Proposed Tuhua District Plan

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Department of Internal Affairs

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Preamble to the District Plan

This Preamble to the Tuhua District Plan is provided for information purposes only and does not form part of the District Plan.

Statutory Duty

All the land and waters of New Zealand fall within the jurisdiction of Regional and Local Territorial Authorities. In most areas this means that the local governance is undertaken by cities, districts and regions identified in the Local Government Act 2002 (LGA).

For those areas that are not defined in the LGA as being part of an identified Territorial Authority the Minister of Local Government is the authority responsible for ensuring that all the statutory duties that fall to the Territorial Authority are undertaken.

The Resource Management Act 1991 (RMA, s.73) requires all Territorial Authorities to prepare a Plan to achieve the integrated management of the effects of use and development on the environment. It is therefore the statutory duty of the Minister, as Territorial Authority to prepare that Plan. Section 31 of the RMA also sets out the functions of the Territorial Authority in preparing that Plan.

The Department of Internal Affairs is empowered by the Minister to undertake this statutory obligation and prepare the Plan and the Department may seek further expertise and assistance from consultants as it requires.

Tuhua is defined in the LGA as being part of the Bay of Plenty Region and any Plan prepared for the island must give effect to the Regional Policy Statement (RPS) and shall not be inconsistent with other Plans effective for the Region. The Plans for the Bay of Plenty Region are:

- Proposed Regional Land and Water Plan
- Operative Regional Land Management Plan
- Operative Rotorua Geothermal Plan
- Operative River Gravel Management Plan
- Operative On-Site Effluent Treatment Regional Plan
- Operative Regional Plan for the Tarawera Catchment
- Operative Transitional Regional Plan
- Operative Regional Coastal Environment Plan
- Operative Regional Air Plan.

As part of New Zealand any National Policy such as the National Coastal Policy Statement (NCPS) also applies to Tuhua and this District Plan must give effect to both the RPS and NCPS.

The RMA also specifies that the Plan shall have regard to relevant planning documents recognised by an iwi authority affected by the District Plan. Iwi planning documents prepared and recognised by Te Whanau a Tauwhao are:

- Tuhua (Mayor Island) Restoration Plan

- Tuhua Environmental Management Plan: Mayor Island

Purpose of the Plan

This Plan is prepared in accordance with the purpose of the RMA to achieve the sustainable management of Tuhua in a way that those with interests in the island believe will achieve their ***Vision*** for the island.

The Plan is required to recognise, provide for, have regard to, or take into account specific elements including:

- Matters of National Importance as defined by Section 6 of the RMA;
- Other Matters including kaitiakitanga as described in Section 7 of the RMA, and;
- Te Tiriti o Waitangi (The Treaty of Waitangi), Section 8 RMA.

The RMA also sets out the components of a Plan that are considered necessary to achieve sustainable management. The key components each Plan must include are:

- The objectives for the District;
- Policies that the Authority must implement to achieve the objectives; and
- The rules (if any) necessary to implement the policies.

This Plan also includes an explanation of the issues, a summary of the environmental outcomes anticipated from implementation of the policies and rules, consideration of cross-boundary issues and how the Authority intends to meet its obligations for monitoring and review.

In this way the Plan will not only achieve the Purpose of the Act, which is to sustainably manage the environment of Tuhua, but it will also achieve the ***Vision*** that tangata whenua have for the future of the island.

Existing Environment

The following is kindly provided from Tuhua Environmental Management Plan: Mayor Island (Rolleston, 2001).

Human History

"The word Tuhua has special significance as it applies to the location of the island and the glassy black obsidian, which is found in abundance on the island. The name Tuhua is derived from a similar island in the traditional Maori homeland of Hawaiki, which also possessed a source of obsidian.

In Maori mythology the Tuhua were a race of people who emerged from the bowels of the earth and settled on the island. Tuhua lived peacefully until conflict arose with Pounamu who surfaced one stormy night from the turbulent green waters of the ocean. They too wished to make the island their home. A fierce and bloody battle followed. Tuhua, the eventual victors forced Pounamu to retreat to the mainland. Tuhua pursued Pounamu to the South Island, and eventually to the Arahura River on the West Coast. It is here that Pounamu came to rest. Tuhua returned to its island sanctuary (Prebble, 1971). The Ngai Tahu people of the South Island also tell of a similar tradition of Tuhua and Pounamu (Rewi, 2006).

Obsidian was highly prized by early Maori as a cutting and scraping instrument. Early archaeological finds of obsidian have been found as far away as Tiwai Point in Southland and the Kermadec Islands in the far North (Prebble, 1971).

According to traditional oral accounts, when early Maori settlers arrived at Tuhua from Hawaiki they found the island already occupied. There is, however, little information as to who these inhabitants were and where they originated. These inhabitants were later displaced by the new wave of Polynesian settlers. Descendents of the Takitimu, Tainui and Te Arawa canoes settled on the mainland and frequented the island. The Ngai Te Rangi people, who migrated from the east coast of the Bay of Plenty, later displaced earlier settler populations and established permanent and temporary settlements on the island.

Captain James Cook named Tuhua, Mayor Island when he sighted it on November 3, 1769, in recognition of the Lord Mayor's Day to be held in London a few days later. A group of smaller islands located to the north were named the Aldermen's.

The last Maori occupants to Tuhua, Te Whanau a Tauwhao vacated the island around 1900, however, the hapu have maintained a strong link to the island through frequent visits and temporary occupations continuing today. In more recent times, recreational and commercial fishers have used the island as a fishing base. Attempts to develop the island for farming failed due to the lack of fresh water and workable land.

The island was confiscated under the 1864 Tauranga confiscation but later returned to Maori ownership in 1888, when 195 shares were issued to 120 owners, 16 of which were maintained by the Crown. The island was declared a Wildlife Sanctuary in 1913 until 1953 when this status was uplifted to a Wildlife Refuge. A board was established to administer the interests of the owners in 1949 and later given legal status under a trust deed in 1953. The deed indicated a large proportion of Tuhua to be managed as a conservation area for the protection of flora and fauna. A new trust deed was approved in 1993 with directions for the continued protection and a proactive approach toward use and management with provisions for limited development.

In 1953 the Tauranga Big Game Fishing Club was granted a lease in Opo (Southeast) Bay where it developed facilities for recreational and commercial fishers who visited the island. This lease expired in 1990 and the Trust Board purchased all remaining facilities.

In 1993 a Marine Reserve was established on the northern side of the island, covering about 5 km of the coastline extending out 1 nautical mile. The creation of a Marine Reserve was a joint partnership with the Tuhua Trust Board and the Ministry of Fisheries (New Zealand Department of Conservation, 2000).

Landform

Tuhua is the emerging summit of an isolated circular rhyolite volcano located on the edge of the continental shelf, approximately 35 km north of the Tauranga Harbour entrance and 26 km off the mainland coast. Tuhua is the visible portion of a 700-metre high, 15-km wide shield volcano. The base of the island is set at 250 m below sea level while the surface of the cone occupies an area in the order of 1,280 hectares. The island is approximately 4 km in diameter and rises 355m above sea level at its highest point. The coastline of Tuhua exceeds 20km in length. The island has significant wetlands and two small crater lakes. The seabed to the north and north east of the island slopes north-eastward into deep water in the Mayor Sea Valley, which is more than 1000m in some

regions. To the east and southeast numerous volcanic knolls and canyons interrupt the continental slope. To the west and south the seabed gradually slopes across the continental shelf to the mainland.

The island was last connected to the mainland approximately 18,000 - 20,000 years ago, at the height of the last glacial period where sea levels were significantly lower than they are today. Tuhua has been isolated for at least 15,000 years. The isolation from the mainland has aided the island's unique development.

The island of Tuhua is defined by the geographical limits of its coastline. Due to the series of volcanic catastrophes and the island's isolation from the mainland, the flora and fauna have been subjected to significant change. According to some geologists the most extensive changes probably occurred during the last volcanic period on Tuhua approximately 6300 years ago. It is noted that the entire biota was probably destroyed by this one event. Further modification of flora and fauna would have occurred with the introduction of human activity. This would have included:

- *Extensive burning and forest clearance by Maori and Europeans; and*
- *The introduction of animal and plant pests.*

The combination of human activity and introduced species to the island are likely to have contributed to the loss of the once numerous colonies of seabirds. The decline in abundance of terrestrial species and forest birds such as the robin and whitehead are most likely caused by animal pests (Houghton et al, 1992, New Zealand Department of Conservation, 2000).

Climate

Tuhua has a generally mild climate with sunshine hours ranging between 2,200 and 2,400 hours per year. The high sunshine hours create hot summer temperatures. Tuhua experiences a mild winter climate and is relatively frost-free. The nearest meteorological station to Tuhua is based at Tauranga airport. Tauranga City receives on average 1,200-1,600mm of rainfall annually. While this falls on a relatively few number of days each year, the rain can be relatively heavy and thunderstorms are not uncommon. The prevailing winds are generated from the west and southwest (National Institute of Water and Atmospheric Research, 2001).

Geology

The island is dominated by the 3km wide caldera collapse crater and contains numerous vents active in cycles of eruptions over the last 130,000 years. During this period 52 eruptions have been identified. The diversity of eruption styles, size and frequency leads to problems in defining eruption scenarios. According to many volcanologists, the majority of the eruptions that have occurred on Tuhua were small in size in relation to world standards, posing no real threats to the mainland.

The formation of Tuhua occurred in three eruption cycles. Cycle one occurred between 130,000 and 36,000 years ago. This eruption consisted of at least nine lava flows and 12 explosive eruptions forming a lava shield or shields represented by the western and northeastern caldera walls Oira Bay to Cathedral Bay and Nohangatorea to Tumou. The cycle formed a majority of the base to Tuhua's structure. The cycle was terminated by the collapse forming a caldera possibly after the course of several small eruptions. This old dome is composed of massive rhyolite flows, with numerous glassy phases, bearing thin edges of obsidian.

Cycle two consisted of a smaller lava shield that developed within the caldera over the top of the old shield between 33,000 and 8,000 years ago. At the same time two lava domes and two pumice cones and lava ponds formed outside the calderas. Eruptions deposited minor amounts of ash on the mainland. The cycle ended with the second major caldera collapse 6,340 years ago, which was accompanied by the eruption of the Tuhua tephra. It is assumed that the pyroclastic flows entering the sea would have caused a tsunami.

The last cycle built a cluster of lava domes and flows within the caldera, with minor explosive activity (Houghton et al, 1992).

Soils

Soil types were described in a comprehensive soil study conducted in the late 1960s by McCraw and Whitton for Tuhua. Samples were retrieved from various sites on the island. Soils on the outer slopes of the main cone consisted of lapilli, coarse and loamy sands. On the moderately steep to steep- slopes, loamy gravel sands were found. The soils are shallow and have the characteristic of gravel, with many pumice stones. McCraw and Whitton (1971)recorded soil modification by human activity as an attributor to soil variances. It was also discovered that major elements, being calcium and magnesium values were low in relation to New Zealand soil averages. Comparison of soils for Tuhua with other soils have less morphological development than soils developed on Taupo pumice but are comparable with those developed on Kaharoa ash (McCraw and Whitton, 1971).

Flora

The natural vegetation cover of the island is well protected from the sea and natural elements. Pohutukawa are the dominant vegetation cover on the island. The centre of Tuhua is dominated by Pohutukawa, Kanuka and Kamahi forests, which are relatively short in stature. The endemism of flora in this lacks the same strength of other offshore islands, although more in-depth analysis may be sought in the future. Kawakawa has developed a larger leaf in contrast to those found on the mainland, some ecologists suggest as a result of the frost free environment.

The present day vegetation of Tuhua is still undergoing major change. This observation is made from the succession of recordings undertaken from the 1920s to the present. A vegetation survey conducted by the Department of Survey, Lands and Information (DOSLI) in 1996 produced more current vegetation patterns reflecting the continued evolution of island flora cover. It was discovered that the island has a number of rare plants, all of which have been identified for preservation.

The introduced plant pests that have caused problems in the past include maritime pine, pampas, Mexican devil, willows and periwinkle. The majority can be regarded as invasive weeds. A control programme was initiated for the systematic removal of pines and continued with varying degrees of success. The previously large infestation on the crater floor has been reduced to low numbers. The remaining pines are confined to coastal cliffs. Pampas has been under control for a number of years, as with willow, which are confined to the wetland and lakes areas (New Zealand Department of Conservation, 2000).

Fauna

According to recent surveys Tuhua has 17 identified indigenous and 6 introduced bird species. Maori oral accounts record tuatara existing on Tuhua up until around 1920 and subsequent reports

of tuatara on Motuoneone Island. However checks on Tuhua and Motuoneone Island have failed to locate tuatara. Common gecko, maco skink, copper skink, and gecko species are present in low numbers. Invertebrates have been identified and recorded (New Zealand Department of Conservation, 2000).

Numerous indigenous bird species are present in the lower crater, including Tui, Korimako, Kereru, Kaka, Fantail and Shags. These birds feed on flowers of the Pohutukawa and Rewarewa.

Introduced fauna have had a major impact on the natural state of island ecology. Introduced fauna have had the single most negative impact on the indigenous flora and fauna of Tuhua. Rats consume and destroy seeds and seedlings, as well as prey on bird pollinators, lizards and invertebrates. The impact of pigs has varied due to fluctuations in populations, due to natural and controlled population changes. The 1926 report by Allan and Dalrymple noted "the undergrowth is, however, much altered and depleted owing to the presence of pigs, while the unstable surface mitigates against re-growth". Pigs have also been known to prey on oi (grey-faced petrel) at breeding colonies. The introduction of cats to Tuhua was almost certainly responsible for the disappearance of sea-bird colonies.

Cultural Sites of Significance to Maori

The term cultural sites of significance, is used in its widest possible context and incorporates sites in varying degrees, these include pa, kainga, midden, rua pits, terraces, ditches, caves, earth works, raised platforms, quarry, and working floors[1]. All sites referred to in this section are regarded as waahi tapu.

The island was an important resource, as a source of obsidian, which was highly prized and valued by Maori. Obsidian made Tuhua a target for raiding tribes from the mainland. Maori occupied many sites around Tuhua featured in its many pa sites, the majority located on coastal points and peninsulas. The island could not sustain a substantial population because of the lack of fresh water and workable land was limited. As a consequence some pa were weak in times of conflict, although selected sites were used as retreats, which were impregnable for invaders, the most notable pa being Tamou. The main settlements on Tuhua were Te Panui and Te Ananui. Both provided enough open space to grow gardens. During times of conflict the inhabitants would retreat to safer strongholds.

All cultural sites located on Tuhua are regarded as significant, because of the unique relationship Maori have with historical sites. There are numerous kumara storage pit found around the island as well as instances where major earthworks occurred. The terracing of pa illustrates the enormous amount of labour that went into construction without modern day earth moving equipment. The presence of man-made platforms has generated significant debate about their use and function. Some anthropologists conclude they are pre-Maori, or constructed by the first Polynesian arrivals to Aotearoa, because of similarities to those in greater Polynesia; others infer they are house platforms where houses were placed. Regardless of their function they are important cultural landmarks. It was concluded by archaeologists that obsidian was transported from the island and worked on the mainland, because of the lack of evidence supporting working floors. There is, however, one workshop located near lake Paritu, this site is regarded as cultural significant.

[1] Working floors are a defined area where tools and instruments were fashioned

Since Te Panui Pa was left vacant in the early 1900s, regeneration of vegetation on the site has been swift. Many of the located historical sites are over grown. The island has two significant pohutukawa trees. One is located only ten minutes walk from Opo Bay, and commonly known as the Big Tree. This massive pohutukawa specimen has a girth exceeding 15 meters and is regarded as one of New Zealand's biggest and oldest Pohutukawa trees. Some members of Te Whanau a Tauwhao regard this tree as tapu. The other sample is located in Opo Bay, and referred to as the Tapu Tree. The Tapu Tree has succumbed to severe modification in recent times. The tree was used as a storage site for human remains. In times gone by the bodies of chiefs and warriors were hung from the tree as part of the ceremonial mourning process. Once a gnarled and twisted pohutukawa its shade covered large areas of the Opo Bay. Its trunk reached out toward the waters edges with its roots entangled on the shore. The tree was partially destroyed by fire and damaged by a large storm, but continues to survive (New Zealand Department of Conservation, 2000, Prebble, 1971)."

Island Management: A Maori Perspective

The management of island resources is usually based on ecological principles of conservation and sustainability. Cultural values are considered, although tend to be secondary to environmental concerns.

Maori have a strong interest in the management of natural and physical resources. The environmental ethic is based on a close physical (economic), social and spiritual relationship to natural resources (Buck, 1952, Firth, 1959). According to Sinclair (1975) the close spiritual relationship justifies the desire to live in harmony with nature. This relationship originates from the traditions of Maori mythology to Ranginui and Papatuanuku, Sky father and Earth mother. It was only through this respect and connectedness to the natural world that Maori fished, hunted, and cultivated to sustain their daily well being (Sinclair, 1975). Maori regard their role as kaitiaki or guardians, stewards and caretakers, for the preservation of resources for current and future generations. These roles were maintained through traditional environmental management mechanisms such as tapu, rahui, noa, mana, and mauri.

Instruments such as tapu and rahui were utilised to protect both the resource and those who protected the resource. Tapu was used to restrict the use of a resource, for recovery of that resource and respect (Durie, 1998, Durie 1999). According to Durie (1999) tapu was a term to define risk, noa interpreted as 'safe' and rahui 'avoided at all costs'. The notions of tapu and noa were initially part of an agenda for survival. Durie (1999) states that the aspect of survival took on a spiritual guise and to some extent the original meaning and point of risk and safety was lost.

Mauri is a term frequently used by Maori and non-Maori to emphasise the intrinsic value of eminent objects such as landmarks, natural features and water. The notion of mauri is an important Maori environmental indicator of vitality and wellbeing (Harmsworth, 1997, Ahdar, 2003, Patterson, 1999).

The exercise of traditional resource management tools of kaitiaki, tapu, noa, rahui and mauri have enabled Maori to maintain a traditional relationship to those natural elements of significance similar to current planning mechanisms that attempt to ensure sustainability. The following figure illustrates a holistic approach to resource management in a Maori cultural context. The strengths of this approach are the maintenance of a resource base for current and future generations.

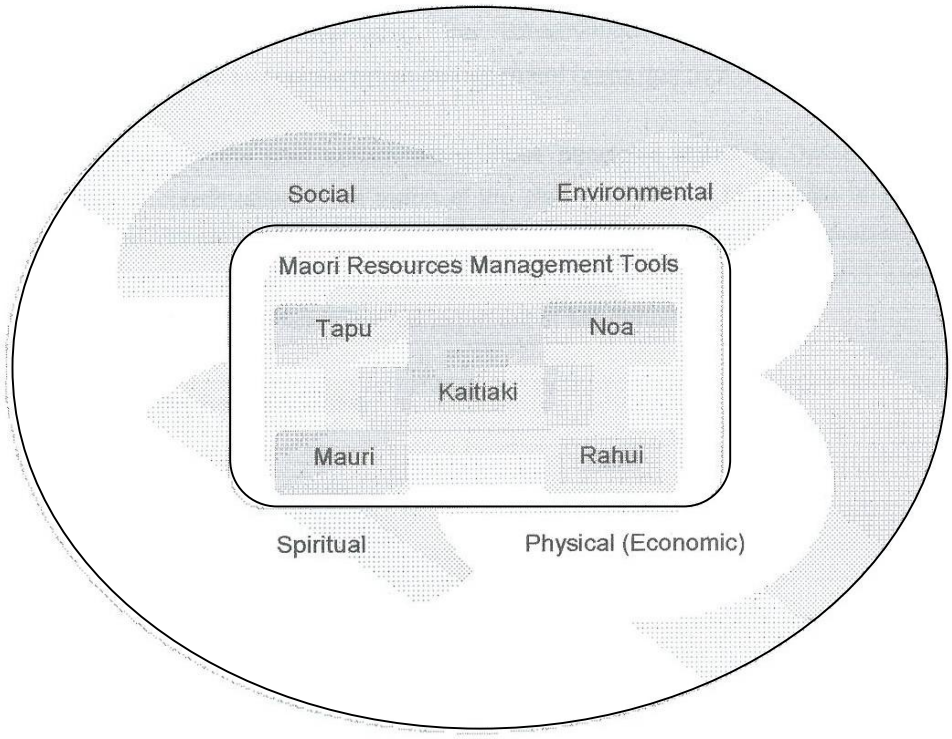

Figure 1: Maori Resource Management Philosophy

The underlying philosophy of Maori resource management is based on a holistic environmental approach to the management of the natural world. This environmental ethic is founded on principles of sustainability and managed by cultural mechanisms and tools. Traditional management principles were used to protect and maintain resources for current and future use, and not to lock up and restrict use or access (Culbert, 1998, Marsden et al, 1992, New Zealand Office of the Parliamentary Commissioner for the Environment, 1998, Roberts et al, 1995, Minhinnick, 1989).

The Tuhua Trust Board has developed principles for management of island resources based on a Maori environmental ethic of conservation. The objectives set by the board in the Tuhua Trust Deed were developed out of a Maori conservation philosophy based on traditional Maori values relating to the environment. The Tangata Whenua of Tuhua view their relationship to natural and physical resources as kaitiaki, or natural and moral guardians to preserve resources for current and future generations. Those issues are reiterated in the Tuhua Trust Deed. Objectives include the continued maintenance of the island in traditional ownership, preservation of certain areas, protection and conservation of indigenous flora and fauna, protection and respect of waahi tapu.

The Tuhua Trust Board values for management of Tuhua are:

- Kaitiaki (retention)
- Orangatanga (conservation)
- Rangitiratanga (protection)

The philosophy for management of Tuhua is based on a Maori environmental ethic that supports traditional management principles. The methodology for management will be guided first by cultural principles and then by ecological values supporting island management. Tapu, Noa and Rahui govern conservation, which involves restrictive use of resources as a sustainability mechanism. This links back to the management value Rangitiratanga, which implies environmental responsibility. Protection of resources enables Tangata Whenua to exercise their responsibilities toward the environment.

Vision Statement

Tuhua has high cultural and ecological significance to the current owners Te Whanau o Tauwhao ki Tuhua. Tuhua is Maori owned and administered by the Tuhua Trust Board, who represent the beneficial owners and descendants of Te Whanau a Tauwhao.

Its isolation from the mainland and the resulting native species adaptations that are unique to the island, along with the obsidian from which it gets its name, volcanic landforms, exceptional pohutukawa forests and rich cultural history, makes Tuhua an extraordinary landscape that is valued on many levels by Te Whanau o Tauwhao.

Tuhua has achieved a pest-free status through the combined efforts of the Tuhua Trust Board and the Department of Conservation on the Tuhua Restoration Plan and the Pest Eradication Programme. The foundation for the restoration plan is a Cooperative Conservation Agreement between the two parties. Tuhua has benefited from the pest-free status, with the regeneration of many native birds and vegetation species. It also means that Tuhua has the potential to become a refuge for native animal or bird species that may be introduced to the island in the future. The preservation of Tuhua's pest-free status in perpetuity is a substantial aim for the owners and future generations of Tuhua.

The maintenance of the island's pest-free status and its pristine environment is reflected in the Tuhua Trust Board's principles for management of the island's resources. The principles for management are based on a Maori environmental ethic of conservation. The objectives set by the Board in the Tuhua Trust Deed were developed out of a conservation philosophy based on traditional Maori values relating to the environment. In practice this means providing for the activities that the owners wish to carry out on the island without compromising its natural environment.

The owners of Tuhua would like to provide for their social and economic wellbeing in to the future, while also protecting and enhancing the unspoiled natural resources of the island. This process has begun through the Tuhua Trust Deed, which divided the island in to two areas, known as the Development Area and the Conservation Area. As well as its statutory obligation this plan seeks to be consistent with the Tuhua Trust Deed and to provide for the social and economic aspirations of its owners.

The vision that the Tangata Whenua has for the future of Tuhua is:

> ***Kia puawai nga hua oranga, hei taonga tuku iho mo nga uri whakaheke o te Whanau a Tauwhao***
>
> ***"For the owners and future generations of Tuhua to provide for their social and economic wellbeing while also protecting and enhancing the unspoiled natural resources of the island.***
>
> ***Ultimately Tuhua will represent peace, tranquillity, uniqueness, isolation, an ocean jewel owned by us, Tangata Whenua"***

Plan Format

Following this Preamble, Chapter 1 of the Tuhua District Plan provides the Issues, Objectives, Policies and Methods for each of the six key environmental topics.

These are:

- Island Character and Amenity
- Natural Resources and Environment
- Physical Resources
- Tangata Whenua Values
- Natural Hazards
- Emergency Management

In addition Chapter 1 addresses monitoring and cross-boundary issues, along with the Methods and Other Methods that are used to implement the Issues, Objectives and Policies of the Plan. Both regulatory and non-regulatory methods (known as 'Other Methods') can be used to implement the Issues, Objectives and Policies. Regulatory methods are rules (contained in Chapter 2 of this Plan). Non-Regulatory methods can include education, advocacy and design guidelines.

Chapter 2 provides Rules that apply to the whole of Tuhua.

Appendix 1 provides definitions of key terms used in the Plan.

The Planning Map for Tuhua is held with the Plan at the back of the document as Appendix 2.

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Proposed Tuhua District Plan

1 Resource Management Issues, Objectives and Policies

1.1 Environmental Topics

Environmental Topic 1: Island Character and Amenity

Issue

Issue 1.1 ***Tuhua has a limited developable land area; new development can produce negative environmental impacts affecting the outstanding natural character and amenity of the island***

Objectives and Policies

Objective 1.1.1: ***The established character and amenity of the island is maintained and enhanced.***

This objective actions Issue 1.1.

Policy 1.1.1.1 *Ensure that the nature of use and development is compatible with the established natural character and amenity on the island. The established natural character and amenity includes:*

- *Minimal number of buildings, limited to zoned Opo Development Area;*
- *The majority of the island in extensive native vegetation and regenerating undergrowth;*
- *Lodge style development*
- *Marae based community activity*

This Policy is primarily implemented by Methods (1) and (2)

Policy 1.1.1.2: *Ensure that the location of activities on Tuhua does not compromise the ongoing sustainability of the natural environment and the operation of other established and potentially permitted activities.*

This Policy is primarily implemented by Method (1).

Policy 1.1.1.3: *Ensure that the scale and intensity of use and development, including the maximum sustainable number of dwellings (or dwelling equivalents) and residents, is compatible with the existing environment on the island.*

The sustainable limits of Tuhua are considered to be 10 permanent dwellings or dwelling equivalents and 100 visitor accommodation beds.

This Policy is primarily implemented by Methods (1) and (2)

District Plan Methods

Method (1) To provide for use and development by identifying two environmental activity areas, the Opo Development Area and the Conservation Area.

Method (2) To set a limit of 10 permanent residential dwellings and 100 visitor accommodation beds permitted on Tuhua within the Opo Development Area only.

Other Methods

OM (1) To provide information to visitors to Tuhua on the history and current land use of the island.

OM (2) To provide design guidance material for new buildings incorporating elements of scale, form, materials etc that are compatible with the character of Tuhua.

Anticipated Environmental Results

AER (1) The maintenance of the current visual appearance and natural character and amenity of Tuhua, which is recognised in the Bay of Plenty Regional Policy Statement as a significant landscape feature, when seen from off-shore and the mainland (measured in terms of area cleared and developed on the island).

Environmental Topic 2: Natural Resources and Environment

Issues

Issue 2.1: ***Use and development on Tuhua can adversely affect the quality of the environment on the island, including air and water, enjoyed by the community.***

The land, freshwater and soil resources available on Tuhua are finite resources, limited in area and quantity and sensitive to change. These resources can be adversely affected by use and development.

Issue 2.2 ***The introduction of pest and nuisance plants and animals to Tuhua can adversely affect the natural environment of the island.***

Objectives and Policies

Objective 2.1.1: To protect and preserve Tuhua, as an island environment, with important natural values and resources, significant indigenous flora and fauna habitats and ecosystems, from the adverse effects of use and development.

This objective actions Issue 2.1.

Policy 2.1.1.1 Manage use and development to maintain and enhance the biodiversity of Tuhua.

This policy is primarily implemented by Methods (1), (5) and (6)

Objective 2.1.2 To avoid or minimise the adverse effects the disposal of wastewater, stormwater and solid waste and the collection or taking of water may have on natural resources and the environment.

This objective actions Issue 2.2.

Policy 2.1.2.1 To ensure that domestic and other wastewater is treated and disposed of in a way that does not compromise the natural environment and the health and safety of the island community.

This Policy is primarily implemented by Methods (2) and (3) and OM (4).

Policy 2.1.2.2 To ensure that stormwater is collected and disposed of in a way that avoids, remedies or mitigates actual and potential adverse effects on the environment, including the potential for groundwater and marine contamination.

This Policy is primarily implemented by Method (2)

Policy 2.1.2.3: To ensure that water is collected and supplied in a way that does not compromise the health and safety of the user.

This Policy is primarily implemented by Method (3).

Policy 2.1.2.4: To ensure that the collection and/or taking of water by any particular user does not compromise the ability of other lawful users of the resource to provide for their own use and development.

This Policy is primarily implemented by Method OM (3).

Policy 2.1.2.5: To ensure that the disposal of solid waste avoids adverse effects on the environment.

This Policy is primarily implemented by Method (4).

Policy 2.1.2.6: Earthworks shall avoid, remedy or mitigate adverse effects on the natural environment from erosion and degradation of the capacity of soil to support life.

This Policy is primarily implemented by Method (6).

Objective 2.1.3: To protect and preserve Tuhua's pest-free status

Policy 2.1.3.1: To ensure that pest and nuisance plants and animals are not introduced to the island.

This Policy is primarily implemented by Method (5) and OM (1) and (2).

District Plan Methods

Method (1) To provide for permitted activities that are compatible with, and do not detract from the natural resources and environment of the island by providing permitted activity conditions that establish limits to development with regard to intensity and type of development.

Method (2) To require that all land use and development that results in the creation of impermeable surfaces to provide for the appropriate collection, treatment and disposal of stormwater runoff from those surfaces.

Method (3) To require drinking water supplies to meet, where practicable, the standards recommended in the current Drinking Water Standard for New Zealand.

Method (4) To require the management of solid waste collection and disposal in a way that does not result in visual pollution or the contamination of soil or groundwater resources.

Method (5) To prohibit the introduction of any domestic animals or pets, any plant pests or plants or animals that are not compatible with the natural environment and established ecosystems of the island.

Method (6) To provide permitted activity standards that control minor-scale earthworks and ensure that the productive soil profile is maintained.

Other Methods

OM (1) To manage pest and nuisance plants and animals in accordance with the Tuhua Restoration Plan and Bay of Plenty Regional Council's pest management policy.

OM (2) To provide information to visitors to Tuhua on the potential adverse effects introduced pest and nuisance plants and animals may have on the existing environment.

OM (3) To require that the taking of groundwater does not compromise the future sustainable use of that resource in terms of long-term draw-down of groundwater levels and the recovery of the aquifer in accordance with Regional Plans.

OM (4) To require that all land use and development that results in the discharge of wastewater treats that discharge to a standard that meets the requirements of the Bay of Plenty Regional Council.

Explanation and Principle Reasons – Island Character and Amenity, Natural Resources and Environment

As an island environment Tuhua has developed with limited influence from external sources. This is reflected in the wealth of natural resources still available on the island including the established indigenous flora and fauna as well as the Tuhua (obsidian taonga).

The volcanic peaks of the island and exposed cliff formations are important landforms observed from the sea and the mainland. The island itself is also recognised as a visually significant landscape in the Bay of Plenty Regional Coastal Plan.

The island environment is sensitive to introduced pest and nuisance plants and animals. As the number of off-island residents and visitors increases there is greater potential for the transfer of these pests and nuisances to the island with potentially catastrophic effects on the existing environment.

Some of the available resources have a limited carrying capacity, such as the land resource and the availability of potable water which has historically been limited to small springs, surface water and shallow bores (to about 40m depth).

Increased use and development in Opo Bay (the South East Bay) could result in increased discharge of untreated wastewater and stormwater leading to potential for contamination of surface and ground water ultimately pollution of the surrounding sea adversely affecting kaimoana.

Solid wastes have the potential to increase through use and development in the South East Bay and pollution may be experienced from wind-blown litter not properly contained, long-term contamination from buried waste and particulate discharge from burning solid wastes.

The use and development of Tuhua must be managed at three levels – protecting areas of significant vegetation and maintaining the visual significance of the island, taking/using/enhancing resources of the island in a way that is sustainable for future generations and treating or disposing of solid waste and liquid discharge in a way that does not degrade the finite natural resources of the island.

The principle reason for the objectives, policies and rules related to natural character and amenity and natural resources and environment is to sustainably manage the use and development of these resources for future generations.

Anticipated Environmental Results

AER (1)	Maintenance of Tuhua's pest and nuisance plant and animal-free status (measured by numbers of species trapped or removed annually).
AER (2)	The maintenance of the taonga that is Tuhua (measured by cultural assessment reported annually to the Trust Board).
AER (3)	The maintenance and enhancement of the quality of the natural environment on Tuhua with particular regard to the quality of the surface water and groundwater resource (measured in terms of the quality of surface water and groundwater against National Standards).

Environmental Topic 3: Physical Resources

Issues:

Issue 3.1 ***Increased use and development can potentially adversely affect physical resources necessary to support the island community.***

Issue 3.2 ***Increased use and development can potentially adversely affect transportation infrastructure to and on Tuhua.***

Issue 3.3 ***Communication links to Tuhua must be maintained to ensure the health and safety of the residents and visitors.***

Issue 3.4 ***Some substances used in rural communities are hazardous to people and the environment.***

Objectives and Policies

Objective 3.1.1: ***To ensure that the use of physical resources and the rate of use of those resources enables the current generations to provide for their current needs without compromising the ability of future generations to meet their needs.***

This objective actions Issue 3.1.

Policy 3.1.1.1: *To enable the establishment of facilities that support lawfully established activities on the island.*

This Policy is primarily implemented by Methods (1), (2) and (3).

Policy 3.1.1.2: *To avoid, remedy or mitigate the adverse effects of construction on the environment.*

This Policy is primarily implemented by Methods (1), (3) and (4).

Objective 3.2.1: ***Transportation infrastructure on and around Tuhua is maintained and enhanced to provide for the health and safety of the community.***

This objective actions Issue 3.2.

Policy 3.2.1.1: *To protect existing transportation infrastructure to and on Tuhua, constructed and maintained to a standard that will ensure the health and safety of the community.*

This Policy is primarily implemented by Methods (1) and (4).

Objective 3.3.1: ***Communication services to and on Tuhua are maintained and enhanced to provide a reliable service to the community.***

This objective actions Issue 3.3.

Policy 3.3.1.1: *To ensure communication services to and on Tuhua are constructed and maintained to a standard that will ensure reliability and provide for the health and safety of the community.*

This Policy is primarily implemented by Methods (1) and (4).

Objective 3.4.1: The storage and use of hazardous substances on Tuhua avoids, remedies or mitigates adverse effects on the community and environment.

This objective actions Issue 3.3.

Policy 3.4.1.1: To ensure hazardous substances are stored and used with regard to relevant standards and user guidelines.

This Policy is primarily implemented by Methods (5) and Other Methods OM(1).

District Plan Methods

Method (1) To control the use and development of land in a way that manages the adverse effects on the physical resources.

Method (2) To provide for permitted activities subject to compliance with conditions

Method (3) To provide for the establishment of residential accommodation, visitor accommodation and tourist related activities on the basis of dwelling unit equivalents up to the maximum capacity of the island, being 10 permanent dwellings and 100 visitor beds.

Method (4) To establish standards for the development and maintenance of new infrastructure on Tuhua including tracks and primary landing points.

Method (5) To establish limits for the storage of hazardous substances.

Other Methods

OM(1) To store and use hazardous substances in accordance with appropriate standards and user guidelines.

Explanation and Principle Reasons

The land resource on Tuhua is 1,280 hectares, and the developable area is limited to approximately 250-300 hectares in the Opo Development Area. Traditionally, Te Whanau a Tauwhao were able to provide for their cultural, social, environmental and economic well-being in a sustainable manner. In the future the owners of Tuhua would like to see the South East Bay area used and developed in a manner that provides for their economic, social and cultural wellbeing without compromising the sustainable management of the island in general. In particular this involves protecting the natural environment and habitats that will draw people to the island.

There is a limit to the land available for use and development, and that while the island's ***Vision*** supports maintaining the natural character of Tuhua, care must be taken when considering other activities that do not support that vision.

Already there are basic tourist lodge, activities based on the island.

Consideration is given in the assessment of potential development and the effect these activities may have on the character of Tuhua and how they may affect the finite land,

water and soil resources available. The sustainable limit for development is considered to be 10 permanent dwelling units and up to 100 visitor beds.

There are no roads, airfields or jetties on the island. Access around the island follows existing tracks. While most of the tracks are usable, some have eroded and deteriorated below a safe standard. Any development must recognise the potential pressure visitors may place on island tracks, and be in a position to maintain those services to a usable and safe standard.

Access to Tuhua is either by sea or by air and is provided by private individuals or companies. It is critical for the on-going success of island ecological maintenance and any eco-tourism operations that the infrastructure required to support air and sea links are lawfully established and maintained to a safe standard.

Communication is a critical link to the mainland. Communication services must be maintained or improved to meet long-term demands from increased use.

Anticipated Environmental Results

AER(1) Buildings erected in accordance with approved building consents (measured in terms of the number of buildings built in accordance with approved building consents).

AER(2) No development beyond the nominated capacity for dwelling equivalents on Tuhua, being 10 permanent dwelling units and 100 visitor beds..

AER(3) Maintenance and enhancement of the existing transportation and communication infrastructure serving the island.

Environmental Topic 4: Tangata Whenua Values

Issue

Issue 4.1: ***Use and development of Tuhua can adversely affect the relationship of tangata whenua and their culture and traditions with their ancestral lands, water, waahi tapu and other taonga and resources associated with the island.***

Tangata whenua of Tuhua are Te Whanau a Tauwhao ki Tuhua.

Objectives and Policies

Objective 4.1.1: To maintain and enhance the relationship of tangata whenua with their ancestral land, water, waahi tapu and other taonga and resources associated with Tuhua.

This Objective actions Issue 4.1

Policy 4.1.1.1: To ensure that where use and development affects land, resources or other taonga important to tangata whenua, they are consulted.

This Policy is primarily implemented by Methods (3), (4) and (5) and Other Methods OM(2), OM(3) and OM(5).

Policy 4.1.1.2: To ensure that when considering any application involving use and development affecting land, resources or other taonga the Minister, or the Minister's agents, consults with the relevant tangata whenua parties.

This Policy is primarily implemented by Methods (4), (5) and (6) and Other Methods OM(1) and OM(4).

Policy 4.1.1.3: To ensure that use and development avoids, remedies or mitigates adverse effects on land, resources or other taonga important to tangata whenua.

This Policy is primarily implemented by Methods (1), (2), (3), (4) and (5) and Other Methods OM(2), OM(3) and OM(5).

Policy 4.1.1.4: To maintain and enhance the relationship Te Whanau a Tauwhao ki Tuhua has with the land, its character and amenity and the consequential lifestyle on Tuhua.

This Policy is primarily implemented by Methods (1), (2), (3), (4) and (5) and Other Methods OM(4) and OM(6).

Policy 4.1.1.5: To avoid, remedy or mitigate the adverse effects of use and development on the cultural and traditional relationship of Maori with water.

This Policy is primarily implemented by Methods (2), (3), (4) and (5) and Other Methods OM(4) and OM(5).

District Plan Methods

Method (1) To provide for the development of residential activities in the Opo Development Area in a manner consistent with the Tuhua Trust Deed and in accordance with the land ownership status of the owners.

Method (2) To establish limits to development as described in Section 1.1.

Method (3) To require consideration to be given to effects on archaeological and cultural sites and values in the preparation of assessments of effects on the environment for resource consent applications in accordance with the requirements of the Fourth Schedule Resource Management Act 1991.

Method (4) To identify on the Planning Map areas acknowledged by tangata whenua to be nga waahi tapu, sites of significance or nga taonga.

Method (5) To provide for the management of those sites identified prior to development, or sites discovered during the process of development, in agreement with the tangata whenua and land owners.

Other Methods

OM(1) To establish a protocol for consultation with the Minister or the Minister's agents for any application for resource consent.

OM(2) To maintain a register pursuant to S.42* of the Resource Management Act 1991 (RMA) of sites and other taonga significant to tangata whenua and to recognise the rights of tangata whenua not to identify sites of significance. Identification of sites recorded pursuant to Section 42 RMA to be made public only on the instruction of tangata whenua kaitiaki.
** Section 42 RMA provides for the recording of identified sites of significance to tangata whenua on a silent file that may only be referred to on the agreement of the relevant parties. Further reference and use of the information may be subject to conditions. This method protects the intellectual property rights of tangata whenua.*

OM(3) Recognise the role of the New Zealand Historic Places as the appropriate authority for the management of archaeological sites under the Historic Places Act 1991.

OM(4) Recognise marae as appropriate venues for consultation with tangata whenua.

OM(5) Provide information, as may be made available in agreement with tangata whenua, to land owners and potential users and developers on the sites of significance on their land and ways that those sites may be managed for the benefit of future generations.

OM(6) To recognise the provisions of the Te Ture Whenua Maori Act.

Explanation and Principle Reasons

Maori have had a long and continuous relationship with Tuhua from pre-European times to today. The island was an important strategic asset for the local tribes, as a source of obsidian. As a result the island represents an important cultural landscape steeped in history beyond the physical remnants of Pa and the present day marae and urupa. The island represents a connection between current and past generations. Te Whanau o Tauwhao ki Tuhua are the kaitiaki of the island and as such have a responsibility to protect cultural and ecological resources for current and future generations.

As tangata whenua it is appropriate that they are actively consulted in the management and decision-making processes and that due regard and consideration is given to avoiding, remedying and mitigating adverse effects on island resources.

The rights of tangata whenua not to disclose the details of cultural, spiritual and heritage values important to them is also respected and provision is made for such knowledge to be held in silent files or for details not to be provided.

Anticipated Environmental Result

AER (1) No modification or destruction of recorded archaeological sites and/or cultural sites without tangata whenua agreement.

Environmental Topic 5: Natural Hazards

Issue

Issue 5.1: ***Use and development in areas at risk from hazard events, such as erosion, landslip or inundation around the coast, exposes people and natural and physical resources to unacceptable risk, which may lead to an accelerated loss of natural resources.***

Objectives and Policies

Objective 5.1.1: ***To avoid, remedy or mitigate the potential for adverse effects on land-use and development arising from erosion, landslip and flood hazards in coastal areas.***

This objective actions Issue 5.1.

Policy 5.1.1.1: *To ensure that all buildings and structures required to be built within areas known to be at risk from erosion, flood and landslip hazard are designed and constructed to standards appropriate to their intended use.*

This Policy is primarily implemented by Methods (1), (2), (3), and (4) and OM (1).

Methods of Implementation

Method (1) To provide a setback from areas identified as being at risk from coastal erosion and landslip and a minimum floor level in areas subject to inundation.

Method (2) To allow only structures essential for public access, navigation or public safety in identified risk areas outside of the Opo Development Area.

Method (3) To require buildings and structures located within identified areas of risk, to be considered as discretionary activities and to include in the matters of discretion consideration of the standard of construction in relation to the purpose of the building or structure.

Method (4) To require a risk assessment to be undertaken before any new structures/activities are established on the island.

Other Method

OM (1) The Bay of Plenty Regional Council provides information on coastal hazards.

Explanation and Principle Reasons

Tuhua is an off-shore island, typically surrounded by tall cliffs subject to continuous erosion from the sea and the wind. The island has a soft formation prone to natural change from erosion (wind and sea) and landslip (sea).

Section 106 RMA requires the territorial authority to consider the potential for erosion, landslip and inundation when making consent decisions and while any further action following consideration remains discretionary it is appropriate that the Plan provides guidance as to how the effects of natural hazards on use and development may be avoided, remedied or mitigated. Furthermore consideration must also be given to how use and development may exacerbate the potential adverse effects from natural hazards on other land and property.

Anticipated Environmental Results

AER (1) No buildings or structures other than essential services in areas of risk outside Opo Development Area.

AER (2) All buildings and structures built in accordance with authorised building consents.

Environmental Topic 6: Emergency Management

Issue

Issue 6.1: ***There are limited emergency response resources on Tuhua and the isolation of the island increases the risk to the health and safety of residents during emergency events because of the time needed to deliver emergency services from the mainland.***

Emergency events are those that require an extraordinary response from either island residents or mainland organisations to provide for or protect the health and safety of people and property.

Objectives and Policies

Objective 6.1.1: ***To avoid, remedy or mitigate the potential for adverse effects arising from emergency events.***

This Objective actions Issue 6.1.

Policy 6.1.1.1: *To enable the maintenance of existing, and establishment of new, lifeline infrastructure – the landing places and the telecommunications infrastructure – in a way that ensures they are adaptive, responsive and quick to recover from emergency events.*

This Policy is primarily implemented by Methods (1) and (3) and Other Method OM(2), OM(4) and OM(5).

Policy 6.1.1.2: *To ensure the provision of a fire-fighting water supply and delivery system appropriate to the use and development of activities on Tuhua.*

This Policy is primarily implemented by Methods (2).

Policy 6.1.1.3: *To establish emergency response stations on the island including a rural fire fighting capacity and first aid response kit.*

This Policy is primarily implemented by Other Methods OM(1), OM(2) and OM(3).

Policy 6.1.1.4: *To provide for an emergency refuge, or safe haven, for community use in the event of an emergency that results in people being deprived of shelter.*

This Policy is primarily implemented by Other Methods (1) and (3).

District Plan Methods

Method (1) To ensure that lifeline infrastructure is constructed and maintained, as a minimum, to withstand storm events of 1 in 50-year probability of occurring and that there are sufficient means and materials held on the island to maintain and repair lifeline infrastructure to enable continued use in, and immediately after, an emergency.

Method (2) To provide for emergency management by way of conditions of resource consent for land-use or development.

Other Methods

OM(1) To provide training in emergency management including rural fire fighting and first aid to island residents and land owners.

OM(2) To provide emergency response equipment in a secure structure for use on the island.

OM(3) To assess and upgrade as required identified safe havens on the island.

OM(4) To assess and upgrade as required identified landing places.

OM(5) To provide for the telecommunications receiving facility by way of an easement registered on the underlying certificate of title.

Explanation and Principle Reasons

Tuhua is an isolated location, remote from many of the services that others on the mainland may take for granted such as fire, ambulance and civil defence response services.

It is therefore recognised as an issue that during emergency events whether they are natural events or more personal disasters such as house fires the community must rely on the response tools available on the island.

The objectives and policies provide for the implementation of an emergency response plan that includes trained personnel, an equipped emergency response station and the provision of shelter in an identified safe haven. These provisions will provide for the safety of people

on the island while awaiting further assistance from the mainland. These are implemented by way of Other Methods.

Anticipated Environmental Results

AER(1) Enhanced safety and well-being for the Tuhua community (measured in terms of number of emergency events responded to and the outcomes of those events).

AER(2) Reduced risk from storm events and other civil emergencies (measured in terms of number of emergency events responded to and the outcomes of those events).

AER(3) The establishment of a nominated safe haven and emergency response equipment by the community facilitated by the Territorial Authority within five years.

1.2 Cross Boundary Issues

Tuhua, as an island, is unique in that it shares its boundary with no other local authority. It is, however, surrounded by the Coastal Marine Area administered by the Bay of Plenty Region and the Regional Authority also has responsibilities over discharges to land, air and water, taking water and damming water courses, and earthworks on the island.

Cross-boundary issues and the way these are managed provide for the integration of management of the environment between the adjoining authorities.

Consideration must be given to the interface between the Region's responsibilities with regard to earthworks, stormwater collection, treatment and discharge and the provisions for treatment and discharge of wastewater effluent and the Minister's responsibility for use and development on land and the surface of water.

The Plan must also give effect to the National Coastal Policy Statement (NCPS) and the Regional Policy Statement (RPS) and not be contrary to the Regional Coastal Plan (RCP). The RPS and RCP identify Tuhua as a significant landscape in the Bay of Plenty Region. Objectives and Policies complementary to the provisions in the RPS and RCP to ensure the maintenance and enhancement of the visual landscape are provided in Environmental Topic 2 of this Plan.

The jurisdiction of the territorial authority and therefore this Plan lies at the line of Mean High Water Spring Tide (MHWST). No provision can be made within this Plan in respect to any area beyond this line. However, it is appropriate that the management of the coastal margin above MHWST ensures the integrated management of the land/sea interface by avoiding, remedying or mitigating the adverse effects of use and development on the environment.

Consideration of the impact of small-scale earthworks complements the Region's rules in relation to large-scale earthworks and recognises the potential for adverse effects on the finite land resource in Environmental Topic 3 of this Plan.

Consideration of Natural Hazards and Emergency Management also complements the Region's role in these areas through the provision of Objectives and Policies in Environmental Topic 5 and Environmental Topic 6 of this Plan.

The interface between Tuhua and other territorial authorities is most evident at the landing places on the island and landing places on the mainland. Of most concern in these areas is the transfer of pest and nuisance plants and animals. This is acknowledged in Environmental Topic 2 of this Plan and managed through the implementation of the Regional Council's pest management policy.

2 Procedures and Information Requirements

2.1 Introduction

Chapter 2 of the Plan contains the procedures and information requirements for implementing the rules of the Plan.

2.2 District Plan Rules

The rules necessary to implement the objectives and policies of the Plan are found in Chapter 3. These rules may apply, depending on circumstances, to managing environmental effects irrespective of which part of the island is being considered.

The Plan provides for five activity classes:

- Permitted – those activities that may be undertaken as-of-right subject to compliance with specific permitted activity conditions
- Controlled – those activities listed that require Resource Consent but would be approved subject to conditions
- Discretionary – those activities listed that require Resource Consent and that may be approved or refused by the Minister
- Non-complying – those activities that are not listed as permitted, controlled, discretionary or prohibited. Such activities require Resource Consent and may be approved or refused by the Minister.
- Prohibited – those activities listed for which a Resource Consent can not be approved.

There is no provision for Restricted Discretionary activities.

2.3 Information Requirements for a Resource Consent

An application shall be made to the Minister of Local Government and shall include the information required by this Plan, an assessment of effects on the environment and an appropriate fee as required. Copies of the Plan are available on the Department of Internal Affairs website (www.dia.govt.nz), at libraries in the Tauranga City, Western Bay of Plenty District and Whakatane District areas and held by the Chairperson of the Tuhua Trust Board and at the Otawhiwhi Marae and the Rangiwaea Marae.

An application for a resource consent shall include as/when appropriate:

(a) The full name and address of the applicant

(b) The location of the site for which the consent is sought, including the legal description and the name of the owner (copies of the current certificate of title must be provided)

(c) A full description of the proposed activity including but not limited to:

  (i) Details of existing riparian habitats, aquatic habitats and the relationship of the activity to these if relevant

(ii) The extent of vegetation removal proposed by the activity with particular attention to details of the abundance and diversity of species affected

(iii) The extent of earthworks proposed with details of the likely length of time the land will remain exposed

(iv) Proposed areas of excavation and filling, together with the existing contours and proposed finished contours. Any such proposal should be accompanied by a report as to the effects of the proposed works from a registered engineer experienced in soil mechanics or geotechnics.

(v) Location and area of any land subject to the proposal that is, or may be subject to, natural hazard.

(d) Where land is subject to erosion, slippage, subsidence, falling debris, or inundation, or where any other structural matter arises, a report from an appropriately qualified and experienced registered engineer into the suitability (in relation to the proposal) of the site and ways in which any problems associated with the site may be overcome.

(e) A statement specifying all other resource consents that may be required, including consents from both the Minister and Bay of Plenty Regional Council (Environment BOP), and whether the applicant has applied for these.

(f) A site plan (A3 or A4), at a specified metric scale, which shall incorporate (where appropriate):

(i) A north point

(ii) Indicative site boundaries and their lengths

(iii) Topography including contour or level data referenced to Moturiki Datum and the top and bottom of the cliff around the island significant landforms

(vi) The location of any known cultural, heritage or archaeological feature on the land to which the application relates or on any other land where the proposed land use will likely impact on that feature.

(v) All stormwater flow paths, permanent watercourses and wetlands and catchment information, Mean High Water Spring Tide line

(vi) All significant vegetation including trees, hedges, bush and scrub

(vii) Approximate distances to buildings on adjoining lots, or in the vicinity of the proposal

(viii) Existing buildings, structures, tracks, on-site effluent and stormwater management and disposal systems

(ix) All communal or jointly owned or used areas and facilities including the access tracks, airfields, jetties and telecommunications services relevant to the site.

(g) Proposed development plans, incorporating (where appropriate):

(i) Details of the appearance of any buildings and structures including elevations

(ii) Floor plans (including information on the height of floor levels)

(iii) A calculation of site coverage and the floor area of each building in square metres

(iv) Landscape design, site planting and fencing

(v) Location details of hazardous substances to be used or stored on site, and details of their proposed use, quantity, method of storage and transportation.

(vi) On-site effluent and stormwater management and disposal systems.

(viii) Vehicle and emergency services access.

(ix) Water supply source.

(h) Where consent of affected parties has been sought and obtained, a copy of the plan of the proposal signed by the affected party(ies) and approval in writing indicating the date of the application and AEE read by the signatory(ies).

(i) All applications for resource consent shall include a record of consultation with representatives of the Tuhua Trust Board Te Whanau a Tauwhao ki Tuhua undertaken prior to the submission of any application for resource consent. The consultation shall be taken into account in considering whether the application is to be considered on a notified or non-notified basis

(j) Any information required to be included by a rule in the Plan

(k) An Assessment of Environmental Effects in accordance with the Fourth Schedule of the Resource Management Act 1991

Explanatory Note: To enable the efficient and effective consideration of a resource consent application, the applicant must provide adequate information to allow the effects of the activity to be fully assessed under the Resource Management Act 1991 and the Plan.

2.4 Information Requirements for Any Discretionary Resource Consent Applications

(a) In addition to other requirements of the Plan, the assessment of effects on the environment accompanying any resource consent for a discretionary activity shall have particular regard to:

(i) Effects on the existing character and intrinsic values of the locality and amenity values

(ii) Relevant matters set out in Section 104 of the Resource Management Act 1991

(iii) Whether the proposal will have an adverse effect on sensitive activities in the vicinity of the site

(iv) Whether the activity will have any adverse effects on landforms or landscapes identified as outstanding in the Bay of Plenty Regional Policy Statement

(v) Whether the proposal will have any on-site or off-site adverse effects on native bush, bird or wildlife habitats, including ecology

(vi) Whether the proposal will have any adverse effects on areas with scientific, cultural, archaeological or heritage value

(b) Any application should include an assessment of the significance of the affected area and the degree to which damage would result from the proposal

2.5 Information to be Supplied for a Certificate of Compliance

Where an application for a Certificate of Compliance is made to the Council under Section 139 of the Resource Management Act 1991 it shall contain:

(a) The details required by Information Requirements 2.3, 2.4 and 2.5, as may be relevant, to show how the proposal complies with the Plan

(b) A full description of the activity for which the certificate is sought

Explanatory Note: A Certificate of Compliance is used to demonstrate that a permitted activity, a proposed permitted activity or any activity which does not require a resource consent complies with the rules of the Plan in relation to a particular location. Subject to the existing use provisions in the Resource Management Act 1991, obtaining a Certificate of Compliance enables the holder to undertake the activity to which the certificate relates, even if after the date of application, a change to the Plan is proposed which would restrict the activity.

2.6 Designations

At the time of notification of this Plan there are no designations on Tuhua.

New designations for public works, and extensions to the existing telecommunications network, will be subject to the requirements of the Resource Management Act and this Plan.

3 Environmental Management Rules for Tuhua

3.1 General

Any site may be used for more than one activity at the same time, provided that all applicable Plan standards, terms and conditions for each activity are complied with.

3.2 Permitted Activities

3.2.1 Permitted Activities – Tuhua, Island Wide

- Burial grounds/urupa
- Emergency Response Station
- Network utilities (see 3.2.4)
- Signs
- Temporary Activities (see 3.2.5)
- Tracks in accordance with Rule 3.3.3 – Roading
- Transportation activities including, but not limited to, the loading/unloading of boats and helicopters on the island, unless otherwise prohibited by Rule 3.8(c)
- Wastewater Treatment Facilities
- Water Storage Tanks.

3.2.2 Permitted Activities – Opo Development Area

Any one or more of the activities listed in the Plan as permitted activities, and the erection of buildings or structures associated with those activities are permitted provided they do not contravene any permitted activity standard and term listed in the Plan.

- Accessory buildings and activities
- Building demolition or site works associated with the development of the land for a permitted activity
- Clearance of vegetation
- Earthworks in accordance with Rule 3.5.9
- Places of Assembly/marae
- Residential activities/papakainga
- Visitor accommodation
- Quarantine receiving, cleansing and isolation facilities.

3.2.3 Permitted Activities – Conservation Area

- Activities undertaken in accordance with the Tuhua Restoration Plan, or other approved restoration or conservation programme, or activity undertaken with the specific approval of the Tuhua Trust Board

3.2.4 Permitted Activities – Network Utilities

- New lines, extension in length of lines, and upgrading the voltage or capacity of underground electrical lines for conveying electricity.
- New lines, and extension in length of overhead electrical lines including support pylons and structures for conveying electricity, and telecommunication and cables forming part of the same facility.
- Minor upgrading of existing overhead electrical lines for conveying electricity where minor upgrading means:

  An increase in the power-carrying or operating capacity, efficiency or security of electricity and associated telecommunication lines, where this utilises existing support structures and includes:

  (a) The reconductoring of lines with higher capacity conductors

  (b) The resagging of conductors

  (c) The installation of longer and more efficient insulators

  (d) The addition of earthwires (which may contain telecommunication lines) and earthpeaks.

  Provided that such minor upgrading will comply with the minimum distances (under normal, still air conditions) as set down in the NZ Electrical Code of Practice for Electricity Safety Distances, NZECP 34 1993. Minor upgrading unable to meet this proviso is a non-complying activity.

  Minor upgrading shall not include any works that result in an increase in the voltage of lines beyond 33kV.

- Temporary overhead electrical and telecommunication lines for a period not exceeding six months.
- Single transformers and associated switching gear conveying electricity at a voltage up to, and including, 110kV not exceeding a gross floor area (GFA) of 4m² and height of 2m.
- Underground telecommunication lines and cables (i.e. new lines; extension in length of lines; upgrading by increasing capacity of cable).
- Radio and telecommunication masts up to, and including, 14m high together with associated antenna dishes not exceeding 2.7m in diameter, aerials not exceeding 6m high and 75mm in diameter, weather radar, guy wires, wooden or steel support poles, provided the total height of the mast and associated equipment shall have a maximum height no greater than 20m. The mast shall have a maximum diameter of 1350mm. Buildings not exceeding 30m² gross floor area (GFA).
- Radio and telecommunication aerials up to 4m high and antenna dishes up to 5m in diameter attached to any building or structure.
- Radio and telecommunication ancillary equipment shelters up to 3m high and 4m² gross floor area (GFA) per site.
- Rural fire-fighting depots and associated facilities.

- Trig stations.
- Lighthouses, navigational aids and beacons subject to the approval of the Maritime Safety Authority and/or Bay of Plenty Regional Council (Environment BOP).
- Meteorological enclosures and buildings not exceeding 30m² in gross floor area (GFA); automatic weather stations and single anemometer mast not exceeding a height of 10m; voluntary observer sites; associated microwave links.

3.2.5 Permitted Temporary Activities

(a) Temporary activities (other than temporary military training) as defined in Appendix 1, Definitions, shall comply with the noise and disturbance rules applying to the activity area in which it is to be located

(b) Temporary military training activity as described in clause (d) of the definition of temporary activities in Appendix 1, Definitions, not withstanding anything to the contrary in the Plan, shall comply with the following conditions:

- The written consent of the land owner shall be obtained
- The temporary activity shall not undertake mechanical earthworks unless provided for in the Plan
- The temporary activity is limited to a period not exceeding 31 days in any calendar year
- The temporary activity shall be conducted so as to ensure that noise from the site shall not exceed the noise limits for the activity area in which the temporary activity is to be located.

3.3 Standards and Terms for Permitted Activities – Island Wide Rules

3.3.1 Noise

(a) All activities shall be conducted to ensure that noise from the activity shall not exceed the following limits at the boundary of the allotment on which the activity is located:

- 0700 – 2200 hours 55 dBA L_{10}
- 2200 – 0700 hours 45 dBA L_{10}
  65 dBA L_{max}

(b) Sound levels shall be measured in accordance with NZS 6801:1999 Acoustics Measurement of Environment Sound and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound or any superseding codes of practice or standards.

(c) Construction noise from the site shall meet the limits recommended, and shall be measured and assessed in accordance with, NZS6803:1999 Acoustics Construction Noise or any superseding codes of practice or standards.

3.3.2 Signs

(a) The maximum height of any sign shall be 4m.

(b) The maximum area of any sign shall be $5m^2$.

(c) No sign shall be illuminated.

3.3.3 Roading

The design and construction of new tracks shall:

(a) Be able to provide safe vehicular and/or pedestrian access to every site the track serves.

(b) Be constructed to a standard that ensures that stormwater drains freely to the sides clear of the track.

(c) For stormwater disposal from track surfaces:

- Water-tables, drains and culverts shall be able to convey stormwater to a lawful discharge point.
- Ensure that any culverts or bridge structures are able to accommodate a 100-year return period storm event.

3.3.4 Clearance of Vegetation

(a) Clearance of vegetation shall only be undertaken with the written authorisation of the Tuhua Trust Board.

(b) Clearance shall maintain the health and structure of other vegetation in the vicinity of the vegetation to be removed and the health and safety of residents, visitors and native animals by avoiding, remedying and mitigating the potential for land slippage.

3.3.5 Use and Storage of Hazardous Substances

(a) The use and storage of hazardous substances is limited to fuels used for generators and boats, chemicals used for pest eradication in accordance with Table 3.1.

Table 3.1 Hazardous Substances Permitted Quantities

Hazardous Substance	Quantity allowed
Diesel/Oil	2000 litres
Petrol/Flammable Liquids	500 litres
Detergents/sanitisers/bleaches	50 litres
Animal and/or Plant pesticides/herbicides	120 litres/kg

(b) Hazardous substances shall be stored and used in accordance with standards recommended by the manufacturers or relevant national standards.

3.3.6 Heritage

No activity shall disturb any known archaeological site, unless authorised, as required, under the New Zealand Historic Places Act, or building or structure of cultural or heritage value.

3.3.7 Buildings in Areas Subject to Natural Hazards

All buildings or structures located; within 60m of MHWS, or within 40m landward of the top cliff-edge around the island, whichever is the lesser, or other areas identified as being subject to erosion, landslip or inundation shall be either:

(a) Designed and constructed in accordance with their nominated purpose to withstand a minimum natural hazard event of 1 in 50 year probability of occurring, or

(b) Designed and constructed of lightweight materials to be easily relocated, or demolished and removed from the hazard area, in the event of damage or potential damage from a natural hazard.

3.4 Standards and Terms for Permitted Activities – Opo Development Area

In addition to the Standards and Terms for Permitted Activities – Island Wide Rules, the following shall apply.

3.4.1 Intensity of Development – Density

(a) Development intensity for permitted residential and visitor accommodation activities in the Opo Development Area (South East Bay) shall not exceed that listed in Table 3.1:

Table 3.2 Development Intensity

Activity	Development Intensity
Residential Activity	10 permanent residential dwelling units within the Opo Development Area
Visitor Accommodation	100 beds

3.4.2 Scale of Development – Height

The height of any structures or buildings associated with a permitted activity on Tuhua shall not exceed 7m.

3.4.3 Island Character and Amenity – Natural Character:

Notwithstanding any other Rule in the Plan no activity, other than lighthouses, navigational aids and beacons, in the Opo Development Area shall result in:

(a) The erection of any building, structure, wastewater or stormwater disposal system.

(b) The clearance of more than 20m^2 of indigenous vegetation in any 12-month period.

(c) The removal, deposition or disturbance of more than 50m^3 of earth in any 12-month period.

(d) The removal of a native tree greater than 6m in height.

Within:

(i) 60m inland of mean high water springs (MHWS).

(ii) 20m of any perennially flowing stream or river.

(iii) 20m of any wetland greater than 10m².

(iv) 10m of any identified stormwater overland flow path.

3.4.4 Wastewater Treatment and Disposal

New development shall be provided with on-site treatment and disposal of wastewater subject to the following conditions:

(a) No effluent treatment and/or disposal area shall be constructed within 40m landward of the top of the cliff-edge around the island, or 60m from MHWS where there are no cliffs.

(b) The design and construction of any on-site wastewater treatment and disposal system shall:

- Be able to service the proposed use within the development that it serves
- Be able to use gravity operation (where practicable)
- Be able to provide safe and reasonable access for maintenance.

(c) Where a resource consent is required from the Bay of Plenty Regional Council for the on-site treatment and disposal of wastewater a copy of that consent shall be provided to the Minister before the approved system is built.

3.4.5 Stormwater

New development shall provide for the disposal of stormwater from the development subject to the following conditions:

(a) No ground soakage system shall be constructed within 40m of the top of the cliff-edge around the island, or 60m of MHWS where there are no cliffs.

(b) The design and construction of any stormwater disposal system shall:

- Be able to service all buildings in the catchment upstream of the development
- Be able to convey stormwater to a lawful discharge point
- Be able to use gravity operation
- Be able to provide safe and reasonable access for maintenance
- Ensure the secondary stormwater flowpaths are able to accommodate a 50-year return period storm event
- Be adequate to protect adjacent property from damage caused by surface water or poor ground soakage

(c) Where a resource consent is required from the Bay of Plenty Regional Council for the treatment and disposal of stormwater a copy of that consent shall be provided to the Minister before the approved system is built.

3.4.6 Water Supply

New development shall be supplied with water from rainwater tanks, bores or wells. Domestic water supply shall be capable of receiving and maintaining a supply, which meets the current Department of Health Drinking Water Standard for New Zealand.

3.4.7 Solid Waste

Solid waste shall not be disposed of within

(a) 40m of the top of the cliff-edge around the island

(b) 60m of MHWS where there are no cliffs.

(c) 20m of any permanent running stream, pond or wetland

(d) 10m of any stormwater overland flow path

(e) 2m (as measured by vertical separation) of any groundwater table.

3.4.8 Earthworks

(a) Earthworks in excess of 500m^3 undertaken in any 12 month period that do not require a resource consent from the Bay of Plenty Regional Council are subject to the following conditions:

- The exposed surface area is limited to a maximum of 5,000m^2 at any one time
- Provision is made for the mitigation of dust nuisance by having available a water supply adequate to suppress dust across the area exposed, for delivery by water cart, sprinkler system, hose or similar, at all times during earthworks
- The exposed surface area is reinstated with grass, or other vegetation, or dust-free hard surface (such as compacted road metal) as soon as practicable after completion of the earthworks in the vicinity
- Provision is made for the collection and retention of stormwater runoff and treatment for the removal of sediment from stormwater runoff from the exposed area before the runoff is discharged to any permanent running water, pond, wetland or the sea.

(b) Where a resource consent for earthworks is required from the Bay of Plenty Regional Council for earthworks a copy of that consent shall be provided to the Minister before the earthworks are undertaken.

3.4.9 Remediation

(a) All works involving the removal of buildings or vegetation, earthworks or site-works shall provide for the remediation of the site to ensure that no unvegetated or surfaces exposed and liable to further erosion by wind and/or water remain on completion of the works.

(b) All works involving the removal of buildings shall ensure that all services including, telephone, electricity, water and connections to septic tanks or other wastewater treatment and disposal systems are safely disconnected.

(c) All associated services and utility structures including, but not limited to, septic tanks, other waste disposal structures and water tanks, shall be removed and the site remediated unless they are to be re-used in accordance with the standards, rules and conditions of the Plan.

3.5 Standards and Terms for Permitted Activities – Conservation Area

Activities in the Tuhua Conservation Area undertaken with the written authorisation of the Tuhua Trust Board shall be permitted. The Standards and Terms for Permitted Activities – Island Wide Rules, shall apply, where relevant.

3.6 Discretionary Activities

3.6.1 Discretionary Activities

(a) Any permitted land-use activity that does not comply with the rules of the Plan for permitted activities shall be a discretionary activity.

(b) Any subdivision or partition of land on Tuhua shall be a discretionary activity.

Explanatory Note: Any permitted activity that does not comply with the permitted activity conditions listed in Rules 3.3, 3.4 and 3.5, and/or any activity that does not comply with the standards and terms for controlled activities, is deemed to be contrary to the objectives and policies of the Plan relating to Island Character and Amenity (Environmental Topic 1). Such an activity must be considered as a full discretionary activity to allow an assessment to be made of the effects of the activity as a whole not solely in relation to the areas of non-compliance or the matters to which discretion may be restricted. As a consequence there are no Controlled or Restricted Discretionary Activities in the Plan.

3.7 Non-Complying Activities

(a) Any activity that is not listed as a permitted, or prohibited activity, or provided for as a discretionary activity, shall be a non-complying activity.

(b) The establishment of dwelling unit(s) or dwelling unit equivalent(s) such that the total number of dwelling units on Tuhua exceeds 10 or that the total number of visitor beds on Tuhua exceeds 100, within the Opo Development Area, shall be a non-complying activity.

An application for a non-complying activity may be granted, granted with conditions or declined by the Minister. Consideration of a resource consent application for a non-complying activity shall have regard to the rules, objectives and policies of the Plan.

3.8 Prohibited Activities

The whole of Tuhua is private property. To protect the unique character, amenity, ecology and biodiversity of the island the following are prohibited activities:

(a) The erection of any building or structure within the Conservation Area other than those buildings or structures required to be located in this area for the purpose of supporting access to/from the island, navigation or public safety or provided for as a permitted or discretionary activity.

(b) The establishment or construction of structures, or development of sites, in the Conservation Area, associated with carrying out a commercial activity.

(c) Landing by any persons on Tuhua that is not authorised by the Tuhua Trust Board

(d) Introduction of pest or nuisance plant or animal species.

(e) Landing of any domestic animals or pets anywhere on the island.

Appendix 1: Definitions

accessory building and activities

means a building, structure or activity which is detached from, and the use/operation of which is incidental to that of, any other principal building(s)/activity(ies) on the same site, and in relation to a site on which no principal building has been erected, is incidental to the use which may be permitted on the site

The Act

means the Resource Management Act 1991, and any amendments thereto.

allotment (lot)

means —

(a) Any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not—

  (i) The subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or

  (ii) A subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or

(b) Any parcel of land or building or part of a building that is shown or identified separately—

  (i) On a survey plan; or

  (ii) On a licence within the meaning of Part 7A of the Land Transfer Act 1952; or

(c) Any unit on a unit plan; or

(d) Any parcel of land not subject to the Land Transfer Act 1952.

ancestral land

means for the purposes of the Plan that land whether in current Maori title or not which:

(a) Is "Maori Land" as defined by Te Ture Whenua Maori 1993 (the Maori Land Act 1993)

(b) Was or is a site of settlement, occupation, or resource gathering by ancestors of Maori

(c) Is a pa site, burial site, battle site, tauranga waka (traditional canoe resting place), waiwera/waiariki (hot pool/spring) ceremonial site, or a natural feature which has strong spiritual or cultural values.

Commercial activity

means any activity carried out on a site principally for commercial gain. For the purpose of this definition, commercial activity does not include visitor accommodation.

deposition/disturbance

means in relation to earthworks the mechanical tilling, digging, alteration, and deposition of gravel, soil, sand, shells and earth or other material

dwelling unit

means a building or part of a building intended to be used as an independent residence, including apartments, semi-detached or detached houses, units, town houses, caravans (where used as a place of residence, or occupied for a period of time exceeding six months in a calendar year).

dwelling unit equivalent

means the number of occupants the building is designed or licensed to accommodate divided (÷) by 4 persons

earthworks

means the alteration of land contours on any site including:

(a) Disturbance of land by moving, removing, placing or replacing soil or by excavation or cutting, filling or backfilling

(b) Recompacting of existing natural ground.

emergency response station

means land and buildings used for the purposes of vehicle and equipment storage and maintenance related to the fighting of fires and provision of first aid in the event of emergencies in the community.

enhancement

means improving the existing qualities and values of an area that are ecological, cultural, or related to amenity.

erection

means the construction of a building and includes the re-erection or structural alteration of, or the making of, any addition to the building, or the relocating of a building whether on another position on the same site, or elsewhere; "erect" and “erected” have corresponding meanings.

hapu

means for the purposes of the Plan a Maori sub-tribe or clan usually consisting of a number of whanau (families) linked through a common ancestor.

hazardous substance

means any substance which may impair human, plant, or animal health or may adversely affect the health or safety of any person or the environment, and whether or not contained in or forming part of any other substance or thing and:

(a) Includes substances prescribed by regulations of relevant legislation

(b) Does not include substances prescribed by regulations associated with relevant legislation as not being hazardous substances.

hazardous substance facility

means facilities involving hazardous substances, including vehicles for their transport, and sites at which these substances are stored, used, handled and disposed of. Hazardous substance facility does not include the incidental use and storage of hazardous substances in minimal quantities for domestic use or retail sale.

height

means in relation to any buildings and unless provided for in any other part of the Plan, means the vertical distance between the ground level at any point and the highest part of the building immediately above that point, measured at the external envelope of the building. For the purposes of this definition, height measurements shall take into account parapets, but not satellite and microwave dishes, radio and telecommunication aerials and antenna dishes and antenna panels which comply with the provisions of Chapter 6, Network Utility Rules; or chimneys, flagpoles, aerials or other such projections.

Explanatory Note: The maximum height plane exactly mimics the ground-level plane over the whole site.

heritage

means those attributes, from the distant and more recent past, that establish a sense of connection to former times, contribute to community identity and sense of place, and spirituality, that people have a responsibility to safeguard for current and future generations.

heritage resource

means a generic term for buildings, sites, objects, trees, waahi tapu and other areas of significance.

indigenous

means flora or fauna occurring in New Zealand as a consequence of natural processes and does not include any species introduced to New Zealand by human intervention.

indigenous vegetation

means a species of flora which occurs naturally in New Zealand or has arrived in New Zealand without human assistance.

iwi

means Maori tribe, grouping of hapu or people associated with a certain geographical area and/or linked through a common ancestor.

iwi authority

means the authority which represents an iwi and which is recognised by that iwi as having authority to do so.

kaitiakitanga

means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship.

landing

means the arrival of any person above MHWS by air or water for any purposes other than in an emergency situation.

mahinga maataitai

means areas where food resources from the sea are or have traditionally been gathered.

maintenance

means the protective care of a place, tree, building or object to arrest processes of decay, fatigue, structural failure, erosion, or dilapidation.

mana

Means spiritual power, charisma, prestige and respect. Also (in respect of a person) integrity to act in an authoritative capacity.

mauri

means the essential life essence. The term "mauri" may on occasion also refer to the special character of an area or feature. Mauri binds the physical and spiritual essence of a resource together.

mean high water springs (MHWS)

means the average line of spring high tide.

native tree

means an indigenous woody plant having the potential to achieve a girth of 94cm at breast height (1.4m), and includes (but is not limited to) pohutukawa, kowhai, kahikatea, cabbage trees, pukatea, karaka, tawa, taraire, mangeao, puriri, pigeon wood, rewarewa, kauri, kohekohe, rimu, matai, totara, miro and tanekaha. In the case of a tree with multiple trunks (such as a pohutukawa), the girth measurement shall be the aggregate (collective) measurement of all trunks.

Explanatory Note:

(i) Native tree species are those woody species which have a diameter of 30cm or more and include kanuka.

(ii) Native tree species of any height may be seedlings and these may be under a canopy of manuka.

natural hazard

means an atmospheric-, earth- or water-related occurrence (including tsunami, erosion, landslip, subsidence, sedimentation, wind, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment

natural heritage

means the indigenous flora and fauna of the District, and the aquatic and terrestrial natural ecosystems in the District. Natural heritage includes exotic species because of historical, cultural or physical associations that have assumed heritage significance.

natural values

means any one or more of the matters referred to in Sections 6(a), 6(b), 6(c), 6(d) and 7(d) of the Resource Management Act 1991.

network utilities

means utility services maintained and operated by a network utility operator

papakainga

means residential occupancy on any ancestral land owned by Maori.

partition

has the same meaning as provided for in the Te Ture Whenua Act

places of assembly

means land or buildings or surface of water that involve the congregation of people for such purposes as deliberation, entertainment, cultural, recreation, leisure or similar purposes and include marae, wharenui, wharekai, churches, halls, chapels, clubrooms, taverns, societal lodges, restaurants, art galleries, libraries, theatres, sportsfields, and tourist facilities.

the Plan

means the Tuhua District Plan

residential activity

means:

(a) The use of land and buildings for domestic or related purposes by persons living alone or in family and/or non-family groups (whether any person is subject to care, supervision or not) and includes, retirement villages and residential health care facilities providing 24-hour on-site medical support to residents, private dwellings, housing for the elderly, community housing, private functions and incidental private gatherings

(b) Residential activity shall exclude visitor accommodation and shall exclude caravans or other mobile forms of accommodation, unless they are utilised for residential activities for periods of more than six months in any one calendar year.

residential building

means any building or part of building used or intended to be used for human habitation.

restoration

means returning a place, habitat or object as near as possible to a known earlier state through reassembly, replanting (in the case of vegetation), reinstatement and/or the removal of extraneous additions.

rohe

means a margin or territorial boundary usually associated with an iwi or hapu within which they exercise kaitiakitanga.

services

means the infrastructure associated with the delivery or reticulation of water, roads, electricity, wastewater disposal, stormwater disposal and telecommunications and includes activities which can be undertaken by a Network Utility Operator defined under Section 166 of the Resource Management Act 1991.

sign

means any display or device whether or not placed on land or affixed to a building, stationary vehicle or structure, intended to attract attention for the purposes of directing, identifying, informing, or advertising, and which is visible from a public place. For the purposes of the Plan the area of a sign shall be a measurement of that sign's face or total message visible from a public place.

significant resource management issue

means those issues identified in Chapter 1 of the Plan and/or those which, if not addressed, will have an adverse effect on the sustainable management of the natural or physical resources.

site

means an area of land which complies with the provisions of the Plan for development, subdivision or partition as a permitted activity or subject to a duly authorised resource consent.

site layout

means the arrangement of buildings/structures, landscape elements on a site and includes patterns of vehicle and pedestrian access.

special physical processes

means natural phenomena such as land slippage, subsidence and flooding, geothermal processes and tidal ebb and flow.

stormwater run-off

means that portion of rainfall which flows directly from land or any impermeable surface into a natural waterbody or built disposal systems (eg, drains, channels or designated ponding areas).

structure

means any building, equipment, device or other facility made by people and which is fixed to the land.

subdivision of land

has the same meaning as provided in the Resource Management Act

tangi

means the funeral process and act of mourning by Maori.

taonga

means all things prized or treasured by Maori, both tangible and intangible. Examples include water bodies, trees, special landmarks, and te reo (the Maori language).

tauranga waka

means canoe landing sites. These may be places still used or a particular area in which the canoes of ancestors of a whanau, hapu or iwi were landed, or were laid to rest.

temporary activity

means:

(a) Temporary building associated with an approved building or construction project where these do not exceed 50m² in floor area, or remain on the site for longer than the duration of the project or 12 months, whichever is the lesser

(b) Use of a caravan or other mobile form of accommodation for the purpose of accommodation where these are not used for residential purposes on the same site for more than six months of any calendar year

(c) Any activity associated with carnivals, fairs, galas, public meetings, filming, concerts, sporting and other special events and associated temporary buildings and structures, where such activities or temporary buildings or structures shall not remain on the site for longer than a period of seven days in any calendar year

(d) Temporary military training activities undertaken for defence purposes (as defined in the Defence Act 1990).

tikanga Maori

means customary practices. It includes protocol and ceremony, values and beliefs.

transportation activity

means an activity involving the transport of goods, people or livestock to, from or on Tuhua by land, air or sea

tree

means any woody vegetation that has the potential to reach a girth, or aggregate girth, of no more than 5 stems of, or exceeding, 950mm at breast height (1.4m).

turangawaewae

means place of belonging or standing, homelands providing identity and mana for Maori.

urupa

means a graveyard or burial site. These can include both registered and unregistered burial sites or places where skeletal remains have been laid to rest (such as caves, hollow trees or sand dunes). Associated with death, they are tapu.

visitor accommodation

means land or buildings which are offered for temporary accommodation of persons and includes bed and breakfast establishments, backpackers' accommodation, homestay/ farmstay facilities, motels, hotels, tourist lodges, holiday flats, tourist cabins, motor inns and ancillary workrooms, reception areas and accessory buildings or ancillary activities on the site. This definition does not include activities defined in the Plan as dwelling unit or residential activity.

waahi tapu

means a place sacred to Maori in the traditional, spiritual, religious, historical, or mythological sense. Those places defined as "waahi tapu" vary from hapu to hapu, but typically include urupa and battlesites.

waahi tupuna

means ancestral sites of significance (but not necessarily tapu) to a particular whanau, hapu or iwi. These may include former village sites, pathways, or rohe indicators.

wairua

means of the spiritual world, often refers to the spirit, mood or soul (especially of a place or body of water).

wastewater

means all foul water emanating from a site, excluding stormwater run-off, but including effluent.

whanau

means the basic unit of Maori social structure. It typically comprises an extended family. Whanau may not necessarily live together or be in the same rohe, but nevertheless share mutual interests.

wharekai

means a dining hall or building associated with food and hospitality. Literal translation, “food house”.

wharenui

means “large house”, especially the meeting house on a marae.

- Appendix 1

Definitions

- Appendix 2

Planning Map