

Summary of submissions to part 1 - Introduction

Clause	Decision requested	Submission no.
1.3	Clause 1.3 should describe the manner in which the proposed Plan has monitored the implementation of the operative Plan, analysed the outcomes arising, identify any deficiencies and what they are and should clearly establish and define the current context of the natural and built environment.	618/1, 1101/45, 1286/7, 1287/69, 1288/3, 1289/52, 2878/8
1.3.1	Clause 1.3.1 Reference should be made : a. To the 2005 changes in the RMA (section 75), wherein a district plan must now give effect to any national/coastal/regional policy statement, and of how this means the giving of effect to, and so reprioritisation, of Sections 7, 8 (and consequently Section 32) of the HGMPA 2000 for the coastal environment of the Hauraki Gulf. b. The recent and evolving international and national reprioritisation of sustainability matters. c. The evolving role of community involvement and buy-in in making pragmatic sustainability matters.	3715/6
1.3.2	Clause 1.3.2 should more explicitly set out the relationship between the Plan, the LTCCP and part 6 Financial contributions	618/2, 1101/46, 1286/8, 1287/70, 1288/4, 1289/53, 2878/9
1.3.3	Clause 1.3.3 Reference should be made to HGI Community Outcomes as a desired part of the LTCCP, and to Essentially Waiheke and other surveys as a basis for such Community Outcomes on Waiheke.	3715/7
1.3.4	Clause 1.3.4 Reference should be made to signalled Ministry for the Environment National Policy Statements on sustainability matters especially including Climate Change, Integrated Waters and Catchment Management, Biodiversity and Energy Management.	3715/8
1.3.5.1	Amend the first sentence of clause 1.3.5.1 to state: "The Council acknowledges Ngati Rehua as maintaining their ahi kaa status over parts of the land in the islands and in particular Aotea (Great Barrier)".	1243/4
1.3.6	Amend clause 1.3.6 to recognise that all areas covered by the Plan are subject to the HGMPA.	3061/2
1.3.6	Retain the provisions in clause 1.3.6 in relation to recognition of the Hauraki Gulf Marine Park Act 2000.	3079/1
1.3.6	Amend clause 1.3.6 to state that the entire area of the Proposed Plan is within the area of the Hauraki Gulf Marine Park and is subject to the provisions of the HGMPA.	3521/1
1.3.6	Clause 1.3.6 Reference should be made to The Hauraki Gulf Marine Park Act 2000 and the management of the Gulf, (Sections 7.8 and so by implication its Purposes, Section 32), must now be given effect to, for coastal environments, and so must be a foundational and thoroughly integrated priority of the Plan. This means: a. The protection and where appropriate the enhancement of the social, economic, recreational, and cultural well-being of Waiheke's people and communities. b. The protection and where appropriate the enhancement of the natural, historic, and physical resources of Waiheke. c. The protection and where appropriate the enhancement of the catchments of the Hauraki Gulf, and so of Waiheke. d. The protection and where appropriate the enhancement of Waiheke's community values, village communities (and their LU20 separations), walkways, coastal amenities, visual amenities, fauna and flora, heritage, landscapes, and wetlands and catchments. e. The integration into the Plan of Essentially Waiheke values and strategies. f. The introduction of more appropriate planning tools especially those that enhance catchment management and landscape protection (such as RAMSAR & IUCN protocols & others), and social and cultural well-being (such as Waiheke having its own LTCCP Community Outcomes and a Waiheke Island Gulf Design Panel), and especially "community scale" development codes. g. Where appropriate Waiheke should not be governed by Isthmus design codes inappropriate to a community in the Gulf (for lighting / noise / traffic management / wastewater management and other utilities management / infrastructure design / property development design codes eg for Vision Matiatia). h. Waiheke be governed as a more devolved and sustainable island community in the Gulf rather than as an undifferentiated suburb of the	3715/9

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	Isthmus, and with more delegated powers being given to the Waiheke Community Board. i. All consultants instructed by the council for consultation on Waiheke matters should be so briefed.	
1.3.7	Identification of issues and objectives in the Plan must be based on decisions made by the affected communities themselves.	2762/8
1.3.7	Council must instigate neighbourhood councils or forums comprising people currently occupying the land units established under the operative plan, to consider any proposals to refine areas and communities of interest.	2763/2
1.3.7	The agenda for such discussions (ie neighbourhood councils or forums) should include: the nomenclature of " Land Units ", suggesting alternatives such as : "neighbourhood areas", "localities", "village communities", etc the boundaries and descriptions of neighbourhoods, including any changes in such boundaries and any alliances, amalgamations or special affiliations with other areas the issues, objectives, policies, rules and regulations for each such area social, cultural, economic and environmental recommendations for consideration by other communities and the wider communities the creation of a cultural, social and political manifesto by the various islands of the gulf as a transitional statement of purpose and direction, to be subject to regular review and amendment.	2763/3
1.3.7	The recommendation from such discussions (ie neighbourhood councils or forums) to form the basis for any Proposed Plan.	2763/4
1.3.7	Following the neighbourhood councils or forums, consultations with council as the facilitator and compiler of the plan may then be carried out to help mediate solutions to any unresolved problems in articulating the issues objectives, etc for each area, to provide resources and expertise, to mediate any differences between localities, and to institute further forums designed to create a holistic set of issues and objectives for Waiheke and other wards upon which the Plan must be based.	2763/5
1.3.7	Council must focus its functions in co-coordinating and integrating elements of a proposed plan to the provision of services, facilitation and mediation, or any additional functions required by the localities in whatever "manner and format" is preferred by them, as per the principles of consultation in the LGA.	2763/6
1.3.7	Efforts to define and form "community" at all levels and in all dimensions must be made, to ensure some semblance of local participatory democracy as envisaged by the LGA. The starting point for such definition and articulation would be discussion groups and committees belonging to the discrete established neighbourhoods in the HGI	2763/9
1.3.7	The Plan must indicate and prove that its concepts and objectives have indeed been generated by or on behalf of the affected communities, by direct and detailed reference to the long term plan and other products of consultation.	2765/2
1.3.7	Consultation (to reflect the views of the community) to be based on suggestions framed in the actual words and terms of the relevant parts of the RMA, along with any true and accurate interpretations based on common law, current submissions to the Plan and relevant extracts from the LGA, so that people and communities can give coherent, relevant and meaningful directions to council for the purpose of redesigning and rewriting the Plan.	2765/4
1.3.7	In order to review the proposed plan so that it fulfils the intentions of the LGA and RMA, Council must undertake open consultations, public debates and surveys on the issues.	2766/7
1.3.7	To ensure compliance with section 79 of the LGA, recognising the highest level of significance of the package of decisions, Council must re-institute a full and thorough investigation and consultation on the issues of social, cultural, economic and health implications of the Plan.	2766/12
1.3.7	In undertaking such investigations, Council must closely follow all of the relevant democratic decision-making processes imposed in part 6 of the LGA to ensure that any issues truly are derived from and truly represent the wishes of the affected persons and local communities.	2766/13
1.3.7	The further consultations (sought by the submitter) must give particular regard to those matters neglected in the Plan, in particular the impacts on intangible resources and non-physical issues. These concerns are in the dimension of people's feelings and values and the cultural and social evolution of society for the present and for future generations, properly	2766/14

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	and fully considered as prescribed by law.	
1.3.7	The community should have overriding say in decisions affecting community, specifically sustainability and protection of the environment.	2971/2
1.3.7	Greater care should be taken to reflect the residents stated wishes, in any proposed plan replacement, before implementation impacts on this unique Island.	3024/2
1.3.7	Conduct consultation which is used as the basis for the plan (various acts which require consultation, require it so that it will be used - so that communities are enabling themselves).	3396/2
1.3.7	We need to be involved in consultation to make a set of rules specific to Great Barrier, and the requirements of the residents and rate payers.	3422/5
1.3.7	Once the plan has been rewritten in the suggested format it could then be submitted for consideration to community groups and forums, based initially on residents within the areas or land units and then opened to further review.	3726/5
1.4	Clause 1.4 should be amended as a consequential relief to follow through on other matters raised in these submissions regarding the structure of the Plan.	618/3, 1101/47, 1286/9, 1287/71, 1288/5, 1289/54, 2878/10
1.4	At clause 1.4 a paragraph should be introduced to give reference to available, and considered and chosen Planning Tools. Such Planning Tools should also include operational management protocols to give better effect to integrated wastewater, waters and catchment management and to wetlands enhancement, and landscape protection and enhancement, and community scale design codes and protocols, and sustainability design codes and protocols, and community outcomes assessments.	3715/10
1.4	At clause 1.4 a paragraph should be introduced to give statutory reference to Essentially Waiheke and other appropriately established and/or revalidated community outcomes documents/surveys as per LGA 2002 S 91, and/or by way of the giving of effect to the HGMPA 2000.	3715/11
1.4	At clause 1.4 a paragraph should be introduced to give reference to the proposed Waiheke Island Gulf Design Panel.	3715/12
1.4	At clause 1.4 a paragraph should be introduced to give reference to the planning interface with the ARC/ARTA especially for wastewaters and waters management and planning, traffic management and planning, and the boundary interface of responsibility for seashore ecosystem well-being and moored vessels discharge policing and recreational boat safety issues policing.	3715/13
1.4	At clause 1.4 a paragraph should be introduced to give reference to the role of the Regional Policy Statement and Regional Plan.	3715/14
1.4	At clause 1.4 paragraph should be introduced to give reference to the establishment and role of the Hauraki Gulf Forum.	3715/15
1.4	At clause 1.4 paragraph should be introduced to give reference to the role of the Auckland Conservation Boards (DOC) Conservation Management Strategy (CMS) review.	3715/16
1.4	At clause 1.4 paragraph should be introduced to give reference to the role of relevant existing and evolving National Policy Statements.	3715/17
1.4	At clause 1.4 paragraph should be introduced to give reference to the inclusion of a Part 15 into the Plan regarding "Sustainable Management Issues and Methodologies".	3715/18
1.4.1.3	Clause 1.4.1.3 should be amended so that reference to only parts of Great Barrier requiring 'a more integrated approach' is deleted as all parts of the district require a fully integrated approach.	618/4, 1101/48, 1286/10, 1287/72, 1288/6, 1289/55, 2878/11
1.4.1.3	The rationale for settlement area techniques needs an appropriate justification - there is no apparent difference between settlement areas and land units as a technique and the Plan should be amended to clearly distinguish that separation if it can be substantiated.	618/5, 1101/49, 1286/11, 1287/73, 1288/7, 1289/56, 2878/12
1.4.2	Clause 1.4.2 should reference the development controls as part of the rules viz; "the rules including development controls and standards."	618/6, 1101/50, 1286/12, 1287/74, 1288/8, 1289/57, 2878/13
1.4.2.1	Clause 1.4.2.1 and all following and associated clauses should be amended to state correctly the objectives of the plan for the district as required by the RMA and LGA . After due consultation it might read: "1.4.2.1 : Principles and directions: the identified and accepted priorities of the people and communities of the Hauraki Gulf Islands to advance their well-being through the sustainable management of their resources, as identified and expressed by them in consultation facilitated by council, in the following respects:	2766/1

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	<p>1. Social well being: the good of society, including well-integrated and generally accepted organisation of communities and people, good relationships amongst individuals groups and neighbourhoods, recognition and proportion of accepted customs, and the advancement of a spirit of co-operation and good will.</p> <p>2. Economic well-being : The prosperity of the residents of the Hauraki Gulf Islands as individuals, groups, and neighbourhoods, including the need to balance financial interests with other social responsibilities, and the planning of general economic advancement.</p> <p>3. Cultural well-being: the advancement of intellectual, creative and spiritual standards; the protection of positive customary values and traditions; the preservation and evolution of the character of communities and lifestyles; promotion of a spirit of personal freedom, resourcefulness, independence and acceptance of diversity; the avoidance of authoritarian and undemocratic political systems and processes; avoiding the negative consequences of unnecessary or intrusive intervention by local government into people's lives; and any other such positive cultural values identified in consultation.</p> <p>4. Environmental well-being: the protection and management of the natural and physical environment according to the views and preferences of people and communities, in a balanced manner which respects personal rights, freedoms and other well-being</p> <p>5. The safety and health of the community, including physical, emotional and psychological concerns</p> <p>The new District Plan will attempt to incorporate in a balanced and comprehensive manner the social, economic, environmental, cultural, health and safety needs and aspirations of the residents of the Hauraki Gulf Islands."</p>	
1.4.2.1	Such amendment to clause 1.4.2.1 must be based on an investigation of the actual cultural, social and economic needs of the affected community and individuals as required by the Acts (RMA and LGA).	2766/2
1.4.2.1	For clause 1.4.2.1 the statement of principles, directions and values in the three respects (cultural, social and economic) to be derived only from full and due consultation with people and communities, in terms of part 6 of the LGA: "Planning, Decision-Making and Accountability"	2766/3
1.4.2.1	In order to contribute to the well-being of people and communities in the future, Council's plans must attempt to give clear meaning to the principles suggested for clause 1.4.2.1, and the Plan must articulate the feelings and preferences of the people.	2766/8
1.4.3	Charge less fees and encourage the community to covenant areas and provide rate rebates to recognise the gifting for future generations.	3104/10
1.4.3.2	Seeks economic encouragement - incentives and initiatives (for Great Barrier).	2714/2
1.5	Carry out more effectively its responsibility to implement, monitor and enforce all relevant erosion and sediment controls.	563/5, 658/5, 864/5, 865/5, 927/5, 1018/5, 1167/5, 3220/5
1.5	Spot monitoring checks should be done on construction sites to ensure that those involved are abiding by the allowable hours.	1022/5
1.5	Carry out more effectively its responsibility to evaluate expert evidence and implement, monitor and enforce all relevant erosion and sediment controls.	1048/4
1.6.2	Introduce a controlled activity status in the Plan, where appropriate.	560/2, 1093/1, 1094/1, 1102/1
1.6.2	Clause 1.6.2 needs amending to include controlled activities.	618/7, 1101/51, 1286/13, 1287/75, 1288/9, 1289/58, 2878/14
1.6.2.2	Clause 1.6.2.2 needs to reference and describe discretionary activities which fall into neither of the two categories set out in clause 1.6.2.2 (as sought in this submission) - there will be activities that are discretionary rather than non-complying where they are not specifically listed as prohibited or discretionary uses.	618/8, 1101/52, 1286/14, 1287/76, 1288/10, 1289/59, 2878/15
1.6.3	Seeks cheaper consent process (with specific reference to vegetation clearance)	2725/3
1.6.3.2	There needs to be a paragraph defining the existing use right with regular to normal farming practice on marginal farms (particularly on Great Barrier) which may or may not have significant environmental factors. The council to proclaim its view on farming existing use rights, timeframes, etc.	2718/1
1.6.3.2	Require existing rights, RMA Section 10 (with specific reference to personal domestic firewood harvesting and vegetation clearance to	3422/1

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	reduce fire hazards).	
1.6.3.3	In relation to resource consents inclusion of a requirement that all applicants under the Plan must demonstrate how their application has regard to, and is therefore consistent with, sections 7 and 8 of the HGMPA and the wider context represented by section 32 of HGMPA.	301/2, 375/2, 566/2, 574/2, 591/2, 627/2, 632/2, 701/2, 710/2, 730/2, 738/2, 875/2, 887/2, 906/2, 936/2, 963/2, 1020/2, 1055/32, 1151/2, 1209/2, 1685/2, 1686/2, 1687/2, 1688/2, 1689/2, 1690/2, 1691/2, 1692/2, 1693/2, 1694/2, 1695/2, 1696/2, 1697/2, 1699/2, 2287/2, 2563/2, 2795/2, 2838/2, 2997/2, 3201/2, 3216/2, 3230/2, 3234/2, 3258/2, 3277/2, 3283/2, 3316/2, 3325/2, 3330/2, 3346/2, 3352/2, 3362/2, 3373/2, 3385/2, 3405/2, 3419/2, 3557/2, 3822/2
1.6.3.3	Where appropriate throughout the plan, make reference to, and explain fully, all matters relating to the notification of discretionary activities.	3294/1
1.6.4.2	Clause 1.6.4.2 could usefully reference the limitations in respect of private plan change applications.	618/9, 1101/53, 1286/15, 1287/77, 1288/11, 1289/60, 2878/16
1.6.7	At clause 1.6.7 Reference should be made to give effect to the HGMPA 2000 Sections 7, 8 and especially S 7, (2), (a), (ii). This particularly applies to the excessive noise intrusion of helicopters and from private entertainment and recreation within the coastal environment of the HGMP.	3715/19