

LOCAL GOVERNMENT (AUCKLAND) AMENDMENT ACT 2005 RESOURCE MANAGEMENT ACT 1991

Rodney District Operative Transitional District Plan 1993 – Proposed Plan Change Number 97 – Amendments to Include Requirements of the Local Government (Auckland) Amendment Act 2004

Explanation

The Local Government (Auckland) Amendment Act 2004 (LGAAA) requires that all councils in the Auckland Region integrate their land transport and land use provisions in order that they can give effect to the Auckland Regional Growth Strategy. Section 40 of the Act describes such changes as:

“A land transport and land use change is a change or variation to an Auckland planning document by including issues, objectives, policies, and descriptions of methods for the purpose of-

- a) Giving effect, in an integrated manner, to the growth concept in the Auckland Regional Growth Strategy prepared under section 37SE of the Local Government Act 1974; and*
- b) contributing, in an integrated manner, to the matters specified in Schedule 5”.*

Among the obligations placed on local authorities by the LGAAA is the requirement in Schedule 5(e) of the Act to integrate transport and land use policies to reinforce metropolitan urban and rural objectives of the Auckland Regional Policy Statement (ARPS). In short, local authorities when doing changes anticipated by the LGAAA, must also ensure their plans are in keeping with the Auckland Regional Policy Statement (ARPS) objectives.

Chapters 2 and 4 of the Auckland Regional Policy Statement (ARPS) have been redrafted to give effect to requirements of the LGAAA and to remove unnecessary duplication.

In Chapter 2 (ARPS) – Regional Overview and Strategic Direction - amendments include changes to the strategic objectives in the ARPS which:

- introduce a new objective to achieve a *compact sustainable urban form* served by a multi-modal transport system;
- introduce a new key objective to *ensure high levels of mobility and access* in the region for both people and goods in a sustainable basis;
- changes the objective relating to environmental quality to achieve a built environment in the region which has a sense of identity, is visually pleasant, functionally efficient, socially and environmentally responsible and economically vibrant.

Chapter 2 (ARPS) also sets out a number of strategic policies and methods to achieve these objectives. Chapter 2 also introduces of new schedules, which set out areas in the Region where urban intensification will be encouraged through district plan changes and where alterations to the Metropolitan Urban Limits will be considered. The ARPS methods require each territorial authority to:

“include a programme for the sequencing and timing of the development of areas identified in Schedules 1 and 2 to accommodate growth based on a twenty year time frame....”

Chapter 4 of the ARPS has been amended to recognise the positive role of transportation in *“leveraging development within high density centres and corridors.”* The Chapter discusses *“a transport system which supports more intensive forms of development in the Auckland Region.”*

Amendments to the ARPS include:

- introduction of a new objective that seeks the development of a transport network which supports a compact sustainable urban form;
- a revised policy to increase public transport usage, walking and cycling;
- an additional method to ensure that planning controls do not unnecessarily restrict the development of intensive centres and corridors;
- an additional method to ensure that the Regional Land Transport Strategy recognises and guides transport system development in a way that supports the urban form sought in Chapter 2.

All of the above changes place a range of obligations on the Council to amend its District Plan.

The schedule of amendments to the Rodney District Operative Transitional District Plan 1993 are set out below. This plan change basically refers back to the Variation 22 to the Rodney District Council Proposed District Plan 2000. Given the relative recentness of the Proposed Plan compared to the Operative Plan and the considerable changes made in the Proposed Plan relating to the management of growth, the Proposed Plan is the principal planning document.

This Plan Change and Variation 22 to the Proposed District Plan 2000 need to be read in conjunction with decisions the Council has made to submissions to the Proposed District Plan 2000 on Chapter 13 – Future Development and Structure Plans. The decisions are set out in Decision Report 2201. That decision is to be released at the same time as this Plan Change is notified. These decisions clearly result in amendments to the Proposed Plan that reflect the requirements of the LGAAA.

Plan Change

Schedule of Amendments

- 1 Amend Section 2 – *Planning Strategy 2B – Hibiscus Coast*,
by adding after the heading the following: (additions are underlined)

The Local Government (Auckland) Amendment Act 2004

The Local Government (Auckland) Amendment Act 2004 requires all local authorities in the Auckland region to address certain specific transport and growth matters and amend their planning documents accordingly. The Council has

accordingly notified Variation 22 to the Proposed District Plan 2000. This Plan (the Rodney District Operative Transitional District Plan) is also a relevant planning document. To avoid unnecessary duplication and confusion, and to ensure that users of the planning documents can focus on a single set of planning provisions, the Council does not propose to duplicate the amendments in Variation 22 in this Plan. Instead, the Council will rely on Variation 22. The following rule makes clear the relationship between this Section and Variation 22.

Rule 2B1

The provisions of this Section of the Plan shall be read as being subject to Variation 22 of the Proposed District Plan 2000. In the event of any conflict or inconsistency between the provisions of this Section and Variation 22, the latter shall prevail.

- 2 Amend Section 2 – Planning Strategy 2C – Rodney, Apart from the Hibiscus Coast by adding after the heading the following: (additions are underlined)

The Local Government (Auckland) Amendment Act 2004

The Local Government (Auckland) Amendment Act 2004 requires all local authorities in the Auckland region to address certain specific transport and growth matters and amend their planning documents accordingly. The Council has accordingly notified Variation 22 to the Proposed District Plan 2000. This Plan (the Rodney District Operative Transitional District Plan) is also a relevant planning document. To avoid unnecessary duplication and confusion, and to ensure that users of the planning documents can focus on a single set of planning provisions, the Council does not propose to duplicate the amendments in Variation 22 in this Plan. Instead, the Council will rely on Variation 22. The following rule makes clear the relationship between this Section and Variation 22.

Rule 2C1

The provisions of this Section of the Plan shall be read as being subject to Variation 22 of the Proposed District Plan 2000. In the event of any conflict or inconsistency between the provisions of this Section and Variation 22, the latter shall prevail.

- 3 Amend Section 5 - Commercial Zones, section 5A Strategy by adding after the heading the following: (additions are underlined);

The Local Government (Auckland) Amendment Act 2004

The Local Government (Auckland) Amendment Act 2004 requires all local authorities in the Auckland region to address certain specific transport and growth matters and amend their planning documents accordingly. The Council has accordingly notified Variation 22 to the Proposed District Plan 2000. This Plan (the Rodney District Operative Transitional District Plan) is also a relevant planning document. To avoid unnecessary duplication and confusion, and to ensure that users of the planning documents can focus on a single set of planning provisions, the Council does not propose to duplicate the amendments in Variation 22 in this

Plan. Instead, the Council will rely on Variation 22. The following rule makes clear the relationship between this Section and Variation 22.

Rule 5A1

The provisions of this Section of the Plan shall be read as being subject to Variation 22 of the Proposed District Plan 2000. In the event of any conflict or inconsistency between the provisions of this Section and Variation 22, the latter shall prevail.

- 4 Amend Section 13 – *Vehicle Parking, Loading and Access 13A Strategy* by adding after the heading the following: (additions are underlined)

The Local Government (Auckland) Amendment Act 2004

The Local Government (Auckland) Amendment Act 2004 requires all local authorities in the Auckland region to address certain specific transport and growth matters and amend their planning documents accordingly. The Council has accordingly notified Variation 22 to the Proposed District Plan 2000. This Plan (the Rodney District Operative Transitional District Plan) is also a relevant planning document. To avoid unnecessary duplication and confusion, and to ensure that users of the planning documents can focus on a single set of planning provisions, the Council does not propose to duplicate the amendments in Variation 22 in this Plan. Instead, the Council will rely on Variation 22. The following rule makes clear the relationship between this Section and Variation 22.

Rule 13A1

The provisions of this Section of the Plan shall be read as being subject to Variation 22 of the Proposed District Plan 2000. In the event of any conflict or inconsistency between the provisions of this Section and Variation 22, the latter shall prevail.