

Appendix 10

Sections 7, 8, 9 and 10 of the Hauraki Gulf Marine Park Act 2000

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Contents	Page
1.0 Section 7, Recognition of the national significance of the Hauraki Gulf	3
2.0 Section 8, Management of Hauraki Gulf	3
3.0 Section 9, Relationship of Act with Resource Management Act 1991	4

1.0 Section 7, Recognition of the national significance of the Hauraki Gulf

Section 7 states as follows:

- “1. The interrelationship between the Hauraki Gulf, its islands, and catchments and the ability of that interrelationship to sustain the life-supporting capacity of the environment of the Hauraki Gulf and its islands are matters of national significance.
2. The life-supporting capacity of the environment of the Gulf and its islands includes the capacity-
 - a. to provide for-
 - i. the historic, traditional, cultural, and spiritual relationship of the tangata whenua of the Gulf with the Gulf and its islands; and
 - ii. the social, economic, recreational, and cultural well-being of people and communities:
 - b. to use the resources of the Gulf by the people and communities of the Gulf and New Zealand for economic activities and recreation:
 - c. to maintain the soil, air, water, and ecosystems of the Gulf.”

2.0 Section 8, Management of Hauraki Gulf

Section 8 states as follows:

“To recognise the national significance of the Hauraki Gulf, its islands, and catchments, the objectives of the management of the Hauraki Gulf, its islands, and catchments are-

- a. the protection and, where appropriate, the enhancement of the life-supporting capacity of the environment of the Hauraki Gulf, its islands, and catchments:
- b. the protection and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:
- c. the protection and, where appropriate, the enhancement of those natural, historic, and physical resources (including kaimoana) of the Hauraki Gulf, its islands, and catchments with which tangata whenua have an historic, traditional, cultural, and spiritual relationship:
- d. the protection of the cultural and historic associations of people and communities in and around the Hauraki Gulf with its natural, historic, and physical resources:
- e. the maintenance and, where appropriate, the enhancement of the contribution of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments to the social and economic well-being of the people and communities of the Hauraki Gulf and New Zealand:
- f. the maintenance and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments, which contribute to the recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf and New Zealand.”

3.0 Section 9, Relationship of Act with Resource Management Act 1991

Section 9 states as follows:

- “1. For the purposes of this section and section 10, the terms “district plan”, “plan”, “proposed plan”, “regional plan”, “regional policy statement”, “resource consent”, and “New Zealand coastal policy statement” have the same meaning as in the Resource Management Act 1991, and “regional council” and [“territorial authority” have the same meaning as in the Local Government Act 2002].
2. A regional council must ensure that any part of a regional policy statement or a regional plan that applies to the Hauraki Gulf, its islands, and catchments, does not conflict with sections 7 and 8 of this Act.
3. A territorial authority must ensure that any part of a district plan that applies to the Hauraki Gulf, its islands, and catchments, does not conflict with sections 7 and 8 of this Act.
4. A consent authority must, when considering an application for a resource consent for the Hauraki Gulf, its islands, and catchments, have regard to sections 7 and 8 of this Act in addition to the matters contained in the Resource Management Act 1991.
5. The provisions of section 55 of the Resource Management Act 1991 apply as though sections 7 and 8 of this Act were a national policy statement and a regional council or a territorial authority must take action in accordance with that section and notify a change to a regional policy statement, plan, or proposed plan within 5 years of the date of commencement of this Act.”

4.0 Section 10, Creation of New Zealand coastal policy statement by this Act

Section 10 states as follows:

- “1. For the coastal environment of the Hauraki Gulf, sections 7 and of this Act must be treated as a New Zealand coastal policy statement issued under the Resource Management Act 1991.
2. For the coastal environment of the Hauraki Gulf, if there is a conflict between sections 7 and 8 of this Act and the provisions of any New Zealand coastal policy statement issued under the Resource Management Act 1991, the New Zealand coastal policy statement prevails.
3. The provisions of section 55 of the Resource Management Act 1991 apply to the New Zealand coastal policy statement created by this section and a regional council or a territorial authority must take action in accordance with that section and notify a change to a regional policy statement, plan, or proposed plan within 5 years of the date of commencement of this Act.”

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