

Auckland Council District Plan (Auckland City Central Area Section)

Proposed plan modification 34: plan change

Plan Change under Section 73 of the Resource Management Act 1991

Date of council resolution: 15th April 2009

Date of notification: 21 June 2009

Closing date for submissions: 20 July 2009

Date of council decision: 21 October 2011

Inclusions to proposed plan change shown underlined, deletions to proposed plan change shown with ~~strikethrough~~.

Part A: Amend Clause 2.4 “Other Planning Agencies” by inserting after the final bullet point I the first paragraph an additional bullet point;

“The Hauraki Gulf Marine Park Act 2000”

Part B: Amend Clause 2.4 “Other Planning Agencies” by inserting after the final paragraph an additional paragraph;

“The Hauraki Gulf Marine Park Act 2000 requires that the District Plan does not conflict to be consistent with it in its recognition of the national significance of the Hauraki Gulf and its stated objectives for the integrated management of the Hauraki Gulf, its islands, and catchments.”

Part C: Amend Part 2 “District Plan Development” by inserting an additional clause;

“2.15 The Hauraki Gulf Marine Park Act 2000

“Considerable portions of the area within the Auckland City territorial boundary, including all ~~the whole~~ of the Central Area, are subject to the provisions of the Hauraki Gulf Marine Park Act 2000 (“HGMPA 2000”). The purpose of the HGMPA 2000 is to -

- (a) integrate the management of natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:
- (b) establish the Hauraki Gulf Marine Park:
- (c) establish objectives for the management of the Hauraki Gulf, its islands, and catchments:
- (d) recognise the historic, traditional, cultural, and spiritual relationship of the Tangata Whenua with the Hauraki Gulf and its islands:
- (e) establish the Hauraki Gulf Forum.

The HGMPA 2000 requires the Council to ensure that any part of the District Plan that applies to the Hauraki Gulf, its islands, and catchments does not conflict with sections 7 and 8 of that Act, which recognise the national significance of the Hauraki Gulf and set out objectives for its management.

In accordance with sections 9(5) and 10 of the HGMPA 2000, the provisions of section 55 of the Resource Management Act 1991 apply as though sections 7 and 8 of the HGMPA 2000 were a national policy statement.

The HGMPA 2000 also requires the Council, when considering an application for a resource consent for the Hauraki Gulf, its islands, and catchments, to have regard to the matters set out in sections 7 and 8 of the HGMPA 2000.

The provisions of the District Plan accord with those of the HGMPA 2000. The Council will have regard to section 7 and 8 of the HGMPA 2000 when considering an application for a resource consent ~~that may reasonable impact on the Hauraki Gulf, its islands, and catchments.~~”

Part D: Amend Clause 3.2.1 “Natural and Physical Resources” by inserting the following phrase after the words, “These resources include not only the land, harbour”:

“(including the Central Area as part of a catchment to the Hauraki Gulf, as defined under the Hauraki Gulf Marine Park Act 2000)”

Part E: Amend Clause 3.2.3 “Coastal Environment” by inserting an additional paragraph between the first and second paragraphs:

“The whole of the Central Area sits within a catchment to the Hauraki Gulf, and as such, is subject to the provisions of the Hauraki Gulf Marine Park Act 2000. The Hauraki Gulf Marine Park Act 2000 requires that the District Plan does not conflict to be consistent with the Act ~~it~~ in its recognition of the national significance of the Hauraki Gulf and its stated objectives for the integrated management of the Hauraki Gulf, its islands, and catchments. It also requires the Council, when considering an application for resource consent for the Hauraki Gulf, its islands, and catchments, to have regard to the matters set out in sections 7 and 8 of the Hauraki Gulf Marine Park Act ~~HGMPA~~ 2000.”