

HGI Plan Review: section 32 report for recreation 1 (local parks and esplanade reserves)

1.0 Executive summary

This report summarises the evaluation undertaken by the council of proposed district plan provisions relating to the recreation 1 land unit, which includes local parks, conservation reserves and esplanade reserves on Great Barrier and Waiheke in terms of section 32 of the Resource Management Act.

The main conclusions are:

- Local parks, conservation reserves and esplanade reserves are found on Great Barrier and Waiheke and are characterised by passive recreation activities such as walking, cycling, bridle trails, and picnic areas;
- There is a general absence of buildings and structures apart from seating, playground equipment, walkways, artworks and signs identifying the park or reserve or giving information;
- The reserves and parks may be in areas of high visual amenity due to their open space character or their prominent location near the coast;
- Local parks and especially conservation reserves and ecological reserves may have high ecological values because of indigenous vegetation, wetlands or other natural features;
- recreation 1 parks and reserves are significant community assets because of their high amenity and ecological values, and because of the recreational opportunities that they provide;
- The proposed objective, policies and rules are the best means of achieving the purpose of the Act.

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 provisions seek to facilitate the use and enjoyment of local parks, conservation reserves and esplanade reserves for passive recreation activities while protecting the visual amenity and the ecological values of the land unit. This will be achieved by providing for passive recreational activities, whilst limiting the scale and intensity of activities that can occur within the recreation 1 land unit, to avoid adverse effects on the visual amenity and ecological values of the land unit. The scale, form, colour and location of new buildings will be controlled to avoid adverse effects on visual amenity and ecological values. New planting on conservation and esplanade reserves will be required to use eco-sourced indigenous species.

2.3 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 use of local parks, conservation reserves and esplanade reserves.

2.3.1 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.

2.3.2 Issues raised during consultation

Forty eight people/groups gave feedback on the issues and options paper titled “Department of Conservation / Public Land. The feedback covered a wide variety of subjects, many supported providing more public access through walkways or bridle paths. Some other matters will be addressed as part of the conservation land unit. The feedback is included as **Appendix B**.

3.0 Resource management issues and objectives

3.1 Issues

The significant resource management issues addressed here is:

- How to facilitate the use and enjoyment of the land unit for passive recreation activities by the public;
- How to maintain and enhance the ecological value of the land unit, particularly in conservation reserves and esplanade reserves; and
- How to protect the visual amenity and ecological value of the land unit from the adverse effects of new buildings.

Section 31 of the Act sets out as a Council function, the establishment of objectives, policies and methods to protect land and associated natural and physical resources of the district. Specifically it allows the protection of land, for the purpose of maintaining indigenous biological diversity. There are many parks and reserves on Waiheke and Great Barrier Island, which have indigenous flora and fauna and a biological diversity that requires protection. Objectives, policies and rules within the district plan can enhance or maintain areas of indigenous biological diversity, particularly in conservation reserves and esplanade reserves, whilst allowing public access and passive recreation in those areas. Policies and rules can also protect the visual amenity and ecological value of the land unit from the adverse effects of new buildings

3.2 Objectives

The objective for the recreation 1 land unit is:

“To facilitate the use and enjoyment of local parks and esplanade reserves for passive recreation while protecting the visual amenity and ecological value of the land unit.”

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, including for the purpose of-
 - (iii) the maintenance of indigenous biological diversity.

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 the proposed recreation 1 land unit 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 proposed recreation 1 land unit 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

Objective: To facilitate the use and enjoyment of local parks and esplanade reserves for passive recreation while protecting the visual amenity and ecological value of the land unit.

The objective is consistent with section 5(2) of the Act because the protection of parks, conservation reserves and esplanade reserves is consistent with managing the protection of natural and physical resources to meet the reasonable foreseeable needs of future generations, while safeguarding the life-supporting capacity of ecosystems.

The objective addresses matters of national importance stated in section 6 of the Act, particularly the preservation of the natural character of the coastal environment and wetlands and the protection of them from inappropriate subdivision, use and development and the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. The objective also facilitates the maintenance and enhancement of public access to and along the coastal marine area.

The objective is also consistent with the maintenance and enhancement of amenity values, having regard to the intrinsic values of ecosystems and the maintenance and enhancement of the quality of the environment as required by section 7 of the Act.

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

Policies for the objective are:

1. by providing for passive recreation activities to establish and operate within the land unit;

2. by limiting the scale and intensity of the activities that can occur within the land unit to avoid adverse effects on the visual amenity and ecological value of the land unit;
3. by ensuring that the scale, form, colour and location of new buildings will not have adverse effects on the visual amenity and ecological values of the land unit;
4. by requiring that new planting on conservation and esplanade reserves to consist of eco-sourced species.

The proposed policies are the most appropriate means of achieving the objective because they allow for passive recreation opportunities to occur whilst avoiding any adverse effects of those activities on the visual amenity or the ecological value of the particular park, conservation reserve or esplanade reserve. Controls on the scale, form, colour and location of new buildings will ensure that they do not adversely affect the amenity or the ecological values of the location on which they are proposed to be located. Where conservation or esplanade reserves are replanted, the policy and rules will require the use of eco-sourced species. Ecosourced species will be defined in the plan as local genetic stock of indigenous species, occurring in the general vicinity.

The rules will make alterations or additions to the exterior of existing buildings and the construction and relocation of building over 50m² a restricted discretionary activity. Boat launching ramps, jetties, boat trailer parks and camping facilities are proposed to be a discretionary activity. The following are proposed to be permitted activities:

- Artworks, monuments and sculptures
- Car parking areas
- Observation areas, viewing platforms and related structures
- Park furniture (including seats, rubbish bins, lighting, signs, BBQ's and picnic facilities)
- Planted areas
- Playgrounds (including play ground apparatus)
- Stormwater retention ponds
- Toilets and changing facilities
- Walking, jogging, fitness and riding trials (bridle and bicycle)

A specific development control is proposed for eco-sourcing planting, which requires the use of eco-sourced species for the planting of conservation reserves and esplanade reserves.

The following options are the main alternatives which the council has considered as a means of achieving the objectives:

4.2.1 Option 1

Make all buildings and addition and alterations to buildings on recreation 1 land a discretionary activity.

Benefits	Costs
Improvement of amenity to land unit as scale, form, colour and location of building would be better controlled.	Cost to obtain resource consents for even the smallest buildings or alteration/addition.
	Buildings or exterior additions and

	alterations to buildings on some sites may have very little effect on existing amenity.
--	---

The risk of acting or not acting

The risk of acting on this option is the cost in obtaining a resource consent even for small exterior alterations or additions to buildings or for the construction of any size of building. The risk of not acting on this option is that even small buildings if provided for as a permitted activity may have, in some circumstances, an adverse effect on the amenity or ecological values of some recreation 1 sites.

4.2.2 Option 2

Provide for more development and use of proposed local parks, conservation and esplanade reserves.

Benefits	Costs
More flexible use of parks and reserves for a greater number of activities	Possible loss of amenity and ecological values if active recreation or buildings allowed in some sensitive areas.

The risk of acting or not acting

The risk of acting on this option is a possible conflict between the amenity and ecological values within some parks and reserves and the possible development of those areas for active recreation or more intensive use. The risk of not acting on this option is the potential to prevent active recreation in recreation 1 reserves where there would be minimal effects on the amenity and ecological values of a local park, conservation reserve or ecological reserve.

4.2.3 Option 3

Use of proposed objective, policy and rules

Benefits	Costs
Protects the amenity values and conservation values especially of conservation reserves and esplanade reserves, whilst allowing public access for passive recreation.	Possible cost to council in requiring consents for their own work on their own land.
Allows public input into objective, policies and rules for land unit, and to be involved in notified resource consent applications.	May prevent active recreation or buildings on local parks or reserves with little amenity or ecological values.
Some parks and reserves especially esplanade reserves are a defence against natural hazards and should be protected from development that may be affected by natural hazards	

The risk of acting or not acting

The risk of not acting on this option would be the lack of suitable protection for areas of high amenity and ecological value from inappropriate use and development.

The risk of acting on this option is that Council and other land owners will have to obtain consents for buildings and exterior additions and alterations to buildings even if the effects of the building or additions and alterations are relatively minor. In the case of boat ramps and jetties the risk of acting on this option will mean that a consent will be required both from Auckland City Council and Auckland Regional Council because the structure will almost always also be in the coastal marine area.

4.2.4 Conclusion

Option 3 which supports the use of the proposed objective, policies and rules is considered the best option to permit passive recreation whilst protecting the amenity and ecology of local parks, conservation reserves and esplanade reserves.

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 rules provide for the integrated management of the effects of the use, development and protection of important natural and physical resources on Waiheke and Great Barrier. They will assist council in protecting land with high amenity and ecological values and control its use or development to maintain indigenous biological diversity. The protection of the conservation values of esplanade reserves is consistent with section 229 of the Act to protect the natural values of esplanade reserves or esplanade strips and to enable public access and recreational use of area adjacent to the sea, rivers or lakes.

Rules that control the construction and alteration of buildings, the construction of boat launching ramps and jetties and associated parking area, and the establishment of camping facilities will protect the natural character, amenity values and ecological areas of land within the recreation 1 land unit.

5.0 National planning documents

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
- ...

5.1 The New Zealand Coastal Policy Statement

The New Zealand Coastal Policy Statement 1994 (NZCPS) states that regard should be had to general principles including:

- The protection of the values of the coastal environment need not preclude appropriate use and development in appropriate places.

- It is important to protect representative or significant natural ecosystems and sites of biological importance, and to maintain the diversity of New Zealand's indigenous coastal flora and fauna.

Policy 1.1.3 states that it is a national priority to protect landscapes, seascapes and landforms which are themselves or in combination, are essential important elements of the natural character of the coastal environment.

Policy 3.1.1 notes that the use of the coast should not be allowed to have significant adverse effects on the coastal environment, amenity values, nor on the safety of the public nor on the enjoyment of the coast by the public.

Policy 3.2.4 states that provision should be made to ensure that the cumulative effects of activities, collectively, in the coastal environment are not adverse to a significant degree.

The proposed objective, policies and rules for the recreation 1 land unit are consistent with the general principles of the NZCPS and with policies 1.1.3, 3.1.1 and 3.2.4.

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 A**.

The proposed objective, policies and rules for the proposed recreation 1 land unit give effect to section 7 of the Hauraki Gulf Marine Park Act 2000 by providing for the recreational well being of people and communities on Waiheke and Great Barrier Island and by maintaining ecosystems of the Gulf. The proposed objective, policies and rules also give effect to section 8, by protecting the natural and physical resources of the Hauraki Gulf, its islands and catchments.

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.

Auckland Regional Policy Statement

Chapter 6 of the Auckland Regional Policy Statement deals with the natural heritage of the Auckland Region, including indigenous flora and fauna, terrestrial, marine and freshwater

ecosystems and habitats, landforms, geological features, soils and the natural character of the coastline.

Policy 6.4.1 states that “the subdivision of land, and use and development of natural and physical resources shall be controlled in a manner that:

- (i) the values of heritage resources of international, national, or regional significance are preserved or protected from significant adverse effects.”

Adverse effects are defined as including “the destruction of the state and physical integrity of significant heritage resources or of a significant physical or biological process to the level where the maintenance of that process cannot be assured.”

Policy 6.4.2 states that “in preparing regional, district and annual plans the following mechanisms for the preservation and protection of heritage resources should be considered:

- (iv) discretionary controls to facilitate protection;
- (v) regulatory controls;
- (viii) the provision of esplanade reserves and marginal strips”

Policy 6.4.4(2) states that “public access to heritage resources shall be maintained and enhanced where practicable and appropriate.”

Chapter 7 deals with the coastal environment. The objectives of this chapter include:

1. To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use and development.
2. To protect outstanding natural features and landscapes, areas of significant indigenous vegetation and significant habitats of indigenous fauna, and significant historic and cultural places and areas in the coastal environment.
7. To enable an appropriate range of recreational opportunities to be undertaken in the coastal environment.

Issue 7.2.6 of the Auckland Regional Policy Statement (RPS) notes:

In some parts of the coastal environment recreation is a particularly important use which needs to be provided for in appropriate forms and locations.

The objectives in 7.3.1 seek:

To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use and development.
To enable an appropriate range of recreational opportunities to be undertaken in the coastal environment.

Policy 7.4.4 states that the natural character of the coastal environment shall be preserved, and protected from inappropriate use and development by amongst other things, avoiding adverse effects on the physical integrity of coastal landforms and geological features and associated processes; and features, elements and patterns which contribute to landscape value and scenic and visual value.

Policy 7.4.13 promotes public access to public land in the coastal environment where areas are of high amenity or recreational value. Policy 7.4.16(1) notes that recreational activities shall be provided for in appropriate locations and forms, have regards to the provisions of

policy 7.4.10 (subdivision, use and development) and ensuring that the adverse effects on the environment are avoided, remedied or mitigated.

Chapter 18 of the RPS addresses esplanade reserves and esplanade strips. Objective 18.3.1 seeks to ensure that provision is made for esplanade reserves and esplanade strips in a way which achieves their purposes as described in section 229 of the RMA.

The proposed objective, policies and rules for the proposed recreation 1 land unit are consistent with the above objectives and policies of the RPS. The provisions relating to esplanade reserves are also consistent with section 229 of the Act.

Proposed Plan Change 8 to the Auckland Regional Policy Statement

Proposed Plan Change 8 (landscape and volcanic cones) was notified on 26 September 2005. The provisions of key relevance 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 plan 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 plan change 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 objective policies and rules for recreation 1 are not inconsistent with proposed plan change 8.

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).

Auckland Regional Plan: Coastal

Chapter 3: Natural Character

Policy 3.4.1 states that:

the natural character of the coastal environment shall be preserved and protected from inappropriate subdivision, use and development by avoiding where practicable, remedying or mitigating the adverse effects of subdivision, use and development on the qualities, elements and features which contribute to the natural character of the coastal environment, including those area characterised by modification and development.

Policy 3.4.2 states:

In assessing the actual or potential effects of subdivision, use and development on natural character particular regard shall be had to:

- a. preserving the natural character of the coastal marine area in Coastal Protection Areas 1 and 2;
- b. preserving the natural character of the coastal marine area in Outstanding and Regionally Significant Landscape Areas, where these areas are predominantly natural;
- c. avoiding, where practicable, adverse effects on natural character values in other areas of the coastal marine area which are predominantly in their natural state and which have high natural character;
- d. protecting appropriate remaining elements of natural character in those areas characterised by modification and development.

Chapter 4: Landscape

Objective 4.3.2 seeks “to maintain and enhance the diversity, integrity and landscape quality of the coastal environment.”

Chapter 5: Natural Features and Ecosystems

Issue 5.2.3 recognises that “inappropriate subdivision, use and development which occurs above mean high water springs can have adverse effects on the natural features and ecosystems below mean high water springs.”

Objective 5.3.2 seeks to:

Protect the integrity , functioning and resilience of ecosystems within the coastal environment.

Policy 5.4.5 notes when assessing the effects, including cumulative effects, of subdivision, use and development on natural features and ecosystems throughout the coastal marine area regard shall be had to amongst other things:

Protecting the identified educational, scientific, amenity, cultural or heritage values of the natural feature and its contribution to the natural character and landscape values of the coastal environment

Chapter 7: Public Access

Section 7.4.1 states that subdivision, use, development and protection should ensure that public access to, along and within the coastal marine area is maintained or enhanced, except

where it is necessary to restrict access for a number of reasons. These reasons include protecting areas of significant indigenous vegetation, significant habitats of indigenous fauna or natural features, and areas identified by Tangata Whenua as being of special spiritual, cultural or historic significance.

Chapter 12: Structures.

The stated objective of chapter 12 is to provide for appropriate structures in the coastal marine area, while avoiding, remedying or mitigating adverse effects on the environment.

The proposed objective, policies and rules proposed for the recreation 1 land unit are consistent with objectives and policies of the ARPC stated above.

7.0 Other documents

Essentially Waiheke

Essentially Waiheke – A Village and Rural Communities Strategy is a non-statutory strategic document, which sets out a community approved framework for Waiheke's development. It was adopted by Council in 2000, after extensive consultation with the Waiheke community.

The five central principles of Essentially Waiheke are:

- principles of environmental protection
- principles of economic development and employment
- principles for strong communities
- principles to protect and enhance Waiheke's character
- principles of location.

The objective, policies and rules for the recreation 1 land unit are consistent with the principle of environmental protection and the principle to protect and enhance Waiheke's character. In particular, they are consistent with part 3.2.1 – Open Space Network, which aims to have a network of open space and public reserves across the Island, which satisfy and complement the leisure needs and amenity values of the community; and aims to have access to and along the coast. Part 3.2.2 notes that the city will provide parks and open space for a range of active and passive recreation activities; and will provide opportunities for recreation, which establish a sense of place that is unique to Waiheke and recognises the unique island habitats, landscapes and community interest.

Recreation Waiheke (Waiheke's Open Space Strategy 2005)

The Strategy is in two parts. Part I describes the background, history and issues of open space on Waiheke Island, and the guiding principles for setting in motion a vision for the future. Part II details how the vision will be implemented in a practical sense. Part I will remain a static document for the next 20 years, but Part II will be updated on a regular basis as the strategy is implemented through the Annual Plan process.

The Strategy sets guiding principle objectives including:

- To develop structures and facilities catering for a range of recreational activities to a standard appropriate to the use, environment and locality.
- To achieve 14% of the total land area of the island in reserve land within a 10-year time frame through purchase or reserve contribution in subdivision. This objective

recognises that reserves are needed for a spectrum of uses including playgrounds, sports fields, indoor facilities; a public domain; access to the coastline, streams and wetlands; access to historic sites; protection of ecological, archaeological, scientific and other features.

The proposed policy, objectives and rules are consistent with the guiding principles of Recreation Waiheke.

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
- undertaking surveys e.g. park and reserve user satisfaction surveys, and ecological surveys to establish whether ecological values have been maintained or enhanced.

9.0 Conclusions

Local parks conservation reserves and esplanade reserves are found on Great Barrier and Waiheke and are characterised by passive recreation activities such as walking, cycling, bridle trails, and picnic areas. There is a general absence of buildings and structures found in these areas, apart from seating, playground equipment, walkways, artworks and signs identifying the park or reserve or giving information. The reserves and parks may be important areas of high visual amenity due to their open space character or their prominent location near the coast. Local parks, and especially conservation reserves and ecological reserves may have high ecological values, because of indigenous vegetation, wetlands or other natural features. Recreation 1 parks and reserves are thus significant community assets because of their high amenity and ecological values, and because of the recreational opportunities that they provide for residents of and visitors to Waiheke and Great Barrier.

Appendix A

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 B: Feedback on issues and options paper “Department of Conservation / Public land