Outstanding Natural Landscapes in Appendix F-1 in response to the comments by this submission regarding the width of any mapped ONL line. The Committee points out that the review of the ONL maps undertaken as part of the its deliberations on Change 8 has refined the width of these boundary lines in many instances.

TOPIC 5.17: ENVIRONMENTAL RESULTS ANTICIPATED, MONITORING, DEFINITIONS AND CHAPTER 7

This topic covers the remaining part of the text of Change 8: Landscape, including the Section 6.5: Environmental Results Anticipated, Section 6.6: Monitoring and references to Chapter 7: Coastal Environment.

5.17.1 Section 6.5: Anticipated Environmental Results

No.	Submitter	Summary of Decision Sought	Further Submitter/s
48/65	Auckland City Council	Amend 6.5 to include "and outstanding natural features" after the word "landscapes" in item (d).	
40/21	Stevenson Resources	Amend 6.5 (d) to read (underlined text added, strike through deleted):	Opposed By: 37 Waitakere City Council

	Limited	A diverse range of valued landscapes will be protected. <u>Changes that occur within Outstanding Natural Landscapes will sustain the values associated with those areas.</u> <u>Changes that occur in areas that are visually or physically related to Outstanding Natural Areas will not compromise the values associated with those areas to the extent that they can no longer be regarded as Outstanding Natural Landscapes.</u>	
16/17	Transpower New Zealand Ltd (Transpower)	Amend 6.5(d) to read (underlined text added, strike through text deleted): A diverse range of valued landscapes will be protected. <u>Changes that occur within Outstanding Natural Landscapes will sustain the values associated with those areas.</u>	
15/14	JR Courtenay Family Trust	Amend Environmental Results Anticipated 6.5(d) to read (strikethrough text deleted, underlined text added): A diverse range of valued landscapes will be protected. <u>Changes that occur within Outstanding Natural Landscapes will sustain the values associated with those areas.</u>	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 148 Horticulture New Zealand Opposed By: 37 Waitakere City Council
38/14	Winstone Aggregates	Either delete 6.5(d) or replace it with: "(d) the overall diversity of character of valued landscapes will be maintained" if submission 38/15 is not accepted.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited
39/9	Rodney Aggregate Supplies	Delete 6.5(d) or amend it to read: "(d) the overall diversity of character of valued landscapes will be maintained".	
13/71	North Shore City Council	Delete Environmental Results Anticipated 6.5 (d) and replace with a set of AERs which enable compliance with the proposed policy framework, can be assessed and evaluated.	

Decisions

Reject submission 48/65.

Accept in part submissions **40/21**, **16/17** and **15/14** and accept further submission **143** and **148** in support and reject further submission **37** in opposition.

Accept in part submissions **38/14** and **39/9** and further submissions **143** and **144** in support.

Reject submission **13/71**.

Reasons for Decisions

Changes have been made to Section 6.5 as part of decisions on the Volcanic Features component of Change 8 and the settlement of appeals, including those by Auckland City Council. These changes implement the relief sought by submission 48/65.

A new AER (d) has been included in Section 6.5 based on the wording put forward by **40/21**, **16/17** and **15/14**. The Committee acknowledges that this wording better recognises the outcomes sought for the protection of Outstanding Natural Landscapes.

AER (d) has been changed to reflect part of the wording requested by submissions 38/14 and 39/9. The new AER is now number (e) and reference to the protection of a diverse range of valued landscapes is replaced by *a diverse range of valued landscapes will be maintained*. This wording is considered more straightforward than that suggested by submissions **38/14** and **39/9**.

No evidence was presented by submission 13/71 in support of a redrafted section 6.5. Hence the Committee could not ascertain the type of new AERs envisaged by the submitter.

5.17.2 Section 6.6: Monitoring

No.	Submitter	Summary of Decision Sought	Further Submitter/s
5/18	Papakura District Council	Retain 6.6 (vii).	Opposed By: 54 Anglican Trust for Women and Children
48/66	Auckland City Council	Amend 6.6 to include "and outstanding natural features" after the word "landscapes" in item (vii).	

Decisions

Accept submission **5/18** and reject further submission **54** in opposition.
Reject submission 48/66.

Reasons for Decisions

The support of submission **5/18** for clause 6.6(vii) is noted. It is retained, subject to consequential amendments to remove references to Other Valued Landscapes. Although the Hearings Committee acknowledges that Outstanding Natural Features require monitoring (**48/66**) it has not addressed this issue in Change 8. It considers that the monitoring of landscape and natural features is an issue that requires further consideration to properly identify suitable environmental indicators by which change and adverse effects can be monitored. This should form part of the RPS review programme.

5.17.3 Chapter 7: Coastal Environment

No.	Submitter	Summary of Decision Sought	Further Submitter/s
63/8	Wairoa River Canal Patnership	Delete 7.4.1 (v) as it is inappropriate to determine "the extent of the coastal environment of the Auckland region" taking into consideration the proposed "outstanding natural landscape shown in Map Series 3a"	Supported By: 41 Landco Limited
63/9	Wairoa River Canal Patnership	Amend 7.4.7 as it is inappropriate to propose that "outstanding natural landscapes shown in Map Series 3a" ... be preserved and protected in accordance with Policy 6.4.19-1.	Supported By: 41 Landco Limited

Decisions

Reject submission 63/8 and further submission 41 in support.
Accept submission 63/9 and further submission 41 in support.

Reasons for Decisions

The deletion of Clause (v) of Policy 7.4.1 is not accepted, as the Committee considers that the presence and extent of an ONL is a relevant consideration in the determination of the extent of the coastal environment. The proposed New Zealand Coastal Policy Statement 2008 includes criteria for the identification of the extent of the coastal environment. The Committee proposes to retain Policy 7.4.1 in its current form at this time, but notes that a future review of the whole of the RPS will provide an opportunity to reassess this issue.

Policy 7.4.7 – Areas of Special Value has been amended by deleting reference to the word preserved and amending the policy cross reference to Policy 6.4.22.1.

TOPIC 5.18 Appendix F – Explanatory Material And Schedule

5.18.1 Support Landscape Assessment Methodology and Schedule

No.	Submitter	Summary of Decision Sought	Further Submitter/s
26/2	Environmental Defence Society	Supports the methodology adopted by the council in assessing outstanding natural landscapes and the description of the statutory reliance that supports it.	Opposed By: 51 Federated Farmers of New Zealand (Inc) 42 Mike Murphy
78/2	BioMarine Ltd	Supports the methodology behind the change as being robust and more clearly reflecting the current situation and the community's views.	
3/1	Geological Society of New Zealand	Retain scheduling of areas of outstanding natural landscapes.	Opposed By: 143 Matariki Forests 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited

Decisions

Accept submissions **26/2**, **78/2** and **3/1** and reject further submissions **51**, **42**, **143**, and **144** in opposition.

5.18.2 Appendix F - Object to Methodology

No.	Submitter	Summary of Decision Sought	Further Submitter/s
24/27	Mighty River Power Limited ("MRP")	Withdraw the RPS Change until the methodology that underlies the assessment which has led to the identification of ONLs has been reviewed by an independent panel of landscape assessment professionals to determine if it is in accord with best practice.	Supported By: 51 Federated Farmers of New Zealand (Inc) 143 Matariki Forests 144 Carter Holt Harvey Limited 42 Mike Murphy
51/5	Federated Farmers of New Zealand (Inc)	Seeks to express concern about the methodology used to identify Outstanding Natural Landscapes as set out in pages 2 - 4 of the submission and considers that accordingly there must be considerable doubt as to whether any of the landscape identified as being Outstanding Natural Landscapes are really outstanding on a national scale.	Supported By: 132 Geoff Chitty 133 Anthony Stekelenburg 134 Falco Visser 135 Cheryle Gail 136 Ian Stuart McNaughton 137 Anna Elisabeth McNaughton 154 Norm Clark 155 Meikle Brian Thomas 156 DL & FR Jamison 157 Martin Frank Bucksey 158 Dacey Balle 159 Brendan Rory Gerrard Balle 160 Chris Balle 161 Balle Bros Holdings Ltd 138 Peter R Fraser 162 Shane Balle 163 Maurice Balle 164 Jim Balle 165 John McDonald 166 Donna Goettler 167 Shirley Carter 168 Anthony Stekelenburg (2) 142 Wendy June Clark 169 Peter R Fraser (2) 170 Glenice Aro 171 George McGregor 172 Ian Joseph Chitty 173 Susan Mary Chitty 174 MJ & JM Patterson 123 Tripp Andrews & Partners Ltd 121 Olsen Farms Ltd 124 AQ Farms Partnership 151 Evan Forbes McGregor 152 Ron Hogan 151 Evan Forbes McGregor 153 Hilary Claire Atchinson 175 John Rutherford 176 Jennifer Mary Morley 177 Edwin Raymond Morley 178 Aspin Farms Limited 179 Carol Howard Hamilton 180 Andrew Charles Hamilton 181 BR & RD Teague 182 Barry N Cochrane 183 Vivian Marshall Rutherford 184 Michael M Harper 185 Daniel J Verryt 186 Terence John Atchinson 187 PL & B Sergeant 188 Margaret Jean Hamilton 189 Clyde Harris Hamilton 190 Brian Blake 191 Kevin John Dodd 192 Maureen Mary Dodd

			193 Christopher John Chitty 143 Matariki Forests 194 Karyn Jayne Chitty 195 Alex Fraser Chitty 196 Kaiua Citizens & Ratepayers Association 197 Duncan Crawford Munro 147 Patricia O'Toole 146 Desmond Eric O'Toole 127 Helen O'Shea 126 M.P.J. O'Shea of Awana 125 Michael O'Shea 144 Carter Holt Harvey Limited 72 Concerned Awhitu Landowners (1) 90 Roger Malcolm Jones 96 David Craig 110 Kerry O. and W.G.M. Ruiterman 112 Ponui Farms Limited and J Chamberlin, M Chamberlin 113 Pollok Ratepayers Association 118 Rodney Irwin Atchinson 119 Frith Farms (2003) Ltd & Hoteo Trust 41 Landco Limited
64/1	Agape High-Q Holistic Horsemanship Ltd	Seeks a more rigorous and independently verifiable process for identifying outstanding natural landscapes before invoking the restrictions contained in the RPS change.	
66/5	KTR Trust	Concerned that the submitter's land was identified as an ONL without consultation and concerned about the methodology used to do this.	
67/7	Roslynde Rae & Murray Ross McNaughten	Concerned about the initial method of identifying the areas of outstanding natural landscapes as well as the limitations in the method of informing those affected by policy changes.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
35/6	Structure Plan Advocate Network (SPAN)	Withdraw Plan Change 8 and establish a national assessment methodology, that is clear and not open to interpretation, for the identification of Outstanding Natural Landscapes.	
34/6	WH and CP Horring	Withdraw Plan Change 8 and establish a national assessment methodology, that is clear and not open to interpretation, for the identification of Outstanding Natural Landscapes.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited
91/2	The Guardians of the Kaipara Inc Society - Nga Kaitiaki o Kaipara	Questions the methodology engaged by the ARC in assessing the criterion for qualifying as an Outstanding Natural Landscape. There is no obvious evidence that the methodology employed used robust visual assessment methods including important observation from the harbour, air and land at local level viewpoints.	
108/12	John Russell and Helen Sharp	Delete whole RPS Change 8 as the methodology upon which Awhitu Peninsula has been selected as an Outstanding Natural Landscape is disputed and the submitters consider that there should be an unbiased survey.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
84/15	Waiuku Windfarm Information Group	Amend the RPS to incorporate Outstanding Natural Landscape assessment based on broader criteria than those used and include natural science factors, aesthetic values, expressiveness, transient values, whether values are shared/recognised, value to Tangata Whenua, historic associations. It should allow judgements of valued landscapes.	Opposed By: 96 David Craig
96/23	David Craig	Seeks that the whole RPS Change 8 be withdrawn until land owners are fully consulted and an independent panel of landscape assessment professionals determine whether the assessment that led to the identification of this (Awhitu) ONL	Supported By: 123 Tripp Andrews & Partners Ltd 51 Federated Farmers of New Zealand (Inc)

		was done in accordance with best practice.	
46/2	Estate of David Hill - Great Barrier -	Reassess landscape values and quality to identify those areas that have potential for more than “Low intensity development” due to topography, character, historical use patterns, availability of suitable land for development (urban through to rural), access, wastewater capacity, ability to secure long term protection of key areas in return for appropriate development of other areas etc.	

Decisions

Reject submission **24/27** and further submissions **51, 143, 144** and **42** in support.

Reject submission **51/5**, and further submissions **132, 133, 134, 135, 136, 137, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 142, 169, 170, 171, 172, 173, 174, 123, 121, 124, 151, 152, 153, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 289, 190, 191, 192, 193, 143, 194, 195, 196, 197, 147, 146, 127, 126, 125, 144, 72, 90, 96, 110, 112, 113, 118, 119** and **41** in support.

Reject submissions **64/1, 66/5, 67/7, 35/6, 91/2, 108/12, 96/23** and **46/2** and further submissions 51, 96, 143, 144 and 123 in support.

Accept submission **84/15** and reject further submission **96** in opposition.

Reasons for Decisions

Appendix F of Change 8 as publicly notified contained a summary of the landscape assessment methodology used by the ARC to determine the Outstanding Natural Landscapes in Map Series 3. The methodology was based on a public preference survey and a professional landscape assessment, which determined which areas met the ONL criteria identified by public survey. In response to concerns expressed by submitters at the hearings in May-June 2007, the Hearings Committee directed that the Outstanding Natural Landscape Areas in described in Appendix F be re-assessed against the so called “WESI” criteria. It also directed that the boundaries of all the ONL areas be reviewed. This work has informed the Hearings Committee in its decisions on submissions from individual landowners seeking changes to the ONLs on their properties. The particular changes are discussed in later sections of this report.

Appendix F now contains an explanation of the WESI criteria and Table 1 contains an assessment of the values of each ONL landscape unit in terms of both the public preference survey approach and the WESI criteria.

The WESI criteria are now generally accepted by the Environment Court as being appropriate criteria for the assessment of Outstanding Natural Landscapes. The criteria derive their name their use in the Environment Court decision *Wakatipu Environmental Society Inc and others v Queenstown Lakes District Council (C180/99 [2000] NZRMA 59)*. However the Hearings Committee is aware that these criteria may still be amended as a result of their inclusion in the proposed New Zealand Coastal Policy Statement 2008.

Having considered the results of the two methodologies, it is the Hearings Committee’s view that the landscape outputs have a high level of consistency. Factors that the WESI criteria have identified as being significant determinants of the Auckland region’s Outstanding Natural Landscape values were also factors that were identified in less technical terms through the public preference survey. Both landscape surveys were undertaken by senior experienced professional landscape architects. The Hearings Committee therefore supports the results of the regional ONL mapping exercise undertaken for Change 8 as being consistent with current best practice.

It points out to submitter **51/5** that section 6(b) of the RMA, supported by decisions of the Environment Court does not require the identification of Outstanding Natural Landscapes on a national basis. It is acknowledged that ONLs may be identifiable at regional and local levels. This fact has been noted in Section 6.1 Introduction.

Several submitters (**64/1, 35/6, 34/6, 91/2** and **96/23**) raised issues about the bias of the methodology and that fact that the results are open to interpretation. The Hearings Committee points out that any landscape assessment methodology based on a professional assessment and as such is open to different interpretations.

Submitters **67/7** and **96/23** highlighted concerns they had about the level of consultation undertaken. This issue is discussed further in Topic 5.2: Public Consultation and the Committee refers these submitters to this discussion

Submission **46/2** requested a comprehensive land use capability assessment, involving more than just an assessment of landscape values. It is considered that this level of assessment is most appropriately undertaken by at the district plan level. A survey of this type at the regional level would be excessively expensive and time consuming and would not necessarily be cost effective for the end result.

5.18.3 Appendix F - Clarity of Appendix Descriptions

No.	Submitter	Summary of Decision Sought	Further Submitter/s
7/2	Genesis Power Ltd ("Genesis Energy")	Amend Appendix F to include a concise, easily understood description of the location of each Outstanding Natural Landscape.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited Opposed By: 37 Waitakere City Council
29/2	Jon Nicholson	Amend Appendix F to include a concise, easily understood description of the location of each ONL.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited

Decisions

Accept in part submissions **7/2** and **29/2** and further submissions **143** and **144** in support and reject further submission 37 in opposition.

Reasons for Decisions

Appendix F -2 includes the assessment of the values of each Outstanding Natural Landscape area, based on whether it is a wild or cultured nature ONL in terms of the public preference survey assessment and the results of the resurvey using the WESI criteria. The Committee cannot make this technical information easier to understand, as it is based on accepted landscape assessment criteria.

However the Committee has made significant changes to the scale and layout of Map Series 3a. Each ONL is shown as a pale pink overlay (with area identification number) on aerial photographs of the region. Additional place names and major roads have been added to the maps. The Committee considers that the new number and style of ONL maps and their scale strikes a reasonable balance between having a very large number of property level maps and the regional overview that was the original Map Series 3a.

The names given to each ONL area are taken from their location with reference to the NZMS 260 topographical maps. These names are generally retained without amendment.

5.18.4 Appendix F1-4 Explanatory Notes

No.	Submitter	Summary of Decision Sought	Further Submitter/s
81/9	Britta Hietz	Amend Appendix F by adding new text which acknowledges that some potential ONLs were not visited at the time that field surveys were conducted because they were not accessible by road. These areas included the coastal landscapes of the Southern Kaipara harbour many of which are not accessible via road.	
42/2	Mike Murphy	Amend Appendix F, Table 1 so that each Outstanding Natural Landscape Area reflects the actual degraded state of the environment.	

Decisions

Reject submission **81/9** and **42/2**.

Reasons for Decisions

The amendment sought by submitter 81/9 are not accepted. Areas that could not be visited by road were still covered in the study employing aerial photography. Consequently, to include such

a statement would give the misleading impression that parts of the Auckland Region were not adequately assessed, when this is not the case.

The Committee points out to submitter **42/2** that all landscapes are subject to change and it would be extremely difficult to find any landscape that has not suffered some degradation in some way. Equally, it would be very difficult to determine a threshold which meaningfully identifies a unit as being 'degraded'. Just as important, this would have little meaning in terms of future landscape management. A reassessment of each landscape unit would be required to provide meaningful information on the level of landscape degradation. This is beyond the scope of Change 8 to address.

TOPIC 5.19 MAP SERIES 3a: CHANGES AND ADDITIONS

This group of submissions include those that request changes to various ONL areas identified on Map Series 3a and/or changes to Table One in Appendix F. These submissions seek either the deletion of various ONL areas or the addition of new ONLs. As far as practicable, the submissions have been grouped together and discussed according to area, or in the case of quarry sites, according to topic.

Prior to the hearing of submissions in May-June 2007, the Hearings Committee requested the landscape architects responsible for the assessment of Auckland region's Outstanding Natural Landscapes review all requests for the inclusion of additional areas. After the hearings, the Committee subsequently directed the landscape architects to review the boundaries of all the Outstanding Natural Landscapes identified on map series 3a. The Hearings Committee then considered the evidence presented at the hearing, professional recommendations and other relevant matters in coming to its decisions.

5.19.1 Appendix F – Loss of Significant Landscapes

No.	Submitter	Summary of Decision Sought	Further Submitter/s
26/4	Environmental Defence Society	Seeks the reinstatement of ONL status to areas which have been moved from that status due to deterioration.	Supported By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group Opposed By: 51 Federated Farmers of New Zealand (Inc) 38 Winstone Aggregates 42 Mike Murphy
26/5	Environmental Defence Society	Seeks the identification if further areas presently not identified as ONLs which have the characteristics of ONLs (Such as areas in Karekare, Waitakere River Valley and in the environs of the Kaipara Harbour).	Supported By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group Opposed By: 20 Ports of Auckland Limited 52 Manaia Properties Ltd 51 Federated Farmers of New Zealand (Inc) 42 Mike Murphy
33/5	Royal Forest and Bird Protection Society of New Zealand Inc	Notes that some Significant Natural Areas in the Rodney District Plan do not lie within the Map series 3a areas. Proposes to provide details on areas at the hearing.	Opposed By: 39 Rodney Aggregate Supplies 38 Winstone Aggregates

Decisions

Reject submissions **26/4** and **26/5** and further submissions **140** and **141** in support and accept further submissions **20**, **52**, **51**, **38** and **42** in opposition.

Reject submission **33/5** and accept further submissions **38** and **39** in opposition.

Reasons for Decision

The Committee does not accept the requests in submissions **26/4** and **26/5** that areas that have been removed from the maps in the operative RPS due to their deterioration should be reinstated as ONLs, or that new ONLs should be include. The first action would be contrary to the whole purpose of Change 8: Landscape. Map Series 3a is the result of a robust double landscape assessment process and it has clearly identified those areas whose values warrant their identification as Outstanding Natural Landscapes. The Committee is of the view that the inclusion of any new ONL areas need to be done by a change to the RPS, rather than through decisions on submissions. This is particularly the case when extensive new areas are proposed for inclusion in Map Series 3a.

Submitter **33/5** did not provide the Hearings Committee with further information on the areas referred to in its submission. No further action is therefore possible. Nevertheless the Committee points out that areas identified as Significant Natural Areas in the Rodney District Plan are identified for their ecological and conservation values and not necessarily for their landscape values. It is not appropriate to include SNA areas if they do not meet the assessment criteria for Outstanding Natural Landscapes.

5.19.2 ONLs affected by Quarry Operations - Areas 9, 27 and 60

No.	Submitter	Summary of Decision Sought	Further Submitter/s
38/16	Winstone Aggregates	Delete from Map Series 3a, Sheet 2, Outstanding Natural Landscape Area 9 two quarry areas which are excluded from the operative RPS classification of Landscape Quality 5, as shown on the attached Court Consent Order (RMA 1161/95 and RMA1221/95), Plan 1B attached to submission 38.	Supported By: 149 Wharehine Group
38/17	Winstone Aggregates	Delete from Map Series 3a, Sheet 2, Outstanding Natural Landscape Area 9 the interior basin which is identified on Plan 1A attached to Submission 38 as there are no open vistas to it.	Supported By: 149 Wharehine Group
38/18	Winstone Aggregates	Delete from Map Series 3a, Sheet 2, Outstanding Natural Landscape Area 9 the land used for water treatment ponds and activity with industrial characteristics, adjacent to Wainui Quarry, as shown on Plan 1A attached to Submission 38 as the natural landscape is modified - a quarry face and industrial plant do not have the visual attractiveness which is expected of an ONL.	Supported By: 149 Wharehine Group
38/19	Winstone Aggregates	Delete from Map Series 3a, Sheet 2, Outstanding Natural Landscape Area 9 pasture land to the south of the ridges, on the southern part of Plan 1A (attached to submission 38) and land adjacent to this.	Supported By: 149 Wharehine Group
39/11	Rodney Aggregate Supplies	Amend Map Series 3a, Sheet 1, Area 27 by deleting the area identified on Plan 1 attached to the submission from the western edge of Outstanding Natural Landscape Area No 27.	
40/2	Stevenson Resources Limited	Amend Map Series 3a, Sheet 5, Area 60 by redefining the southern boundary of the Outstanding Natural Landscape Area to follow the prominent east-west ridge line which defines the visual catchment as shown in Appendix 1 attached to this submission.	Supported By: 149 Wharehine Group
38/20	Winstone Aggregates	Delete from Map Series 3a, Sheet 5, Outstanding Natural Landscape Area 60, the areas shown on Plan 2 attached to submission 38 from the north edge of ONL area No 60 as this is part of the Hunua Quarry land which is zoned Quarry in the Papakura District Plan.	Supported By: 149 Wharehine Group

Decisions

Accept submissions **38/16** and **38/18** and further submission **149** in support.

Accept in part submission **38/17** and further submission **149** in support.

Reject submission **38/19** and further submission **149** in support.

Accept submission **39/11** and further submission **149** in support.

Accept submission **38/20** and further submission **149** in support.

Reject submission **40/2** and further submission **149** in support.

Reasons for Decisions

Each quarry area referred to by the submitters was reviewed by consultant landscape architects as part of the Hearings Committee's direction to reassess Map Series 3a against the WESI criteria. Where there is clear evidence of land disturbance associated with quarry operations and adjacent working areas, then these areas have been removed from ONLs 9, 27 and 60. The quarry zone in the Papakura District Plan was also reviewed and ONL boundaries were aligned along the quarry zone boundaries. This means that the following areas are no longer identified as ONLs:

- i the two quarries and adjacent working areas at Pebblebrook Road, Wainui – ONL 9 – submissions 38/16 and 38/18;
- ii Rodney Aggregates Supplies site – western boundary of ONL 27 removed – submission 39/11;
- iii Winstone Aggregates' Hunua Quarry – area identified in submission **38/20** is excluded from ONL 60.

The Hearings Committee acknowledges that quarry operations have disturbed the landscape in the centre of the interior basin at the end of Peeblebrook Road. Accordingly the ONL notation has been removed from the quarry site itself. This is consistent with the position in the operative ARPS landscape quality maps. However the rest of the basin is still in indigenous vegetation and forms part of the wider ONL landscape in this area. The Committee considers that the ONL 9 notation should be retained over this wider area (**38/17**).

The Committee has also determined to retain ONL 60 to the north of Stevenson's Drury Quarry, but to align it along the stream boundary. A site inspection of the Drury quarry indicated that there was a reasonable distance between the northern most face of the proposed Drury quarry expansion and the southern boundary of ONL 60. The quarry is proposed to be extended back along a valley system over a 20 year period to stop below a significant ridgeline. There is a second ridgeline between the proposed quarry area and the beginning of ONL 60. ONL is predominantly good quality indigenous vegetation that runs northward toward the Middleton Road ridgeline from a small stream. The Committee has refined the southern boundary of ONL to align with the stream, thus removing the area of pasture to the south. It also looked at the zoning of the Papakura District Plan and notes that the part of ONL 60 identified for removal by submission **40/2** does not have a quarry zone, but remains as nature conservation or rural. It considers that there is no need to amend ONL 60 in this location, as the Drury Quarry is expected to be able to operate for the next 20 years without having to expand into the ONL area to the north.

5.19.3 Additional ONLs – Kaipara Harbour Area

No.	Submitter	Summary of Decision Sought	Further Submitter/s
81/1	Britta Hietz	Amend Table 1 Appendix F to include additional outstanding landscapes around the Southern Kaipara and Oruawharo as indicated in Map 1 and Map 2 attached to this submission. Many of the coastal landscapes of the Southern Kaipara harbour and Oruawharo exhibit high degrees of natural character, are highly diverse and are largely undeveloped. Many of these landscapes are highly sensitive to development and stringent controls are required to ensure that the integrity and significant values of these landscapes are preserved and protected.	Opposed By: 144 Carter Holt Harvey Limited
81/2	Britta Hietz	Amend Table 1 Appendix F by adding all sand dune lakes on South Head Peninsula, in particular the chain of sand dune lakes proximate to Lake Kereta.	Opposed By: 144 Carter Holt Harvey Limited
91/3	The Guardians of the Kaipara Inc Society - Nga Kaitiaki o Kaipara	Amend Map Series 3a, Sheets 1 and 2 to include the additional areas identified in maps attached to the submission as ONLs.	Opposed By: 52 Manaia Properties Ltd 51 Federated Farmers of New Zealand (Inc) 144 Carter Holt Harvey Limited
91/1	The Guardians of the Kaipara	Amend Map Series 3a, Sheets 1 and 2 to reinstate the areas of the Southern Kaipara coastal	Opposed By: 144 Carter Holt Harvey

	Inc Society - Nga Kaitiaki o Kaipara	landscape that are identified as outstanding regional landscapes in the operative RPS maps. In particular, identify the coastline of the Oruawhoro River as an ONL.	Limited
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Decisions

Reject submissions **81/1** and **81/2** and accept further submissions **144** in opposition.

Reject submissions **91/3** and **91/1** and accept further submission 51, 52 and 144 in opposition.

Reasons for Decisions

The Hearings Committee has made some minor boundary changes to the Outstanding Natural Landscape areas in and around the Kaipara Harbour, but it has not included large new coastal areas as requested by submission **81/1**. Many of the landscaped identified by the submitter are significantly modified by past and on-going pastoralism and in some cases coastal settlement. They lack the continuity of natural landscape features and patterns, associated with other regional ONLs. Their inclusion would not be consistent with other ONL areas included in Map Series 3a. The Hearings Committee notes that comments made by the submitter relating to the natural character values of various areas of the Kaipara Harbour and has forwarded this information to the new Auckland Council for consideration as part of any future work on the regional policy statement.

Lakes Kereta, Ototota and Kuwakatai are identified as Outstanding Natural Landscapes, but the other small dune lakes do not meet either the public preference survey criteria or the WESI criteria for identification for their landscape values. This is largely due to the presence of human activities, housing and exotic pine forest.

The area around the Oruawhoro River is appreciably affected by the presence of rural-residential development and pastoralism. Although there are pockets of outstanding landscape (ONL No.19 and ONL No.20), other parts of the river environment are too modified to qualify as an ONL. Some areas have lost their ONL status because of changes in land cover and human activities and the current assessment reflects the present-day condition of Auckland's landscape. The Committee considers that it would be quite inappropriate to revert to an out of date assessment as requested by submission **91/1**.

5.19.4 Delete Rodney Area ONLs 12, 13, 25 and 28 from Specific Properties (Mataia headland, Glorit Knoll, Pakiri Foothills, Pakiri River to Omaha Cove)

No.	Submitter	Summary of Decision Sought	Further Submitter/s
52/1	Manaia Properties Ltd	Delete from Map series 3a, Sheet 2, Appendix F Mataia Headland, Area 12 as it is not an outstanding natural landscape area.	
52/2	Manaia Properties Ltd	Delete from Map series 3a, Sheet 2, Appendix F Glorit Knoll, Area 13 as it is not an outstanding natural landscape area.	
119/6	Frith Farms (2003) Ltd & Hoteo Trust	Amend Map Series 3a, Sheet 1, Area 25 by deleting the submitter's property if submissions 119/1-119/5 (jointly or severally) are not accepted.	
42/1	Mike Murphy	Amend Map Series 3a, Appendix F, Area 28 to remove the submitter's property at 72 Witten Rd, from the area.	

Decisions

Reject submissions **52/1** and **52/2**.

Accept in part submission **119/6**

Reject submission **42/1**.

Reasons for Decisions

Both Outstanding Natural Landscape Areas 12 and 13 were re-assessed by professional landscape architects. Minor changes have been made to the boundaries of Area 12, to better define the ONL and to ensure that the area subject to sand mining is outside of it. However the presence of indigenous vegetation, adjacent to the coastal marine area means that it is an ONL within the Auckland region. The Glorit Knoll ONL (Area 13) focuses on the indigenous

vegetation. The interplay of vegetation and topography means that it is still considered to be an ONL, despite the presence of pastoral activity that has heavily modified the surrounding area.

That part of the Frith Family Farm within ONL No.25 contains a mixture of forest and pasture that is directly linked to a continuous area of forest stretching from Trig Hill to Mt Tamahunga. It meets the criteria for an ONL and has been retained. However the Hearings Committee has made changes to the issues, objective and policies, including Policy 6.4.22.1 (iv) to give greater recognition to farming activities in ONLs in response to other submissions from Frith Farms Ltd and Hoteo Trust and from other rural landowners. The Committee considers that these changes meet the alternative relief sought in submission **119/6**.

The Hearings Committee notes in response to submission **42/1** that ONL 28 is part of a very important coastal continuum embracing the coastal environment from Pakiri Beach, south of the river to Cape Rodney. This coastal area meets the criteria for identification as an ONL. The submitter's property is an important part of the area and the Hearings Committee is of the opinion that it should be remain with ONL 28.

5.19.5 Extend Rodney Area ONL Areas 36 and 38 to include Matakana River and Glen Eden River Estuaries

No.	Submitter	Summary of Decision Sought	Further Submitter/s
61/2	The A & R Fowler Family Trust	Amend the RPS Change 8 - Appendix F (page 4) - Loss of Significant Landscapes with respect to the Matakana and Glen Eden River catchments to reflect that while there has been an increase of built structure in Sandspit and Rainbows End, it is not, as yet at a level that seriously degrades the value of these river catchments as significant landscapes. See also submission 61/1 which seeks that these areas be classified as outstanding natural landscapes.	
9/1	Sandspit Residents and Ratepayers Association Inc	Amend Appendix F and Map Series 3a to include the coastline of the Matakana Harbour and its tributaries the Glen Eden River and the Matakana River up to the waterfalls in both tributaries as Outstanding Natural Landscapes.	
25/1	Morris & James Pottery and Tileworks	Retain the Matakana River and the Glenedin River catchments as Outstanding Natural Landscapes as there is virtually no built structure on or near the foreshore, which gives a sense of isolation.	
22/1	Sandspit Residents and Ratepayers Association (SRRRA)(2)	Amend Map Series 3a, sheet 1 and appendix F, Areas 36/38 to include the Matakana and Glen Eden Rivers as Outstanding Natural Landscapes as values that are at risk from any intensification of development. These areas are significant due to their relatively unspoilt, undeveloped nature and ecological sensitivity.	
28/1	Rainbows End and Rivers Environmental Group (Inc)	Amend Map Series 3A sheet 1 and Appendix F Areas 36/38 to include the Matakana and Glen Eden River catchments. The remaining undeveloped areas of the Matakana and Glen Eden River Estuaries are both significant due to their relatively unspoilt, undeveloped nature and ecological sensitivity.	
85/1	James H. Fletcher and Hazel M. Fletcher	Amend Map Series 3a, Sheet 1, Appendix F-4, Paragraph 4 to provide some form of protection for the landscapes of the Matakana and Glen Eden estuaries that have lost their designation as Outstanding Natural Landscapes as these areas contain undeveloped areas that remain relatively unspoilt, undeveloped and ecologically sensitive and it is important to provide statutory protection of the area against inappropriate urban development.	
43/1	Niki Bezzant and Sandy McNeur	Amend Map Series 3a, Sheet 1, Areas 38 and 36 to include the Matakana and Glen Eden estuaries as Outstanding Natural Landscapes	
61/3	The A & R Fowler Family	Amend RPS Change 8 to reassess the Matakana River and Glen Eden River Estuarine areas and	

	Trust	receive a designation with the RPS that will continue to provide statutory protection against further urban incursions and other inappropriate development that would endanger the river environment and erode the unspoiled rural elements that remain.	
61/1	The A & R Fowler Family Trust	Amend the whole RPS Change including Map Series 3a, to include /classify the Matakana River and Glen Eden River as an outstanding natural landscape as the Matakana estuary has high conservation values, which are at risk from any intensification of development. The proposed downgraded change from the Operative RPS (landscape significance) has already been used as justification for additional commercial development in the area. While a certain level of development has occurred in the Matakana and Glen Eden River catchment this development should not be considered as an excuse to remove remaining statutory protections that have applied in the area in the past. The foreshore areas of both rivers are still undeveloped, unspoiled and ecologically sensitive.	
85/2	James H. Fletcher and Hazel M. Fletcher	Amend RPS Change 8 to reassess the Matakana River and Glen Eden River Estuarine areas and receive a designation with the RPS that will continue to provide statutory protection against further urban incursions and other inappropriate development that would endanger the river environment and erode the unspoiled rural elements that remain.	
82/1	Heron's Flight	Requests that the Matakana and Glen Eden estuaries be identified as Outstanding Natural Landscapes.	

Decisions

Reject submissions **61/2, 9/1, 25/1, 22/1, 28/1, 85/1, 43/1, 61/3, 61/1, 85/2** and **82/1**.

Reasons for Decisions

Although the Matakana River and Glen Eden River, together with their margins, retain significant amenity value, they are also notable for their levels of modification with wide-spread pastoral activity, vineyards and rural-residential housing development all key facets of the local landscape. At the same time, there is limited native forest and those reaches of the estuarine / riverine landscape that were once more remote and 'natural' are now overlooked by housing development to a significant degree. As a result, the natural and endemic values of the landscape, together with the degree of natural patterning are not sufficient for this area to qualify as an ONL.

5.19.6 Rodney Area ONL Area 51 –Okura Estuary Headlands – Buffer Areas

No.	Submitter	Summary of Decision Sought	Further Submitter/s
53/22	Huron Holdings Limited	Seeks submitters land (at Redvale being Lot 2 DP 340945, PT Lot 2 DP 60810, PT Allot 52 SO 3268 and Sec 1 SO 89059, plan attached to submission) not be included as a highly valued landscape and buffer areas.	
55/22	Bral Holdings Limited	Seeks submitters land (at Redvale being Lot 2 DP 340945, PT Lot 2 DP 60810, PT Allot 52 SO 3268 and Sec1 SO 89059, plan attached to submission) not be included as a highly valued landscape and buffer areas.	

Decisions

Accept submissions **53/22** and **55/22**.

Reasons for Decisions

As noted in Topics 5.5 and 5.6 of this decision report, the Hearings Committee has resolved to amend the policies relating to Highly Valued Landscapes and Land Adjoining an ONL. These

amended provisions are Polices 6.4.22.2 and 6.4.22.3 and Method 6.4.23.4. The changes make it clear that identification of these areas is not mandatory and it is a matter to be considered by the new Auckland Council. This means that the landholdings of submissions **53/22** and **55/22** are not included in a Highly Valued Landscape at this time.

The Okura River Escarpment (including DOC Reserve) has been assessed as being consistent with the criteria for an ONL and has been retained as part of ONL 51. However the submitters land does not physically adjoin ONL 51. This means that the other land between ONL 51 and the properties owned by Huron Holdings Ltd and Bral Holdings Ltd would be subject to revised Policy 6.4.22.3.

5.19.7 North Shore Area ONLs Area 51, 52, 53 and 54 Okura Estuary Headland, Oteha Stream Escarpment, Lucas Creek Escarpment, Long Bay Area

No.	Submitter	Summary of Decision Sought	Further Submitter/s
14/1	Massey University	Delete Massey University Albany Campus from Area 52.	Supported By: 4 North Shore City Council
36/1	Friends of Lucas Creek Society Inc	Retain Area 53 as an Outstanding Natural Landscape.	Supported By: 4 North Shore City Council
41/5	Landco Limited	Amend Appendix F, Area 54, landscape type descriptors and additional information to include comment and correlate with the future urban development of the Long Bay area.	
41/4	Landco Limited	Delete the submitters' land in area 54 from the Outstanding Natural Landscape Area as it is not an Outstanding Natural Landscape. The area lies within the Metropolitan Urban Limits and will be subject to future urban development. The submitter therefore wishes to ensure that any statutory changes made at both a regional and local authority level do not impinge on its anticipated future urban development.	Opposed By: 4 North Shore City Council
41/3	Landco Limited	Amend Map Series 3a, Sheet 2, Area 54 so that the landward side of the Mean High Water Spring level is not an Outstanding Natural Landscape.	Opposed By: 4 North Shore City Council
41/6	Landco Limited	Amend Map Series 3a - Sheet 3 and changes to Part 6.1 and Appendix F - Table 1 to give effect to above submissions and re-notify.	
30/1	Long Bay-Okura Great Park Society Inc	Amend Map Series 3a, Sheet 2, Appendix F, so that Areas 51 and 54 include Long Bay Beach, Long Bay Regional Park and the hinterland between Long Bay and Okura Village as an Outstanding Natural Landscape.	Opposed By: 41 Landco Limited

Decisions

Accept submission **14/1** and further submission **4** in support

Accept submission **36/1** and further submission **4** in support.

Reject submissions **41/3**, **41/4**, **41/5** and **41/6** and further submission **4** in support.

Reject submission **30/1** and accept further submission **41** in opposition.

Reasons for Decisions

The Hearings Committee reviewed all of the ONLs as a result of concerns raised at the 2007 hearings. This included the boundaries of ONL 52. The ONL was not intended to include the Massey University campus, but to identify only the land in public ownership that contains the indigenous vegetation. However the Hearings Committee is aware that this land is in fact owned by North Shore City Council and is held as reserve. The Committee has taken account of the reserve status of ONL 52, its location within the Metropolitan Urban Area, the size of the reserve area and the type of development surrounding the land. Based on these factors, the Committee considers that the Oteha Stream Escarpment no longer qualifies as an Outstanding Natural Landscape and it has removed the ONL notation from Area 52. The Hearings Committee recognises that the escarpment has important amenity values, but considers that the reserve designation in the North Shore City District Plan provides adequate protection.

The Hearings Committee notes the support of both the Friends of Lucas Creek Society and North Shore City Council. It considers that Area 53 still warrants an ONL notation and the area remains unchanged in the decisions version of map series 3a.

ONL 54 Long Bay only covers land that is now in public ownership. It does not include any land owned by Landco Ltd. Hence the Hearings Committee has retained both the map notation and the entry in Appendix F-2. This entry refers to the landscape values of ONL 54 in terms of the WESI criteria. Reference to the urban development of the Long Bay area is not considered a necessary part of the Information on ONL 54.

Only those landscapes that meet the criteria for ONLs are included as ONLs. The area proposed by submitter **30/1** was reconsidered by experienced landscape architects, with significant knowledge of the area. They concluded that most of Long Bay, the southern half of Long Bay Regional Park and the hinterland between Long Bay and Okura are too modified and devoid of significant natural features and clear landscape patterns, and too closely associated with existing residential and rural-residential development to qualify as an ONL. The Hearings Committee has therefore decided to make no change to Map Series 3a and has retained the existing boundaries for ONL areas 51 and 54.

5.19.8 Inclusion of North Shore's Significant Landscape Features

No.	Submitter	Summary of Decision Sought	Further Submitter/s
13/10	North Shore City Council (2)	Amend Map Series 3a, Appendix F and other provisions to include more of the 24 outstanding landscape features identified by the NSCC study, and the coastal landscapes within the city, particularly those between Takapuna and North Head.	Opposed By: 16 Transpower New Zealand Ltd (Transpower) 20 Ports of Auckland Limited

Decision

Reject submission **13/10** and accept further submission **16** and **20**.

Reasons for Decision

The landscapes identified are all very significantly affected and influenced by established urban development. They may be outstanding at the district level, but lack the continuity of endemic character, naturalness and the landscape patterns associated with the other ONLs already identified at the regional level. The Committee considers that the identification of landscape features of the type identified by submission **13/10** is a matter to be addressed at the RPS review.

5.19.9 Waitakere Area ONL Areas 72 and 73 – Waitakere and Laingholm

No.	Submitter	Summary of Decision Sought	Further Submitter/s
37/34	Waitakere City Council	Amend Map Series 3a, sheet 4, area 72/73 relating to Panto Track, Cornwallis (NZMS 260 - 528678) to include more of the area reverting from pines to native forest.	Supported By: 141 West Coast Plan Liaison Group
37/35	Waitakere City Council	Amend Map Series 3a, sheet 4, area 73 Karekare (NZMS 260 440665) to include the area between the bridge at the car park along to 440665.	Supported By: 141 West Coast Plan Liaison Group
37/36	Waitakere City Council	Amend Map Series 3a, sheet 4 area 72 to exclude the area from NZMS 260 565710 to Huia Rd.	
34/9	WH and CP Horring	Amend Map series 3a, sheet 4, area 73 to remove the areas marked on the attached map from the Outstanding Natural Landscapes. (Map provided with submission.)	

Decisions

Accept submissions **37/34**, **37/36** and **34/9** and further submission **141** in support.
Reject submission **37/35** and further submission **141** in support.

Reasons for Decisions

After reviewing the boundaries of ONLs 72 and 73 in terms of their relationship to private and regional park land and the extent of existing urban development in the Laingholm area, the

Hearings Committee has made a number of changes to these boundaries. It has extended ONL 73 in the area of the Panto track as requested by submission 37/34.

The area at Karekare identified by submission **37/35** was reviewed by the consultant landscape architects and subsequently checked against aerial photographs. The Committee concluded that the land either side of Lonely Track Road heading eastwards from Karekare should not be identified as part of the ONL. This area includes a mixture of rural-residential development, pasture, and pine woodlots that, in conjunction with reduced visual cohesion and continuity are not consistent with the ONL criteria applied elsewhere in the region.

Submissions **37/36** and **34/9** relate to land at Laingholm owned by WH and CP Herring. Those parts of ONL 72 within the Metropolitan Urban Limits were reviewed and the Committee has made several changes to this ONL. These changes have resulted in the removal of part of ONL 72 from most, but not all of the land identified in submission **34/9** and from other areas where there is residential development. The remaining areas of ONL 72 now only cover areas of significant indigenous vegetation that are free of houses. The Committee considers that these changes both refine mapping errors and bring greater consistency in the application of the ONL criteria to specific areas.

5.19.10 Additional ONL - Harbourview Land Te Atatu

No.	Submitter	Summary of Decision Sought	Further Submitter/s
27/11	Te Atatu Residents' and Ratepayers' Association Inc	Include the coastal area of public land between Harbour View Road, Te Atatu Peninsula, and the north-western motorway (known as Harbour View - Orangihina) as an Outstanding Natural Feature and a Highly Valued Landscape/Outstanding Natural Landscape requiring protection in Map Series 3A, and include a new entry for this area in Appendix F. (Text for new entry in Appendix F provided by submitter.)	
27/10	Te Atatu Residents' and Ratepayers' Association Inc	Amend Map Series 2 Sheet 2 and Appendix B to add the coastal area of public land between Harbour View Rd, Te Atatu Peninsula and the north-western motorway (excluding the Harbour View Beach Reserve) known as Harbour View - Orangihina as a significant natural heritage area with multiple values, and include additional text about the values of this area to Appendix B. (Text provided by submitter)	Support and Opposed By: 37 Waitakere City Council

Decisions

Reject submissions **27/10** and **27/11** and that part of further submission **37** in support.

Reasons for Decision

The landscapes identified, between the Te Atatu Peninsula and North-western Motorway, are very significantly affected and influenced by established urban development. They lack the continuity of endemic character, naturalness and the landscape patterns associated with the ONLs already identified throughout the Region. Their identification as ONLs would raise questions about the integrity of the application of the criteria drawn from public consultation as part of the regional landscape assessment. The Committee proposes that the values of this area be considered as part of the RPS review.

Map Series 2 and Appendix B do not form part of Change 8 and therefore the amendments sought by Submission **27/10** are outside the scope of consideration. However Appendix B is being reviewed as part of in-house work on the draft ARPS. The results of this review are being handed over to the new Auckland Council for its consideration.

5.19.11 Manukau Area ONL Areas 63, 65 and 68

No.	Submitter	Summary of Decision Sought	Further Submitter/s
64/6	Agape High-Q Holistic Horsemanship Ltd	Remove the ONL notation from the submitter's property at Orere Point, Manukau City (Area 63).	

54/22	Anglican Trust for Women and Children	Seeks submitters' land (Kawakawa Bay Pt Lot 1 DP 34878 - plan attached to submission) not be included in any highly valued landscapes or buffer areas.	
11/22	Manukau City Council	Amend Area 68 title to be described as Maraetai-Umupuia Coast Road.	

Decisions

Reject submission **64/6**.
Accept submission **11/22**

Reasons for Decisions

The professional landscape architects' review of all ONLs requested by the Hearings Committee as part of its deliberations reconsidered ONL 63 at Orere Point. No changes were recommended on that part of the ONL covering the submitter's property between the Tapapakanga Regional Park and Orere Point. The ONL in this area follows the coastal cliffs and margins running along the foreshore and does not extend over the property beyond this. This ONL is considered to correctly capture the area of the coastline that has the high landscape values and the Committee supports its retention.

The amendment sought by submitter **11/22** is supported. The title of ONL 68 in Appendix F-2 has been amended.

The Committee has replaced the concept of highly valued landscapes with amenity landscapes, but has made it clear that the identification and management of these landscapes is a matter for the future Auckland Council to consider. The Regional Policy Statement does not map any highly valued landscapes or any buffer areas. Policy 6.4.22.3 acknowledges the need to consider the adverse effects of development on land adjoining ONLs, but provides guidance on where and how this issue should be addressed. The result of these changes is to soften the management approach to landscapes that are not Outstanding Natural Landscapes and provide greater flexibility on how any future non ONL landscapes should be managed. This change in policy direction means that the submitter's land (**54/22**) is not included in any highly valued landscape or buffer area.

5.19.12 Additional ONL - Manukau Harbour

No.	Submitter	Summary of Decision Sought	Further Submitter/s
73/3	Nicola Tonkin	Amend Map Series 3a and Appendix F to include protection of the bays and coastal areas on the Manukau Harbour fringe.	Supported By: 129 Ngaati Te Ata Opposed By: 51 Federated Farmers of New Zealand (Inc)
73/2	Nicola Tonkin	Amend Map Series 3a and Appendix F to include any wading sea bird or shore bird habitats in the Manukau Harbour and the Firth of Thames.	Supported By: 129 Ngaati Te Ata Opposed By: 51 Federated Farmers of New Zealand (Inc)

Decisions

Reject submissions **73/3** and **73/2** and further submission **129** in support and accept further submission **51** in opposition.

Reasons for Decisions

The Hearings Committee considers that Map Series 3a has identified all the relevant coastal areas in the Manukau Harbour as Outstanding Natural Landscapes. It is not appropriate to add areas to the ONL that do not meet the ONL criteria (**73/3**).

Submission **73/2** requests the inclusion of areas of ecological value in Map Series 3a. The map series relates to Outstanding Natural Landscapes and the criteria by which these areas are identified are different to those criteria relating to seabird and shore bird habitats. Hence these bird habitat areas are not identified as Outstanding Natural Landscapes. However the Hearings Committee points out that the Auckland Regional Plan: Coastal, which deals with the management of the coastal marine area, identifies the major wading sea bird and shore bird

habitats as Coastal Protection Areas and has rules relating to the protection of their natural values.

5.19.13 Papakura Area ONL 60 Ponga Road

No.	Submitter	Summary of Decision Sought	Further Submitter/s
5/20	Papakura District Council	<p>Seeks clarification of:</p> <ul style="list-style-type: none"> The extent and accuracy of the proposed boundaries of Area Number 60; The reasons for the change from the area with Landscape Quality Value 5 and Landscape Sensitivity Value 5 identified in the operative RPS; The relationship of the identified Outstanding Natural Landscape number 60 with the Nature Conservation Zone of the operative Papakura District Plan. 	Support and Opposed By: 38 Winstone Aggregates

Decision

Accept in part submission **5/20** and that part of further submission **38** in support.

Reasons for Decision

The boundaries of all ONL areas have been reviewed by landscape consultants and by the Hearings Committee itself. Changes have been made to ONL 60 to remove Winstone's Hunua quarry from the ONL. Reference was made to the Papakura District Plan maps and the boundary of the quarry zone as part of the redefinition of ONL 60. Map Series 3a has also be reprinted on aerial photographs to improve its readability and more place names and road names have been added to make it easier to locate each ONL area. However the Hearings Committee points out that Map Series 3a is intended to provide a regional level overview of Outstanding Natural Landscapes, which have been defined on geophysical parameters (le NZMS 1: 50,000 topographical maps) , rather than on a cadastral base. It is noted on map series 3a that the boundary lines of each ONL are indicative, rather constituting strict property boundaries.

The Ponga Road ONL 60 has been identified because of its visual appeal, rather than its natural conservation values. The Nature Conservation Zone in the Papakura District Plan has a different purpose than a regional landscape area. It is not necessary that the areas of the two match exactly.

The landscape value of the Ponga Road area has changed from 1984 to 2003 because of the changing public perception of what constitutes an outstanding natural landscape and the application of the Environment Court endorsed landscape criteria to the Auckland region. There is greater appreciation of remaining areas of indigenous vegetation now, than was the case in the first regional landscape study and the interplay of indigenous vegetation with areas of pasture has also become more significant in landscape terms. This is reflected in the landscape value now attributed to the Ponga Road area.

5.19.14 Franklin Area - ONL Area 55 – Awhitu Peninsula

A considerable number of submissions were received to the inclusion of the western part of the Awhitu Peninsula in Outstanding Natural Landcape Area 55. The majority of the submissions oppose ONL 55, but all submissions that relate to this ONL are discussed together in the following section.

No.	Submitter	Summary of Decision Sought	Further Submitter/s
74/1	L Rutherford	Supports the concept of classifying the west coast of the Awhitu Peninsula as an Outstanding Natural Landscape.	Supported By: 129 Ngaati Te Ata Opposed By: 137 Anna Elisabeth McNaughton 136 Ian Stuart McNaughton 135 Cheryle Gail 150 Counties Power Ltd 51 Federated Farmers of

			New Zealand (Inc) 76 Ian Joseph Chitty & Susan Mary Chitty 96 David Craig
120/1	Auckland Conservation Board	Support Proposed Change 8 and, the protection of outstanding natural landscapes on Awhitu Peninsula. The proposed area for protection (Area 55) is close to areas experiencing increasing pressure for urban growth and development and the Board supports measures to address the need to protect the area's unique landforms and natural character.	Supported By: 198 Wendy Macdonald 51 Federated Farmers of New Zealand (Inc)
72/1	Concerned Awhitu Landowners (1)	Delete the Awhitu Peninsula from Map Series 3a, Sheet 4.	Supported By: 51 Federated Farmers of New Zealand (Inc) 199 Irmgard G Hastings 96 David Craig
67/2	Roslynde Rae & Murray Ross McNaughten	Amend the Proposed RPS Change to reconsider and remove the planned restriction on designated areas of the Awhitu Peninsula.	Supported By: 51 Federated Farmers of New Zealand (Inc) 76 Ian Joseph Chitty & Susan Mary Chitty 96 David Craig
45/1	Carole Mary Young (previously Willmoth)	Amend Map Series 3a, Sheet 4, Area 55 so that Awhitu Peninsula is deleted from the Outstanding Natural Landscape Area.	Supported By: 51 Federated Farmers of New Zealand (Inc)
96/24	David Craig	Delete Area 55 from Map Series 3a, Sheet 4 and Appendix F.	Supported By: 123 Tripp Andrews & Partners Ltd 51 Federated Farmers of New Zealand (Inc)
94/2	Colin Stewart Irwin	Delete Auckland Regional Policy Statement - Proposed Change 8. Landscape - Awhitu Peninsula.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig
24/28	Mighty River Power Limited ("MRP")	Delete Area 55 (West Coast Awhitu Peninsula) from Map Series 3A Sheet 4, and Table One of Appendix F.	Supported By: 51 Federated Farmers of New Zealand (Inc) 96 David Craig Opposed By: 198 Wendy Macdonald
70/1	E Ray & J.M. Morley	Questions the need for landscape change No 8 in their area (Awhitu) as most of the issues are dealt with in the Resource Management Act.	Supported By: 96 David Craig
67/1	Roslynde Rae & Murray Ross McNaughten	Delete from Map Series 3a, Sheet 4 the submitters property (leased) on Awhitu Peninsula Lot 34 DP 189122 from the identified area.	
102/3	John & Gayle Oswald	Seeks clarification that their property is correctly identified as an Outstanding Natural Landscape as good grazing land may have been included.	
66/2	KTR Trust	Delete Lot 34, DP 18912 from Map Series 3a, Sheet 4 .	
108/1	John Russell and Helen Sharp	Amend Map series 3a, Sheet 4 at Awhitu to restrict the Outstanding Natural landscape measures and rules to one kilometre from the west coast or to the west of Awhitu Road to Matakawau then to west of Kemp Rd, Manukau Heads Rd etc.	Opposed By: 96 David Craig
84/1	Waiuku Windfarm Information Group	Amend Map Series 3a, Sheet 4, to include all of the west coast of the Awhitu Peninsula to have a designation of Outstanding Natural Landscape.	Opposed By: 150 Counties Power Ltd 51 Federated Farmers of New Zealand (Inc) 96 David Craig
84/2	Waiuku Windfarm Information Group	Amend Map Series 3a, Sheet 4, Areas 55,56 and 57 by amending Area 57 (over coastal marine area) to be part of Area 55 Outstanding Natural Landscapes.	Opposed By: 96 David Craig
114/1	Waimatuku Farms	Amend Map Series 3a, Sheet 4 to include an area in the vicinity of Tindall Road, Awhitu marked Area 1 on the submitter's attached map and to exclude an area marked Area 2 on the same map.	

84/4	Waiuku Windfarm Information Group	Amend Appendix F, Areas 55 and 57 to include the West Coast ridgeline as a feature of the Awhitu Peninsula	Opposed By: 96 David Craig
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Decisions

Accept submissions **74/1** and **120/1** and further submissions **129**, **198** and **51** in support and reject further submissions **137**, **136**, **150**, **51**, **76** and **96** in opposition.

Reject submissions **72/1**, **67/2**, **45/1**, **96/24**, **94/2**, **24/28**, **70/1**, **67/1**, **102/3** and **66/2** and further submissions **96**, **51**, **123**, **76** and **199** in support and accept further submissions **198** in opposition

Reject submissions **108/1**, **84/1**, **84/2**, **84/4** and **114/1** and accept further submissions **96**, **150** and **51** in opposition.

Reasons for Decisions

The Hearings Committee had the boundaries of ONL 55 re-assessed in response to the extensive submissions it received. That reassessment confirmed that the western side of the Awhitu Peninsula has the mix of landscape characteristics that support its identification as an Outstanding Natural Landscape. The Committee therefore resolved to retain ONL 55, with modifications in some areas. This has resulted in the removal of localised areas from the ONL itself, but has not meant significant changes to its coverage. The revised boundaries of ONL 55 are identified on sheets 23, 26 and 29 of Map Series 3a. No new areas have been added. The Committee acknowledges that the addition of any further areas would require better landowner consultation.

The Committee refers submitters to ONL 55 to its discussion in Topic 5.3. This refers to similar concerns raised by the submitters at Awhitu, including the purpose and the extent of ONL 55. Concerns identified by submission **24/28** have resulted in the inclusion of the new regionally significant infrastructure policies. The Committee considers this is a more targeted response to Mighty River Power's concerns, than a wholesale remove of ONL 55 from the Awhitu peninsula.

The changes sought by submissions **81/1**, **81/2** and **81/4** are not supported. ONL No.55 and ONL No.57 extend as far as there remains a consistency of landscape features and characteristics that meet the regional landscape assessment criteria for ONLs. This covers all of the coastline of the West Coast, but only extends as far inland as such characteristics clearly persist.. ONL No.55 and ONL No.57 have different landscape characteristics, hence the division between the two. This reflects significant changes to landform and vegetation cover in particular. ONL No.56 is an inland lake, again quite different in terms of its landscape character. Consequently, it would be inappropriate to amalgamate these units in any way.

The inland boundary of ONL 55 often meets and follows the major coastal ridgeline, but does not often extend over both sides of it because of a marked change in character either side,. Consequently, it is not appropriate to include the entire ridgeline within the bounds of ONL No.55 and ONL No.57 as sought by submissions **81/4**.

5.19.15 ONL Area 62 – Hunua Ranges

No.	Submitter	Summary of Decision Sought	Further Submitter/s
16/33	Transpower New Zealand Ltd (Transpower)	Delete the extension to Area 62 insofar as it affects the south-facing escarpment between Gelling Rd and Hunua Township, by realigning the boundary to exclude the entire spur and to keep a continuous line down the west side of the ranges, about 0.5 km east of Hunua Rd. Except insofar as the aforementioned amendment is made, maintain the boundary of Area 62 and the boundaries of the Outstanding Natural Landscape Areas shown on Map Series 3a of the Planning Maps to the ARPS (Map provided with the submission).	
44/2	MLW Adams Trust	Amend Map Series 3a, Sheet 5, Area 62 by amending the extent of the Outstanding Natural Landscapes notation over the CMA.	
44/1	MLW Adams Trust	Amend Map Series 3a, Sheet 5, by reducing the extent of the ONL notation (Area 62) where it adjoins the CMA.	

		The ONL notation planning map (Sheet 5) incorrectly extends too far north to the mid-point of Matingarahi Bay, whereas it should apply only to the area comprising the ONL features and patterns listed in Table 1. This reading of Table 1 is reinforced by issue 6.2.7: Landscape (tenth bullet point) which specifically refers to the “ <i>vegetation corridors linking to the coastal margins of the Firth of Thames</i> ”.	
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Decisions

Accept submission **16/33**

Reject submissions **44/1** and **44/2**

Reasons for Decisions

The Hearings Committee considered the evidence presented by Transpower Ltd in support of submission **16/33**, including photographs of the Gelling Road spur that is proposed for inclusion in ONL 62. It agrees with the points made by Transpower relating to the reduced landscape quality of the spur area, including the presence of pine trees and existing transmission lines. This spur has therefore been removed from ONL 62.

However the review of ONL comprising the Hunua Ranges and their margins reconfirmed the boundaries set by the notified version of Map Series 3a. The landscape values of the ONL include not only the vegetation covering the Ranges, but also the interaction of forest and pastoral open space and their juxtaposition with the coastal marine area of the Firth of Thames.. This means that the areas identified by submission 44/1 and 44/2 should in the Hearings Committee’s opinion continue to be included in ONL 62.

5.19.16 Hauraki Gulf and Islands – Rakino Island ONL 75

No.	Submitter	Summary of Decision Sought	Further Submitter/s
69/1	Mile Purchase	Delete from Map Series 3a, Sheet 3 Outstanding Natural Landscape Area 75, the submitter's site (Lot 1 DP 52537 CT 7A/971). See also submissions 69/2-8.	
105/1	Douglas Armstrong	Delete from Map Series 3a, Sheet 3, Area 75 and Appendix F Lots 2 and 3 DP 52537 at northwest end of Rakino Island.	Supported By: 69 Mile Purchase

Decisions

Reject submissions **69/1** and **105/1** and further submission **69** in support.

Reasons for Decisions

The headland, coastal cliffs and islets of Woody Bay, Woody Island and the northern coastline of Rakino island, within ONL No.75, comprise an important continuum of natural coastal features that meet the relevant criteria for an ONL. This continuum would be fragmented by the removal of individual properties. The Hearings Committee supports the recommendations from the ARC’s landscape consultants that these areas should be retained as part of ONL 75.

5.19.17 Whole Waiheke Island

No.	Submitter	Summary of Decision Sought	Further Submitter/s
80/7	Gulf District Plan Association Inc	Seeks further identification, review and protection of all our special landscapes on the islands of the Hauraki Gulf and these be included on the map before the Gulf’s heritage is lost.	

Decision

Reject submission **80/7**.

Reasons for Decision

The Hearings Committee considers that the landscape assessment that determined the areas of Outstanding Natural Landscape identified appropriate areas at Waiheke Island. Any initiatives to

identify and protect further landscape areas in Waiheke Island is a matter for consideration by the new Auckland Council.

5.19.18 Waiheke Island - ONL Areas 77 and 78 Hakaimango Point to Onetangi Bay and Awakiriapa Bay

No.	Submitter	Summary of Decision Sought	Further Submitter/s
6/1	Alan Peter Stamp	Seeks the southern boundary of area 77 be along the northern boundary of the area classified as "Land Unit 12: Bush Residential" in the Auckland City Hauraki Gulf Islands District Plan.	Supported By: 122 Sandra Week 145 Sarah Sutherland
12/1	Richard Guy Crawford Hanna	Delete Lot 2 DP13801 (314 Seaview Road, Waiheke Island) and adjoining properties from Appendix F page 26 Area 77 and classification as Outstanding Natural Landscape.	Supported By: 6 Alan Peter Stamp 145 Sarah Sutherland
62/1	Cowes Holdings Limited	Amend Map Series 3a, Sheet 3 by deleting Awakiriapa Bay from the Outstanding Natural Landscape notation.	

Decisions

Accept submissions **6/1** and **12/1** and further submissions **6**, **122** and **145** in support.
Reject submission **62/1**.

Reasons for Decisions

ONL No.77 as notified included a residential area in the vicinity of Sea View Road, Onetangi, Waiheke Island. The submitter's properties are zoned in the Auckland City District Plan - Hauraki Gulf Islands as Land Unit 12 - Bush Residential. The Metropolitan Urban Limit in this area aligns with the Bush Residential boundary. The Hearings Committee accepts the submitters' requests that the ONL boundary follow the MUL and Bush Residential boundary. The southern boundary of ONL 77 is changed to exclude the bush residential zone and to only include the land outside the Metropolitan Urban Limits. This means that the submitters' properties are no longer in ONL 77.

Awakiriapa Bay is part of ONL No.78 that embraces a sequence of bush covered hills which stretch down eastern Waiheke's coastal margins and merge with the Hauraki Gulf. A review of the Waiheke Island ONL areas confirmed that this area still meets the ONL criteria. The Committee has therefore retained ONL 78 over Awakiriapa Bay.

5.19.19 Waiheke Island ONL Areas 79 and 80– Awaawaroa Bay and Valley

No.	Submitter	Summary of Decision Sought	Further Submitter/s
8/3	Lynne Stewart	Seeks review of Map Series 3a, Sheet 3 to include the area of regenerating bush on the undeveloped side of the bay.	
8/1	Lynne Stewart	Amend Map 3a sheet 3 to include the upper slopes of Mt Maunganui.	
8/2	Lynne Stewart	Amend Map 3a sheet 3 to include Te Matuku Bay.	

Decisions

Reject submissions **8/3**, **8/2** and **8/1**.

Reasons for Decisions

ONL No.79 and 80 cover the higher ground and mature remnant forest within and around Awaawaroa Bay. Areas of regenerating bush have been excluded because they are not sufficiently established that they meet the endemic and natural value criteria, nor have sufficient visual patterning and cohesion to be recognised as part of an ONL. The western inland boundary of ONL 79 has been amended following the review by the ARC's consultant landscape architects, but this does not affect the land identified by submission **8/3**.

ONL No.79 and ONL No.78 do indeed embrace the higher ground and mature remnant forest within and around Mt Maunganui and Te Matuku Bay. However, large areas around both were excluded from the ONLs as they include areas of semi-mature regeneration and pasture that do not meet the natural values, visual patterning and cohesion levels for inclusion in an ONL. In

addition, pockets of rural-residential development and weeds around Te Matuku Bay further erode the values of that coastal feature at present.

5.19.20 Additional ONL – Department of Conservation Reserve, Te Matuku Bay

No.	Submitter	Summary of Decision Sought	Further Submitter/s
56/3	Leith Duncan	Amend Map series 3a, Sheet 3 to include Department of Conservation Reserve Above the Shell Spit Te Matuku Marine Reserve and the covenanted or reserved areas on the west side of that bay.	
80/4	Gulf District Plan Association Inc	Amend Map Series 3a, Sheet 3, Appendix F to include the Department of Conservation Reserve above the shell spit in the Te Matuku Marine Reserve, and the covenanted or reserved areas on the west side of that bay.	

Decisions

Reject submissions **56/3** and **80/4**.

Reasons for Decisions

The Te Matuku Reserve's features are typically of greater natural heritage, ecological and geological significance than perceptual landscape significance and their protection is addressed in other parts of the ARPS. In each case, the presence of human activities and development near the features identifies limits their landscape value to a level below that associated with ONLs.

5.19.21 Waiheke Island ONL 83 – Park Point

No.	Submitter	Summary of Decision Sought	Further Submitter/s
57/1	Park Point Vineyards Ltd	Delete Map Series 3a, Sheet 3, Area 83 from inclusion as an outstanding natural landscape, as the land has a consented subdivision and the ONL methodology does not take account of this development.	

Decision

Accept in part submission **57/1**

Reasons for Decision

The Committee has reviewed the extent of ONL 83 covering Park Point. It accepts that modification has taken place as result of the consented subdivision. Accordingly the ONL area has been reduced in extent so that it now only covers the vegetated area on the south-eastern slopes of Park Point. Submission 57/1 is referred to Sheet 18 in the decision version of Map Series 3a.

5.19.22 Additional ONLs - Waiheke Greenbelts (LU20)

No.	Submitter	Summary of Decision Sought	Further Submitter/s
56/2	Leith Duncan	Amend Map series 3a, sheet 3 to include the Greenbelts (LU20) on Waiheke Island.	
80/3	Gulf District Plan Association Inc	Amend Map Series 3a, Sheet 3, Appendix F to include the Hauraki Gulf Island District Plan Greenbelts (Land Unit 20) as ONLs	
56/5	Leith Duncan	Amend Map Series 3a, Sheet 3 to include Bush in Wilma Rd and other bushed areas.	
80/6	Gulf District Plan Association Inc	Amend Map Series 3a, Sheet 3, Appendix F to include the bush at Wilma Rd, Waiheke Island and other bushed areas.	
56/4	Leith Duncan	Amend Map Series 3a, Sheet 3 to include the Te Atawhai Whenua Reserve at Matiatia Marine Reserve.	
80/5	Gulf District Plan Association Inc	Amend Map Series 3a, Sheet 3, Appendix F to include the Te Atawhai Whenua reserve at Matiatia.	

Decisions

Reject submissions **56/2**, **80/3**, **56/5**, **80/6**, **56/4** and **80/5**.

Reasons for Decisions

The Hearings Committee considers that the Te Atawhai Whenua Reserve is very significantly affected by the nearby presence of established urban development in Matiatia Bay. While it may be significant at the district level, it lacks a continuity of endemic and natural character and does not meet the nationally accepted WESI criteria for determining an Outstanding Natural Landscape. Therefore the area has not been included in Map Series 3a.

The other areas identified by submissions 56/2, 80/3, 56/5 and 80/6 have been reviewed against the ONL criteria. Although they may have local amenity value, they are not considered to meet the levels of naturalness to warrant ONL status. The greenbelt areas at Waiheke include significant rural residential development and also comprise relatively open pasture. The Committee acknowledges that they have local amenity value.

5.19.23 Ponui Island ONL 85

No.	Submitter	Summary of Decision Sought	Further Submitter/s
112/2	Ponui Farms Limited and J Chamberlin, M Chamberlin	Delete from Map Series 3a, Sheet 3, Appendix F the designation of Outstanding Natural landscape in so far as it applies to the submitters property on Ponui Island (c589 ha in C/T NA 389/39, and C/T NA 19D/435 c4.75 ha) including that at Oyster Point.	
48/77	Auckland City Council	Amend Map Series 3a by redefining areas of outstanding natural landscapes in accordance with the results of a comprehensive review and include Chamberlain Bay, Ponui Island as an area of outstanding natural landscape.	Supported By: 149 Wharehine Group Opposed By: 112 Ponui Farms Limited and J Chamberlin, M Chamberlin

Decisions

Reject submissions **112/2** and **48/77** and further submission **149** in support and accept further submission **112** in opposition.

Reasons for Decisions

The Committee considers that Ponui Island is a very important Outstanding Natural Landscape in the Auckland Region. Its combination of headlands, coastal cliffs, bays, areas of bush and wetlands and the pattern of indigenous vegetation, open pasture and surrounding coastal marine area means that much of the island meets the ONL criteria.

However the Committee does not support an extension of the ONL coverage as requested by submission **48/77**. Professional landscape assessment has excluded areas of the island that are not considered to meet the ONL criteria. Any decision to review the application of the Outstanding Natural Landscape notation over Ponui Island is a matter for the new Auckland Council to determine.

5.19.24 Kawau Island ONL Area 86 – Vivian Bay

No.	Submitter	Summary of Decision Sought	Further Submitter/s
21/11	Kawau Properties Limited ("Kawau Properties")	Delete the submitter's property at the northern most point of Vivian Bay (Lot 1-12 DP4961 and Lot 1 DP 325564) from Map Series 3a, Sheet 1 and Appendix F Area 86.	

Decision

Reject submission **21/11**.

Reasons for Decision

The headland at the northern end of Vivian Bay, part of ONL No.86, is a landmark in its own right that helps to define northern Kawau Bay. It also links with the cliffs and stunted coastal forest of Kawau's eastern coastline, and bush covered inland hills, to create a continuous endemic, native, landscape that meets the relevant criteria for an ONL. The wider ONL would be appreciably

diminished by the reconfiguration of its boundaries. Consequently, it is not appropriate to remove parts of ONL No.86 from the submitter's property.

5.19.25 Great Barrier Island ONL Area 88

No.	Submitter	Summary of Decision Sought	Further Submitter/s
48/76	Auckland City Council	Delete Map series 3a, sheets 3 and 6 from the proposed change and then renotify a variation once appropriate further analysis has been undertaken. See also submissions 48/77 - 81.	Supported By: 51 Federated Farmers of New Zealand (Inc) 112 Ponui Farms Limited and J Chamberlin, M Chamberlin
48/100	Auckland City Council	Seeks to express concern that the identification of Outstanding Natural Landscapes on Great Barrier Island has been based on a lack of people rather than what is Outstanding Natural Landscape.	Supported By: 51 Federated Farmers of New Zealand (Inc)
48/97	Auckland City Council	Seeks to express for an undeveloped island like Great Barrier Island it is unduly restrictive particularly with regard to built elements in the landscape.	Supported By: 51 Federated Farmers of New Zealand (Inc)
48/78	Auckland City Council	Seeks close review of the effect of the objectives, policies and methods and extent of the Outstanding Natural Landscape delineation in map series 3a and Appendix F, to ensure that use and development of private land is not unreasonably restricted.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 148 Horticulture New Zealand
48/79	Auckland City Council	Amend Map Series 3a and Appendix F to redefine, review and make changes to the areas defined as Outstanding Natural Landscapes to ensure consistency of identification of Outstanding Natural Landscapes.	
48/81	Auckland City Council	Amend Map Series 3a and Appendix F to review and make changes to the boundaries of the Outstanding Natural Landscapes to ensure that areas of existing settlements, particularly on Great Barrier, can expand without encroaching into Outstanding Natural Landscapes.	
46/1	Estate of David Hill - Great Barrier -	Delete whole RPS as it affects Great Barrier and submitters land in particular. The proposal constitutes a development and use prohibition to the extent that a de facto reserve is created. Inhibits or prohibits the reasonable use and enjoyment of private land. The methods proposed in PC 8 are crude, generic and fail to facilitate appropriate conservation and protection outcomes, in particular through partnership approaches with private landowners.	Supported By: 51 Federated Farmers of New Zealand (Inc)
46/3	Estate of David Hill - Great Barrier -	Amend Map Series 3a, Sheet 6 to remove the submitters' land from Outstanding Natural Landscape Area 88. The submitter owns 275 ha of land starting at Medlands Beach and running through to Station Rock Road and the Needles at Tryphena. The generic classification of the land in PC 8 is inappropriate, inaccurate and unreasonable having regard to the purposes of the RM Act 1991.	Supported By: 125 Michael O'Shea 126 M.P.J. O'Shea of Awana 127 Helen O'Shea
18/1	John Russell Mellars	Delete Outstanding Natural Landscape from Property (Lot 1 DP 78818).	Supported By: 125 Michael O'Shea 126 M.P.J. O'Shea of Awana 127 Helen O'Shea 146 Desmond Eric O'Toole 147 Patricia O'Toole

Decisions

Reject submissions **48/76, 48/100, 48/97** and **48/79** and further submissions **51** and **112** in support.

Reject submissions **46/1, 46/3** and **18/1** and further submissions **125, 126, 127, 146** and **147** in support.

Accept in part submissions **48/78** and **48/81**.

Reasons for Decisions

The Hearing Committee does not accept the proposal from Auckland City Council (**48/76**) that Outstanding Natural Landscape Area 88 be removed from Great Barrier Island and that the island be subject to a new landscape assessment. The island was subject to a comprehensive assessment by experienced landscape architects as part of the ONL mapping process. It was subsequently visited by a combined team of ARC and ACC officers and landscape consultants to discuss various proposed ONL areas.

The Committee considered the evidence presented by Auckland City Council at the hearings in 2007. That evidence put forward a list of local settlements on Great Barrier Island with an urban type zoning and sought that the boundaries of ONL 88 exclude these urban settlement areas. The Hearings Committee has generally accepted requests by the City Council and has made changes to the ONLs at Port Fitzroy, Tryphena and Medlands to ensure that the settlement area notations and the ONL boundaries do not overlap. These boundaries adjustments have been determined by reference to the appeals version of the Hauraki Gulf Islands District Plan. The Committee prefers to follow these settlement area notations, rather than the earlier ones put forward by Auckland City Council as part of its 2007 evidence. However no changes have been made to ONL 88 to accommodate potential future settlements in the Katherine Bay area. These changes are not considered warranted at this time.

The Committee also considered the requests by submissions **46/1**, **46/3** and **18/1** to delete the ONL notation from their properties. The land that frames Medlands Beach and runs across to Tryphena is part of an outstanding continuum of forest covered hills, coastal cliffs and headlands, bays and beaches that cover most of Great Barrier Island, a repository of features, elements, patterns and processes (including a large area of DOC estate) that are evocative of NZ's landscape heritage. The identification of this entire area, including the subject properties is consistent with identification of the region's ONLs. Consequently, it is not appropriate to remove parts of ONL No.88 as requested.

The Committee points out to submission **48/100** that the identification of Great Barrier Island as an ONL is based on a number of factors. They include the presence of extensive areas of indigenous forest, dramatic and expressive topography, large sections of coastline and hinterland with low levels of built development. Together these give rise to high levels of naturalness in the landscape. The latter is clearly related to the absence of people and built development. However the basis for the identification of the Island as an ONL is the landscape values themselves rather than the absence of people per se. The Committee has however made changes to the policies, particularly 6.4.22.1 to recognise Outstanding Natural Landscapes as working landscapes and to acknowledge their use by people for production purposes.

TOPIC AREA 20 PRESENTATION OF MAP SERIES 3a

These submissions seek changes to the title and or scale of Map Series 3a: Outstanding Natural Landscapes, or want other types of landscapes mentioned in Change 8 mapped as well.

5.20.1 Scale and Base for Maps

No.	Submitter	Summary of Decision Sought	Further Submitter/s
64/3	Agape High-Q Holistic Horsemanship Ltd	Supports the mapping of ONLs as this gives effect to an important policy contained in the RMA and it will give certainty of when objectives, policies and methods relating to ONLs will apply when subdivision, use and development is proposed.	
31/1	Haka International NZ Limited	Amend Map Series 3a to change all reference to those areas of land classified as "Outstanding Natural Landscapes" to "Protected Landscapes", as much of the land classified as "Outstanding Natural Landscape" in Map Series 3a is no longer in its natural state.	
48/80	Auckland City Council	Amend Map Series 3a to review and make changes to the boundaries of the Outstanding Natural Landscapes to ensure that boundaries are aligned where possible with the cadastral	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited

		boundaries.	Opposed By: 39 Rodney Aggregate Supplies 38 Winstone Aggregates
37/37	Waitakere City Council	Amend Map series 3a to identify that the mapped boundaries between Outstanding Natural Landscapes and non-Outstanding Natural Landscapes do not represent a hard boundary in reality.	Supported By: 140 Huia-Cornwallis Ratepayers and Residents Association 141 West Coast Plan Liaison Group Opposed By: 54 Anglican Trust for Women and Children
13/9	North Shore City Council	Amend the Map Series 3a to identify the location of all the Landscapes categories.	Opposed By: 37 Waitakere City Council
16/34	Transpower New Zealand Ltd (Transpower)	Amend Map Series 3a to ensure that the Outstanding Natural Landscape Areas are available at a scale and in a database form that would enable individuals to determine the location of property boundaries accurately, and include a reference in the Planning Maps to state where further clarification of the mapped areas can be found.	Supported By: 54 Anglican Trust for Women and Children
29/1	Jon Nicholson	Amend Map Series 3A to more accurately identify the location of ONLs.	
5/21	Papakura District Council	Amend Map Series 3a to include additional information including TA boundaries and other topographical information to assist interpretation.	
78/3	BioMarine Ltd	Amend Map Series 3a and Appendix F to more accurately reflect the areas to be given extra protection. The scale of Map Series 3a is insufficient to allow landowners and others to clearly identify the boundaries of affected areas. Appendix F should contain a precise easily understood description of the areas to assist with identification.	Supported By: 54 Anglican Trust for Women and Children
40/32	Stevenson Resources Limited	Amend Map Series 3a and Appendix F by ensuring that the Outstanding Natural Landscape Areas are available at a scale and in a database form that would enable individuals to determine the location of property boundaries accurately, and include a reference in the Planning Maps to state where further clarification of the mapped areas can be found.	Supported By: 139 Holcim (New Zealand) Limited 54 Anglican Trust for Women and Children
15/16	JR Courtenay Family Trust	Seeks to ensure (if the relief sought in submissions 15/1 - 15/15 are not granted) that the Outstanding Natural Landscape areas are available at a scale and in a database form that would enable individuals to determine the location of property boundaries accurately, and include in the Planning Maps to state where further clarification of the mapped areas can be found.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited
11/23	Manukau City Council	Amend Map Series 3a to reproduce them at a higher resolution that is more useable, with all roads included.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited 54 Anglican Trust for Women and Children
7/1	Genesis Power Ltd ("Genesis Energy")	Amend Map Series 3a to more accurately identify the location of Outstanding Natural Landscapes to a standard consistent with that employed by Map Series 1 of the RPS.	Supported By: 143 Matariki Forests 37 Waitakere City Council 150 Counties Power Ltd 144 Carter Holt Harvey Limited
33/4	Royal Forest and Bird Protection Society of New Zealand Inc	Seeks to present further information at the hearing on amendments to ONL maps.	Supported By: 143 Matariki Forests 144 Carter Holt Harvey Limited

Decisions

Accept submission **64/3**.

Reject submission **31/1**.

Reject submission **48/80** and further submissions **143** and **144** in support and accept further submissions **38** and **39** in opposition.

Accept in part submission **37/37** and further submissions **140** and **141** in support and reject further submission **54** in opposition.

Reject submission **13/9** and accept further submission **37** in opposition.

Accept in part submission **16/34** and further submission **54** in support.

Accept in part submissions **29/1**, **5/21**, **78/3**, **40/32**, **15/16**, **11/23**, **7/1** and further submissions **54**, **139**, **143** and **144** in support.

Reject submission **33/4** and further submissions **143** and **144** in support.

Reasons for Decisions

The Hearings Committee notes the support of submission **64/3**. It has retained the Outstanding Natural Landscapes in Map Series 3a, subject to amendments sought by other submitters. It points out to submission **31/1** that the term 'outstanding natural landscape' relates specifically to the terminology used in s 6(b) of the RMA and does not necessarily reflect a landscape that is in a wholly pristine natural state. The emphasis on natural landscape is one where natural elements are dominant over man-made structures. Accordingly it has retained the title reference to Outstanding Natural Landscapes.

Submissions **48/80**, **37/37**, **16/34**, **29/1**, **5/21**, **78/3**, **40/32**, **15/16**, **11/23** and **7/1** seek changes to the scale of the maps and the inclusion of more spatial information to improve their usability. The Outstanding Natural Landscapes Assessment study which forms the technical basis of Change 8 mapped all landscapes on topographical rather than cadastral maps. This reflects the emphasis on biophysical factors, rather than artificial legal boundaries being the foundation for the assessment. Hence the Hearings Committee has chosen to retain the current mapping base for Change 8. It has however transferred this information over onto recent aerial photographs and has increased the number of sheets in Map Series 3a to improve the scale and readability.

The Committee has considered the concerns raised by submissions regarding the scale of the ONL maps and the desire by some submitters to have them at a scale and in a dataform that would enable individuals to determine the location of property boundaries. It agrees that further locational information (roads and settlements) should be included on the maps and that the scale of these maps be improved. However it will not print the maps at a scale to enable the determination of property boundaries, nor include the level of detail requested by submission **11/23**. This is partly because of the constraints of the original landscape assessment discussed above, but this scale would make the size of the RPS maps unmanageable. Further information has been included in the text of Appendix F advising users that more detailed maps can be obtained on application to the new Auckland Council. It has also partly accepted the relief sought by submission **37/37** and has included a notation in Appendix F that the ONL boundaries are indicative only and do not represent a hard line on the ground.

The Hearings Committee is aware that the new Auckland Council will be reviewing its GIS based data base, and the public accessibility to this information via computer. This review will consider the inclusion of the RPS maps in a more publicly accessible form. It is proposed to update Change 8 at the end of the First Schedule process, using Clause 16 powers so that the references to data availability reflect the most up to date position.

The Committee has amended Appendix F to include information relating to the re-assessment of the ONLs using the WESI criteria. Each ONL has an identification number that corresponds with Map Series 3a. The Committee considers this to be the easiest and most effective way of identifying each area, rather than included a detailed locational description as requested by submission **78/3**.

Submission **13/9** is advised that the Hearings Committee has deleted Highly Valued Landscapes for the reasons outlined in Topic 5.5. Hence there is no need to map these other landscapes on Map Series 3a. It has also modified the concept of Land Associated with ONLs and considers that Policy 6.4.22.3 is sufficient and that no mapping is required to give effect to this provision.

No further evidence was presented to the Committee by submission **33/4** in support of its original submission. Hence the Committee has been unable to ascertain the concerns of the Royal Forest and Bird Protection Society in relation to Map Series 3a.

5.20.2 Map Series 3a - Inaccurate Mapping

No.	Submitter	Summary of Decision Sought	Further Submitter/s
51/3	Federated Farmers of New Zealand (Inc)	Seeks to express concern that the Outstanding Natural Landscapes shown on the Maps are inaccurate. In some cases the Maps are considered to be inconsistent with the text of the proposal. FFNZ considers that it is incumbent on Council to ensure that its Maps are accurate and accurately reflect what is written in the text.	<p>Supported By: 132 Geoff Chitty 133 Anthony Stekelenburg 134 Falco Visser 135 Cheryle Gail 136 Ian Stuart McNaughton 137 Anna Elisabeth McNaughton 154 Norm Clark 155 Meikle Brian Thomas 156 DL & FR Jamison 157 Martin Frank Bucksey 158 Dacey Balle 159 Brendan Rory Gerrard Balle 160 Chris Balle 161 Balle Bros Holdings Ltd 138 Peter R Fraser 162 Shane Balle 163 Maurice Balle 164 Jim Balle 165 John McDonald 166 Donna Goettler 167 Shirley Carter 168 Anthony Stekelenburg (2) 142 Wendy June Clark 169 Peter R Fraser (2) 170 Glenice Aro 171 George McGregor 172 Ian Joseph Chitty 173 Susan Mary Chitty 174 MJ & JM Patterson 123 Tripp Andrews & Partners Ltd 121 Olsen Farms Ltd 124 AQ Farms Partnership 151 Evan Forbes McGregor 152 Ron Hogan 153 Hilary Claire Atchinson 175 John Rutherford 176 Jennifer Mary Morley 177 Edwin Raymond Morley 178 Aspin Farms Limited 179 Carol Howard Hamilton 180 Andrew Charles Hamilton 181 BR & RD Teague 182 Barry N Cochrane 183 Vivian Marshall Rutherford 184 Michael M Harper 185 Daniel J Verryt 186 Terence John Atchinson 187 PL & B Sergeant 188 Margaret Jean Hamilton 189 Clyde Harris Hamilton 190 Brian Blake 191 Kevin John Dodd 192 Maureen Mary Dodd 193 Christopher John Chitty 143 Matariki Forests 194 Karyn Jayne Chitty 195 Alex Fraser Chitty</p>

			196 Kaiua Citizens & Ratepayers Association 197 Duncan Crawford Munro 144 Carter Holt Harvey Limited 72 Concerned Awhitu Landowners (1) 90 Roger Malcolm Jones 96 David Craig 110 Kerry O. and W.G.M. Ruiterman 112 Ponui Farms Limited and J Chamberlin, M Chamberlin 113 Pollok Ratepayers Association 118 Rodney Irwin Atchinson 119 Frith Farms (2003) Ltd & Hoteo Trust 41 Landco Limited
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Decisions

Accept in part submission **51/3** and the following further submissions in support: **41, 72, 90, 96, 110, 112, 113, 118, 119, 121, 123, 124, 132, 133, 134, 135, 136, 137, 138, 142, 143, 144, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 16, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196** and **197**.

Reasons for Decisions

Federated Farmers of New Zealand (Inc) (51/3) presented a submission to the Hearings Committee covering a number of matters identified in its original submission. These matters are discussed elsewhere in this Decisions report. It did not comment on specific mapping issues. However the Committee is aware of the concerns raised by individual landowners, who are further submitters in support of submission **51/3**. In public meetings and in the hearing of submissions at the Pollok Hall in May 2007, a number of landowners commented that they disagreed with the boundaries on ONL on or near their properties. As a result of these concerns, the Hearings Committee directed a re-assessment of all ONL boundaries by the landscape architects who undertook the original ONL landscape assessment. This process was done in conjunction with a re-assessment of the landscape units using the WESI criteria. Where the review recommended that the boundary of any ONL be reduced, the Committee has accepted this. It has also agreed to minor realignments to fix mapping errors. However where the professional review has recommended an extension of any ONL, the Committee considers that this should only be done by a variation or change, rather than as a result of a decision on a submission. It will be providing this information to the new Auckland Council for its consideration as part of any on-going RPS review. These amended boundaries are shown on the decisions version of map series 3a.

The Committee considers that this review is an appropriate and technically justifiable re-assessment of ONL boundaries, based on robust methodology that is consistent with approaches used elsewhere in the country.