

**Specialist input for Geological Matters, Heritage, Part 7 of Auckland City District Plan:
Hauraki Gulf Islands Section – Proposed 2006**

Prepared by Marion Stuteley, Heritage Policy Analyst, City Planning, Auckland City Council

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Text: Part 7 - Heritage

7.2.3

Issue raised: Enumerate ways of achieving listed issues (clause 7.2.3), and then ask for comment

Submission numbers: 3401/3

Comments: I have addressed this issue by taking clause 7.2.3 of the proposed plan and addressing the parts of it. The following italics are clause 7.2.3. *The islands abound with a rich variety of geological and archaeological features. Many of these have particular scientific and educational value. As such, they can provide important scientific and educational information for future generations. Scientific resources have been at risk due to poor identification – At the time of notification Auckland City Council had reviewed the geology of seven islands in the inner gulf and identified significant geological features and landforms. Further islands are yet to be reviewed. Lack of awareness by property owners that their properties may contain heritage resources and their fragile nature – we have attempted to contact property owners prior to surveying these sites, although we did not manage to contact all owners. By notifying the proposed plan, property owners have the opportunity to see what has been proposed. Once the plan is finalised / operative, property owners will be officially notified. This means that some of these scientific resources may be inadvertently damaged or destroyed – the proposed rules and activity tables are designed to protect the scheduled sites.*

7.4.4

Issue raised: Concern that the heritage data from the survey carried out by George Farrant et al circa 2000 is not included/referenced.

Submission numbers: 1596/10

Comments: The archaeological survey carried out by George Farrant et al circa 2000 was the initial trial survey for the whole review. Mr Farrant at that time was Manager, Heritage Division and so in charge of the project overall. However, our consultant archaeologists Clough & Associates Ltd who went on to do the entire survey did the actual trial area survey and assessment. The heritage data reviewed at that time is included in the overall review. No geology was scheduled in the trial area.

7.12.4

Issue raised: Ensure that land owners are aware of Category A and B scheduled geological items on their properties.

Submission numbers: 1243/60

Comments: We have attempted to contact property owners prior to surveying these sites, although we did not manage to contact all owners. By notifying the proposed plan property owners have the opportunity to see what has been proposed. Once the plan is finalised / operative, property owners will be officially notified.

Table 7.3

Issue raised: Table 7.3 be amended to include the following activity (or words to like effect) as a permitted activity:

"The actions of any person in carrying out work which is authorised by statute or regulations (including the Electricity Act 1992 and the Electricity (Hazards from Trees) Regulations 2003)".

Submission numbers: 941/42

Issue raised: Table 7.4 be amended to include the following activity (or words to like effect) as a permitted activity:

"The actions of any person in carrying out work which is authorised by statute or regulations (including the Electricity Act 1992 and the Electricity (Hazards from Trees) Regulations 2003)".

Submission numbers: 941/43

Comments: Reject – Any works, regardless of who is doing them, should avoid damaging heritage and scientific values. As we are charged with protecting significant heritage, rather than permitting works which may damage the heritage item, the opportunity should be afforded to seek alternative non-damaging solutions

Table 7.3

Issue raised: For geological items, where it is not practical to exclude the types of stock for which consent is required for grazing, provide for the necessary consent to be a controlled activity, which will be issued free of charge (see table 7.3).

Submission numbers: 1243/62

Issue raised: For geological items, where it is not practical to exclude the types of stock for which consent is required for grazing, provide for the necessary consent to be a controlled activity, which will be issued free of charge (see table 7.4).

Submission numbers: 1243/63

Comments: Grazing on geological items, both Category A and Category B, is either a permitted or a restricted discretionary activity. Making grazing a controlled activity indicates consent will be granted but with conditions. As it is generally accepted that heavy animals cause considerable damage it is preferable that we retain the option of declining grazing in certain circumstances. Council already offers a waiver of resource consent fees for the heritage aspect of resource consent applications. It also provides free advice from heritage specialists through the scheduling process and on any consent which may be lodged in relation to a heritage item. The waiver of fees provides a financial benefit to the property owner and the free advice from specialist experts is helpful in addressing the issues associated with scheduled items.

Table 7.3

Issue raised: Amend table 7.3: Activity table for category A scheduled geological items (in part 7 - Heritage), by inserting 'NC' in place of 'Pr' (prohibited) where it occurs in the following locations:

- in row 2 ('Earthworks greater than 2m³') under column G
 - in row 4 ('External alterations and additions ...') under column G
 - row 7 ('Construction of fences or walls ...') under column E
- row 11 ('Planting any vegetation...') under columns C and E.

Submission numbers: 2091/12

Comments: Reject - Column G refers to boulder fields. The parts of the boulder fields proposed for scheduling are in the Stony Batter boulder fields. In this case, areas have been closely defined so as not to interfere with farm practices outside the immediate high value areas. These activities have been proposed as Prohibited in order to protect those parts of the boulder fields which have been assessed as being of Category A heritage value and so to be highly protected. Earthworks of greater than two cubic metres and External alterations or additions to existing buildings and the construction and/or relocation of new buildings are not appropriate in this context.

Column E refers to fragile exposures of geological materials such as the Flax Point baked sediment and Column C refers to Dynamic landforms and features such as the Te Matuku Bay shell spit. Row 7, Construction of fences or walls other than post and wire fences should remain prohibited as such an activity would in all probability destroy a Category A fragile exposure of geological material. Row eleven, Planting any vegetation on the scheduled feature should also remain prohibited for both fragile exposures of geological materials and dynamic landforms and features as this activity would be detrimental to the exceptional value of these particular types of geological items.

Table 7.3

Issue raised: Amend table 7.3: Activity table for category A scheduled geological items (in part 7 - Heritage), by deleting row 1 ('Erecting buildings or structures,...') and row 15 ('Works or activities within the scheduled site surrounds') in their entirety.

Consequential renumbering of other rows will be required.

Submission numbers: 2091/13

Issue raised: Amend table 7.4: Activity table for category B scheduled geological items (in part 7 - Heritage), by deleting row 1 ('Erecting buildings or structures,...') and row 15 ('Works or activities within the scheduled site surrounds') in their entirety.

Consequential renumbering of other rows will be required.

Submission numbers: 2091/15

Comments: Support – It is agreed that this activity table pertains to scheduled geological sites only and a separate section will be added covering rules within Scheduled site surrounds

Table 7.3

Issue raised: Insert the following wording to Table 7.3:

"Light grazing of cattle on any geological site on land falling within the Conservation Land Unit, and either managed directly by Department of Conservation operational staff, or undertaken in accordance with a DOC approved concession issued by the Minister of Conservation under Part 3B of the Conservation Act 1987 ..."

Submission numbers: 2515/1

Issue raised: Insert the following wording to Table 7.4:

"Light grazing of cattle on any geological site on land falling within the Conservation Land Unit, and either managed directly by Department of Conservation operational staff, or undertaken in accordance with a DOC approved concession issued by the Minister of Conservation under Part 3B of the Conservation Act 1987 ..."

Submission numbers: 2515/2

Comments: Reject – This submission by the Department of Conservation is submitting on the premise that grazing is a prohibited activity on category A geological sites and a non-complying activity on category B geological sites. This is not correct. As per the district plan, grazing on geological items, both Category A and Category B, is either a permitted or a restricted discretionary activity. It is generally accepted that heavy animals cause considerable damage to archaeological and geological sites so it is preferable that we retain the option of declining grazing in certain circumstances.

Part 3B of the Conservation Act 1987 states: *The Department and all concession and other authorisation holders should monitor the effects of authorised activities on natural resources, historical and cultural heritage, and the benefit and enjoyment of the public, including public access, to inform future management decisions.*

[policy 11.1(c), Conservation General Policy 2005]

This indicates that DOC should be in support of controls that prevent damage to scheduled geological sites rather than requesting an exemption.

Table 7.4

Issue raised: Amend table 7.4: Activity table for category B scheduled geological items (in part 7 - Heritage), by inserting 'NC' in place of 'Pr' (prohibited) in the 'feature type E' column of row 4 ('External alterations and additions ...') and row 5 ('Roading construction'). Amend the legend below the table 7.4 by deleting 'Pr = Prohibited'.

Submission numbers: 2091/14

Comments: Reject - Column E refers to fragile exposures of geological materials such as the Double U Bay fossils. Activities in row 4 External alterations or additions to existing buildings and the construction and/or relocation of new buildings and row 5 Roading construction would be highly damaging to these fragile geological items and in all likelihood would destroy them.

Therefore, these activities should remain prohibited, as they would be detrimental to the exceptional value of these fragile exposures of geological materials.

7.12.4a

Issue raised: Insert the following new clause immediately before existing clause 7.12.5

‘7.12.4A Rules for scheduled site surrounds

7.12.4A.1 Permitted activities

The following are permitted activities within the scheduled site surrounds of geological items:

1. Additions and alterations to existing buildings.
2. Routine maintenance, including all normal work required to use, maintain, and enjoy existing garden or landscape features.
3. The planting of vegetation that does not include forestry or horticulture.
4. The grazing of stock.
5. Geological sampling to a maximum of 1000cc.
6. The construction, replacement or upgrading of utility services by trenching, underground thrusting or directional drilling.
7. The construction of post or wire fences.

7.12.4A.2 Restricted discretionary activities

The following are restricted discretionary activities within the scheduled site surrounds of geological items:

1. The construction and / or relocation of buildings.
2. Earthworks (excluding gardening for domestic purposes, which is permitted).
3. Forestry.
4. Horticulture.
5. The construction of fences or walls, other than post or wire fences.
6. The construction of roads or footpaths'.

Or alternative wording to like effect.

Submission numbers: 2091/16

Comments: Support in part– As per the definitions in section 7.15 Interpretations and definitions, the site surrounds are identified to protect the context of an item (or items) from effects that detract from the inherent heritage significance and value of the scheduled item. These rules for scheduled site surrounds replace those rules that were initially put into the scheduled geological items activity tables and so are necessary. However, we reject the Permitted Activity 3 - *The planting of vegetation that does not include forestry or horticulture* as it is not adequate in its restriction. We suggest the following instead:
3 – The planting of vegetation that does not include forestry or horticulture and does not, or will not grow to obscure the view of the scheduled geological item.

7.12.5

Issue raised: Amend clause 7.12.5 Matters of discretion and assessment criteria, as outlined below. Immediately after the heading 7.12.5 Matters of discretion and assessment criteria, add a new heading ‘7.12.5.1 Scheduled sites’ and amend existing the text as follows (deletions to existing text shown with strikethrough, insertions with underlining,):

7.12.5.1 Scheduled sites

For restricted discretionary activities identified in table 7.3 Activity table for category A scheduled geological items, and table 7.4 Activity table for category B scheduled geological items, ~~The council has restricted its discretion for restricted discretionary activities to~~ considering the following matters:

Amend item 1 (‘Whether the nature, form and extent ...’) by changing ‘effects’ to ‘affects’.

Immediately after the last sentence (‘The council’s assessment of an application for a discretionary activity ...’), add a new heading and text as follows:

7.12.5.1 Scheduled sites surrounds

For restricted discretionary activities identified in clause 7.12.4A.1, the council has restricted its discretion to considering the following matter:

The extent to which the works or activities detract from the visual or physical context of the scheduled geological items contained within the site surrounds.

Or alternative wording to like effect.

Submission numbers: 2091/17

Comments: Support – This alteration in layout clarifies the restricted discretionary matters for both scheduled geological items and scheduled geological site surrounds and is written in a more easily understood way; and clearly changing effects to affects corrects a spelling error.

14.3.118

Issue raised: Significant Environmental Feature should be amended to read as follows; "means any of the following:

- Within any site, the whole of any distinct natural feature, landform or landscape which makes a significant contribution to the quality of the local natural environment and amenity, and/or
- Any feature of archaeological, historical or cultural significance including access to such features.

It may include one or more of the following:

- any site of ecological significance scheduled in the Plan
- a water system
- a habitat for indigenous species
- an association of indigenous vegetation including complementary ecological buffer areas, indigenous re-plantings and/or enhancement/enrichment plantings
- a landform (including any significant ridgeline identified on the planning maps) having local value and including geological features
- an ecological corridor or buffer
- a visually significant area or group of areas
- any item scheduled in the Plan for its archaeological, historical or cultural significance.

Submission numbers: 618/150, 1101/109, 1286/79, 1287/122, 1289/118, 2878/80

Comments: Geology needs to be listed as its own entity. Delete “and including geological features” from the bullet point starting “a landform...” and add a new bullet point: "any site of geological significance scheduled in the Plan"

Appendices

A1e.4

Issue raised: Amend the legend at the beginning of item 4.0 Diagrams of scheduled geological items, in appendix 1e - Schedule of geological items - inner islands. After the third entry in the legend, include new entry showing ‘S201’ superimposed on an aerial base. The text to accompany this is ‘GPS point - coordinates for significant boulders, recorded by GPS in the field’.

Submission numbers: 2097/3

Comments: Support - This adjustment to the legend clarifies the labels used in the diagrams.

Annexure

An1a.8

Issue raised: That section 8 Recreation of annexure 1a be rewritten to give a comprehensive historical background to the reasons for the recreational development both of Waiheke Island and Hauraki Gulf in general.

Submission numbers: 1707/1, 1708/1, 1709/1, 1710/1, 1711/1, 1712/1, 1713/1, 1714/1, 1715/1, 1716/1, 1717/1, 1718/1, 1719/1, 2122/1, 2125/1, 2774/1, 2786/1, 2845/1, 1296/1, 843/1, 818/1,

827/1, 933/1, 1021/1, 1195/1, 587/1, 801/1, 379/1, 3195/1, 3008/1, 3018/1, 3194/1, 3247/1, 3390/1, 3627/1

Issue raised: That any such rewrite be referred to the communities involved before publication for correction and/or amendment.

Submission numbers: 1707/2, 1708/2, 1709/2, 1710/2, 1711/2, 1712/2, 1713/2, 1714/2, 1715/2, 1716/2, 1717/2, 1718/2, 1719/2, 2122/2, 2125/2, 2774/2, 2786/2, 2845/2, 1296/2, 843/2, 818/2, 810/2, 933/2, 1021/2, 1195/2, 801/2, 587/2, 379/2, 827/2, 3194/2, 3008/2, 3018/2, 3195/2, 3247/2, 3390/2, 3627/2

Comments: *The history of human settlement of the islands* was commissioned from Paul Monin, historian, but edited by Heritage Division staff. No-one has provided a rewrite or suggested what they would like to be included - just asking for section 8.00 be rewritten to give a comprehensive historical background to the reasons for the recreational development both of Waiheke Island and Hauraki Gulf in general. Maybe we could put a call out for people to send in what they want included and we could get a historian to verify and collate it all.