

HGI Plan Review: section 32 report for the Pakatoa Island

1.0 Executive summary

This report summarises the evaluation undertaken by the council for the provisions for Pakatoa Island in terms of section 32 of the Resource Management Act.

In response to matters raised in consultation and good planning practice, the proposed plan provisions retain a specific land unit for Pakatoa, but the provisions of the land unit have been amended to provide for the comprehensive redevelopment of the island.

The analysis undertaken has demonstrated that the proposed land unit provisions are a comprehensive set of objectives, policies and rules which provide for the redevelopment of the island for conservation, residential and visitor activities and which ensure that the natural features and the landscape character of the island are protected and enhanced.

The objectives are the most appropriate means of achieving the purpose of the Act because they provide for the social and economic wellbeing of the community through the provision of public access and visitor and residential activities while ensuring the protection of the environment.

The policies and associated rules are the most appropriate means of achieving the objectives as they provide a balance between providing for the visitor and residential development to occur and the protection of the adjoining environment. In addition, the policies and rules have been shown to have benefits that outweigh the costs and to be necessary in terms of avoiding risks to the environment.

The proposed plan provisions also give effect to the relevant national and regional planning documents, primarily because the provisions provide for appropriate use and development of visitor and residential activities and because the provisions protect and enhance the landscape character of the island.

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 provisions provide for the following three separately identified areas on the island:

- tourist complex area
- residential area
- landscape protection area.

The island is sensitive to develop, being one of the smaller inhabited islands in the gulf. The proposed rules recognise the sensitive nature by requiring consent and design assessment for all new buildings on the island. More intense development can occur in the tourist complex

area, while the remaining area enables either a densely clustered development to the north, or a dispersed pattern of development should redevelopment of the island occur. Strict controls have been placed on the slopes of the vegetated coastal escarpment.

The tourist complex area provides for a wide range of activities, and increased allowance for coverage, while the residential area maintains a lower intensity of development, with a lesser range of activities. Both visitor accommodation and residential activity are permitted in the tourist complex area and the residential area. The proposed rules roll-over the existing provisions for subdivision, and these are reflected in the density provisions in the land unit rules.

2.3 Operative provisions

The operative provisions for Land Unit 24 - Pakatoa, due to their permissive nature, allow a broad range of activities to occur on Pakatoa, whilst only controlling the most likely to occur being helipads, visitor facilities and camping facilities. Buildings require consent as a controlled activity, which cannot be declined.

The current plan contains a coastal protection yard around the island. The development controls allow for 10% coverage for the island, with a maximum height of 8m.

The subdivision rules provide for a maximum density of 50 dwellings in a clustered farmpark development, or a dispersed pattern of 1 per 1.5ha where these are in a dispersed pattern.

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 Pakatoa.

2.4.1 Consultation to date

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

Consultation with other stakeholders

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

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

Consultation with landowners

The landowners were invited to provide input in relation to the plan review, and a plan was submitted outlining possible policy that might have been incorporated into the plan. This is attached as Appendix 1.

Public notification

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

2.5 Issues

The issues for Pakatoa are:

1. How to conserve and where appropriate restore the natural character of the island and, in particular, its coastline.
2. How to achieve a balance between open space and buildings to preserve the visual character of the land unit as seen from the sea and eastern Waiheke when identifying appropriate future uses.
3. How to enable continued use of the island for visitor and residential purposes, while limiting the visual impact of buildings and other structures when seen from the sea and other islands in proximity to Pakatoa Island and maintaining landscape values.
4. How to enable opportunities for public access to the island and recreational opportunities on the island.
5. How to protect wildlife habitats and indigenous flora and fauna.

2.6 Objectives

The objectives for Pakatoa are:

10a.26.3.1 Tourist complex area

To provide for a high quality environment accommodating a mix of visitor related activities (including public open space) that is consistent with existing development in this area.

10a.26.3.2 Residential area

To provide for limited residential and visitor activities that integrate with the island's landscape setting

10a.26.3.3 Landscape protection area

To preserve the coastal margins and open rural landscape character of the island

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 Pakatoa 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 Pakatoa 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 framework for Pakatoa recognises 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.

The objectives for Pakatoa seek to manage the land resource by recognising the dominant character of the three areas on the island; the developed area in the north, the wider open expanses with existing buildings, and the regenerating and remnant coastal vegetation. In terms of the natural environment, the objectives seek to maintain the life-supporting capacity and intrinsic values of ecosystems that still remain on Pakatoa, and contribute largely to its amenity values.

The objectives 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. A purely effects-based while addressing a number of environmental effects on the environment, is not considered to be an integrated management approach, as is difficult to provide for un-measurable effects, such as amenity values.

It is considered that the structure and content of the objectives based around separate activity areas for the island is therefore the most appropriate means for meeting the purpose of the Resource Management Act, 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.

10a.26.3.1 Objective – tourist complex area

To provide for a high quality environment accommodating a mix of visitor related activities (including public open space) that is consistent with existing development in this area.

Policies

- 1. By controlling the scale, form, colour and location of new buildings or modification of existing buildings in order to maintain or enhance visual amenity and character.*
- 2. By providing for a range of activities that support the visitor and residential activities located on the island.*
- 3. By requiring landscape planting, including revegetation as part of any development proposal where this will enhance landscape and environmental qualities and is necessary to reduce the visual impact of buildings and land use activities.*

The policies seek to ensure that the buildings in the tourist complex are integrate with the surrounding landscape. A number of activities are provided for, and replanting and vegetation is included as part of any redevelopment proposal.

10a.26.3.2 Objective - residential area

To provide for limited residential and visitor activities that integrate with the island landscape setting.

Policies

- 1. By controlling the scale, form, colour and location of new buildings or modification or additions to existing buildings in order to maintain or enhance visual amenity and character.*
- 2. By enabling the clustering of buildings at specified densities at the northern end of the island, or the dispersal of buildings at lower densities across the island, as a means of reducing impact on the small island character.*

The policies seek to ensure that any new development maintains or enhance visual amenity, and integrate the buildings with the natural landscape surroundings. The provision for clustering ensures that buildings maintain the open space character, or that where buildings are to be dispersed, that they are discrete.

10a.26.3.3 Objective – Landscape Protection Area

To preserve the coastal margins and open rural landscape character of the island.

Policies

- 1. By providing for the protection of open space and natural areas on the island by restricting buildings, indigenous vegetation removal and earthworks in these areas.*
- 2. By requiring pest and weed management in the landscape protection area as part of any subdivision application for the island.*

The policies recognise the importance of preserving vegetation on the coastal escarpment, which forms an important ecological role as well as providing significant amenity to the island.

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 addresses the costs and benefits of different approaches for Pakatoa, outlining the main alternatives that council has considered as a means of achieving the objectives:

- Maintain the status quo
- Introduce option submitted by landowner (attached as Appendix 1).
- Introduce a revised version of land unit, rolling over certain provisions, but integrating aspects of the landowners resource management strategy, creating three separate areas where different activities can occur.

3.2.1 Option 1

Maintain the status quo

Benefits	Costs
Provides controls on vegetation removal, scale, bulk and location of buildings.	As a controlled activity, applications cannot be turned down, and the scope of conditions that can be placed on a consent without frustrating it are limited.
Limits density of dwellings and visitor facilities on subdivision, reducing visual impact of buildings on the island.	The provisions regarding density in the subdivision section do not apply to any other development that is not the subject of a subdivision consent. As such, any structures would be able to be built on the island in a clustered or non clustered pattern, and then subsequently subdivided.
Any activity can happen anywhere, except for helipads, visitor facilities and camping grounds, potentially providing for business opportunities.	Due to permissive nature of current provisions, many different activities could establish nearly anywhere on the island, which could result in adverse effects on visitor/residential amenity, rather than locating higher impact activities such as

	restaurants and taverns in one place.
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The risk of acting or not acting

There is sufficient information on this option to not act on it.

3.2.2 Option 2

Introduce option submitted by landowner (attached as Appendix 1).

Benefits	Costs
Provides a planning framework based on characteristic of land use.	Significantly increases the density of dwellings and visitor facilities
Provides controls on vegetation removal, scale, bulk and location of buildings.	As a controlled activities, applications cannot be turned down, and the scope of conditions that can be placed on a consent without frustrating it are limited.
The owner will have an increased development potential compared to the operative provisions.	The provisions provide for buildings in the landscape protection area.
	Difficult to determine what “cluster” is.
	The proposed potential for 130 units from the current 50 provided for in the subdivision section of the plan will put increase waste water discharge on the island, as well as create a potentially built dominant environment.
	The maximum height limit of 12 metres could potentially provide for a 5 storey building, which has the potential to dominate the landscape of the island.
	The development potential for development increases from 92, 000m ³ to approximately 327,000m ³ .

The risk of acting or not acting

Substantial information would be required to implement this option with regard to landscape effects and visualisations showing the distribution of buildings, as well as the ability to treat and dispose of waste water without affecting the landscape protection area or water quality.

Implementing this option without substantial further analysis presents a high risk that significant adverse effects might occur.

3.2.3 Option 3

Introduce a revised version of land unit, rolling over certain provisions, but integrating aspects of the landowners resource management strategy, creating three separate areas where different activities can occur, and introducing a density rule that applies to land use activities as well. Provide for buildings as restricted discretionary activities, with higher level of development possible in the visitor complex area to balance lower levels of development elsewhere on the island.

Benefits	Costs
Provides a planning framework based on	An increase in the density of units is not

characteristic of land use.	provided for.
Provides controls on vegetation removal, scale, bulk and location of buildings.	There is a cost associated with consents for buildings in the landscape protection area.
Good building design outcomes can be achieved in appropriate locations.	
A cluster is defined as being located at the northern end of the island.	
Provides for a range of tourist/residential service activities without requiring consents for those activities, reducing compliance costs.	

The risk of acting or not acting

A landscape assessment has not been undertaken, however this is not considered to increase the risk of acting on this option. As this option represents a rollover of the existing provisions, combined with a landscape based framework submitted by the applicant, it is considered that this option provides a balance between the first two options.

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 on Pakatoa is Option 3:

1. Create a new landscape based approach to separate Pakatoa onto three distinct areas.
2. Roll over the existing development controls, with amendments as appropriate, and introduce a rule that manages the density and location of visitor and residential units.

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 land unit for Pakatoa, will assist with Council discharging its functions for controlling the action and potential effect of the use of land on Pakatoa, 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 on Pakatoa 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 each of the sub areas within the settlements.

4.0 National planning documents

4.1 National and NZ coastal policy statements

The parts of the NZ coastal policy statement that are relevant to Pakatoa are attached as Appendix 2. The key principles of the most relevant parts are outlined below:

The following are matters of national importance:

- “The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, lakes and rivers and their margins, and protection of them from inappropriate subdivision, use and development.
- The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers”.

“It is a national priority to preserve the natural character of the coastal environment by:

- a. encouraging appropriate subdivision, use or development in areas where the natural character has already been compromised and avoiding sprawling or sporadic subdivision, use or development in the coastal environment;
- b. taking into account the potential effects of subdivision, use, or development on the values relating to the natural character of the coastal environment, both within and outside the immediate location; and
- c. Avoiding cumulative adverse effects of subdivision, use and development in the coastal environment”.

The proposed provisions of the land unit give effect to the NZ coastal policy statement because the provisions specifically provide for public access to the coastal marine area and the appropriate use and development of an area where the natural character has already been compromised. The provisions also ensure that the potential adverse effects of that use and development will be avoided and the natural character of the island enhanced through revegetation and other conservation initiatives.

The relevant sections have been attached 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 Pakatoa, the proposed provisions recognise the importance of providing for the social, cultural and economic wellbeing of existing and possible future owners on the island, 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

The parts of the regional policy statement that are relevant to Pakatoa are attached as Appendix 4. The principles of key relevance to Pakatoa are:

- That Auckland's coastal environment is a fundamental part of its heritage and is sensitive to the adverse effects of subdivision, use and development.
- Subdivision, use and development in the coastal environment need to be in an appropriate location, and of an appropriate form, which meets the purpose of the Act.
- Subdivision, use and development in the coastal environment have the potential to enhance or inhibit public access to and along the CMA.
- To protect the landscape values and character of rural areas from the regionally significant effects of inappropriate subdivision, use or development.
- To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use and development.
- To enable appropriate subdivision use and development to be undertaken in the coastal environment.

Overall, the proposed plan provisions give effect to the regional policy statement as the provisions provide for use and development to occur in coastal/rural environment and as controls have been put in place to ensure that the landscape character and natural features of the island are protected.

The relevant sections are attached at 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 parts of the Auckland Regional Plan: Coastal that are relevant to Pakatoa are attached as Appendix 5. 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 for Pakatoa give 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.

Proposed Change 8 was notified on 26 September 2005. The provisions of key relevance to subdivision include:

- amendments to Map Series 2 and 3 to replace the existing Outstanding and Regionally Significant Landscapes with the new Outstanding Natural Landscapes information;
- the change identifies two types of Outstanding Natural Landscapes (ONLs): “wild nature” and “cultured nature”. Wild nature is where there is little or no evidence of human presence or modification and indigenous vegetation patterns dominate. Those areas identified on Great Barrier Island and parts of the areas identified on Waiheke as ONL’s would fall into this category. “Cultured nature” is where the land cover may be modified from bush into pasture, or there is a picturesque mix of bush and pastoral land and there is an absence of or minimal presence of human artefacts or buildings.
- amendments to Appendix F: Auckland Regional Landscape Assessment to explain how the new Outstanding Natural Landscapes were identified and a table that summarises the key landscape attributes of the Outstanding Natural Landscapes;
- changes to include new objectives, policies and methods in Chapter 6: Heritage and the accompanying issues and reasons, relating to volcanic features and landscape.

The purpose of the change to the policy statement is to provide clarity and certainty on the outcomes to be achieved in regional landscape management. Several policies include criteria to guide how these areas should be managed including the provision to restrict subdivision in these natural areas. The further submissions period closed on 28 July 2006. These submissions are currently being summarised and no hearing date has been set.

The southeastern end of Pakatoa is identified as being part of ONL 84. This area is comprised of a coastal escarpment, and covers some of the land shown as residential area. The line delineated in the rules for land unit that determines a boundary for cluster buildings on the island is consistent with the area shown as part of the ONL. Specific provisions require that any buildings that extend into the ONL must be in a dispersed pattern, and assessment of their landscape effects is controlled through a restricted discretionary consent process. It is therefore considered that the proposed land unit is consistent with change 8.

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, ecological surveys
- monitoring the number of buildings constructed on Pakatoa
- monitoring the number of subdivisions granted in on Pakatoa
- maintaining a register of 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 Pakatoa, as well as how the policy framework provides suitable outcomes and achieves the objectives for the island. The proposed land unit provides a balance between future visitor facilities on the island and residential activities, as well as providing for servicing these and possible public access to facilities on the island.

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 island, 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 Pakatoa, implementing efficient and effective means of achieving them. A qualitative consideration 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 - Policy provided on behalf of landowner as a possible option.

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

Land unit objectives, policies, rules and development controls.