

# **HGI Plan Review: section 32 report for the light industry area at Claris**

## **1.0 Executive summary**

This report summarises the evaluation undertaken by the council for the objectives, policies and rules for the light industry area at Claris in terms of section 32 of the Resource Management Act.

The main conclusions are that:

- The objectives are the most appropriate way to achieve the purpose of the Resource Management Act
- Overall, the environmental, social and economic benefits of having the proposed objectives, policies and rules within the plan outweighs any costs which may result. Therefore these methods are the most effective and efficient method of addressing the issues relating to light industry activities at Claris, and consequently are the most appropriate method of achieving the objectives.
- The proposed objectives, policies and rules will allow council to carry out its functions under section 31, 72 and 74(1) of the act
- The methods are consistent with the Hauraki Gulf Marine Park Act, statutory national and regional planning documents and non-statutory documents.

## **2.0 Introduction**

### **2.1 Purpose of this report**

This report is 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. The special landscape characteristics, such as wetlands and dune systems, have been integrated into the settlement area as either separate areas or recognised through the objectives and policies. This report relates to the sole light industry area at Claris.

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 proposed provisions outline a range of activities that may need controlling using a discretionary activity consent. The provisions also outline a number of development controls.

The approach has been to minimise the number of consents required on Great Barrier by providing for similar activities in the same location. This reflects on the community desire to decrease compliance costs for business and to stimulate the economy of Great Barrier.

## **2.4 Operative plan provisions**

There are currently five policy areas that affect the settlements on Great Barrier Island, with the purpose of them different in each case. In the policy areas, buildings are controlled activities (cannot be declined), as is all vegetation removal. The controls on buildings relate to scale, form, location and colour.

The underlying land unit in the operative provisions determines the development controls. The proposed settlement plans bring together these aspects, so that there are specific development controls for each area within the settlement.

There are no activity lists relating to the current policy areas, and there is currently no specific provision for specified areas for light industry activity.

## **2.5 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 industrial activities on Great Barrier.

### **2.5.1 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
- 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 Waiheke. The four topics for the focus groups were:

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

An additional 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.

## **2.5.2 Issues raised during consultation**

The following outlines a range of comments relating to industrial and commercial activities by GBI owners or where the location of the person was unknown.

- 1 Manufacturing, low-key activities - small size, need to consider noise, pollution, avoid adverse visual effects - such as the telecom building, need to allow for home occupations, food production and cottage industries.
- 2 Decrease compliance/consent costs by providing for the right activities in the right places.
- 3 Ad-hoc development could lead to unstructured island
- 4 Significance of Claris / Kaitoke Valley to brown teal. Brown teal feed at night on pasture - possible conflict with night landings. Forested area important for nesting. Whangapoua and Claris / Kaitoke Valley important brown teal site & Wetland of International Significance - contains a number of threatened plants & birds - development of airstrips & town needs to be compact with minimal impact. Support a structure plan for Claris & Okiwi areas rather than a policy area approach [DOC]
- 5 Introduce residential, commercial or industrial land units
- 6 Concern about subdivision and effects on Kaitoke Wetland. Queries appropriateness of industrial land units in this location.
- 7 Specific Commercial zones for Claris
- 8 Support more regulated approach to growth & development with HGI (to protect ecosystems and landscapes). Support prescriptive provisions which provide a strong level of certainty in terms of location, type of activities with clear performance standards. [ARC]
- 9 Maintain balance between commercial and economic development and natural environment
- 10 Need more prescriptive standards of development (permissive)
- 11 Plan needs to be more prescriptive which incorporates non-complying default activity
- 12 Prescriptive approach for human activity land units, more effects based approach in other land units.

- 13 Protection and enhancement of the natural environment to be the over-riding priority for Waiheke. Waiheke dependent on this for visitors. Plan should be prescriptive not permissive. Wetlands should be strictly out of bounds for development.
- 14 Allow small industry outside industrial or commercial land units
- 15 Used Controlled rather than Discretionary activities to remove uncertainty from business planning
- 16 District Plan should be made easier for businesses.
- 17 Develop policy area to allow commercial activity on 19 ha site between Hector Sanderson and Grey Road near Claris (Lot 1 DP 204885 & Lot 1 DP 150350).

The consultation from the Great Barrier Workshop is attached as Appendix 6.

## **3.0 Resource management issues and objectives**

### **3.1 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.

### **3.2 Objectives**

The objectives relevant to light industry area in the settlement areas are:

- 10b.3.1 To provide for limited growth in existing settlements while protecting the natural environment.
- 10b.3.2 To facilitate appropriate development in suitable places throughout the settlement areas, based on the type of existing activities.
- 10b.7.2.1 To consolidate similar activities in the areas identified to ensure that effects of activities do not affect the function of the airport and surrounding activities
- 10b.7.2.2 To create a functioning centre for Great Barrier.
- 10b.7.7.7 To provide for light industrial activities, while safeguarding against adverse effects that could result in contamination of the Kaitoke wetland, or other surrounding wetlands.

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

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.

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.

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.

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

### 4.1.1 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 light industry 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 particular relevance to the light industry 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).

#### 4.1.2 Appropriateness in achieving the purpose of the Act

The objectives outlined in 3.2 above are the most appropriate way to achieve the purpose of the Act as set out in section 5, 6, 7 and 8. Specifically they meet clause (a) and (c) of Section 6 ‘Matters of national importance’ of the Act, as identified below by:

*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.*

*The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.*

It also meets clause (b) “the efficient use and development of natural and physical resources” clause (c) “the maintenance and enhancement of amenity values” and clause (f) “maintenance and enhancement of the quality of the environment” of Section 7 ‘Other Matters’ of the Act.

This is because:

- the objectives recognise the importance of preservation of the Kaitoke wetlands and other wetlands in the vicinity of the industrial area, while recognising the existing industrial activities in the area.
- the objectives will effectively balance the demand for industrial development on Great Barrier while protecting its character and amenity value.

## 4.2 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.7.2.1 Objectives – Claris settlement area**

##### **Objective**

*To consolidate similar activities in the areas identified to ensure that effects of activities do not affect the function of the airport and surrounding activities*

##### **Policies**

1. *By preventing any building or landuse activity which may compromise the operation of the airport by being sensitive to effects from the operation of the airport, with particular regard to noise sensitivity and safety.*
2. *By not providing for the construction, alteration of, or addition to, any building that exceeds the height limits for the airport protection fans identified in the designation for Claris airfield.*
3. *By limiting the adverse visual effects of buildings through standards on colour, and ensuring that the natural landscape remains the dominant element in terms of visual amenity.*

##### **Objective**

*To create a functioning centre for Great Barrier.*

##### **Policies**

1. *By providing for retail premises and further development to reinforce the role of the area as a gateway to the island.*
2. *By protecting activities in their respective areas from reverse sensitivity effects.*

The two objectives above relate to all areas within the Claris settlement area. In particular, they seek to ensure that development does not impinge on less or more sensitive activities, with particular regard to Claris airfield. Standards for colour have been developed to help to achieve integration of buildings with Great Barriers dominant natural environment. The policies also recognise the importance of Claris as a key access point for the island and potential for future growth.

#### **10b.7.7 Objective – Claris light industry area**

*To provide for light industrial activities, while safeguarding against adverse effects that could result in contamination of the Kaitoke wetland, or other surrounding wetlands.*

##### **Policies**

1. *By limiting any adverse effects of industrial activities on adjacent sand or wetland systems.*

2. *By not providing for sensitive activities to establish in the industrial area which may result in reverse sensitivity effects on industrial activities.*
3. *By recognising the need for a source of sand for construction on Great Barrier, without compromising any ecological or natural functions of the surrounding area.*

The policies for the light industry area recognise that industrial activities can create adverse effects, and these effects need to be limited in terms of sensitive surrounding ecosystems. They recognise that for an industrial area to maintain its function, it cannot be hindered by more sensitive activities that may eventually limit the operation of higher impact activities. The policies also recognise the need for sand as a construction material on the island.

In summary, the policies have been carefully considered against the objectives, and are considered the most appropriate means of achieving the objectives. They indicate the decisions that Council will make to ensure that the objectives for the light industrial area are met. They also set a context for each of the development control rules within the settlement areas.

The following section outlines the costs and benefits of different approaches for looking at the types of activities and rules that should apply to the light industry area, including development controls. These are the main alternatives which the council has considered as a means of achieving the objectives:

- No control on buildings or activities (entirely free market).
- Permitted standards (development controls) for buildings, certain activities permitted, while others require consent or are non-complying.
- Develop policy area to allow commercial activity on 19 ha site between Hector Sanderson and Grey Road near Claris (Lot 1 DP 204885 & Lot 1 DP 150350).
- Maintain the status quo, land unit controls.

#### 4.2.2 Option 1

No control on buildings or activities (entirely free market)

Benefits	Costs
<u>Environmental</u>	<u>Environmental</u>
	Inappropriate activities could locate next to each other, for example yoga studio next to a panel-beaters. Will result in reverse sensitivity effects, placing pressures on higher impact activities.
	No limits on control of height and bulk of buildings, could result in adverse stormwater discharges, dominance of buildings.
	No control on bulk and scale of buildings, and colour. Buildings would become dominant, detracting from the dominant natural environment of Great Barrier.
	No limits on removal of vegetation, resulting in loss of habitat for flora and fauna.
	Earthworks and sedimentation could lead to degradation of waterways.

<u>Social and Economic</u>	<u>Social and Economic</u>
No limit on scale of activities, location or coverage. Benefits to economy as high value activities could be undertaken anywhere, for example high rise apartment development in industrial area.	Unfettered development is not sustainable in terms of maintaining amenity values for an area, as the values the community place on those areas are eroded.
Creation of jobs.	Low quality environments will not attract tourism, resulting in adverse economic impacts on Great Barrier.
No planning consent costs.	

Overall, option 1 has only limited environmental, social and economic benefits and greater potential environmental, social and economic costs. The environmental, social and economic costs of undertaking this option therefore outweigh any benefits to individuals which may result.

### **The risk of acting or not acting**

There is no required information that is relevant to a risk of acting or not acting in relation to this approach.

### **4.2.3 Option 2**

Permitted standards (development controls) for buildings, certain activities permitted, while others require consent or are non-complying. Recognises a need for a local source of sand.

<b>Benefits</b>	<b>Costs</b>
<u>Environmental</u>	<u>Environmental</u>
Permitted standards relating to height in relation to boundary, maximum height, yards and building coverage will maintain some amenity by ensuring that development is of a similar scale, fitting with other development in the vicinity. Maximum height limits and building in relation to boundary controls will ensure that development on the sites maintains a suitable scale.	Design of buildings not controlled by consent, other than by bulk and scale requirements from development controls. Could result in lower amenity buildings.
Permitted noise levels can be set at a level which is higher than other areas in the settlements, so that industrial activities can occur without hindering lower impact activities.	If residential use is permitted on light industry sites, it will take up valuable commercial land. Furthermore, it may result in reverse sensitivity effects, resulting in complaints relating to industrial activities.
Permitted standards on indigenous vegetation clearance allow for construction of a building platform, but ensure that effects are assessed if they exceed a certain level and replacement planting is able to be mitigate for the loss of flora/fauna habitat.	Sand quarrying may result in reduction of a resource, however if governed by consent, limits can be placed on the activity and reinstatement of mined area required.
Permitted standards on earthworks ensure that the effects of earthworks are controlled. Recognise that effects arise when earthworks are undertaken on different slopes.  Standards changed to reflect the effect of earthworks as being the same anywhere rather than dependent on location (for	

example a difference of effects between Waiheke and Great Barrier).	
<p>Permitted standards on colour enables control of colour without requiring consent, to ensure low reflectivity and certain degree of greyness.</p> <p>The greatest contributor that gives rise to adverse effects of buildings in a landscape environment is highly reflective/bright colours or finishes on building materials.</p> <p>Buildings that are able to integrate with their surroundings by having less bright/less reflective colours have a lower adverse effect on landscape qualities and amenity. A permitted standard for colour based on reflectivity and greyness ensures that some of the adverse visual effects of buildings are mitigated.</p>	
Controlling activities that may result in reverse sensitivity effects by permitting appropriate industrial activities, and requiring consent for a slightly wider range of activities, will protect the ability of industrial activities to continue.	
If residential use is non-complying, then it can be discouraged in the light industry area so that it doesn't take up valuable space for commercial industrial activities.	
<u>Social and Economic</u>	<u>Social and Economic</u>
By creating permitted standards, rather than requiring resource consent, reduces compliance costs for business.	Consent will be required to exceed the permitted standards.
An activity list will give people certainty as to what type of activities other people are able to establish in the light industry area, and the activities they will be able to establish.	Total freedom of design apart from colour may result in styles of building that do not cater to all peoples tastes.
Activities that have a higher degree of effect or that are not conducive to industrial activity are discretionary, to enable adjacent business owners to participate in the planning process if necessary.	If the industrial land has a lower market value than the local retailing land, then discouraging or stopping lower impact activities from establishing in the light industry area and making them establish on possibly higher value local retailing land may appear to hinder business opportunities on Great Barrier.
By providing for sand quarrying by consent, a source of building material is able to be provided for, rather than having to import this from the mainland, unnecessarily using resources to do so.	
Activities not listed in the activities table are non-complying, meaning that they are not likely to be conducive to the heavier effects of industrial activities. There are other locations such as the local retailing area or	

residential amenity areas where these activities can locate.	
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This option maintains somewhat of a balance between economic and social costs and benefits by requiring consent only when an activity passes a certain threshold that is considered to warrant assessment of its effects. It gives certainty to activities without the costs involved in always requiring consent, while protecting aspects of the environment.

In terms of the development controls, these are attached as Appendix 1. These development controls generally reflect a scale and magnitude considered appropriate for light industry-type activities throughout the gulf.

It is noted that activities such as discharge are controlled through the Auckland Regional Plan, although the hazardous facilities section of the proposed plan will assist with limiting, controlling or monitoring some of the industrial activities within the light industry area.

The activities considered appropriate for the light industry area are those that are least likely to cause adverse effects on light industry, such as lower impact industrial activities. The list of permitted activities, and those requiring consent to assess and mitigate their effects (or ultimately decline the activity where this is not possible) are attached as Appendix 2. A discretionary activity classification is the most appropriate classification for those activities as it enables public input into the planning process and the ability to decline the activity. It is relevant to note that other locations do provide for most, if not all, other activities in appropriate locations where they can contribute to the commercial centres.

### **The risk of acting or not acting**

As the industrial activities already exist in the proposed Claris light industry area, Council has sufficient information on option 2 with little risk of acting on this option.

## **4.2.4 Option 3**

Develop policy area to allow commercial activity on 19 ha site between Hector Sanderson and Grey Road near Claris (Lot 1 DP 204885 & Lot 1 DP 150350).

<b>Benefits</b>	<b>Costs</b>
<u>Environmental</u>	<u>Environmental</u>
Some areas may be able to be covenanted with public access provided. However, the access would not necessarily be of value, particularly as the area is quite a long distance from the Claris commercial area.	If residential use is permitted on light industry sites, it will take up valuable commercial land meant for business activities.
	If a large number of mixed commercial, retailing and light industrial activities are able to establish over the entire site, then it will spread the commercial centre for Claris over a very large area, where the intention is to consolidate similar activities in similar locations.
	An ecological assessment indicates that a large portion of the site is ecologically sensitive.
<u>Social and Economic</u>	<u>Social and Economic</u>
A number of sites could be subdivided,	Lower amenity retailing and service

possibly at low market value due to their lower amenity, which would encourage business development for Great Barrier.	activities spread over a large area will not contribute to Great Barrier being a more attractive place to visit, resulting in adverse long term economic effects.
	Lower impact activities might be affected if located next to higher impact industrial activities.
	There is a better alternative for developing retail activities adjacent to the Claris commercial centre.

While the establishment of an area for industrial activities is supported, a large range of activities including retailing and service type activities is not supported, as there is a much more suitable location for these adjacent to the Claris commercial centre, and if further land is required for retailing/visitor facilities, then it is that area that should be extended so that these types of activities can occur in close vicinity.

### **The risk of acting or not acting**

As indicated in the Wildlands study, further ecological studies would need to be undertaken to determine the appropriateness and location of subdivision on the subject block of land, however initial studies show that the opportunity for development of the site is limited. The risk of acting on this option and the outcomes that result are considered to be reasonably high.

## **4.2.5 Option 4**

Maintain the status quo - land units

<b>Benefits</b>	<b>Costs</b>
<u>Environmental</u>	<u>Environmental</u>
No change – land protected according to land unit	Land unit in the area known as the industrial area is not typical of land unit elsewhere (i.e lot size is much smaller in the settlements). Land unit controls, policies and objectives drafted with larger rural lot size in mind, rather than industrial activities.
	Activities will continue to occur in an unstructured ad-hoc manner.
<u>Social and Economic</u>	<u>Social and Economic</u>
Familiarity of rules	No specific provision for industrial activities, particular in any one location where these might be able to support each other.
	Conflict between objectives and policies in land unit and objectives and policies in settlement areas creates uncertainty as to what outcomes are being sought for a particular property.

### **The risk of acting or not acting**

There is sufficient information to determine that the light industrial area needs to be recognised for what it is, so the risk of acting on this option is high.

#### **4.2.6 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 in terms of the light industry areas in the settlements on Great Barrier is Option 2:

1. Identify a light industry area within the proposed Claris settlement area where light industry activities already prevail.
2. Identify activities that can be carried out as permitted, or alternatively discretionary, activities within the light industry area.
3. Avoid lower impact activities, or activities that would be better located in the local retailing or residential amenity areas of the Claris settlement.

#### **4.3 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 proposed objectives, policies and rules will allow council to carry out its functions under section 31, 72 and 74(1) of the act, because they:

- achieve integrated management of the use and development of land in the existing industrial part of the Claris settlement area;
- adequately control the actual and potential effects of the use and development of land within the settlement areas; and
- after assessing other options, and the benefits and costs associated with them, the proposed objectives, policies and rules are the most appropriate way to achieve the purpose of the Act.

### **5.0 National planning documents**

#### **5.1 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 objectives, policies and rules of the settlement area give effect to policies 1.1.2, 3.2.2, and 3.2.10, of the New Zealand Coastal Policy Statement (1994), attached as Appendix 3 by:

- ensuring that industrial activities are limited to the existing areas, protecting the coastal environment from future adverse effects.

#### **5.2 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 4.

The objectives, policies and rules for the light industry areas give effect to sections 7 and 8 of the HGMPA for the reasons identified in section 5.1 above and because they:

- protect and enhance the life-supporting capacity of the land in the settlement areas, and
- protect and enhance the natural and physical resources of the settlement areas.

## **6.0 Regional planning documents**

### **6.1 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 light industry areas give effect to objectives 7.3.(1), (2) and (3) and policies and methods 7.4.4, 7.4.5, 7.4.7 and 7.4.10, of the coastal environment section of the Auckland Regional Policy Statement for the reasons identified in section 5.1 above and because:

- the natural character of the coastal environment will be protected
- appropriate use and development of the coastal environment will be achieved, so long as activities meet the requirements of the Auckland Regional Plan, and the hazardous facilities section of the plan.

These relevant sections are attached as Appendix 5.

### **6.2 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 light industry area give effect to objectives 10.3.1 and policies 10.4.3 and 10.4.4 and 10.4.5 of the Auckland Regional Plan: Coastal for the reasons identified in section 5.1 and section 6.1 above and because:

- the coastal marine area will be protected from inappropriate use and development.
- the light industry areas already contains existing industrial development and no new areas are proposed for industrial development.



## **8.0 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
- monitoring trends through analysing statistics
- undertaking ecological surveys and environmental sampling activities

## **9.0 Conclusions**

The feedback that was received as part of the consultation process has been carefully considered in terms of how it affects the light industry areas, as well as providing for residential uses, other activities, and the permitted standards used for buildings and other activities.

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 areas, 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 areas, and their parts, implementing efficient and effective means of achieving them. A qualitative assessment of the costs and benefits of different options considered indicate that the best options have been proposed. Furthermore, the proposed options are consistent with regional and national statutory documents.

Overall, the proposed light industry areas are considered to fulfil the statutory requirements of s32 of the Resource Management Act.

**Appendix 1 - Development controls**

**Appendix 2 - Activity table**

**Appendix 3 - Relevant sections of the New Zealand Coastal Policy Statement**

## **Appendix 4 - 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 5**

**Relevant provisions from the Auckland Regional Policy Statement**

**Appendix 6 - Summary of consultation from GBI workshop**