

Submission No. 1406

Further Sub No. 2606

FORM 5

SUBMISSION

ON A PUBLICLY NOTIFIED PROPOSED PLAN CHANGE UNDER
CLAUSE 6 OF THE FIRST SCHEDULE, RESOURCE
MANAGEMENT ACT 1991

CITY DEVELOPMENT
28 MAY 2007
AUCKLAND CITY

To: Auckland City Council
Submission on: The proposed 2006 Hauraki Gulf Islands Section (Auckland City District Plan)
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I WISH to be heard in support of my submission

John Russell Mellars
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Support. Sean Asher

December 11 2006

RECEIVED
11 DEC 2006

Submission Point 1

Specific Proposed District Plan Provision

The Proposed District Plan in its entirety

I oppose the entire proposed District Plan on the basis that:

- It does not satisfy Section 5 (Purpose) of the Resource Management Act 1991 specifically Section 5(2) in that the Proposed Plans Objectives and Policies and development controls in relation to Land Use on Great Barrier Island do not allow the community of Great Barrier Island to manage *"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."*
- It does not satisfy Section 10 of the Local Government Act in that Council has not adequately *"enabled democratic local decision making and action by, and on behalf of the Great Barrier Island community"*. Nor has it *"promoted the social, economic, environmental, and cultural well-being of the Great Barrier Island community"*.
- It does not satisfy Section 78 of the Local Government Act in that Council has not adequately taken into account community views during the decision making process.
- The consultation process is not considered to be in accordance with the intent of the provisions of both the Local Government Act and the Resource Management Act.

Relief sought from Council:

Council comprehensively re-review the entire plan taking into account community views.

Submission Point 2

Specific Proposed District Plan Provision

Part 10b Settlement Areas – Objective 10b.3.1

I oppose Objective 10b.3.1 on the basis that:

The settlement areas do not provide adequate opportunities for future residential and commercial growth. Specifically the settlement area objectives are overly restrictive and the settlement area maps do not delineate enough additional or suitable areas of land for future residential and commercial growth opportunities.

Relief sought from Council

- Amend Objective 10b.3.1 to read: *To provide for limited growth in existing settlements while protecting the natural environment.*
- To provide for additional land allocated as residential amenity areas and local retailing areas for all of the identified settlements. Council should also consider the extension of the settlement areas to accommodate this where appropriate. In doing so council should also consider suitable land to be set aside for Visitor Accommodation.
- Any other consequential changes to the Proposed District Plan to assist with the above relief.

Submission Point 3

Specific Proposed District Plan Provision

Outer Islands Planning maps and all references to the Outer Island Planning Maps

I oppose the Outer Islands Planning maps and references on the basis that:

The planning maps which form the basis for directing land-use activities are considered to be subject to significant inaccuracies, in particular the land unit overlays do not reflect the actual physical landforms. In addition, heritage and other designations have been significantly altered, contrary to statements in the text and without notice to affected persons, in transferring them from the previous plan.

Relief sought from Council

- A comprehensive audit of, and where applicable, amendment to outer island planning maps.
- Any other consequential changes to the Proposed District Plan to assist with the above relief.

Submission Point 4

Specific Proposed District Plan Provision

References to Appendix 11 and non-statutory status of Appendix 11

I oppose the reference to Appendix 11 and the non-statutory status of Appendix 11 on the basis that:

The provisions of and reference to Appendix 11 remain as non-statutory guidelines particularly with respect Great Barrier Island.

Relief sought from Council

- That the provisions within Appendix 11 remain as non-statutory guidelines with respect to Great Barrier Island.
- Any other consequential changes to the Proposed District Plan to assist with the above relief.

Submission Point 5

Specific Proposed District Plan Provision

Part 12 – Subdivision

I oppose Part 12 – Subdivision, including Tables 12.1, 12.2 and 12.3 on the basis that:

- Additional subdivision in suitable areas outside settlements and within any landform will need to be planned to ensure the target Great Barrier Island population is achieved. It is not credible to deduce the stock of available lots from analysis of undeveloped sites. It is, however, entirely credible to deduce an acute shortage of available lots from the premium price achieved by lots on Great Barrier Island.
- Suitable land for subdivision lies in all landforms and provision of minimum and average lot sizes is a lesser consideration to the physical and aesthetic characteristics of the site.

Relief sought from Council

- That Sections 12.1 Introduction, 12.2 RM Issues and 12.3 Objectives and policies be amended to specify subdivision in any landform.
- That Table 12.1 provide 3.5ha minimum lot size, with no average lot size, for all Great Barrier Island landforms.
- That Table 12.2 provide for 1.5ha minimum lot size, with no average lot size, for all subdivisions to protect significant environmental features in all landforms for Great Barrier Island.
- That Table 12.3 provide for a minimum site area of 1500 sqm in all settlement areas with no average site area.
- That Section 12.9.4.3, 1, be amended to: The site sizes must be a minimum of 1500 sqm or a lesser area where cluster wide waste infrastructure is provided.
- Any other consequential changes to the Proposed District Plan to assist with the above relief.

Submission Point 19

Specific Proposed District Plan Provision

Medlands Quarry Area reference

I seek to amend the plan to refer to Medlands Quarry Area as Blackwell Quarry Area on the basis that:

Both the community and the Blackwell family wish the area to be known by it's original name.

Relief sought from Council

- Amend reference to Medlands Quarry Area in proposed plan to reflect the Blackwell ownership of the Quarry, i.e. Blackwell's Quarry.
- Any other consequential changes to the Proposed District Plan to assist with the above relief.

Submission Point 8

Specific Proposed District Plan Provision

Appendix 2d Schedule of sites of ecological significance and sensitive areas – outer islands

I oppose Appendix 2d Schedule of sites of ecological significance and sensitive areas – outer islands on the basis that:

Letters sent to landowners by council, notifying of scheduled heritage items on their properties have been found to be inaccurate. In many instances the items do not exist, have not been scheduled, or cannot be explained. This is further exacerbated by the plan providing unspecific plan references and listings.

Relief sought from Council

- Remove all listings which are not supported by a proper assessment acknowledged by the landowner.
- Any other consequential changes to the Proposed District Plan to assist with the above relief

Submission Point 9

Specific Proposed District Plan Provision

Claris Settlement Area (relevant sections in Part 10b and 10c)

I seek to amend the extent of the Claris Settlement Area to include the site gifted for the purposes of a Pensioner Housing Trust facility on the basis that:

Relevant provision should be made to provide for the site gifted for the purpose of a Pensioner Housing Trust residential facility.

Relief sought from Council

- Amendments to the relevant sections (for example, inclusion in Figure 10b.3 and appropriate changes to the rules and activity tables) of Part 10b and 10c to include the site gifted for the purposes of a Pensioner Housing Trust facility in the Claris Settlement Area to enable future development.
- Alternatively amendment of Part 12.9.2.1 to include subdivision for residential and community facilities.
- Any other consequential changes to the Proposed District Plan to assist with the above relief.

Submission Point 6

Specific Proposed District Plan Provision

Controls for Conservation and Amenity (Clause 10c.5) & Table 10c.1.

I oppose in part Controls for Conservation and Amenity (Clause 10c.5) and Table 10c.1 on the basis that:

Changes be made to Section 10c.5 and Table 10c.1 to incorporate the following:

- Allow as permitted the private or commercial extraction of manuka/kanuka firewood, of any size, in all landforms (except for sites identified as ecologically significant), in recognition of the importance of this traditional, sustainable energy source.
- Replace "kanuka" with manuka/kanuka throughout.
- Amend 10c.5 and Table 10c.1 to allow as permitted, unlimited clearance of manuka/kanuka in landform 5 and up to 30%, by area, in all other landforms.
- Allow as permitted, clearance of fire-breaks by removal of manuka/kanuka within 50m of any building.

Relief sought from Council

- Amendments made to the relevant provisions of Section 10c.5 and Table 10c.1 to address the points made above.
- Any other consequential changes to the Proposed District Plan to assist with the above relief.

Submission Point 7

Specific Proposed District Plan Provision

Part 6 Financial Contributions

I oppose Part 6 Financial Contributions on the basis that:

For the foreseeable future, certainly beyond the life of this plan, there is no justification to support the imposition of any contribution that is required to avoid, remedy or mitigate the adverse effects of subdivision or development. Any current infrastructure deficit is the result of past activity and clearly not the responsibility of any future subdivision or development, until it can be shown to be the cause of some future deficit.

Relief sought from Council

- Amend Part 6 to exclude Great Barrier Island.
- Any other consequential changes to the Proposed District Plan to assist with the above relief.