

# Appendix 1 – Officer’s Recommended Amendments to Moturoa Island Chapter

Note the below provisions represent the Section 42A Report Writing Officer’s recommended amendments to the provisions of the Proposed District Plan, in response to submissions (with underline used for new text and ~~strikethrough~~ for deleted text).

This zone chapter does not contain rules relating to setback to waterbodies and MHWS for building and structures or setbacks to waterbodies and MHWS for earthworks and indigenous vegetation clearance. The Natural Character chapter contains rules for activities within wetland, lake and river margins and the Coastal Environment chapter contains rules for activities in the coastal environment. The Natural Character chapter and Coastal Environment chapter should be referred to in addition to this zone chapter.

## Overview

Moturoa Island is approximately 147 hectares in area and is managed as a company with multiple shareholders who obtain their shares through ownership. The Island was gazetted in the 1960’s as Wildlife Refuge under the Wildlife Act 1953. Extensive restoration works have been carried out across the island by the owners that have further enhanced the ecological and natural values including pest and weed control, habitat enhancement and the re-introduction of threatened native birds.

Development is directed to the western portion of the Island and consolidated within the areas identified in the Moturoa Island Development Plan which specifies building areas. Outside of the specified building areas, preservation and enhancement of the natural and ecological values is enabled. This specifically includes the grazing of sheep and goats in appropriate areas which provide an important ecological service in terms of controlling the growth of weed species. Built development is also provided for in this area but only where the purpose is to support the specified farming activities and limited in scale.

A conservation covenant, prepared under section 77 of the Reserves Act 1977 exists between Moturoa Island Limited and Council. These areas are generally captured as Natural Environment Values, and many meet the criteria for significant natural areas. The areas considered to be significant natural areas spatially align with those shown on the Moturoa Island Development Plan as ‘Conservation/Wildlife areas’. Activities in these areas, including grazing of stock, are managed through the conditions of the covenant, as well as the District Plan.

The bulk, scale and design of development across the island needs to be carefully managed so as to protect the natural values of the Island this is managed through the Coastal Environment and Natural Environment Values Overlays that apply to the Island.

The commitment by the owners of the island to only undertake development in accordance with the Council approved Moturoa Island Development Plan and to actively support the restoration and enhancement of the conservation and wildlife values has negated Council’s requirement or consideration of esplanade reserves or esplanade strips. This includes the understanding that subdivision will not be undertaken on Moturoa Island.

Objectives	
MIZ-O1	Land use on Moturoa Island is of a scale and type that compliments and is consistent with the values of the island.
MIZ-O2	The natural characteristics and qualities of Moturoa Island are preserved and protected for current and future generations to enjoy and appreciate.
MIZ-O3	The ecological qualities of Moturoa Island are protected and enhanced.

Policies	
MIZ-P1	Enable the development of no more than 24 residential units in addition to the existing farmhouse and beach cottage, where it is of appropriate scale and in the building sites defined on the on the Council approved Moturoa Island Development Plan.
MIZ-P2	Provide for additions and external alterations to residential units, accessory buildings and facilities for the storage of pleasure craft where any significant adverse effects are avoided and any other adverse effects can be avoided, remedied or mitigated.

<b>MIZ-P3</b>	Avoid development that is not in accordance with the Council approved Moturoa Island Development Plan or diminishes the characteristics and qualities of the following: a. significant natural area; b. outstanding natural landscape; c. coastal environment; and d. natural character.
<b>MIZ-P4</b>	Protect the ecological values of the island by enabling grazing activities on Moturoa Island outside of significant natural areas identified on the Council approved Moturoa Island Development Plan as conservation/wildlife areas.
<b>MIZ-P5</b>	Encourage the enhancement of ecological and natural values by enabling ongoing conservation activities on Moturoa Island.
<b>MIZ-P6</b>	Provide for built development outside of the development areas identified on the Council approved Moturoa Island Development Plan only where it is to support continued farming or conservation activities.
<b>MIZ-P7</b>	Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application: a. compliance with the Council approved Moturoa Island Development Plan; b. the natural character of the coastal environment; c. the presence or absence of structures, buildings or infrastructure; d. the location, scale and design of any proposed development; e. the temporary or permanent nature of any adverse effects; f. the need for and location of earthworks or vegetation clearance; g. effects from natural hazards; h. satisfactory disposal of wastewater and stormwater; i. effects on ecological values; and j. the provision for a potable and firefighting water supply.

**Rules**

**Notes:**

1. There may be other rules in Part 2- District-Wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter, including the Transport, Hazardous Substances, Noise, Light and Signage chapters. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. This zone chapter does not contain rules relating to setback to waterbodies for building and structures or setbacks to waterbodies for earthworks and indigenous vegetation clearance. The Natural Character contains rules for activities within wetland, lake and river margins. The Natural Character chapter should be referred to in addition to this zone chapter.

<b>MIZ-R1</b>	New buildings or structures, <u>relocated buildings</u> <sup>1</sup> , and extensions or alterations to existing buildings or structures
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<sup>1</sup> Submission S482.018

<p><b>Moturoa Island zone</b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The building or structure, <u>relocated building</u><sup>1</sup> or extensions or alteration to an existing building or structure is located within the building areas identified in the Council approved Moturoa Island Development Plan.</p> <p><b>PER-2</b> The building or structure, <u>relocated building</u><sup>1</sup> or extension or alteration to an existing building or structure is located outside of the building area identified on the Council approved Moturoa Island Development Plan and is associated with a conservation activity or farming activity permitted by MIZ-R3 and MIZ R-4.</p> <p><b>PER-3</b> The building or structure, <u>relocated building</u><sup>1</sup> or extension or alteration to an existing building or structure complies with CE-R1 New buildings or structures, and extensions or alterations to existing buildings or structures, and standards: MIZ-S1 Setbacks; and MIZ-S2 Stormwater and effluent disposal.</p>	<p><b>Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Non-complying</b></p>
<p><b>MIZ-R2 Residential activity</b></p>		
<p><b>Moturoa Island zone</b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The residential activity is located within the building areas identified on the Council approved Moturoa Island Development Plan.</p> <p><b>PER-2</b> The number of residential units on Moturoa Island does</p>	<p><b>Activity status where compliance not achieved with PER-1 or PER-2: Non-complying</b></p>

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<sup>1</sup> Submission S482.018

	not exceed 24, in addition to the existing farmhouse and beach cottage.	
<b>MIZ-R3</b>	<b>Farming</b>	
<b>Moturoa Island zone</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> Farming is limited to the grazing of sheep and goats.</p> <p><b>PER-2</b> Farming The grazing of sheep and goats<sup>2</sup> is outside of any significant natural area identified on the Moturoa Island Development Plan as Conservation/wildlife areas.</p>	<b>Activity status where compliance not achieved with PER-1 or PER-2: Non-complying</b>
<b>MIZ-R4</b>	<b>Conservation activity</b>	
<b>Moturoa Island zone</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> Conservation activities are limited to the following: 1. planting; 2. pest and weed control; and 3. introduction of native fauna.</p>	<b>Activity status where compliance not achieved with PER-1: Non-complying</b>
<b>MIZ-R5</b>	<b>Activities otherwise not listed in this chapter</b>	
<b>Moturoa Island zone</b>	<b>Activity status: Non-complying</b>	<b>Activity status where compliance not achieved: Not applicable</b>

<b>Standards</b>		
<b>MIZ-S1</b>	<b>Setbacks</b>	
<b>Moturoa Island zone</b>	The building or structure, or extension or additions to an existing building or structure must be set back at least 26m from MHWS.	<del>Where the standard is not met, matters of discretion are restricted to: Not applicable</del>
<b>MIZ-S2</b>	<b>Stormwater and effluent disposal</b>	
<b>Moturoa Island zone</b>	Each residential unit must have an exclusive area of at least 3,000m <sup>2</sup> available for disposing of and treating stormwater and effluent.	<b>Where the standard is not met, matters of discretion are restricted to: Not applicable</b>

<sup>2</sup> Submission S368.033