

# PART 1

## INTRODUCTION





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## PART 1 - INTRODUCTION

### 1.0 INTRODUCTION

The Auckland City District Plan is made up of three sections - a Hauraki Gulf Islands Section, an Isthmus Section and a Central Area Section. The Hauraki Gulf Islands Section comprises this written document and a set of planning maps. Figure 1 shows the Auckland City Council District.

The Hauraki Gulf Islands Section of the Auckland City District Plan applies to that area of the Auckland City District shown on Figure 2. The main islands commonly known or referred to include Waiheke, Great Barrier, Pakatoa, Ponui, Motuihe, Motutapu, Rakino, Brown's, Rotoroa and Rangitoto, as well as a large number of other small islands (more than 65 islands overall).

### 1.1 STRUCTURE OF THE DISTRICT PLAN

#### Introduction (Part 1)

The Hauraki Gulf Islands Section of the District Plan (the Plan) is prepared as a single document which brings together all the resource management issues facing this part of the City. The document should be read as a whole so that the common themes of the Plan and the relationship between the various provisions can be understood. However, so that the document is easy to use and to understand, the issues are presented in Parts. The Plan has 12 parts, together with the Planning maps, and is arranged as follows:

#### General Provisions And Procedures (Part 2)

This part outlines information on the provisions and procedures that apply to applications for resource consents, designations, heritage orders and temporary activities.

#### Hauraki Gulf Islands Resource Management Overview (Part 3)

Part 3 relates to the whole of the Hauraki Gulf Islands Section of the District and includes those matters which provide the overview structure within which the Plan works and the means by which integrated Resource Management is achieved for the Hauraki Gulf as a whole. It provides a description of the environment, resources and resource management issues for the Gulf as a whole and outlines the resource management strategy for the Hauraki Gulf Islands together with expected outcomes and means to achieve them.

#### Resource Management Issues And Strategy -Inner And Outer Islands (Part 4)

The environment of the Inner and Outer Islands is described and the resource management issues and strategy outlined. While the Inner and Outer Islands are managed within the framework outlined in Part 3, the resource management strategy is designed specifically to address the particular resource management issues identified for islands within the Inner and Outer Hauraki Gulf.

#### Strategic Management Areas (Part 5)

The Planning structure adopted as a basis for resource management methods in the Hauraki Gulf Islands Section is the division of the district into Strategic Management Areas (SMA's). This permits the identification of critical physical, social and development characteristics. Common objectives and policies have been developed for each strategic management area to provide a considered and coherent basis for management of these areas through the application of rules. Strategic management areas are subdivided into land units and policy areas.

#### Land Units (Part 6)

Each strategic management area is separated into smaller units for the purpose of resource management. Land units are based on common features of the physical and natural landscape. Each land unit has a combination of physical and environmental characteristics by which it is clearly distinguished. This part includes the rules and standards which apply to the various land units, together with the criteria for assessment of applications.

#### Policy Areas (Part 7)

Policy areas apply to a number of locations which exhibit a need for a more pronounced strategic approach to resource management in addition to the control regime presented by the use of strategic management areas and land units. Policy areas provide additional objectives and policies to be considered during the control process.

#### Subdivision (Part 8)

This part sets out the subdivision standards and rules for the Hauraki Gulf Islands. These support the Plan's objectives and policies.

#### Financial Contributions (Part 9)

This part outlines the nature and extent of financial contributions.

#### Heritage (Part 10)

This part outlines the provisions for heritage protection.



## Definitions (Part 11)

Definitions of key terms used in the Plan.

## Appendices (Part 12)

This part contains information on prohibited activities, schedules of protected items and features, schedules of buildings and activity restrictions, protections and conditions, and a schedule of designated land.

## Maps

The Planning maps for the Hauraki Gulf islands are divided into maps for the Inner and Outer Islands and these are held in separate documents.

For the Outer Islands the map series includes a base colour photograph and four foils (transparent overlay sheets) which identify factors which must be assessed for any application as well as a variety of physical and environmental information. This format makes it possible to view information identifying all of the constraints relevant to any property at one time. By using a colour aerial photograph of each catchment (strategic management areas.) as the base upon which the foils can be overlain, it is easy to locate relevant information. The foils show land unit boundaries, the subdivision boundary pattern, designations, as well as environmental and cultural information. The Planning map for Little Barrier and the Mokohinau Islands is located in Land Unit 23 in Part 6A of the Plan.

For the Inner Islands a separate set of planning maps show land unit boundaries, property boundaries, designations, cultural and environmental information.

Hauraki Gulf Islands is the matter of protection and preservation of the natural environment.

The central concept of sustainable management encompasses the use, development and protection of natural and physical resources. Sustainable management is defined in the Act as meaning the management of resources in such a way or at a rate that enables the community to provide for their needs without pre-empting the needs of future generations, while safeguarding the capacity of the environment to support the community and, where necessary, to alleviate and mitigate any adverse effects.

The achievement of this purpose is to be undertaken within the scope of certain matters of national importance (Section 6 of the Act). These include the preservation of the natural character of the coastline; protection of features of the natural landscape, wetland, indigenous vegetation and ecosystems; the maintenance of public access to the coast, rivers and lakes; and the relationship of the Maori with their taonga.

The Act directs that the Plan be prepared with regard to certain specified matters (Section 7 of the Act). These include kaitiakitanga; the efficient use of resources; amenity values; the intrinsic values of ecosystems; heritage values as represented by sites, buildings, places or areas; environmental quality; and any finite characteristics of resources.

The Act also expresses the duty of the Council with respect to the Treaty of Waitangi through a requirement that all persons exercising functions and powers under the Act shall take into account the principles of the Treaty (Section 8 of the Act).

## 1.2 DISTRICT PLAN DEVELOPMENT

Refer to [39](#)

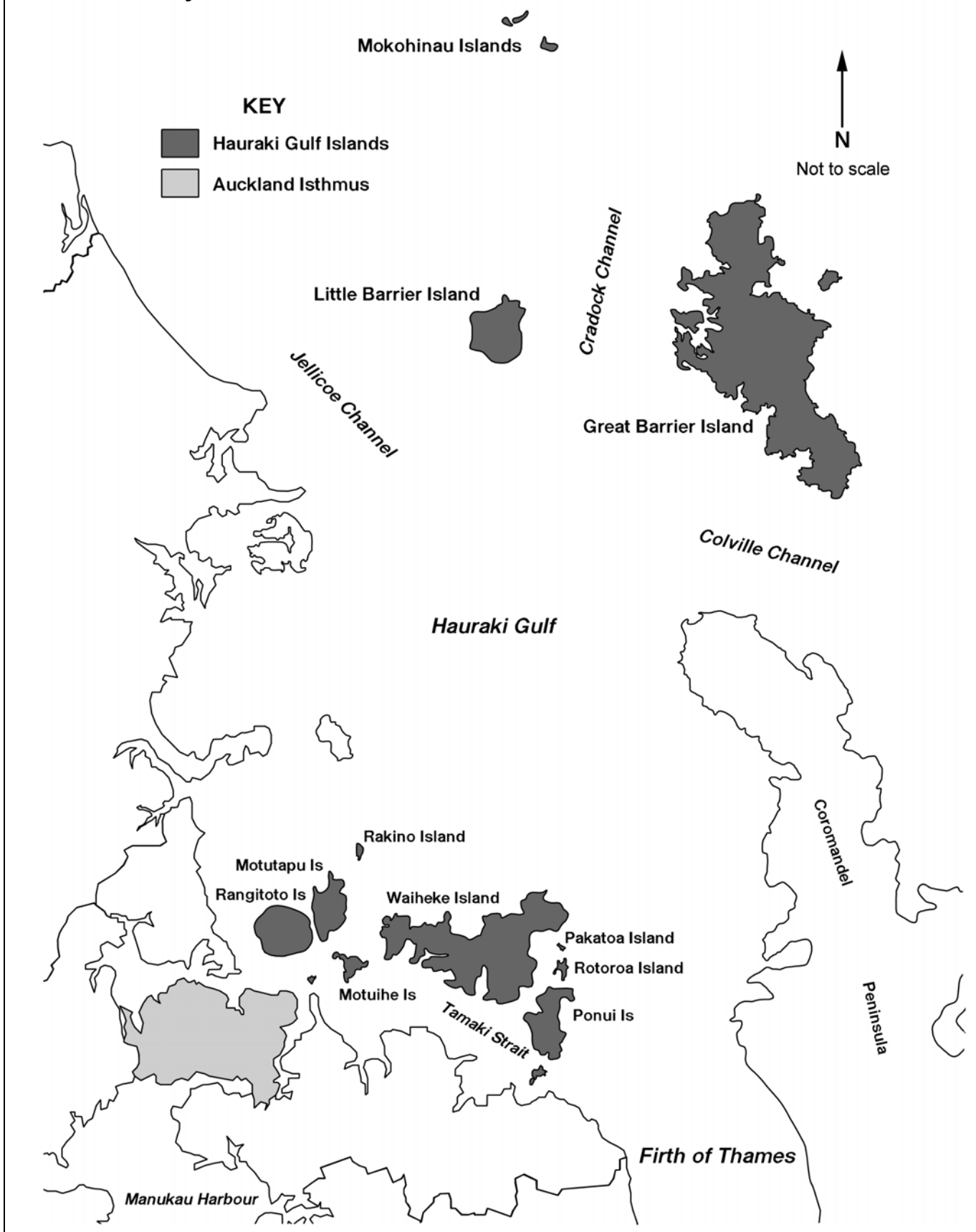
### 1.2.1 GENERAL

This section of the Plan seeks to address the resource management issues of the Hauraki Gulf Islands in a comprehensive manner. The opportunity to address matters of sustainable resource management in this manner is presented to the Council by local government amalgamation and by the Resource Management Act 1991 (the Act).

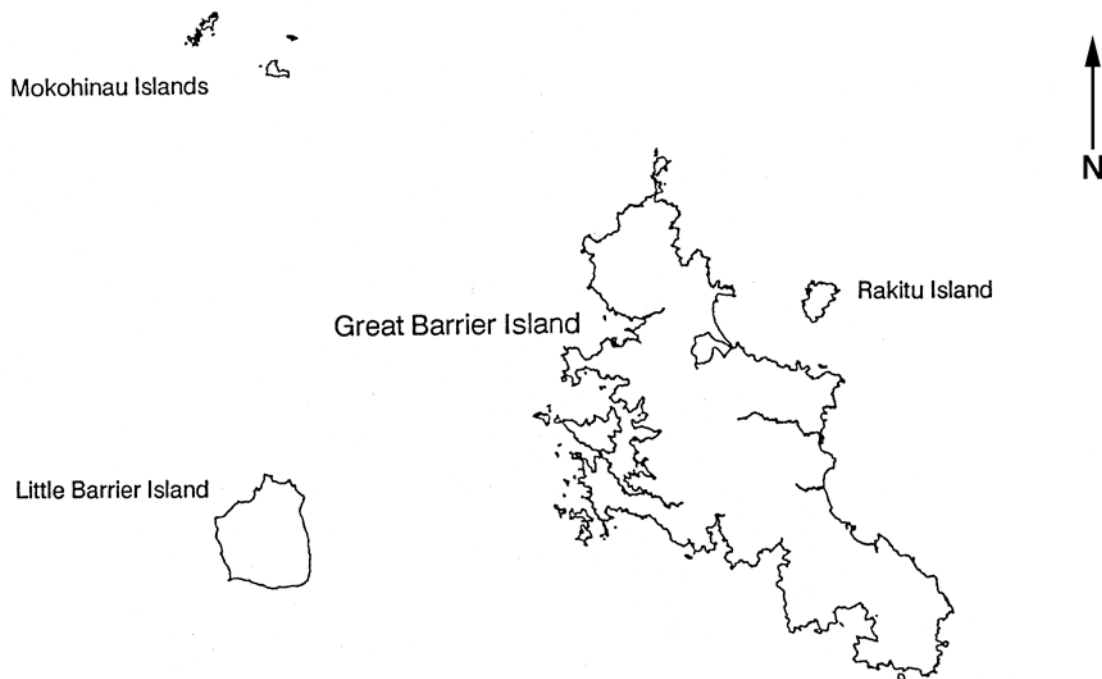
The purpose of the Act is defined as being to promote the sustainable management of natural and physical resources including land, water, soil, air, plants and animals, and structures (Section 5 of the Act). In accordance with this purpose, the Hauraki Gulf Islands Section of the Plan recognises and addresses these matters through its provisions. Of particular significance in the context of the



**Figure 1**  
**Auckland City Council Jurisdiction**



## Hauraki Gulf Islands - Outer Islands



## Hauraki Gulf Islands - Inner Islands



### 1.2.2 THE COUNCIL'S FUNCTIONS AND OBLIGATIONS

The provisions in this Plan recognise and take account of the Council's functions and obligations under the Act. As a territorial authority, the Council has a primary responsibility to give effect to the purposes and principles of the Act and to use resource management techniques to achieve a balanced management of activities and development. In particular, the Council has a clear duty to formulate, implement, and review objectives and policies and other measures to give effect to the Act.

The Council has done so by ensuring that issues of amenity and environmental quality which underpin the approach to resource management in the area are properly addressed in the context of the character of the Hauraki Gulf Islands.

The Hauraki Gulf Islands area has a distinctive and special character because of its inherent natural resources and the quality of the natural landscape. The area also provides a place to live for a significant number of residents. Existing settlements and the nature of development on the islands contributes to the character of the area.

In meeting its responsibilities, the Council clearly sets out in the Plan the rationale for the adopted strategy and techniques of resource management. On the basis of research and analysis, the reasons for the resource management strategy and its detailed provisions as expressed in objectives, policies and rules are set out in order to support the direction taken by the Council. This statement of purpose reflects the commitment of the Council to implement agreed resource management provisions.

In pursuing this direction, the Plan acknowledges a number of outside influences which have and will continue to shape its provisions:

- National policy statements on matters of national significance
- National environmental standards in terms of natural elements
- New Zealand coastal policy statements
- Regional policy statement and regional plans including the regional coastal plan
- Operative regional planning scheme considerations (prepared under the Town and Country Planning Act 1977).
- Treaty of Waitangi
- District Plans for adjacent areas
- Iwi authority considerations
- Management plans and strategies prepared under other legislation.

- The Hauraki Gulf Marine Park Act 2000

The Plan will give effect to the relevant provisions of regional policy statements, regional plans and regional coastal plans. The directives of the regional policy statement will be recognised in the Plan, as will the contents of any regional plan. The regional coastal plan will have a fundamental influence on the coastal provisions of the Plan.

### 1.2.3 PUBLIC PARTICIPATION IN THE PREPARATION OF THE PLAN

The resource management process involves public participation and, in order to ensure that the Plan has fully addressed the concerns and aspirations of the community, preparation of the Plan has been preceded by a programme of consultation. This has included the presentation of the resource management issues and possible strategies to the public and interest groups and the active canvassing of input into the preparation of the document from those groups. In addition, the Council has consulted intensively with government and other statutory agencies to ensure that the Plan is consistent with the Resource Management responsibilities of regional and central government and other statutory bodies.

This process has resulted in a plan which the Council considers embraces a wide range of concerns and aspirations and closely represents a consensus view of the community as to the proper strategy for the future management of the resources of the Hauraki Gulf Islands.

Further, the Plan contains provisions for modification and change where the need may arise. Specific mechanisms for the on-going evaluation and monitoring of the Plan are incorporated and opportunity is provided for individuals or organisations to initiate changes to the provisions.

In order to enable the public to be better informed of their duties, and to enable them to participate effectively under the Act, the Council will keep information at each of its offices, which is relevant to; the administration of this Plan, the monitoring of resource consents; and to current issues relating to the environment of the district. Copies of national policy statements, New Zealand coastal policy statements, regional policy statements and regional plans will also be available.

### 1.2.4 THE HAURAKI GULF MARINE PARK ACT 2000

The district includes considerable areas which are subject to the provisions of the Hauraki Gulf Marine Park Act 2000 ('the HGMPA 2000'). The purpose of the HGMPA 2000 is to -





- a) integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments;
- b) establish the Hauraki Gulf Marine Park;
- c) establish objectives for the management of the Hauraki Gulf, its islands, and catchments;
- d) recognise the historic, traditional, cultural and spiritual relationship of the Tangata Whenua with the Hauraki Gulf and its islands;
- e) establish the Hauraki Gulf Forum

The HGMPA 2000 requires the Council to ensure that any part of the District Plan that applies to the Hauraki Gulf, its islands, and catchments does not conflict with sections 7 and 8 of that Act which recognise the national significance of the Hauraki Gulf and set out objectives for its management.

The HGMPA 2000 also requires the Council, when considering an application for a resource consent for the Hauraki Gulf, its islands and catchments, to have regard to the matters set out in sections 7 and 8 of the HGMPA 2000.

The provisions of the District Plan accord with those of the HGMPA 2000. The Council will have regard to the sections 7 and 8 of the HGMPA 2000 when considering any application for a resource consent that may reasonably impact on the Hauraki Gulf, its islands and catchments.

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 recognised as matters of national significance by the Hauraki Gulf Marine Park Act 2000 and by the District Plan provisions relating to the Gulf Islands.

## 1.3 IMPLEMENTATION

### 1.3.1 GENERAL

The Plan provides for land use activities and subdivision throughout the Hauraki Gulf Islands. The document should be read as a whole so that common themes for the various parts of the district and the relationships between the various provisions can be understood.

The general management structure of the Hauraki Gulf Islands Section of the Plan is based on the process illustrated in general terms in Figures 3 and 4. The relationship between the various resource management units (i.e. strategic

management areas, land units and policy areas) is illustrated in Figure 5a and Figure 5b.

The resource management method adopted for the Hauraki Gulf Islands has three primary elements:

- Strategic Management Areas
- Land Units
- Policy Areas

These elements are more particularly described in Parts 5, 6 and 7 which set out the particulars of each in terms of a detailed explanation with relevant objectives and policies. This section briefly describes the general characteristics of the elements and their relationship to each other, as well as the expected environmental effects of their implementation.

### 1.3.2 STRATEGIC MANAGEMENT AREAS

The Hauraki Gulf Islands section has been divided into 20 separate strategic management areas. These are generally based on natural drainage catchments. A division of the islands into management areas of common interest has permitted the identification of important physical, social and development characteristics. Common objectives and policies have been developed for each strategic management area in order to provide a considered and coherent basis for management of the effects of the use, development, and protection of the natural and physical resources of the area through the application of rules.

### 1.3.3 LAND UNITS

The rules of the Plan derive from and relate to a system of land units which are contained within the strategic management areas. Each land unit type has particular characteristics which are recognised and reflected in the stated policy for each unit. The policies are to be attained by specified rules. The rules have the effect of establishing suitable activities within the land unit by using particular development controls and procedures for each unit. A total of 25 different land units have been devised which are applied in an appropriate manner throughout each strategic management area in order to secure acceptable environmental results.

### 1.3.4 POLICY AREAS

Within the Hauraki Gulf Islands there are a number of locations which need a more pronounced strategic approach to resource management in addition to the control regime presented by the use of strategic management areas and land units. Policy areas, which include wharf areas, commercial



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areas and beach areas subject to relatively heavy development pressure, have been defined and are outlined in Part 7 of the Plan.

Policy areas may cross over strategic management area and land unit boundaries. They require additional objectives and policies to be taken into account in the control process. They recognise particular and local circumstances in order that development and land use activities achieve specific outcomes. For example, the policy may recognise that there is a need in some circumstances to ensure that sustainable development will be achieved in particularly sensitive areas by diverting high impact activities to those areas where they may be more appropriately located and managed.

### 1.3.5 RESOURCE MANAGEMENT CONTROLS

The controls of the Plan are based on objectives, policies and rules. The objectives of each part of the Plan indicate the desired end result that the Council wishes to achieve. The policies identify the proposed action of the Council in administering the Plan to achieve those objectives. The rules are the precise planning controls contained within the Plan that govern the use and development of resources.

All of these controls evolve from the wider purpose of the Plan which, as it passes through the process of public participation, reflects the aspirations of the community in a manner consistent with the requirements of the Act. Thus the Plan and the methods of resource management that it uses reflect the priorities of the community towards land use issues such as the care and maintenance of the environment, the form and extent of future development, desired levels of amenity for neighbourhoods and buildings, provision for leisure and recreation, and the retention and protection of natural and physical elements of the Hauraki Gulf Islands heritage.

The Plan is based upon land units grouped according to land characteristics and capabilities. Within the overlying pattern of land units, the provisions of the Plan are aimed at providing opportunity and guidance to development based on a careful evaluation of environmental, amenity and infrastructure opportunities and constraints. The Plan provides opportunity for sensitive and responsible development and, through observance of the rules, satisfactory environmental outcomes will result. In particular, adherence to the rules will ensure that the environmental limits as defined will not be infringed.

Further, any proposals to vary the agreed environmental limits will be assessed in terms of the relevant provisions of the Plan. The objectives and policies of the Plan will be the yardsticks for assessing the acceptability of activities or development which challenge the resource management framework established by the rules. The environmental outcomes of discretionary and non-complying activity

proposals will be critically monitored to ensure that the Council upholds its responsibilities to both applicants and the community at large.

### 1.3.6 MONITORING

The future process for the review of this Plan will be based on monitoring and consultation. The Council has expanded responsibilities for gathering information, monitoring and maintaining records in respect of resource management matters. These responsibilities will allow the Council to consider refinements to the content of the Plan in a timely manner, as well as enabling the community to be informed about specific matters and examples of the performance of the Council.

The monitoring process of the Council has two elements. The first element is the monitoring of compliance with the provisions of the Plan or compliance with the conditions of consent. The second element is the monitoring of environmental quality where the suitability and effectiveness of the provisions contained within the Plan are assessed. In either case, action to change the Plan may be required and, in such cases, will be pursued.

Together with the monitoring procedures, the Council is committed to a process of on-going consultation with the community in order to achieve improvements in resource management. The benefits from such dialogue are recognised and the Council wishes to take advantage of the consultation process in order to refine the provisions of the Plan.

### 1.3.7 OTHER TECHNIQUES

In preparing the Plan, the Council has also recognised the value of other means for securing its resource management goals for the Hauraki Gulf Islands. These other means lie both inside and outside the District Plan document itself. For example, included in the Plan are rules about particular financial contributions which may be varied where other means are provided to secure environmental protection and improvement.

In addition to mechanisms within the Plan, there are a range of other provisions which supplement and seek to secure complementary resource management ends. These include regulatory devices such as the Consolidated Bylaw for the City; documents such as Annual Plans and Strategic Plans which are concerned with the allocation of community-owned resources to achieve the goals and objectives for the City, specific development projects undertaken to benefit the community, education and information programmes undertaken by the City; and initiatives undertaken jointly with other statutory agencies.



### **1.3.8 THE ANNUAL PLAN**

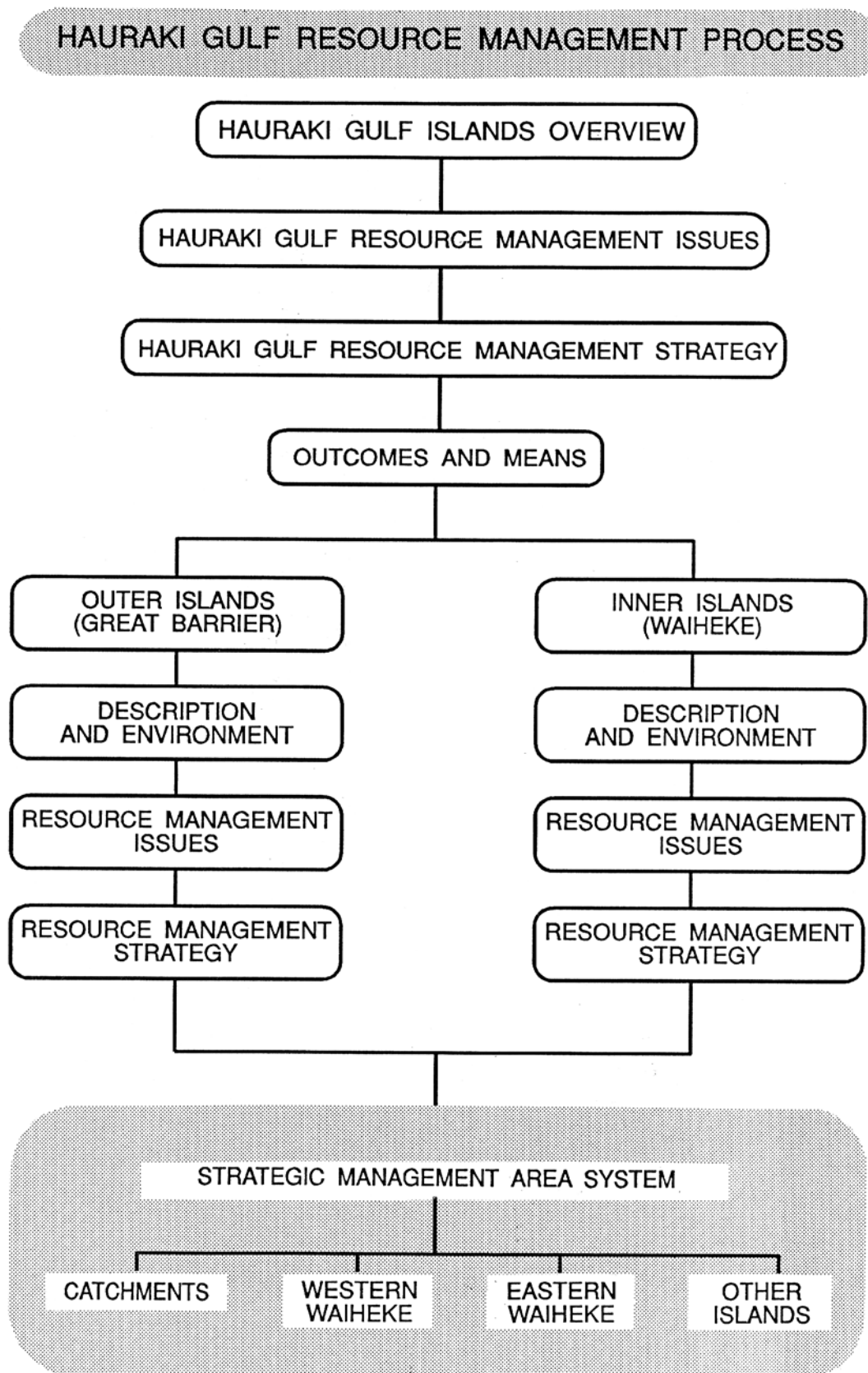
It is considered that the Annual Plan will play an important role in achieving the objectives and policies of the Plan through its ability to programme and implement matters such as capital works programmes. The Annual Plan will also be the medium through which the Council's policies on financial incentives (their form and availability), as well as on social and community concerns will be indicated.

### **1.3.9 BYLAWS**

In some instances Bylaws exist that adequately cater for the effects of some activities. This is particularly true with regard to on site amenity, and public health and safety matters. It is intended that the Bylaws and the development controls of the Plan, will provide a coordinated approach to controlling adverse effects. Any duplication of control will be avoided.



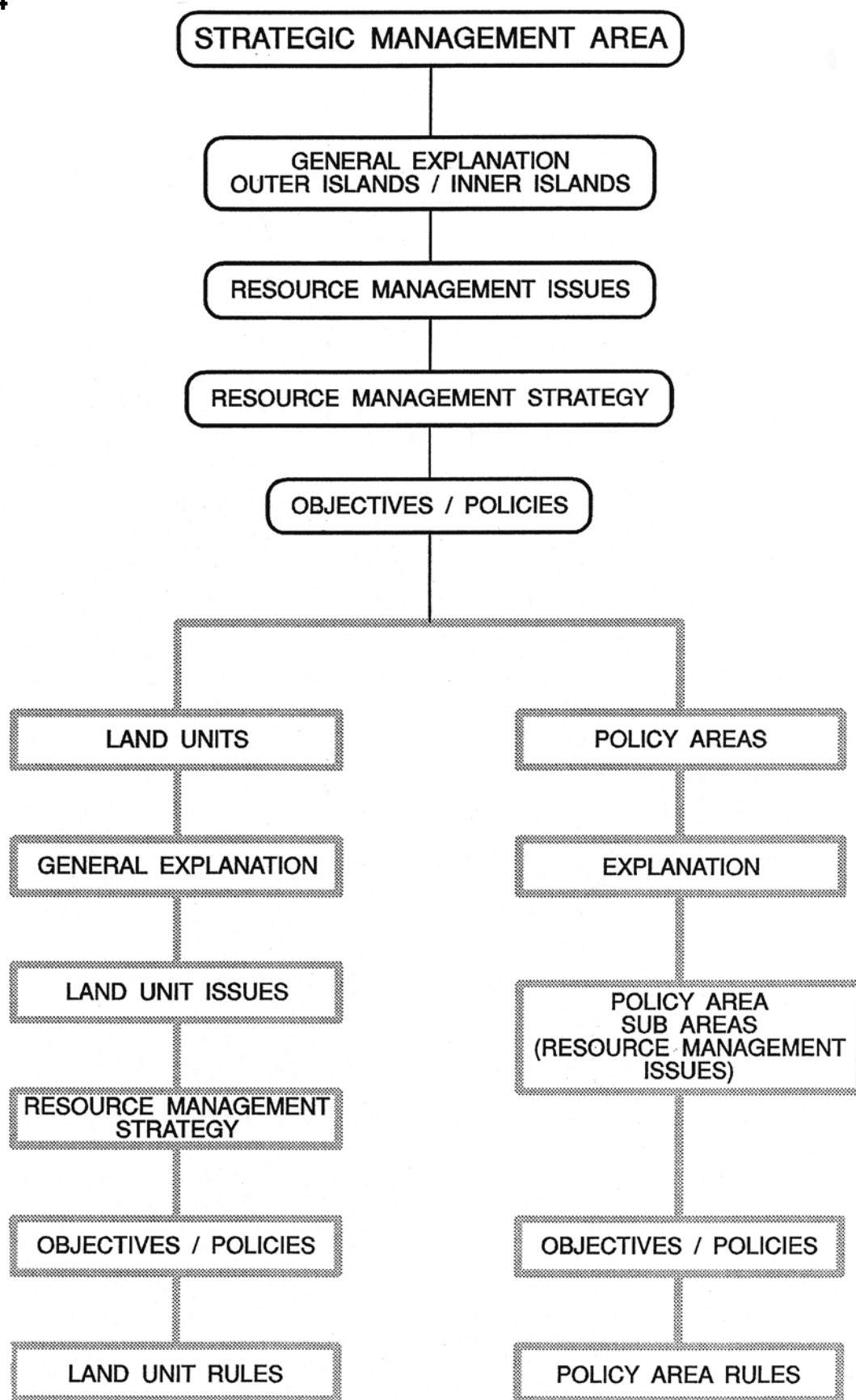
Figure 3



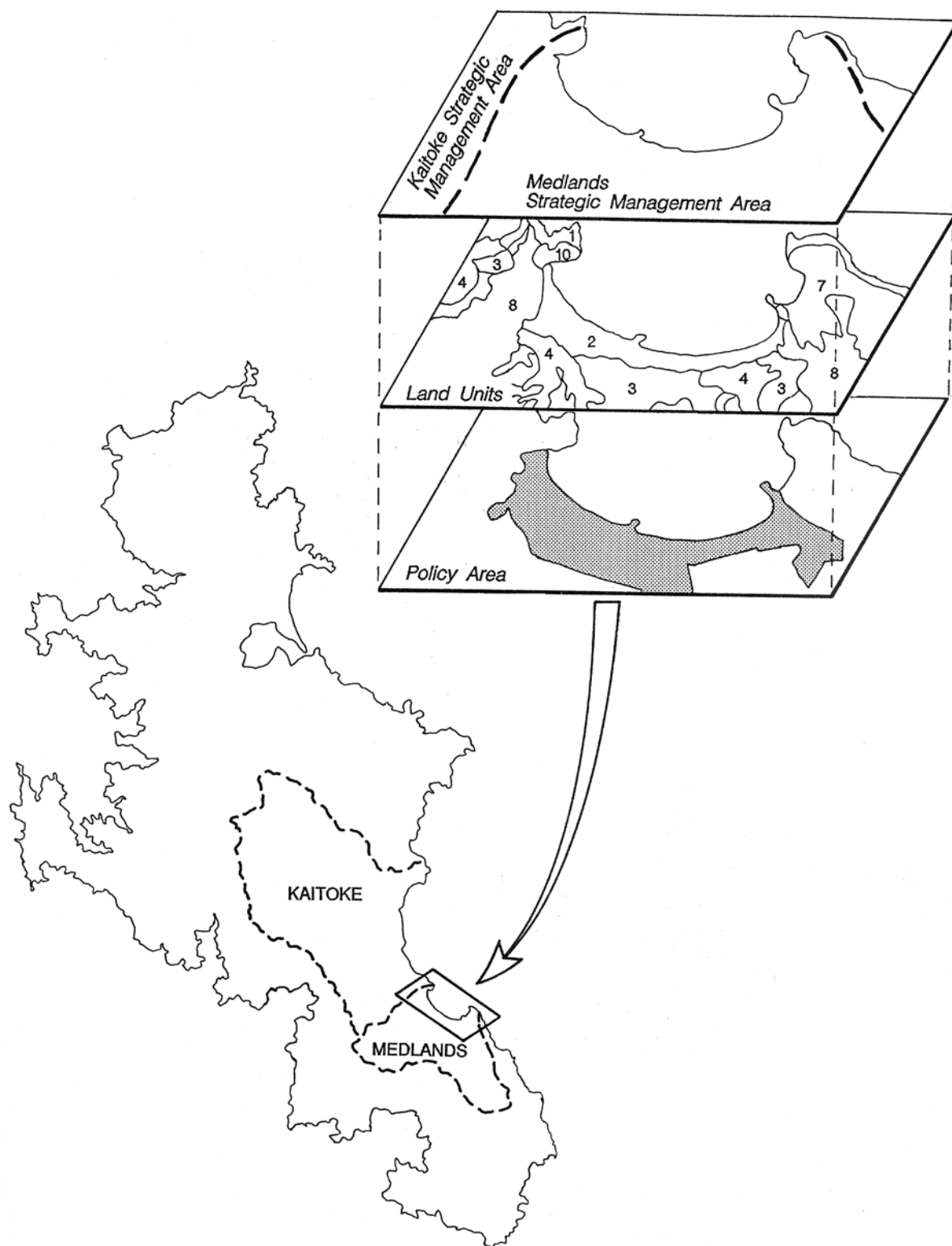
REFER FIGURE 4 FOR CONTINUATION OF STRATEGIC MANAGEMENT AREA PROCESS



Figure 4



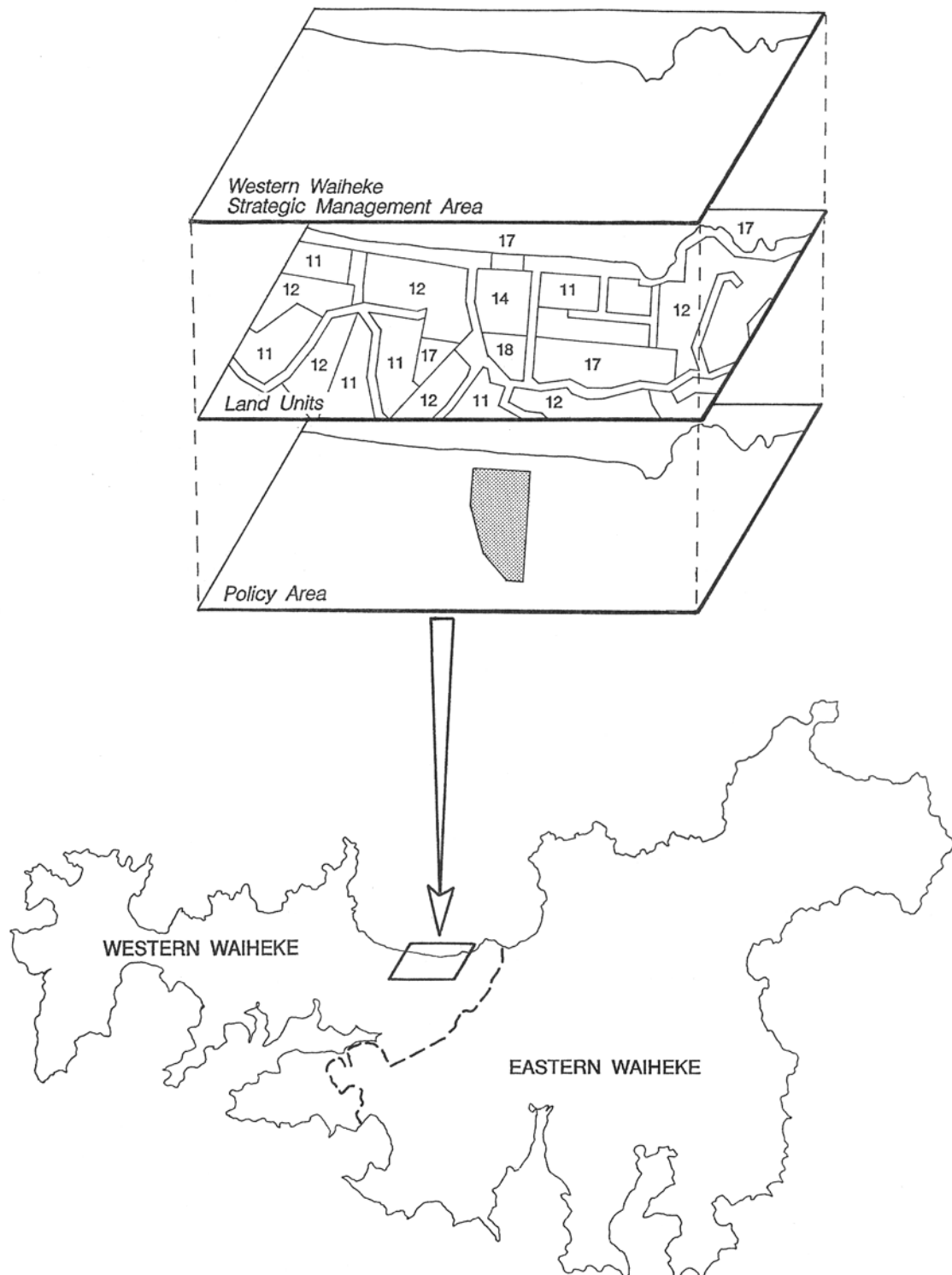
**Figure 5a**  
**Resource Management Units**  
**Great Barrier Island**



This diagram shows the relationship between the Resource Management Units used in this document



**Figure 5b**  
**Resource Management Units**  
**Waiheke Island**



This diagram shows the relationship between the Resource Management Units used in this document



### **1.3.10 THE BUILDING ACT 1991**

The Plan's aim of protecting people and land from the adverse effects of activities so as to ensure that no loss in amenity or a reduction in the quality of the environment of an area occurs, can be realised to some extent through the provisions of the Building Act 1991. Where the controls under the Building Act provide a better method to control development, the Plan will rely on these.

### **1.3.11 COMMUNITY ASSOCIATIONS**

In line with the Council's role of "enabling people and communities to provide for their social, economic and cultural wellbeing and for their health and safety". The Council will be looking for direction and involvement from such groups through the submission process to identify and request specific development controls for the area.

### **1.3.12 ECONOMIC INSTRUMENTS**

As an alternative or supplement to the Plan's development controls, economic instruments may be used to achieve the Plan's objectives and policies. Financial contributions may be required from land use activities and subdivisions which are likely to adversely effect the public infrastructure of an area, eg, the road or drainage capacity, where it can be shown that such contributions can be used to reduce or mitigate the effect. They may also be required where adverse effects on the community or amenities of an area are likely to arise. On the other hand, economic instruments or incentives may be used to encourage development into particular areas of the district or to secure the protection of significant environmental features. The subdivision rules of this Plan include particular rules which offer various incentives where appropriate.

