

HGI Plan Review: section 32 report for the Aotea settlement area

1.0 Executive summary

This report summarises the evaluation undertaken by the council for the method of development of the settlement area of Aotea in terms of section 32 of the Resource Management Act. The scope of this report is to look at the areas identified within the settlement area and the borders of the settlement area. With regard to the implementation of the objectives, policies and rules for the residential amenity area, these can be found in separate s32 reports.

The main conclusions are:

- That Maori owned land at Koa and Motaitere is identified as part of a greater settlement, Aotea.
- That a settlement plan identifying areas for residential development for the Maori settlement of Aotea is currently the most effective manner in which to manage the land resource for Maori land at Katherine Bay.
- That a list of appropriate activities is identified to reflect the nature and sensitivity of the residential amenity area in the settlement.
- That recognising that a comprehensive plan for the settlement is appropriate, either by way of a comprehensive resource consent application or a structure plan.
- That the proposed provisions are the most appropriate way of achieving the purpose of the Act.

2.0 Introduction

2.1 Purpose of this report

This report has been prepared to meet the section 32 requirements of the Resource Management Act.

2.2 Proposed plan provisions

The proposed plan incorporates the method of settlement areas to manage the resources for the various settlements on Great Barrier. The proposed method differs from the policy areas in the operative plan, in that the underlying land unit “layer” and the controls associated with the land units have been removed, and replaced with a comprehensive place, activity, and development control based settlement area. Relevant landscape characteristics from the land unit layer have been incorporated or recognised in the objectives and policies of the proposed provisions.

The approach taken is a “hybrid approach” - it manages effects in terms of development controls and also activity lists. This hybrid approach manages effects that cannot easily be quantified and managed by development controls, such as amenity effects and community values.

The approach has been to minimise the number of consents required for general building activity in the residential areas of Great Barrier, by replacing the existing controlled activity status with permitted standards where appropriate.

The Aotea residential amenity area is the only area that has been defined for Aotea. There are no similar provisions in the operative plan.

2.3 Operative provisions

Presently, the land is managed using a mixture of land units 3 (alluvial flats), 4 (wetland systems), 5 (foothills and lower slopes), 8 (regenerating slopes), and 10 (forest and bush areas). The current provisions are a mismatch for an area that is likely to be developed for further residential use in the future.

2.4 Consultation

This section of the report briefly outlines the consultation that the council has undertaken to date and identifies any issues raised of particular relevance to the Aotea area.

2.4.1 Consultation to date

The council undertook consultation in 2005 in preparation for drafting the proposed Plan.

Initial consultation

The main consultation period was from April to July 2005. Consultation during that period consisted of:

- public meetings, workshops, nga hui, and one-on-one meetings,
- a photographic exercise on Waiheke, and
- inviting written feedback on a consultation document which contained issues and options papers on a wide range of topics.

Focus groups

At the close of consultation, the council analysed the feedback forms received. From these, key issues were identified that subsequently became topics for focus groups on based on Waiheke.

The four topics for the focus groups were:

- landscape
- transport
- sustainability
- future planning (including subdivision, growth, and providing for business activity).

A workshop was also held on Great Barrier to give a further opportunity to discuss issues raised through the feedback forms.

Telephone survey

The council commissioned an independent research company to undertake a phone survey in late 2005. The survey was of a randomly selected sample of 1002 on-island residents and off-island ratepayers of Waiheke, Great Barrier and Rakino. The questionnaire used for the survey was designed to get responses on the key issues that had emerged from the consultation process and stakeholder feedback.

The survey provided a means of canvassing the views of a wide range of people who may not have been previously involved in the consultation process.

Consultation with other stakeholders

During the preparation of a proposed plan, the council has also consulted with the following parties:

- the Auckland Regional Council (ARC)
- the Department of Conservation (DOC)
- tangata whenua
- network utility authorities
- Ministry for the Environment (MfE).

Public notification

Notification of the Plan provides an opportunity for further public participation through the formal submission and appeal process.

2.4.2 Issues raised during consultation

The issues raised with iwi during consultation are attached as Appendix 5.

2.5 Issues

The issues for Great Barrier Island as a whole are:

1. How to protect the natural landscape character and natural features of the island.
2. How to assist economic growth on the island, particularly growth in the tourism industry.
3. How to provide for conservation and recreation activities on land owned by the Department of Conservation and other agencies.
4. How to recognise the particular character and identity of the island community.
5. How to encourage the further development of essential infrastructure on the island such as wharves, airports, telecommunications equipment, quarries and shared infrastructure such as water and wastewater systems and power generation.
6. How to recognise the relationship between Ngati Rehua and their ancestral lands, water, sites, waahi tapu and other taonga.

The issues for the settlement areas are:

1. How to manage and facilitate growth within the existing settlement areas on Great Barrier without compromising the natural environment.
2. How to encourage activities within settlement areas that enable the community to provide for their social, cultural and economic wellbeing.
3. How to ensure that new activities within settlement areas are located so that they do not adversely affect other land uses.

2.6 Objectives

The objectives for the Aotea Settlement are:

10b.13.2 To maintain the low impact character of the Aotea settlement on ancestral Maori land at Kaoa.

10b.13.3 To establish a resource management framework whereby Ngati Rehua can provide for the sustainable use of ancestral land.

3.0 Statutory requirements under Part II, sections 31, 32, 72 and 76 of the Resource Management Act

Section 74(1) of the RMA states as follows:

A territorial authority shall prepare and change its district plan in accordance with its functions under section 31, the provisions of Part 2, a direction given under section 25A(2), its duty under section 32, and any regulations.

Section 31 sets out the council's functions for the purpose of giving effect to the Act. The council's functions include:

- (a) The establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:
- (b) The control of any actual or potential effects of the use, development or protection of land...

Section 72 states as follows:

The purpose of the preparation, implementation, and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of this Act.

The following provisions of section 76 are also relevant:

- (1) A territorial authority may, for the purpose of –
 - (a) Carrying out its functions under this Act; and
 - (b) Achieving the objectives and policies of the plan, - include rules in a district plan.
- ...
- (3) In making a rule, the territorial authority shall have regard to the actual or potential effect on the environment of activities, including, in particular, any adverse effect.

In achieving the purpose of the Act, the council must carry out an evaluation under section 32 of the RMA before publicly notifying a district plan or a plan change. Section 32(3), (3A) and (4) state as follows:

- (3) An evaluation must examine –
 - (a) the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and
 - (b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives
- (3A) This subsection applies to a rule that imposes a greater prohibition or restriction on an activity to which a national environmental standard applies than any prohibition or restriction in the standard. The evaluation of such a rule must examine whether the prohibition or restriction it imposes is justified in the circumstances of the region or district.
- (4) For the purposes of the examination referred to in subsections (3) and (3A), an evaluation must take into account –
 - (a) the benefits and costs of policies, rules, or other methods; and
 - (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

The statutory requirements, including section 32 matters, are assessed below under the following headings:

- The extent to which each objective is the most appropriate way to achieve the purpose of the Act
- Whether the policies, rules, or other methods are the most appropriate for achieving the objectives
 - having regard to their efficiency and effectiveness
 - taking into account the benefits and costs of policies, rules, or other methods
 - taking into account the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

3.1 The extent to which each objective is the most appropriate way to achieve the purpose of the Act

3.1.1 The purpose of the Act

Section 5 states that the purpose of the Act is ‘to promote the sustainable management of natural and physical resources’. Section 5(2) states:

- (2) In this Act, “sustainable management” means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while-
 - (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
 - (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
 - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Environment is defined in Section 2 of the RMA as including:

- (a) Ecosystems and their constituent parts, including people and communities; and
- (b) All natural and physical resources; and
- (c) Amenity values; and
- (d) The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters:

Section 6 of the RMA identifies matters of national importance, which need to be recognised and provided for in achieving the purpose of the Act. The matters of particular relevance to the Aotea settlement area are identified below:

Clause		
(a)	The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development	✓
(b)	The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development	✓
(c)	The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna	✓
(d)	The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers	✓
(e)	The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga	✓
(f)	The protection of historic heritage from inappropriate subdivision, use, and development	✓
(g)	The protection of recognised customary activities	✓

Section 7 deals with ‘other matters’ which, in achieving the purpose of this Act, persons exercising functions and powers under the Act shall have particular regard to. The matters of are of particular relevance to the Aotea settlement area are identified below:

Clause		
(a)	Kaitiakitanga	✓
(aa)	The ethic of stewardship	✓
(b)	The efficient use and development of natural and physical resources	✓
(ba)	The efficiency of the end use of energy	
(c)	The maintenance and enhancement of amenity values	✓
(d)	Intrinsic value of ecosystems	✓
(f)	Maintenance and enhancement of the quality of the environment	✓
(g)	Any finite characteristics of natural and physical resources	✓
(h)	The protection of the habitat of trout and salmon	
(i)	The effects of climate change	
(j)	The benefits to be derived from the use and development of renewable energy	

Section 8 provides that in achieving the purpose of the Act, all persons exercising functions and powers under it, in relation to managing the use, development and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti O Waitangi).

3.1.2 Appropriateness in achieving the purpose of the Act

The objectives for Great Barrier and for Aotea seek to manage the land resource by containing the more densely populated settlements within a certain boundary, away from areas of outstanding natural landscape. The objective for Aotea recognises the sensitive nature of the landscape at that location, and provides a boundary for the areas that are intended for residential settlement.

Generally, the settlement areas introduce a range of human activities to the planning framework for Great Barrier, recognising the importance for social and cultural activities in an area where these co-exist with the natural environment. Consideration has been given to similar activities that identify the characteristics of a particular area. By doing so, the community is able to provide for its social, cultural and economic wellbeing by providing for similar activities in particular locations, allowing for synergies between activities. For Aotea, the current activities are residential in nature, and so provision has been made for residential activities. Other types of activities may occur on a case-by-case basis.

The method could be structured around a purely effects-based approach, where any activity can occur depending on its effects. In this case, activities occur on an ad-hoc basis, with no guidance or structure as to where activities occur. This may result in inappropriate activities locating next to each other, creating cross-boundary conflicts. It is considered that the provision of activity-based areas will allow for better development in terms of associating similar activities together, creating a better “feel” for the settlement. In addition, the reverse sensitivity effects of different activities conflicting will be reduced. A purely effects-based approach, while addressing a number of environmental effects on the environment, is not considered to be an integrated management approach, as it cannot provide for un-measurable effects such as amenity and community values.

The current uses are generally low-key residential uses, and the first objective recognises the character and nature of the existing settlement. In the interim, effects of activities will be managed on a case-by-case basis by way of resource consent.

The second objective recognises the desirability for a structure plan to be incorporated into the district plan, or a comprehensive resource consent application, to further provide for the development of Aotea settlement. Enabling a more comprehensive plan to provide for the future development of the settlement will enable Auckland City Council to recognise the two main principles of the Treaty of Waitangi. These were established in *New Zealand Māori Council v Attorney-General*, [1987] 1 NZLR 641, being active protection (in this case land and water) and partnership, by providing a mechanism for the future management and protection of Maori land on Great Barrier.

It is considered that providing for a settlement area at Aotea based on residential amenity is therefore the most appropriate means for meeting the purpose of the Resource Management Act, with particular regard to the principles of the Treaty of Waitangi, and enables Council to fulfil its functions under s31, 72 and 74(1).

3.2 Whether the policies, rules, or other methods are the most appropriate for achieving the objectives

In terms of efficiency and effectiveness, the plan needs to be able to be easily implemented, understandable, manage adverse effects of activities, and provide an equitable balance

between environmental, social, cultural and economic costs and benefits. In addition, there needs to be a clear relationship between the objectives for the land, the policies that will be implemented by the Council, and the rules which will achieve the objectives.

The following describes these relationships.

10b.3.1 Objective

To provide for limited growth in existing settlements while protecting the natural environment.

Policies

1. *By identifying areas in which additional subdivision can occur within the Okiwi and Claris settlement areas.*
2. *By identifying boundaries that limit the expansion of the settlements into surrounding areas in order to avoid the spread of development into sensitive natural areas.*

The policies identify areas that are targeted for growth, and also how the limits to growth within the settlements will be managed and the reasons for limiting growth, so that natural areas are protected.

10b.3.2 Objective

To facilitate appropriate development in suitable places throughout the settlement areas, based on the type of existing activities.

Policies

1. *By identifying areas within the settlement areas that have common characteristics, so that these activities can support each other and limit adverse effects on more sensitive activities.*
2. *By ensuring that development maintains or enhances the high landscape and ecological values of Great Barrier*
3. *By limiting adverse effects of activities and encouraging or requiring low impact design methods including:*
 - a. *Onsite management and re-use of stormwater and wastewater*
 - b. *Noise insulation*
 - c. *Minimising impermeable surfaces*
 - d. *Utilising renewable energy sources*
 - e. *Maintaining or increasing indigenous biodiversity*
 - f. *Mitigation of visual impacts of development*

The policies determine three important aspects that determine what appropriate development is on Great Barrier, that is ensuring that similar activities are located in similar locations, maintain the high landscape and ecological values of GBI, and then limiting the adverse effects of activities.

10b.3.2 Objective - Aotea settlement area

To maintain the low impact character of the Aotea settlement on ancestral land at Kaoa

Policies

1. *By limiting the adverse effects of buildings through standards on colour,, and ensuring that the natural landscape remains the dominant element in terms of visual amenity.*
2. *By providing for home occupations and homestays as a permitted activity to enable an economic use of appropriate scale for residential sites.*
3. *By ensuring that development is subject to bulk coverage and location controls, and where these standards are exceeded only minor adverse effects occur.*
4. *By protecting riparian areas around streams to maintain or enhance water quality.*
5. *By limiting removal of indigenous vegetation in order that drainage, stormwater and sedimentation problems are reduced or avoided and landscape values are maintained.*
6. *By locating buildings to minimise any potential impact from flooding.*

The above policies provide for development in existing lots at Aotea. In particular, the policies recognise the effects of inappropriate colours in a landscape dominant environment, and rules have been placed around these to assist with the integration of buildings with landscape elements. The policies recognise the need to maintain a suitable level of amenity for residents, and protection of the life-supporting capacity of watersystems. Economic use is enabled through home occupations and other activities can occur, subject to assessment of their effects on a case-by-case basis.

10b.13.3 Objective - future development in Aotea settlement area

To establish a resource management framework whereby Ngati Rehua can provide for the sustainable use of ancestral land.

Policies

1. *By assessing the adverse effects of activities that are not residential in nature on a case by case basis, until a site specific plan has been prepared.*
2. *By recognising that the development of a comprehensive plan for the Aotea settlement area is desirable, either by a comprehensive resource consent application or through a structure plan to be incorporated into the plan.*

3. *By treating subdivision as a non-complying activity to protect ancestral land for future generations.*
4. *By providing for papakainga housing as a discretionary activity to assess multiple dwellings on a case-by-case basis until such time as a comprehensive plan is undertaken.*

The policies seek to provide a future path for planned sustainable management for the settlement and its future growth.

In summary, the policies have been carefully considered against the objectives, and are considered the most appropriate means of achieving the objectives.

The following section outlines the costs and benefits of different approaches for looking at the boundaries of the Aotea settlement area. Outlined are the main alternatives which the council has considered as a means of achieving the objectives for Aotea:

- Create a new activity-based settlement area that incorporates a single planning framework (refer to map at Appendix 1). Remove land unit provisions.
- Continue with the status quo - various land units.
- Create a structure plan to manage the establishment, range and location of activities that are anticipated at Aotea for the next twenty years.

3.2.1 Option 1

Creating a new activity based settlement area for Aotea, based around the existing development and residential activity. Remove land unit provisions.

Benefits	Costs
Avoids sprawl of settlement boundaries.	Ability for higher impact activities to be located in the residential area is reduced.
Recognises the predominant residential use of the settlement, and provides for this accordingly.	Individual property owners won't benefit from higher density provisions outside of the proposed settlement area that would allow them to subdivide their land.
Enables a consent process to assess the effects of land uses other than residential in the residential amenity area.	As no subdivision is provided for, possible generation of income for Council from financial contributions will be reduced.
Avoids development in areas that have high value to iwi.	May be seen as restricting freedom to undertake any activity anywhere.
Enables development of papakainga housing.	Does not specifically provide for the comprehensive range of activities that Ngati Rehua may wish to carry out in the future. Reverse sensitivity issues will need to be dealt with at consent stage.
By making similar activities in particular areas permitted, reduces costs of requiring consents.	
Continues to allow for economic use of residential sites by allowing for home occupation/cottage industry type activities.	

The risk of acting or not acting

Information relating to the future development of Aotea settlement is not currently available. While a range of activities have been identified that are desirable, the location and scale of these activities is yet to be determined. The proposal as outlined above represents a least risk approach by allowing for consent-by-consent development until a structured management plan might be able to be incorporated into the district plan.

3.2.2 Option 2

Maintain the status quo - existing land units 3, 4, 5, 8 and 10.

Benefits	Costs
Provides a planning framework based on characteristic of land type.	Inappropriate lot coverage provisions for small residential scale sites.
Familiar planning framework	Does not recognise Aotea as a separate settlement
	High impact activities could establish on small sites, resulting in erosion of residential amenity of the area.
	No colour controls in existing LUs 3, 4, 5, 8 & 10, further compounding effects of highly reflective buildings in the landscape.
	Does not reflect iwi aspirations to establish further settlement in the Katherine Bay area.

The risk of acting or not acting

There are no relevant risks of acting or not acting in terms of information in relation to this option, as it continues the status quo.

3.2.3 Option 3

Create a structure plan to manage the establishment, range and location of activities that are anticipated at Aotea for the next twenty years.

Benefits	Costs
Provides certainty in terms of the long term development of the settlement.	Locations for activities not yet known.
Allows activities to be permitted in particular places according to constraints and location of different activities in the area, reducing compliance costs.	Substantial time and resources required to develop a structure plan.
Enables an holistic approach to development of the settlement	Ngati Rehua need to be the drivers of the structure plan in partnership with Council as required by the principles of the Treaty of Waitangi rather than Council imposing a structure that may not be appropriate. This may or may not take the form of a publicly supported plan change.

This option, while the most favourable option over the longer-term, does not provide a solution due to uncertainty around the types and locations of activities that Ngati Rehua want to undertake. This results in uncertainty around the effects of the activities. The landowners have the option of being able to apply for larger comprehensive resource consents or by

doing a structure plan which would be incorporated into the plan. Undertaking the above option with an absence of any information would not be an efficient or effective method, and is considered high risk.

3.2.4 Conclusion

Having considered the costs and benefits of the different options that are available to Council, the most efficient and effective means of managing the land resource at Aotea is Option 1:

1. Use the method of a settlement area for identifying a residential amenity area for Aotea, and limiting the extent of the settlement area to the areas defined in Appendix 1.
2. That a list of appropriate activities is identified to reflect the nature and sensitivity of the residential amenity area in the settlement, and control these by way of different activity status and development controls.
3. That in terms of growth for Great Barrier Island, the Aotea settlement is recognised as an area for future development of papakainga housing.

3.3 Whether the proposed rules assist the council to carry out its function of control of actual or potential effects of the use, development or protection of land

The district plan, with the proposed settlement area and separate areas identified within it will assist with Council discharging its functions for controlling the action and potential effect of the use of land in Aotea, as enabled by s72 and 74(1).

In particular, the changes reflect a review of the district plan, its objectives, policies and methods, that achieve integrated management of the use and management of land in the Aotea settlement as required under s31. Particular rules regarding subsections (b), (d), and (e), and developed under s76, are set out in other s32 reports, relating to the residential amenity area.

4.0 National planning documents

4.1 National and NZ coastal policy statements

Section 75(3) of the RMA states:

- (3) A district plan must give effect to –
 - (a) any national policy statement; and
 - (b) and any New Zealand coastal policy statement; and
- ...

The proposed settlement area reflects the sustainable management of the land resource in the Aotea catchment, in particular preserving the natural character of the coastal environment while encouraging appropriate development where the character has already been compromised, and avoiding sprawling or sporadic subdivision, as outlined in Policy 1.1.1.

The location of the boundaries of the settlement area were drawn up in consultation with Ngati Rehua to avoid any areas of significance to iwi, as such, the proposal is considered to give effect to Chapter 2 of the New Zealand Coastal Policy Statement. The proposed settlement plan particularly gives effect to Policy 3.2.6 of the coastal policy statement by making “provision for papakainga housing and marae developments in appropriate places in the coastal environment.” The remaining chapters of the New Zealand Coastal Policy Statement are not relevant to the settlement area.

The relevant parts of the New Zealand Coastal Policy Statement have been appended as Appendix 2.

4.2 Hauraki Gulf Marine Park Act 2000

Section 9(3) of the Hauraki Gulf Marine Park Act 2000, requires the council to 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.

Section 7 recognises the national significance of the Hauraki Gulf and Section 8 provides management direction for the Gulf. Section 10 of the Act requires that sections 7 and 8 be treated as a New Zealand coastal policy statement under the RMA. Sections 7 and 8 are attached as Appendix 3.

In relation to the settlement area method and its boundaries, these recognise the importance of providing for the social, cultural and economic wellbeing of the small community at Aotea, while at the same time protecting the life-supporting capacity of the ecosystems of the gulf from further inappropriate development outside of existing modified areas.

5.0 Regional planning documents

5.1 Regional policy statement

Section 75(3) of the RMA states:

- (3) A district plan must give effect to –
 - ...
 - (c) any regional policy statement.

The objectives, policies and rules of the settlement area give effect to the strategic objectives in chapter 2 of the Auckland Regional Policy Statement (ARPS), particularly 2.5.1, objective 3, being to protect the soil resources, amenity values, rural character, landscape values and mineral resources of rural areas from the regionally significant effects of inappropriate subdivision, use or development. In addition, the delineation of the settlement area at Aotea is consistent with 2.5.3.2.3(ii) that provides for definition of the limits of rural and coastal settlements to protect environmental values, and that the integrity of those limits are maintained.

It is considered that the settlement area addresses the issues set out in 7.2 of the ARPS and is consistent with the objectives 7.3.1-10. Subsequently, the proposal is consistent with the methods and policies set out in section 7.4. These relevant sections are attached as Appendix 4.

5.2 Regional plan

Section 75 (4) of the RMA states:

- (4) A district plan must not be inconsistent with –
 - ...
 - (c) a regional plan for any matter specified in section 30(1).

The objectives, policies and rules of the settlement area are consistent with the following:

- Auckland Regional Plan: Coastal,
- Auckland Regional Plan: Air, Land and Water,
- Auckland Regional Plan: Sediment Control
- Auckland Regional Plan: Farm, Dairy Discharges

The provisions that are of most relevance are:

- To preserve the natural character of the coastal environment by protecting the coastal marine area from inappropriate subdivision use and development.
- To maintain and enhance the diversity, integrity and landscape quality of the coastal environment.
- To maintain and enhance public access to, along and within the coastal marine area.

The provisions of the settlement area gives effect to the regional policy statement by avoiding activities and buildings that will have an adverse effect on the natural character of the coastal environment, and ensuring that the natural environment remains the dominant element in terms of landscape.

6.0 Procedures for monitoring

The council will monitor the effectiveness of the proposed provisions as a means of achieving the objectives and policies by:

- monitoring resource consents including the number of applications granted consent, compliance with consent conditions, and the effectiveness of those conditions.
- monitoring complaints and enforcement actions
- undertaking land use surveys and ecological surveys
- monitoring trends through analysing statistics
- maintaining a register of natural hazards

7.0 Conclusions

The feedback that was received as part of the consultation process has been carefully considered in terms of how it affects the Aotea catchment and the boundaries of the settlement, as well as providing for residential uses generally. There is the opportunity for growth of papakainga housing as part of contributing to growth for Great Barrier generally.

The duties and functions of council, and the purpose and principles of the Resource Management Act have been used to develop the objectives for the settlement area, and as indicated in the assessment, the objectives achieve the purpose of the Act.

The policies and methods chosen by Council reflect the objectives for the settlement area, implementing efficient and effective means of achieving them. A qualitative assessment of the costs and benefits of different options considered indicate that the best option has been proposed. Furthermore, the proposed option is consistent with regional and national statutory documents.

Overall, the proposed settlement area is considered to fulfil the statutory requirements of s32 of the Resource Management Act.

Appendix 1 - Aotea settlement area

Appendix 2 - Relevant sections of the New Zealand Coastal Policy Statement

Appendix 3 - Sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000

Section 7 states as follows:

Recognition of national significance of Hauraki Gulf

- (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

Section 8 states as follows:

Management of Hauraki Gulf

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.

Appendix 4

Relevant provisions from the Auckland Regional Policy Statement

Appendix 5 - Summary of consultation from GBI workshop