

Introduction - Parts 1 to 4

Part 1 [Deleted]

Part 2 Managing the District's Resources

2.1 to 2.7 [Deleted]

2.8 District Plan Content

2.8.1 Issues to Results

In accordance with section 75 of the Act the district plan identifies the different aspects of Franklin's environment, including resources and amenities, and states the significant resource management issues or concerns of the district. These may only be of significance in the short term, but usually they have longer term implications which are not readily appreciated. These issues are summarised in [Part 3](#).

The plan states objectives, outlining statements of a desired environmental outcome and policies, outlining how the Council will achieve those objectives as well as how adverse effects are to be dealt with. Where necessary the plan states the methods to be used to give effect to the policies.

The plan also states the environmental results which are to be anticipated from the objectives, policies and rules (or other methods) of the plan.

The plan explains further, or gives reasons for the objectives and policies chosen, and in some cases outlines the alternative methods available to give effect to them.

2.8.2 Management Areas

The district plan acknowledges that there are locations and areas where particular resources and activities predominate. In turn there are different types and levels of effects and environmental amenity.

Because different resources and different levels of amenity are found throughout the district, there is a need for different management techniques to be used. Where these techniques need to be confined to identifiable areas, the district plan defines zones, management areas, and special policy areas.

Rules and other methods are used to control those effects of activities that could adversely affect or damage the resources or amenity values of defined areas.

The following Zones are identified in the district plan:

Rural Areas:

- Rural
- Coastal
- Wetland Conservation
- Forest Conservation
- Village
- Village Business Zone

Urban Areas:

- Residential
- Residential 2
- Rural Residential
- Business
- Light Industrial
- Industrial 2
- Tuakau Industrial
- Tuakau Industrial Services

Special Zones:

- Aggregate Extraction and Processing
- Iron and Steel Production
- Mauro (Waikato North Head) Mining
- Recreation
- Timber Processing
- Queen's Redoubt Heritage Zone

Superimposed over the zones are Management Areas or Policy Areas, which are used to deal with specific issues, objectives, and policies pertinent to defined areas and which cross zoneboundaries:

Management Areas:

- Awhitu Rural
- Central Rural
- Hunua Rural
- Hunua Forestlands
- Southern Rural
- Waikato River
- Tasman Coastal

2.8.3 [Deleted]

2.8.4 District-Wide Matters

There are a number of resource management issues that are not confined to geographically determined management zones, for example Transportation and Conservation. Parts 4 to 15 of the district plan deal with these issues. They are to be read in conjunction with the zones and policy areas. Their rules are to be complied with in addition to those of the zones, and their objectives are partly achieved through the policies and methods stated in the various rural, urban and special management controls.

2.9 [Deleted]

2.10 Auckland Regional Growth and Land Transport and Land use Integration

2.10.1 Former Local Government (Auckland) Amendment Act 2004

The former Local Government (Auckland) Amendment Act 2004 directed all local authorities in the Auckland region to change their Resource Management Act planning documents to give effect to the Growth Concept in the former Auckland Regional Growth Strategy and to integrate the land transport and land use provisions, so that matters specified in Schedule 5 were contributed to in an integrated manner. Those matters were:

- (a) providing increased certainty in the assessment of resource consents, designations, and plan changes related to transport and urban form, and ensuring that transport and land use patterns are aligned to achieve sustainability, efficiency, and liveability in the Auckland Region; and
- (b) managing transport and transport infrastructure, facilitating a multimodal transport network, and facilitating integrated transport management; and
- (c) reducing adverse effects of transport on the environment (including improving air and water quality, reducing noise and stormwater, improving heritage protection and reducing community disruption and transport land use), and reducing the adverse effects and increasing the positive interactions of transport and land use; and
- (d) supporting compact sustainable urban form and sustainable urban land use character, and values of urban form and design); and
- (e) integrating transport and land use policies to reinforce metropolitan urban and rural objectives of the Auckland Regional Policy Statement, the development of a competitive and efficient economy and a high quality of life, underpinned by a quality environment and amenity.

This district plan therefore gave effect to section 40 of the former Local Government (Auckland) Amendment Act (2004) through the significant resource management issues and other provisions provided in 2.10.4 and 2.10.5. For the purposes of the former Local Government (Auckland) Amendment Act 2004, these provisions also applied to that part of Franklin within the Waikato Region.

2.10.2 Auckland Regional Policy Statement

As a result of the former Local Government (Auckland) Amendment Act 2004, Schedule 1 was introduced to Change 6 of the now operative Auckland Regional Policy Statement. Schedule 1, in conjunction with Appendix H of Change 6, signals that Pukekohe Town Centre should have minimum dwelling and employment densities, and that Pukekohe is a Future Urban Area with additional 'greenfields' growth.

2.10.3 Former Auckland Regional Growth Strategy

The former Auckland Regional Growth Strategy was adopted in 1999 "to ensure growth is accommodated in a way that meets the best interests of the inhabitants of the Auckland Region". That strategy was to manage growth by promoting quality, compact, contained urban environments. It directed most growth towards existing urban areas, and encouraged redevelopment of town centres along major passenger transport routes to promote higher residential densities and a mix of activities that are well integrated with transport facilities. New greenfield development was to be contained in identified growth areas in the north, south and west of the region. Growth in rural areas was to be accommodated within the limits of existing rural and coastal settlements, with any

expansion of these settlements occurring in a carefully controlled manner.

2.10.4 [Deleted]

2.10.5 The Growth Concept

Issue

Growth can occur in ways which result in natural and community environments which adversely affect the ability of individuals and communities to provide for their wellbeing.

Objective

Growth occurs in a manner which results in desirable communities, good accessibility and a high quality natural and physical environment.

Policy

Growth is managed in a way that gives effect to compact, contained and integrated communities. Key features of this policy for Franklin include:

Schedule A - Rural and Coastal Settlements Accommodating the Majority of Franklin's Growth

Main Town:

Pukekohe

Waiuku

Tuakau

Town:

Clarks Beach

Pokeno

Kingseat

Key Villages:

Patumahoe

Buckland

Methods of Implementation of Policies

Statutory and non-statutory methods including:

- District growth studies
- Design guidance
- Town/structure plans
- District plan changes
- Infrastructural asset and open space planning
- Council development activities
- Advocacy

2.10.6 Land Transport and Land use Integration

An efficient transport system is vital to the prosperity of the Auckland Region and to the well-being of Aucklanders. Transport and land use are closely interrelated. Transport systems can service growth and development and can also facilitate future development patterns.

The integration of land use and transport planning is vital. Enabling growth without sufficient provision for suitable transport, and planning transport networks which do not adequately service anticipated growth, both lead to a range of undesirable outcomes for communities.

The Auckland Regional Land Transport Strategy outlines the requirements for an affordable, integrated, safe, responsive and sustainable transport system able to cope with the demands of the growing numbers of people living and working in the region and supporting the land use patterns promoted by the former Auckland Regional Growth Strategy. The district plan's objectives, policies and methods are the means by which land uses are managed to ensure that they are supportive of the transport systems.

The Auckland Regional Growth Concept anticipates a shift in land use patterns towards a more compact urban form which focuses growth in more intensive mixed-use centres and where appropriate along corridors. More intensive development can support a greater range of local services and facilities, increase the opportunity for safe walking and cycling and help support passenger transport systems by bringing people closer to the main routes.

It is acknowledged that, where access cannot be met conveniently, efficiently, effectively or practically by public transport, nor by viable walking or cycling options, transport options will remain limited and people will continue to use private motor vehicles for many of their travel needs. However, a reliance on private motor vehicle transport can be reduced by encouraging urban forms that support other transport modes.

Business activities that are best suited to locate and develop in town centres, should be enabled to do so within those areas. Some commercial activities outside of identified town centres have the potential to create adverse effects of both local and strategic (or wider) significance. These include effects on the transport network, nearby living environments, economic effects on existing town centres (where such effects would be of a scale that they affect the function and amenity of such centres), and also in terms of reverse sensitivity effects where an agglomeration of retail activity in an industrial area places pressure on permitted industrial activities to reduce their level of effects.

There is a range of business activities, including a limited range of retail (particularly large format retail) activities which due to form, scale or customer base are ill-suited to locate in town centres. These include activities that require extensive land, have noxious emissions, contribute to reverse sensitivity problems and create adverse effects on the environment.

Issue

Failure to closely integrate land use and land transport initiatives can compromise the efficient and effective functioning of the transport network, including limiting the ease of movement for pedestrians, cyclists, motor vehicles and the viability of passenger transport systems.

Objective

To achieve integrated land transport and land use which supports quality, compact and contained towns and rural and coastal villages, and facilitates integrated transport management and a multi-modal transport network.

Policy

Develop and implement integrated land transport and land use provisions, consistent with Schedule 5 of the former Local Government (Auckland) Amendment Act (2004). Key features of this policy for Franklin include:

Methods of Implementation of Policies

Statutory and non-statutory methods including:

- District plan changes
- Transport planning, including planning for walking, cycling and passenger transport systems
- Southern Sector Transportation Study
- Advocacy.

Part 3 Principal Resource Management Issues

Issues

A key issue is how growth and demand for residential land, and in particular countryside living, is managed. This includes the adverse impacts of countryside living upon the rural and coastal environments and character and the need to reinforce and promote sustainable growth within the towns and villages.

There is a need to promote the sustainable management of the resources of the district. This includes the use of the rural land (including versatile land) and water resources, for farming, horticulture and other related activities.

The District Strategic Objectives are specified in Part 3D to address the key issues of growth management and environmental sustainability.

PART 3A MANAGING THE EFFECTS OF GROWTH

3A.1 Population Pressure upon the Rural Area

The issues are fully discussed under Parts:

- [16 Rural and Coastal Issues](#)
- 16.1 Introduction to Issues
- 16.2 Managing Growth in the Rural and Coastal Areas
- 16.3 Sustainability of Natural Resources

3A.2 [Deleted]

PART 3B [Deleted]

PART 3C [Deleted]

PART 3D DISTRICT STRATEGIC OBJECTIVES

The following District Wide Strategic Objectives are adopted to address the key issues of

- managing the effects of growth
- sustainably managing the natural and physical environment including enhancement

The District's Strategic Objectives

Sustainable Management of Natural and Physical Environment

1. To protect, restore and enhance the natural, physical and cultural resources of the district; while enabling the utilisation of such resources in an environmentally sustainable manner.
2. To provide for the sustainable use and management of highly valued land, including the life supporting capacity of soils, to ensure the productive potential, versatility and accessibility.

Growth Management

Towns and Villages

3. To provide for the majority of growth, within or as an extension to, existing and planned towns and villages in a structured manner that supports nodal growth;
4. To provide directed and managed residential opportunities associated with the villages in a manner that reduces pressure to develop rural land and supports existing and planned villages;
5. Towns and villages should generally be managed in a flexible way to provide for a wide range of activities.

Rural and Coastal

6. To provide limited, directed, integrated and managed countryside living opportunities predominantly through:
 - a dedicated rural countryside living zone in the vicinity of Runciman which has a rural character and significant environmental benefits;
 - an environmental enhancement overlay area in the rural and coastal zones where there are significant environmental benefits and adverse effects on rural character and amenity are avoided, remedied or mitigated.
7. To manage conflicts between activities in rural and coastal areas in order to avoid, remedy or mitigate adverse effects between activities and facilitate the establishment and continuance of activities dependent on rural resources.

Part 4 Partnership with Tangata Whenua

The District Council has legal obligations with respect to tangata whenua when managing the natural and physical resources of the district. These obligations are set out in the Resource Management Act 1991 as follows:

- recognise and provide as a matter of national importance the relationship of Maaori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. Section 6 (e)
- have particular regard to Kaitiakitanga. Section 7 (a)
- take into account the principles of the Treaty of Waitangi. Section 8
- have regard to any relevant planning document recognised by an Iwi authority. Section 74 (2) (b) (ii).
- the requirement to consult tangata whenua during the preparation of a proposed plan, including any proposed plan changes Schedule 1 cl.(3)

The district council is also required under the Local Government Act 2002 to take into account the relationships of Maaori, which includes tangata whenua, and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna and other taonga where a significant decision is being made in relation to those resources.

The tangata whenua of Franklin trace their ancestry back to the Tainui canoe that came to rest at Kawhia. Marriage and wars through the centuries gave different tribes influence over what is now

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called Franklin. At the time the Treaty of Waitangi was signed in 1840 three tribes dominated - Ngaati Te Ata, Ngaati Tamaoho and Ngaati Pou. No definite boundaries between the tribes existed but Ngaati Te Ata were situated roughly in the Waiuku area while Ngaati Tamaoho claimed the Patumahoe - Drury area. Ngaati Tipa occupied the south bank of the Waikato and Ngaati Pou were living at Tuakau, Pokeno and Maketu. On the Thames coast were Ngaati Paoa.

During the 1860's Franklin was in the front line of the land wars as Imperial troops battled into the Waikato to seize Maaori land. Large tracts of the land in Franklin were confiscated by the Crown during these wars. This has been at the root of much of the grievances expressed by tangata whenua. The Tainui settlement with the Crown regarding land claims resolved some of these grievances.

Franklin District Council set in place a project to review the current and future structures and processes through which their relationship with Maaori was to be managed and options for giving effect to the Resource Management Act 1991 provisions. This review was to pursue the issues to be addressed and/or set up structures for building relationships, appropriate ways to work together, and consider a range of matters to be dealt with, such as ways to communicate clearly on roles, objectives and powers.

In terms of broader concerns of tangata whenua the district plan addresses the following issues:

- Tinorangatiratanga (or 'self management')

In the wider sense this is more appropriately an issue for Central Government. However the district plan addresses matters such as Papakainga housing. In recognising the right of "self-management" the district plan provides for papakainga housing in rural and coastal areas subject to the relevant performance standards and assessment criteria and health and building requirements.

- Kaitiaki (or 'stewardship')

The term kaitiakitanga is defined in the Resource Management Act 1991 as: *the exercise of guardianship; and, in relation to a resource, includes the ethic of stewardship based on the nature of the resource itself.*

The sustainable management of Franklin's natural and physical resources is an issue of common concern to the Treaty partners. The Council acknowledges its responsibility to co-operate with tangata whenua in this matter, and aims to ensure that this plan's objectives, policies and assessment criteria (not just those listed in this section) reflect tangata whenua perspectives on sustainable management.

4.1 OBJECTIVE, POLICIES AND METHODS

4.1.1 OBJECTIVE - TRADITIONAL RELATIONSHIP

To protect the relationship of Maaori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.

Policies:

1. Avoid, remedy or mitigate adverse effects on tangata whenua's ancestral lands, water, sites,

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waahi tapu, and other taonga and their relationships with these.

2. Assess the effects on tangata whenua in a way that respects Maaori customary values and practices.
3. Consult tangata whenua where activities have the potential to adversely affect ancestral lands, water, sites, waahi tapu, and other taonga.

Methods:

- Involvement of tangata whenua in vetting resource consent applications.
- Assessment of resource consent applications.
- The protection of sensitive information as it relates to tangata whenua and only using this information in a way that is acceptable to tangata whenua.
- Identification of sites of importance to tangata whenua subject to the above.

Reasons and Explanation:

The Council has certain obligations in terms of the Resource Management Act in managing the district's resources to ensure that tangata whenua's rights are recognised and provided for.

4.1.2 OBJECTIVE CULTURAL HERITAGE

To protect, restore and enhance the natural and cultural heritage resources of the district.