

SECTION 32 REPORT

Special Purpose: Moturoa Island Zone

May 2022

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1 Executive Summary

Moturoa Island is located in the Bay of Islands, separated from the Kerikeri Inlet headland by approximately 400m. The Island is around 147ha and managed as a company with multiple shareholders who obtain their shares through ownership. The Island has been gazetted as Wildlife Reserve subject to the Wildlife Act 1953 and is subject (in parts) to a conservation covenant.

The purpose of the Moturoa Island zone (**MIZ**) chapter is to provide for the development of MIZ in accordance with the Moturoa Island Development Plan which specifies building areas, and in a way that does not adversely affect the high ecological, landscape and coastal environment values the Island presents. Due to the presence of these values, a number of Significant Resource Management Issues are of relevance, these are discussed in section 4.4.

The MIZ has essentially been rolled over from the Operative District plan (**ODP**) with consequential amendments made to enable alignment with the structure of the Proposed Far North District Plan (**PDP**), much of which has been directed by the National Planning Standards (**Planning Standards**) which introduced a prescribed structure of district plan documents to improve consistency across the country.

Changes have also been made within the PDP to ensure alignment with the Regional Policy Statement for Northland (**RPS**) this includes the following overlays which apply to the Island:

- Significant Natural Areas (**SNA**);
- Outstanding Natural Landscape;
- Natural Character; and
- Coastal Environment Overlay.

The corresponding chapters introduce additional restrictions, in particular controls for earthworks on the Island, and further restrictions on built development within these mapped areas. These changes are part of the consolidated review of the ODP which addresses the requirements of the Planning Standards and makes a move from an effects-based rule set to activities-based, adopting a hybrid approach. A number of the proposed changes have been made to facilitate this giving more certainty on the types of activities that can be established in different zones and overlays.

2 Introduction and Purpose

2.1 Purpose of report

This report provides an evaluation undertaken by the Far North District Council (**Council**) in preparation of district plan provisions for the MIZ in the PDP. This assessment is required under section 32 of the Resource Management Act 1991 (**RMA**).

Section 32 of the RMA requires Council's to examine whether the proposed objectives are the most appropriate to achieve the purpose of the RMA and whether the provisions (i.e. policies, rules and standards) are the most appropriate way to achieve the objectives. This assessment must identify and assess environmental, economic, social, and cultural effects, benefits and costs anticipated from the implementation of the provisions. Section 32 evaluations represent an on-going process in RMA plan development and a further evaluation under section 32AA of the RMA is expected throughout the review process in response to submissions received following notification of the PDP.

The majority of the Special Purpose Zones have been derived primarily from Chapter 18 and Appendix 6 of Council's ODP which are dedicated to 'Special Areas'.

Special Areas are locations where detailed site assessment and development have been completed by way of a resource consent, development plan, structure plan or master plan to result in outcomes for the area, managed by way of area specific objectives, policies and methods. Each Special Area is unique, with individual circumstances, site constraints, surrounding environment, resource management issues and development potential.

This report sets out the issues for the MIZ, provides an overview of the statutory and policy context, and any specific consultation. The report also includes a review of the ODP and evaluation of alternatives to determine the most appropriate way(s) to achieve the purpose of the RMA in relation to the MIZ.

2.2 Overview of topic

Moturoa Island located in the Bay of Islands, separated from the Kerikeri Inlet headland by approximately 400m. The Island is approximately 147ha in area and managed as a company with multiple shareholders who obtain their shares through ownership. The whole of the Island has been gazetted as Wildlife Reserve subject to the Wildlife Act 1953.

A conservation covenant (COV-7037-0) dated 2015 between Moturoa Island Limited and the Council, prepared under section 77 of the Reserves Act 1977 applies to parts of the Island (see **Figure 6** below) protecting the areas of regenerating coastal forest. The covenant specifies a duration of 10 years, due for renewal in 2025. Most of these areas have been mapped as part of the PDP and are included within the Natural environment values overlays and the General district-wide matters overlays as indicated in **Figures 2 – 6** below, ensuring their ongoing protection

Weed and pest control, and eradication is undertaken by the owners, a number of threatened avifauna species have been re-introduced to the Island including North Island brown kiwi, Banded rail and Whiteheads. These activities as well as the ongoing revegetation projects (including the creation of wetlands) have been acknowledged to have added 'dramatically to the ecological value of Moturoa'.¹

It is understood that sheep grazing occurs on the island outside of the areas within the conservation covenant (where it is prohibited by the covenant) and additional forested and revegetated parts of the Island. The grazing is acknowledged as being an important part of preventing the return of noxious weeds.

Under the ODP, Moturoa Island is zoned 'Special Area - Moturoa Island Zone' which generally seeks to provide for appropriate development on the western end of the Island in alignment with the

¹ Inspection of Natural Areas of Moturoa Island, Kerikeri prepared by Dr Greg Blunden dated 25th November 2014.

Moturoa Development Plan (**the Development Plan**) created by the owners of the Island which identifies specified building areas and conservation/wildlife areas to be protected; the conservation covenant referenced above applies to the conservation/wildlife areas as well as some additional parts of the island areas (see **Figure 1**). This combined with the provisions in the ODP MIZ restricted the number of residential units, as well as bulk and scale controls direct a level of consolidated development that was deemed appropriate at the time.

The ODP otherwise seeks to protect and enable the maintenance and enhancement of the natural and ecological values outside of the specified development areas. In the context of the ODP provisions, this is largely achieved by making residential development outside of the specified building envelopes a non-complying activity, and only providing for farm buildings of restricted scale outside of the specified building areas.

Under the ODP the Part 3 – District Wide Provisions, do not apply to the MIZ, of particular relevance is that this means there is no framework for subdivision, earthworks or indigenous vegetation clearance.

The PDP MIZ has essentially been rolled over from the ODP with consequential amendments made to enable alignment with the structure of the PDP, much of which has been directed by the Planning Standards which introduced a prescribed structure of district plan documents to improve consistency across the country.

The changes have removed some consent triggers, but generally replaced these with standards to manage the same effects. ~~Overall~~Overall, the level of development provided for is generally consistent with what could have been achieved via the ODP approach. While this is at a greater density than what might otherwise be provided for in a Coastal Environment, this is consistent with the historic arrangement and is considered to be offset by the contribution to enhancement and protection of the ecological values undertaken by the residents. This is predominantly achieved through protection of areas by way of the conservation covenant (and now through the PDP overlays), but also through the ongoing restoration, and pest and weed control that is undertaken.

Changes have also been made to ensure alignment with the RPS which includes, the application of district wide rules regarding the protection of SNA, which are indicatively shown in **Figure 2** and, as highlighted earlier, Natural environment values overlays and the General district-wide matters overlays as listed below and indicated in **Figures 3-5** below:

- Outstanding Natural Landscape;
- Natural Character; and
- Coastal Environment Overlay.

Of particular note is that the application of the above introduce earthworks and indigenous vegetation clearance thresholds. These changes are part of the consolidated review of the ODP which addresses the requirements of the Planning Standards as well as makes a move from a simple effects-based rule set to activities-based, adopting a hybrid approach. A number of the proposed changes have been made to facilitate this giving more certainty on the types of activities that can be established in different zones and overlays.

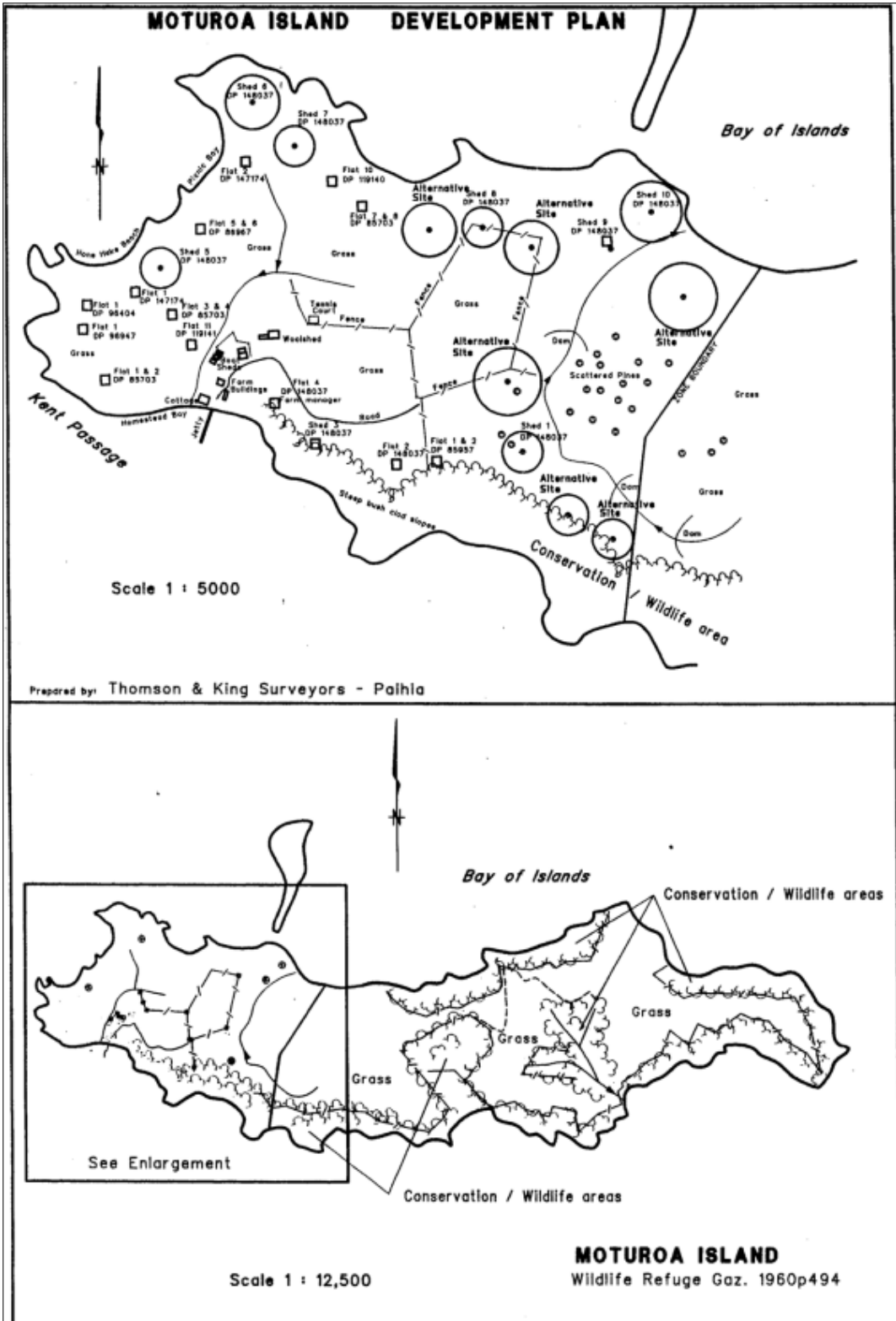


Figure 1: Moturoa Island Development Plan. Source Appendix 6A ODP.

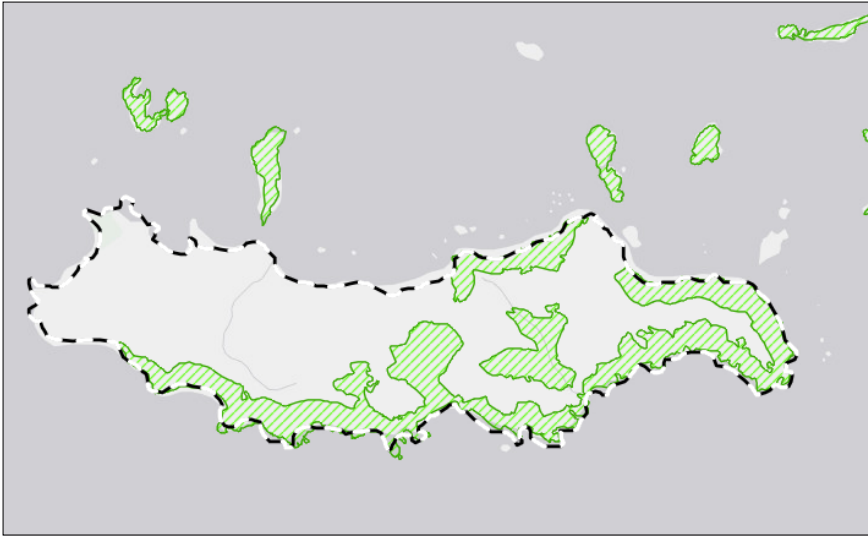


Figure 2: Indicative significant natural areas FN283 Moturoa Island Group which align with the Conservation/Wildlife areas depicted in **Figure 1** above (Source Draft District Plan)

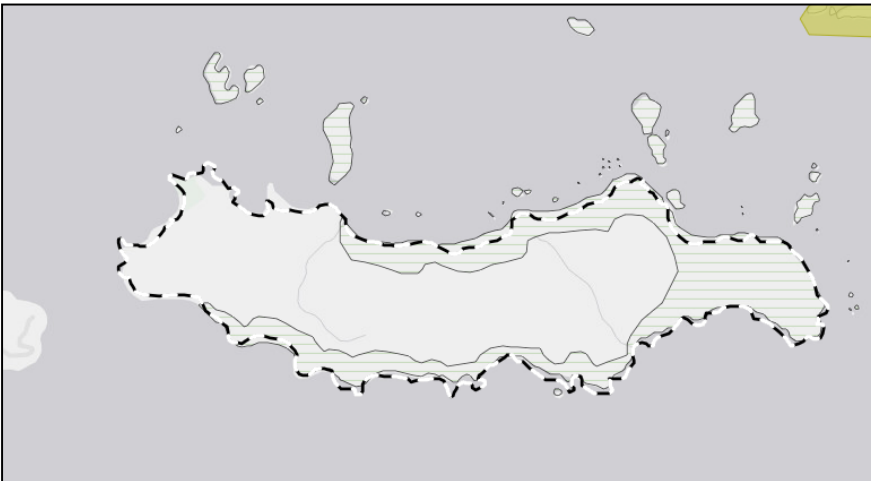


Figure 3: Outstanding Natural Landscape: Eastern Moturoa (Source Draft District Plan)

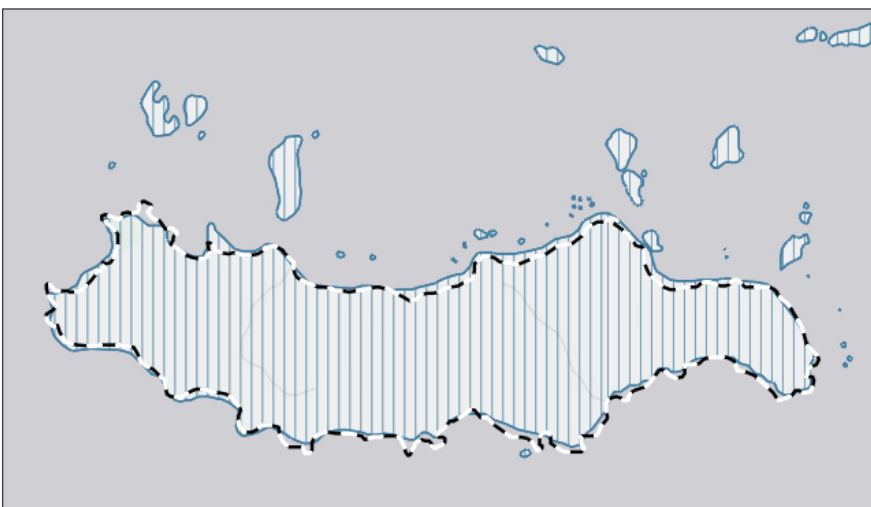


Figure 4: Coastal Environment Overlay (Source Draft District Plan)

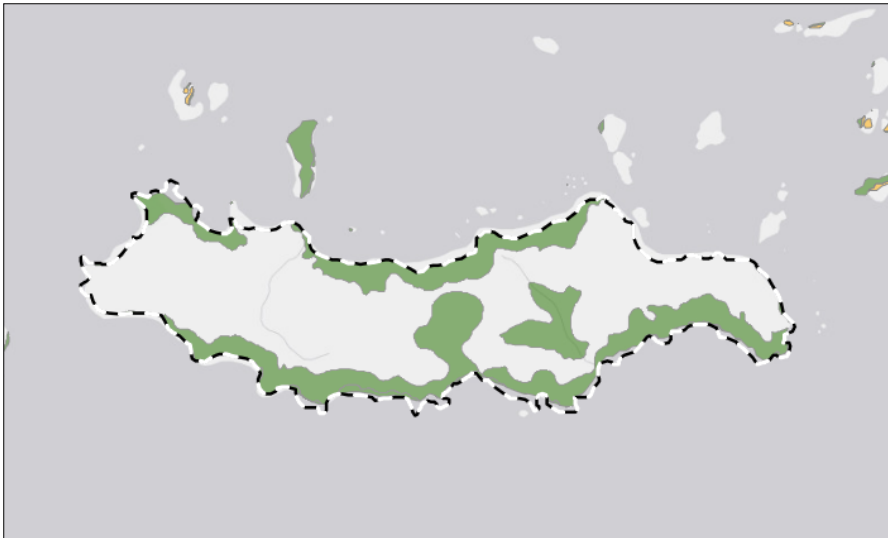


Figure 5: Natural Character 00/11 Outer Bay of Islands (Source Draft District Plan)

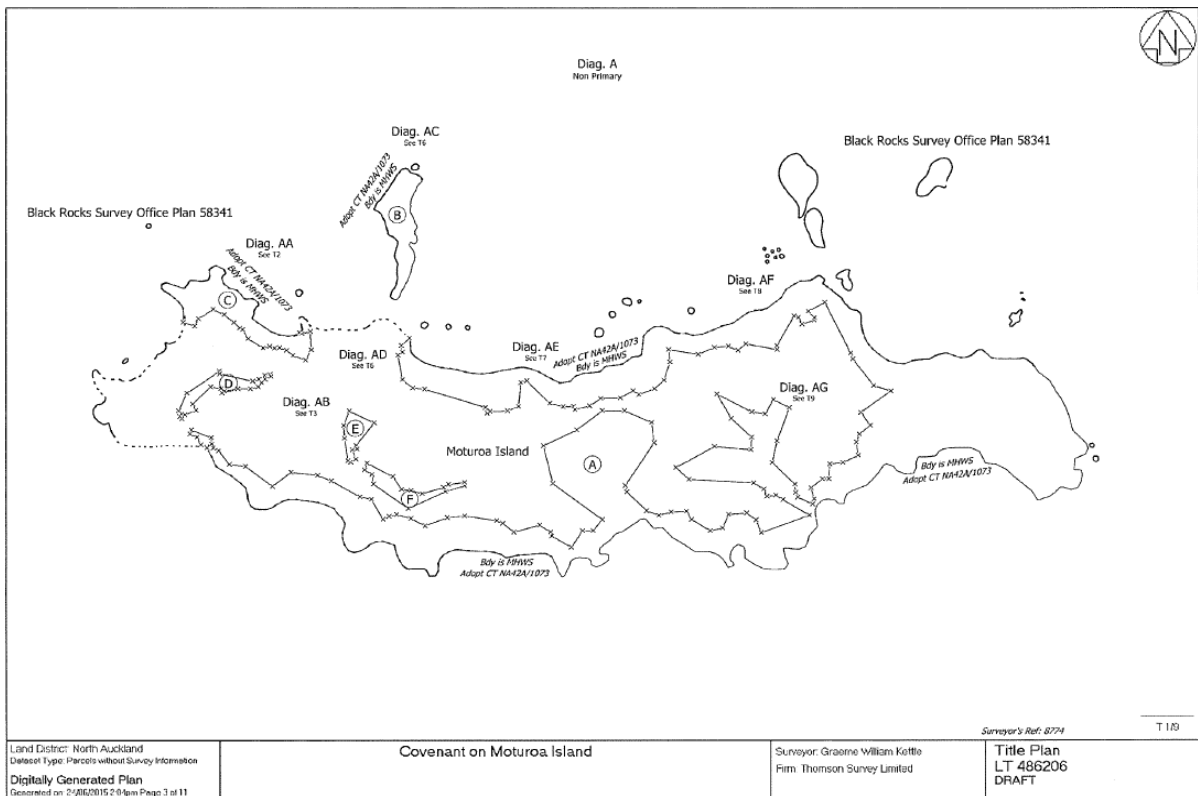


Figure 6: Areas covered by conservation covenant. Source: COV-7037-0.

3 Statutory and Policy Context

3.1 Resource Management Act 1991

The **Section 32 Overview Report for the PDP** provides a summary of the relevant statutory requirements in the RMA relevant to the PDP. This section provides a summary of the matters in Part 2 of the RMA (purpose and principles) of direct relevance to this topic.

Section 74(1) of the RMA states that district plans must be prepared in accordance with the provisions of Part 2. The purpose of the RMA is the sustainable management of natural and physical resources which is defined in section 5(2) of the RMA as:

“...sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety while –

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

To achieve the purpose of the RMA, all those exercising functions and powers under the RMA are required to:

- Recognise and provide for the matters of national importance identified in section 6
- Have particular regard to a range of other matters in section 7
- Take into account the principles of the Treaty of Waitangi in section 8 of the RMA.

The following section 6 matters are directly relevant to the MIZ:

- (a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development.
- (b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.
- (c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.

Section 6(a) is of primary relevance as Moturoa Island is located entirely within the Coastal Environment. 6(b) and 6(c) are also of relevance given parts of the Island are mapped as Outstanding Landscape and deemed to contain SNA.

The following section 7 matters are directly relevant to the MIZ:

- (b) The efficient use and development of natural and physical resources:
- (c) The maintenance and enhancement of amenity values:
- (d) Intrinsic values of ecosystems:
- (f) Maintenance and enhancement of the quality of the environment:
- (i) The effects of climate change:

Particular regard has been given to the above matters due to the natural and amenity values associated with Moturoa Island, and its location within the Coastal Environment.

Section 8 of the RMA requires that all persons exercising functions and powers under it take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), which have been considered in the preparation of provisions for the MIZ.

3.2 Higher order planning instruments

Section 75(3) of the RMA requires district plans to give effect to higher order planning instruments – National Policy Statement (**NPS**), the New Zealand Coastal Policy Statement (**NZCPS**), National Planning Standards (**Planning Standards**), and the relevant Regional Policy Statement (**RPS**). The **Section 32 Overview Report** provides a more detailed summary of the relevant RMA higher order planning instruments relevant to the PDP. The sections below provide an overview of provisions in higher order planning instruments directly relevant to the MIZ.

3.2.1 National Planning Standards

Section 75(3)(ba) of the RMA requires that district plans give effect to the Planning Standards. The Planning Standards were gazetted in April 2019 and the purpose is to assist in achieving the purpose of the RMA and improve consistency in the structure, format and content of RMA plans. The following standards and directions in the Planning Standards are of direct relevance to the MIZ.

In accordance with Mandatory Direction 8.3, an additional special purpose zone must only be created when the proposed land use activities or anticipated outcomes of the additional zone meet all of the following criteria:

- a. are significant to the district, region or country
- b. are impractical to be managed through another zone
- c. are impractical to be managed through a combination of spatial layers.

The MIZ has generally been carried over from the ODP, and seeks to protect the landscape and biodiversity values associated with the island and surrounding coastal environment; this anticipated outcome is considered to be of significance to the district given the contribution it provides in terms of tourism and ecological value. The multiple ownership framework results in an increased potential for development to that of other privately owned islands within the Bay of Islands. This and the landscape and amenity values afford a more restrictive framework of management than would otherwise be provided through any of the other zones within the PDP.

3.2.2 National Policy Statements

Section 75(3)(a) of the RMA requires that district plans give effect to any ~~National Policy Statement~~ **NPS**, and the New Zealand Coastal Policy Statement (**NZCPS**) must be given effect to under section 75(3)(b). The NZCPS is of particular relevance to the MIZ. The purpose of the NZCPS is to state policies regarding the management of natural and physical resources in the coastal environment, to achieve the purpose of the RMA in relation to the coastal environment of New Zealand. Local authorities are required by the RMA to give effect to the NZCPS through their plans and policy statements. The NZCPS emphasises 'appropriate' use of the coastal environment, MIZ is entirely located within the coastal environment.

With respect to the NZCPS, the following key provisions will be given effect to in the MIZ:

NZCPS	
Policy 6	Activities in the coastal environment
Policy 11	Indigenous biological diversity (biodiversity)
Policy 13	Preservation of natural character
Policy 14	Restoration of natural character
Policy 15	Natural features and natural landscapes

The above referenced policies have been considered of particular relevance and focus on management of the coastal environment from inappropriate subdivision, use and development with specific direction to ensure appropriate setbacks and encourage the consolidation of development. They also provide specific direction for the protection preservation and restoration of natural character and indigenous biodiversity which is of relevance to Moturoa Island given that areas are understood to contain SNA and natural character.

The MIZ 'gives effect' to the direction required by these policies through the implementation of district wide overlays that relate to the natural values and provide the direction for appropriate management of these values. Additional standards will apply to the MIZ (the Coastal Environment provisions) to

ensure that development is appropriate in this setting, and restoration and enhancement of existing natural values enabled.

The National Policy Statement for Freshwater Management 2020 (**NPS-FM**) is also of relevance as the Island contains wetland areas. The NPS-FM seeks to ensure that natural and physical resources are managed in a way that prioritises:

- (a) first, the health and well-being of water bodies and freshwater ecosystems
- (b) second, the health needs of people (such as drinking water)
- (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

NRC has majority of the obligations under the NPS-FM, while the National Environmental Standard for Freshwater implements the NPS-FM. The Northland Regional Council has not yet amended the RPS to give effect to the NPS-FM.

The provisions of the MIZ, including setbacks and ensuring adequate area available for onsite disposal, will give effect to the NPS-FM.

3.2.3 National Environmental Standards

Under section 74(1)(f) of the RMA, a district plan must be prepared in accordance with any regulations, which includes NES. Section 44A of the RMA requires local authorities to recognise NES by ensuring plan rules do not conflict with or duplicate provisions in a NES.

The National Environmental Standards for Freshwater (NES-FW) is of direct relevance to the MIZ due to the presence of wetlands, as highlighted above the NEW-FW implements the NPS-FM and includes standards for activities that relate to freshwater, including specific standards for restoration and earthworks within proximity to wetlands. The NES-FW will be applicable at the time of any future development on Moturoa Island.

3.2.4 Regional Policy Statement for Northland

Section 75(3)(c) of the RMA requires district plans to ‘give effect’ to any regional policy statement. The RPS was made operative on 14 June 2018. The table below outlines the provisions in the RPS that are directly relevant to the MIZ.

RPS	
Objective 3.4	Indigenous ecosystems and biodiversity
Objective 3.11	Regional form
Objective 3.13	Natural hazard risk
Objective 3.14	Natural character, outstanding natural features, outstanding natural landscapes and historic heritage
Objective 3.15	Active Management
Policy 4.5.1	Identification of the coastal environment, outstanding natural features and outstanding natural landscapes and high and outstanding natural character
Policy 4.5.2	Application of the Regional Policy Statement – Maps
Policy 4.6.1	Managing effects on the characteristics and qualities natural character, natural features and landscapes
Policy 4.7.1	Promote active management

Policy 4.7.2	Support landowner and community efforts
Policy 5.1.1	Planned and coordinated development
Policy 5.1.2	Development in the coastal environment
Policy 7.1.1	General risk management approach

The RPS covers the management of natural and physical resources across the Northland Region. The provisions within the RPS give guidance at a higher planning level in terms of the significant regional issues.

In summary, the PDP approach gives effect to the relevant objectives and policies of the RPS through the following management measures:

- District wide overlays that direct the approach to management of Natural Environment Values and activities within the Coastal Environment.
- Provisions included in the MIZ to specifically permit conservation activities.
- Limited number of residential units provided for within the specified building envelopes to ensure that development is consolidated.
- Control on amenity, scale and setback of built development.
- Development outside of the building envelopes is restricted to that which has a functional need to be there (farming buildings) and restricted scale.
- Direction to consider effects from natural hazards when assessing any proposal for land use.

3.3 Regional Plan for Northland

Section 75(4)(b) of the RMA states that any district plan must not be inconsistent with a regional plan for any matter stated in section 30(1) of the RMA. Section 74(2)(a) of the RMA states that when preparing or changing a district plan, a territorial authority shall have regard to any proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4 of the RMA. The operative Northland Regional Plans and proposed Northland Regional Plan are summarised in the **Section 32 Overview Report**. The table below provides an overview of regional plan provisions directly relevant to the MIZ.

Proposed Regional Plan	
Objective F.1.2	Water quality
Objective F.1.3	Indigenous ecosystems and biodiversity
Objective F.1.5	Enabling economic well-being
Objective F.1.10	Natural hazard risk
Objective F.1.12	Natural character, outstanding natural features, historic heritage and places of significance to tangata whenua
Policy D.2.1	Rules for managing natural and physical resources
Policy D.2.17	Managing adverse effects on natural character, outstanding natural landscapes and outstanding natural features
Policy D.2.18	Managing adverse effects on indigenous biodiversity
Policy D.2.20	Precautionary approach to managing effects on significant indigenous biodiversity
Policy D.4.1	Maintaining overall water quality

The Proposed Regional Plan combines the operative Regional Plans (coastal, air quality, water and soil) into one plan. The provisions of the Proposed Regional Plan relating to coastal water quality, land disturbance, stormwater discharges, vegetation clearance, water quality and quantity will be relevant for any proposed development. The relevant objectives and policies have been taken into consideration in the drafting of the MIZ Chapter.

3.4 Iwi and Hapū Environmental Management Plans

When preparing and changing district plans, Section 74(2A) of the RMA requires Council to take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district. At present there are 14 iwi planning documents accepted by Council which are set out and summarised in the **Section 32 Overview Report**.

The key issues in these plans that have been taken into account in the preparation of the provision for are as follows:

- Protecting of wāhi tapu and sites of significance or wāhi tapu; and
- Protecting the mauri of coastal waters.

The MIZ does not contain identified wāhi tapu or sites of historical and cultural ~~significance,~~ ~~but significance but~~ has a number of recorded archaeological sites suggesting historic settlement within the area. The policy framework within the Coastal Environment Overlay, which applies to the whole Island, includes the consideration of any historical, spiritual or cultural association held by tangata whenua.

Earthworks will be restricted by the Coastal Environment Overlay and the Earthworks Chapter, compliance with the Accidental Discovery Protocol is a performance standard for compliance as is sediment and silt control. Protecting the mauri of water in terms of wastewater disposal is largely addressed by the regional plan provisions, however the criteria for residential development also includes the provision of 3,000m² for each dwelling to ensure appropriate disposal areas.

3.5 Other Legislation and Policy Documents

When preparing or changing a district plan, section 74(2)(b)(i) of the RMA requires council to have regard to management plans and strategies prepared under other Acts to the extent that it has a bearing on resource management issues of the district. The **Section 32 Overview Report** provides a more detailed overview of strategies and plans prepared under legislation that are relevant to PDP.

There are no other strategies or plans that are directly relevant to the MIZ.

4 Current State and Resource Management Issues

This section provides an overview of the relevant context for the current approach to manage Moturoa Island through the ODP, and key issues raised through consultation. It concludes with a summary of the key resource management issues for the MIZ to be addressed through the PDP.

4.1 Context

- Moturoa Island contains areas of high ecological values, natural landscape values and is located in the Coastal Environment; the RPS and NZCPS give clear direction as to how these values should be managed.
- The whole of the island is gazetted as a Wildlife Refuge under the Wildlife Act, parts of the Island are subject to a conservation covenant which restricts what activities can be undertaken within the covenant; these areas align with the mapped Outstanding Natural Landscape Layer in the PDP.

- The Island is managed by a company with multiple shareholders who obtain their shares through ownership, the Moturoa Island Development Plan was created by the residents of the Island and indicates what is considered to be an appropriate level of residential development.
- Farming and conservation activities are the only activities anticipated outside of the identified development area.
- There are two remaining un-developed building areas.
- The Moturoa Island Development Plan identifies five Conservation/Wildlife Areas; most of these areas have been mapped as part of the PDP and are included within the Natural environment values overlays and the General district-wide matters.

4.2 Operative District Plan Approach

4.2.1 Summary of current management approach

The MIZ is contained within Chapter 18 Special Areas of the ODP and was established as part of the 1996 district plan review process; it is anecdotally understood that the inclusion was at the request of the owners. The provisions of this ODP chapter generally seeks to provide for appropriate development on the western end of the Island in alignment with the Development Plan which is a non-statutory document that has been developed by the owners and provides some direction as to what has been considered an appropriate level of development. The Island has been gazetted as Wildlife Reserve and contains areas of conservation covenant, direction is provided to ensure the protection of the values within these areas, including by discouraging residential development outside of the specified development area.

The methods to achieve the above include:

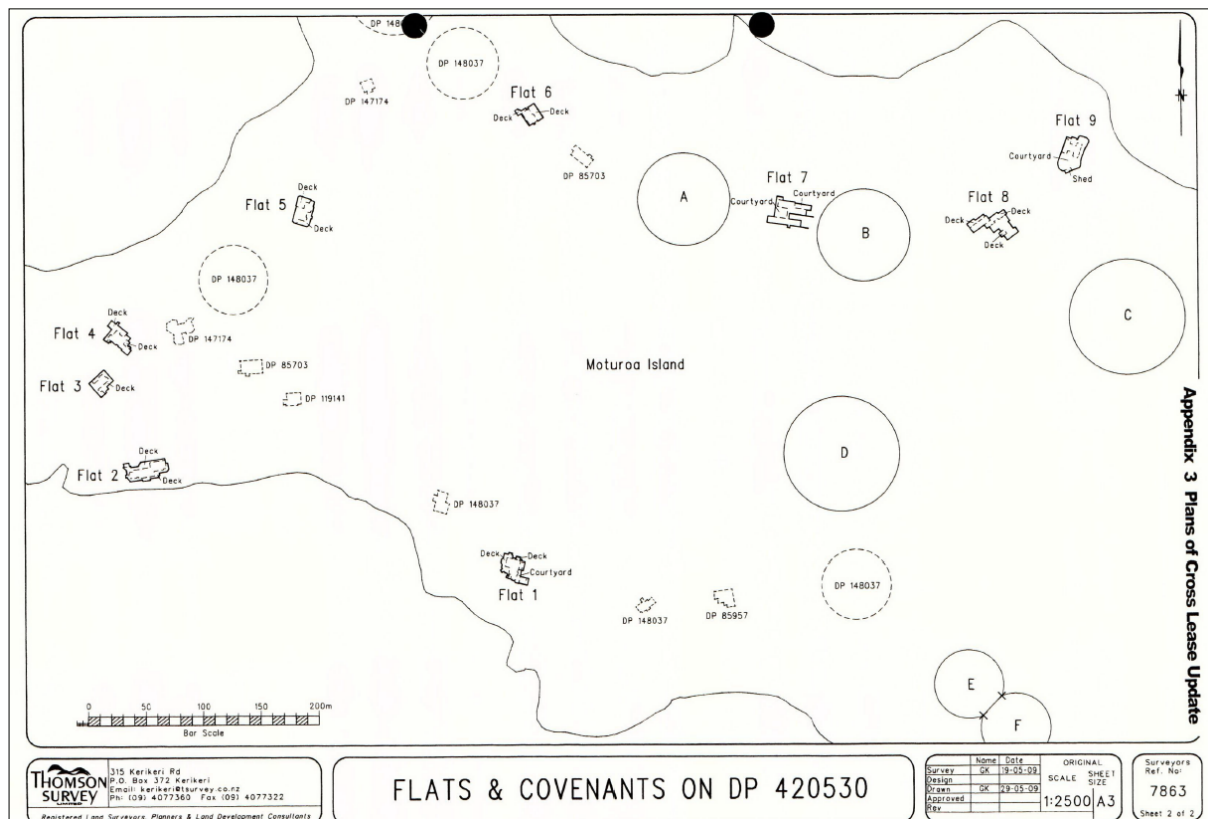
- Permitted threshold for residential development only where within the development area.
- Permitted building height of 5m.
- Controls on the scale and amenity effects of all built development such that any building over 25m², and any alterations to existing buildings resulting in more than 20% increased but less than 40% is a controlled activity. Matters of control include scale, siting, design and landscaping.
- Specific controls for farm buildings which are not restricted to the development area.
- Permitted threshold for helicopter landing area.
- Permitted threshold for noise.
- Residential development outside of the identified development area is not specifically covered; the ODP defaults to permitted activity if not otherwise specified. However, the preamble wording under 18.1.6.1 Permitted Activities states that an activity is permitted only if it complies with the permitted standards specified. As such it is assumed that residential development outside of the identified development areas is a non-complying activity.
- There is no subdivision framework, or earthworks controls for Moturoa Island in the ODP.
- 12.8 Hazardous substances include controls for Moturoa Island, and 12.2 Indigenous Flora and Fauna provides district wide controls for indigenous vegetation clearance that apply to Moturoa Island.

There have not been any relevant plan changes however, a subdivision resource consent (Council reference 2120028 RMASUB) issued 2011 approved a subdivision to enable the update of the cross-lease plans for Moturoa Island and Flats 1-9 on DP 420530. The amendment to the cross-lease plans was based on a survey of the footprint of existing buildings, the approved plans also delineate (based on survey) the remaining (at the time) undeveloped building sites. The result of this of this application is that there is a more detailed (by way of survey) development plan to that referenced in the ODP.

It is noted that the application for the subdivision was made by Moturoa Island Limited, being the entity, which manages the island on behalf of the 20 separate lessees at the time, but the application specifies that it has been made on behalf of nine of the lessees (see **Figure 1** below)

It is considered that this updated plan should be referenced as an addendum to the Moturoa Island Development Plan in the PDP as it provides a more accurate reference in terms of existing built development as a result of the survey work undertaken, providing more certainty for plan users.

Figure 1 Flat and Covenants Plan Moturoa Island approved by Council. Source: 2120028 RMASUB approved plans.



4.2.2 Limitation with current approach

Council has reviewed the current ODP approach, which has been informed by internal workshops and feedback from the community and stakeholder feedback.

Very few limitations with the current ODP approach have been identified through this process, those that have been identified include:

- The ODP lacks earthworks, indigenous vegetation removal and subdivision framework for Moturoa Island;
- The ODP does not physically identify the extent of the coastal environment, significant indigenous biodiversity, and habitat, nor does it identify areas of high and outstanding natural character which is inconsistent with the NZCPS and RPS. This is of relevance given the location and values associated with Moturoa Island; and
- The ODP does not align with the Planning Standards which seek to improve the efficiency and effectiveness of the planning system by providing nationally consistent structure, format, definitions, and electronic functionality.

4.3 Key issues identified through consultation

The **Section 32 Overview Report** provides a detailed overview of the consultation and engagement Council has undertaken with tangata whenua, stakeholders and communities throughout the district to inform the development of the PDP and the key issues identified through this consultation and engagement. This section provides an overview of key issues raised through consultation in relation to the MIZ and a summary of advice received from iwi authorities on this topic.

4.3.1 Summary of issue raised through consultation

There was a low level of interest in the MIZ from the community through consultation and engagement of the Draft Plan. Key issues identified through this process include:

Consultation on the Draft Policy Framework 2018 resulted in a total of one submission directly relating to Moturoa Island on behalf of Moturoa Island Limited.

Consultation on the Draft District Plan 2021 ('Draft Plan') provided the following feedback (summarised):

- One submitter questioned if subdivision should be a prohibited activity in this zone as they considered subdivision to be contrary to the management plan. It is considered that this comment is in reference to the Development Plan not management plan which has another meaning under the ODP. The same submitter also suggested including an updated plan that more clearly identifies the areas of development and suggested this could be done by way of isoplan map layer, and further clarification around what residential activities can be achieved as a permitted activity.
- Heritage New Zealand Pouhere Taonga (HNZPT) provided feedback that requested the following:
 - Consideration of the impact on development on the 'high visual amenity' of Black Rocks and suggested that natural, non-reflective building materials should be required and any application supported by a visual impact assessment from a suitably qualified professional;
 - Inclusion of a specific objective to acknowledge the archaeological and historic values of the site; and
 - Inclusion of requirement for Cultural Impact Assessment from tangata whenua for new development, and the inclusions of cultural and heritage matters as a matter of consideration to MIZ-P7.
- One submitter lodged their 'objection' to the Draft Plan provisions where they 'materially change' the underlying plan in a way that is detrimental requested that the ODP provisions be retained so as to ensure 'ongoing continuity and certainty to Moturoa'.

In response to the above we note:

- Prohibited activity statuses have not generally been applied in the PDP. The PDP makes subdivision within the MIZ a non-complying activity, MIZ-P3 requires the avoidance of development that is not in accordance with the Development Plan. As a result, the plan does not provide for subdivision. A note is also included in the overview that subdivision is not anticipated. It is considered that this gives clear direction that subdivision is not appropriate.
- An updated plan resulting from RC 2120028 RMASUB which is based on more accurate survey for some of the sites has been included.
- The Coastal Environment Overlay applies to Moturoa Island and includes the following:
 - Controls on reflectance values and exterior colours.
 - Consideration of any historical, spiritual or cultural associated held by tangata whenua when assessing a proposal for land use and subdivision.
- Any material changes that have resulted ensure improved alignment with the RPS and NZCPS and as such are deemed necessary and appropriate.

4.3.2 Summary of advice from iwi authorities

Section 32(4A)(a) of the RMA requires that evaluation reports include a summary of advice on a proposed plan received from iwi authorities. The **Section 32 Overview Report** provides an overview of the process to engage with tangata whenua and iwi authorities in the development of the PDP and key issues raised through that process. One piece of feedback was received in relation to the KCZ. In summary the feedback sought:

- Acknowledgement of the important relationship and association tangata whenua has with the MIZ in the overview of the chapter.

Section 3.4 above provided a summary of the key concerns and issues raised in hapū and iwi environmental management plans.

Section 5 of this report outlines how the proposed management approach responds to this advice in accordance with section 32(4A)(b) of the RMA.

4.4 Summary of resource management issues

The topic itself has not been identified as a Significant Resourced Management Issue (**SRMI**) in the development of the PDP. However, the following SRMI are considered to be of relevance to the MIZ given its location within the Coastal Environment, the presence of indigenous biodiversity, and the historic settlement and cultural values.

- Partnerships with Tangata Whenua;
- Heritage Management;
- Coastal Management; and
- Indigenous Biodiversity.

Based on the analysis of relevant context, current management approach, and feedback from consultation, the key resource management issues for this topic to be addressed through the PDP are that:

- Appropriate measures are in place to ensure that land-based wastewater disposal, and increased sedimentation as a result of coastal development do not adversely impact the mauri of water.
- Consideration is given to the potential impact development could have on the existing and potential undiscovered heritage values located on and associated with Moturoa Island.
- Development is appropriately managed to protect the amenity and character values associated with the coastal environment are appropriately managed.
- Indigenous biodiversity is protected, and maintenance and enhancement of protected areas provided for.
- Development continues to be provided for in a way that is appropriate for the natural character and other values associated with Moturoa Island.

5 Proposed District Plan Provisions

The proposed provisions are set out in the MIZ of the PDP. These provisions should be referred to in conjunction with this evaluation report.

5.1 Strategic Objectives

The PDP includes a strategic direction section which is intended as high level direction for the PDP and guidance on how best to implement the Council's community outcomes set out in Far North 2100 and its Long Term Plan. The strategic objectives of direct relevance to the MIZ are:

Social prosperity:

- Objective 3: Encourage opportunities for fulfilment of our cultural, spiritual, environmental, and economic wellbeing.

Environmental prosperity:

- Objective 1: A culture of stewardship in the community that increases the District's biodiversity and environmental sustainability.

- Objective 3: Active management of ecosystems to protect, maintain and increase indigenous biodiversity for future generations.

5.2 Proposed Management Approach

This section provides a summary of the proposed management approach for the MIZ focusing on the key changes from the ODP. The **Section 32 Overview Report** outlines and evaluates general differences between the PDP provisions and ODP, includes moving from an effects-based plan to a ‘hybrid plan’ that includes effects and activities-based planning and an updated plan format and structure to align with the Planning Standards.

The MIZ essentially rolls over the provisions of the ODP; the main changes in the overall proposed management approach are:

- Enablement for the remaining residential development within the building areas by removing the controlled activity visual amenity threshold applied in the ODP;
- Building scale and amenity managed through the Coastal Environment Overlay instead of the zone where non-compliance with the permitted thresholds results in discretionary activity consent;
- Additional controls applied through the Coastal Environment and Natural Environment Values Overlays and corresponding chapters including:
 - Earthworks;
 - Maximum building footprint;
 - Exterior finish and reflectance controls; and
 - Indigenous vegetation removal controls.
- Non-complying activity status for any activity not otherwise provided for;
- Reduced setback requirement from Mean High-Water Springs (**MHWS**); and
- Noise managed through district wide chapter.

The changes above have been applied across the PDP to give effect to the Planning Standards and RPS requirement for a tiered management approach to these values. The sections below provide a high-level summary of the objectives, policies, and rules and other methods for the MIZ.

5.3 Summary of proposed objectives and provisions

This section provides a summary of the proposed objectives and provisions which are the focus of the section 32 evaluation in section 7 and 8 of this report.

5.3.1 Summary of objectives

The proposed management approach for MIZ includes objectives that seek to ensure that:

- Land use is of a scale and type that is appropriate for the setting;
- Natural characteristics and qualities of the Island are protected and preserved; and
- Ecological qualities the Island are enhanced and improved.

5.3.2 Summary of provisions

For the purposes of section 32 evaluations, ‘provisions’ are the *“policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change”*.

The proposed management approach for MIZ includes policies that:

- Enable development of no more than 24 residential units in addition to the farmhouse and beach cottage (26 total) in accordance with the development envelopes identified in the Development Plan;
- Provide for small scale alterations to existing built development;
- Limit the potential for built development outside of the specified areas; and
- Protect the landscape and ecological values.

The proposed management approach for MIZ includes rules and standards that:

- Permit building and structures of an appropriate scale where there is adequate provision for stormwater and wastewater disposal, and appropriately setback from the MHWS;
- Control the scale, location and appearance of built development through linkages to the Coastal Environment Overlay chapter which is consistent with the approach taken for sensitive coastal environments throughout the District;
- Permit grazing of sheep and goats; and
- Enable conservation activities.

As highlighted above, the proposed management approach relies on the provisions within the Coastal Environment, as well as Natural Environment Values Overlays, subdivision and Noise Chapters. The proposed management approach for the MIZ also includes specific matters of consideration for assessment of proposal and standard to implement and give effect to the objectives.

5.3.3 Responding to advice from iwi authorities

Section 32(4A) of the RMA requires evaluation reports to summarise advice received from iwi authorities on a proposed plan and the response to that advice, including any provisions that are intended to give effect to the advice. Section 4.3.2 of this report provides a summary of advice received from iwi authorities on the MIZ.

Te Runanga O Ngāti Rēhia provided feedback on the Draft District Plan KCZ chapter:

- *Acknowledgement should be made of the important relationship and association tangata whenua has with the MIZ in the overview of the chapter.* Section 3.4 of the report identifies that the MIZ does not contain identified wāhi tapu or sites of historical and cultural significance. Further, no detail has been provided with respect to the details around the cultural significance and the relationship with tangata whenua in association with Moturoa. It is needed to be understood or articulated before inclusion.

6 Approach to Evaluation

6.1 Introduction

The overarching purpose of section 32 of the RMA is to ensure all proposed statements, standards, regulations, plans or changes are robust, evidence-based and are the most appropriate, efficient and effective means to achieve the purpose of the RMA. At a broad level, section 32 requires evaluation reports to:

- Examine whether the objectives in the proposal are the most appropriate to achieve the purpose of the RMA
- Examine whether the provisions are the most appropriate way to achieve the objectives through identifying reasonably practicable options and assessing the efficiency and effectiveness of the provisions, including an assessment of environment, economic, social and cultural economic benefits and costs.

These steps are important to ensure transparent and robust decision-making and to ensure stakeholders and decision-makers can understand the rationale for the proposal. There are also requirements in section 32(4A) of the RMA to summarise advice received from iwi authorities on the proposal and the response to that advice through the provisions.

6.2 Evaluation of scale and significance

Section 32(1)(c) of the RMA requires that evaluation reports contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of this proposal. This step is important as it determine the level

of detail required in the evaluation of objectives and provisions so that it is focused on key changes from the status quo.

The scale and significance of the environmental, economic, social and cultural effects of the provisions for the MIZ are evaluated in the table below.

Criteria	Comment	Assessment
Raises any principles of the Treaty of Waitangi	The principles of partnership, participation and protection have been taken into consideration in the drafting of the PDP provisions. Development within the Coastal Environment has the potential to generate adverse environmental and cultural effects on a range of Section 6 RMA matters as outlined in Section 3.1 of this report, however the potential for this within Moturoa Island have been reduced due to the application of a number of overlays.	Low
Degree of change from the Operative Plan	Moturoa Island will be provided for in the PDP by way of a Special Zone, consistent with the Special Areas of the ODP. Amendments have been made to reflect the Planning Standards and electronic plan format, and well as the required alignment with the RPS.	Low
Effects on matters of national importance	Natural Environment Values Overlays have been applied to Moturoa Island, the responding resource overlays will ensure heightened protection and management of resulting in the potential for adverse effects on Section 6 matters from the ODP such that a low level of assessment is considered appropriate.	Low
Scale of effects – geographically (local, district wide, regional, national).	The PDP approach essentially rolls over that applied in the ODP with some additional restrictions applied to ensure the protection of natural values in alignment with the RPS direction. The scale of effects likely, should the PDP approach be implemented, is considered to be low due the discrete area that this zone applies to.	Low
Scale of people affected – current and future generations (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?).	The scale of people affected by the proposed changes is likely to generally be limited to current and future lease holders.	Low

Criteria	Comment	Assessment
Scale of effects on those with specific interests, e.g., Tangata Whenua	As highlighted above the MIZ applies to a discrete area, and essentially rolls over the ODP approach. The changes proposed have will likely be of interest to the residents of the Island. As such, the scale of effects resulting from the change is deemed low.	Low
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	Overall, the PDP approach aligns with the Planning Standards and RPS, with many of the changes attributed to consequential format, structure and definition changes. Regardless, the zone is considered to pose low policy risk due to the isolated site-specific location of the zone.	Low

6.3 Summary of scale and significance assessment

Overall, the scale and significance of the effects from the proposal is assessed as being low. Consequently, a low level of detail is appropriate for the evaluation of the objectives and provisions for Moturoa Island in accordance with section 32(1)(c) of the RMA. This evaluation focuses on key changes in the proposed management approach from the ODP - minor changes to provisions for clarification and to reflect new national and regional policy direction are not included in the evaluation in section 7 and 8 below.

7 Evaluation of Objectives

Section 32(1)(a) of the RMA requires that the evaluation report examine the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA. The assessment of the appropriateness of the objectives for the MIZ is against four criteria to test different aspects of ‘appropriateness’ as outlined below.

Criteria	Assessment
Relevance	<ul style="list-style-type: none"> Is the objective directly related to a resource management issue? Is the objective focused on achieving the purpose of the RMA?
Usefulness	<ul style="list-style-type: none"> Will the objective help Council carry out its RMA functions? Does the objective provide clear direction to decision-makers?
Reasonableness	<ul style="list-style-type: none"> Can the objective be achieved without imposing unjustified high costs on Council, tangata whenua, stakeholders and the wider community?
Achievability	<ul style="list-style-type: none"> Can the objective be achieved by those responsible for implementation?

Section 32 of the RMA encourages a holistic approach to assessing objectives rather than necessarily looking each objective individually. This recognises that the objectives of a proposal generally work inter-dependently to achieve the purpose of the RMA. As such, the objectives have been grouped in the evaluation below.

7.1 Evaluation of existing objectives

<p>Objective(s):</p> <p>18.1.3.1 Provide for development, additions and alterations to dwellings and ancillary buildings and facilities for the storage of pleasure craft.</p> <p>18.1.3.2 Ensure development is carried out in a manner that recognises the attractive, unspoilt nature of the island as a prominent landscape feature, and the natural character of the coastal environment</p> <p>18.1.3.3 Provide continued maintenance and enhancement of the conservation/wildlife areas on the island</p>	
Relevance	These objectives are relevant in that they provide for development but only where the amenity and values associated with the Island and the Coastal Environment in general are recognised. They also specifically provide for maintenance and enhancement. As such, these objectives directly relate to resource management issues including coastal management, outstanding landscapes and features and indigenous biodiversity.
Usefulness	The objectives will assist Council to undertake its requirements under section 31 of the Act, specifically 31(1)(b)(iii). They provide clear direction in terms of what activities are considered appropriate, however they do not align with the RPS.
Reasonableness	Costs associated with implementation will be generated by the requirement to apply for consent (on any future developer) and monitoring (on Council). The proposed objectives do not result in any un-justifiable costs given the amenity and natural values of the Island.
Achievability	The objectives and associated controls are achievable.
<p>Overall evaluation</p> <p>The intent of these objectives is still appropriate and will be carried across to the proposed objectives. However, the wording will be changed to improve clarity, ensure consistency with the language used in the PDP, and in acknowledgment of the direction that is now proposed to be provided through the Coastal Environment Overlay, and Natural Environment Values Overlays. This will improve the usefulness of these objectives.</p>	

7.2 Evaluation of proposed objectives

<p>Objective(s):</p> <p>MIZ-O1 Land use on Moturoa Island is of a scale and type that complements and is consistent with the values of the Island.</p> <p>MIZ-O2 The natural characteristics and qualities of Moturoa Island are preserved and protected for current and future generations to enjoy and appreciate.</p> <p>MIZ-O3 The ecological qualities of Moturoa Island are protected and enhanced.</p>	
Relevance	<p>The proposed objectives directly relate to resource management issues including coastal management, outstanding landscapes and features and indigenous biodiversity by:</p> <ul style="list-style-type: none"> • Clearly directing and consolidating development to areas that have been deemed appropriate, and outside of the mapped Natural Environment Values Overlays. • Providing for the preservation, enhancement and protection of ecological values. • Relying on the management approach afforded by the Natural Environment

	Values Overlays.
Usefulness	The objectives provide clear direction with respect to development in accordance with the Moturoa Island Development Plan and will assist Council to undertake its requirements under section 31 of the Act, specifically 31(1)(b)(iii).
Reasonableness	Costs associated with implementation will be generate by the requirement to apply for consent (on any future developer) and monitoring (on Council). The proposed objectives do not result in any un-justifiable costs given the amenity and natural values of the Island, the integration between the objectives, policies and rules within is clear.
Achievability	The objectives and associated controls are achievable.
<u>Overall evaluation</u>	
The objectives address the resource management issues relevant to Moturoa Island in a way that is consistent with the plan structure required by the Planning Standards and improved alignment with RPS.	

8 Evaluation of Provisions to Achieve the Objectives

8.1 Introduction

Section 32(1)(b) of the RMA requires the evaluation report to examine whether the provisions are the most appropriate way to achieve the objectives by:

- (i) *identifying other reasonably practicable options for achieving the objectives; and*
- (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
- (iii) *summarising the reasons for deciding on the provisions.*

When assessing the efficiency and effectiveness of the provisions in achieving the objectives, section 32(2) of the RMA requires that the assessment:

- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) *economic growth that are anticipated to be provided or reduced; and*
 - (ii) *employment that are anticipated to be provided or reduced; and*
- (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
- (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

This section provides an assessment of reasonably practicable options and associated provisions (policies, rules and standards) for achieving the objectives in accordance with these requirements. This assessment of options is focused on the key changes from the status quo as outlined in the 'proposed management approach' in section 5.2 of this report.

Each option is assessed in terms of the benefits, costs, and effectiveness and efficiency of the provisions, along with the risks of not acting or acting when information is uncertain or insufficient. For the purposes of this assessment:

- **effectiveness** assesses how successful the provisions are likely to be in achieving the objectives and addressing the identified issues
- **efficiency** measures whether the provisions will be likely to achieve the objectives at the least cost or highest net benefit to society.

The sections below provide an assessment of options (and associated provisions) for achieving the objectives in accordance with sections 32(1)(b) and 32(2) of the RMA.

8.2 Quantification of benefits and costs

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs (environmental, economic, social and cultural) of a proposal are quantified. The requirement to quantify benefits and costs if practicable recognises it is often difficult and, in some cases, inappropriate to quantify certain costs and benefits through section 32 evaluations, particularly those relating to non-market values.

As discussed in section 6.2 the scale and significance of the effects of proposed changes for the MIZ are assessed as being low. Therefore, exact quantification of the benefits and cost of the different options to achieve the objectives is not considered to be necessary or practicable for this topic. Rather this evaluation focuses on providing a qualitative assessment of the environmental, economic, social and cultural benefits and costs anticipated from the provisions.

8.3 Evaluation of options

8.3.1 Option 1: Rural Production Zoning and Moturoa Island Development Plan Precinct

Option 1: Apply Rural Production Zoning to Moturoa Island, provisions of the ODP MIZ implemented through a Precinct and the Coastal Environment and other Natural Environment Values Overlays

The approach retains the majority of the ODP provisions while resolving implementation inconsistencies and ensuring compliance with Planning Standards, aligns with the direction of the NPS through district wide overlays resulting in four overlays, a precinct and underlying Zone applying to the site.

Benefits	Costs	Risk of acting / not acting
<ul style="list-style-type: none"> The PDP Rural Production Zone has been applied to other areas previously zoned as General Coastal with the Coastal Environment Overlay relied upon to manage scale and amenity to a level deemed appropriate in the Coastal environment, and as such would achieve consistency with the PDP approach to Coastal Environments. A precinct would enable development the control of residential development to the specified building envelopes and restriction of total number of residential developments ensuring that the level of development anticipated by the Development Plan is enabled in a manner that is anticipated by the community and the landowners. Option 1 would remove the requirement for controlled activity consent for the construction of a building (greater than 25m²) within the building areas; this is a benefit as it reduces the consenting costs for the residents but is appropriate given the Coastal Environment restrictions that will apply which includes a 	<ul style="list-style-type: none"> Social costs may arise through the introduction of a new approach which is not familiar to plan users. The PDP Rural Production Zone enables a number of activities that may not be appropriate across the island given the associated amenity and natural values. In most cases these would be restricted by the Coastal Environment and Natural Environment Values Overlays controls on built development, however, the Precinct provisions would have to be robust to clearly direct what activities are appropriate over what parts of the island. The Precinct on top of the underlying Zone and the multiple overlays that apply may result in confusion for plan users; this is not an approach otherwise taken within the plan and will also this will result in two additional chapters that will need to be 	<ul style="list-style-type: none"> The risk of acting relates to the potential for unintended outcomes from development that has not otherwise been anticipated which could result in uncertainties for the residents. Another risk of acting is that this approach would continue to provide for a greater density of residential development than what might otherwise be provided for in a Coastal Environment. However, this is consistent with the historic arrangement and is considered to be offset by the contribution to enhancement and protection of the ecological values undertaken by the residents. This is predominantly achieved through protection of areas in perpetuity by way of the conservation covenant, but also through the ongoing restoration and pest and weed control

<p>maximum footprint and requirement for finishing, and that there are only two developable areas remaining.</p> <ul style="list-style-type: none"> • The RPS will be given effect to by way of the Coastal Environment and Natural Environment Values Overlays that are proposed to apply to the site. • This approach would enable the introduction of provisions that aligns with directions in the Planning Standards. • The level of development that would be provided for by this approach is generally consistent with what could have been achieved via the ODP approach. 	<p>reviewed before understanding what controls there are for development.</p> <ul style="list-style-type: none"> • The application of a Precinct with identified building areas and further restrictions on development outside of these areas to what is otherwise required in the PDP approach for sensitive areas may result in the potential for additional consenting costs for any development on Moturoa Island. 	<p>that is undertaken. Further, it is noted that the residential development potential has largely been taken up with additional residential development limited to the two remaining buildable areas.</p> <ul style="list-style-type: none"> • •
<p><u>Effectiveness</u></p> <ul style="list-style-type: none"> • The Precinct with Rural Production Zoning could effectively achieve the outcomes of the Moturoa Island Development Plan and achieve alignment with the Planning Standards and RPS. However, this would require really clear direction in the Precinct provisions in terms of what activities are not appropriate. The implementation of the Rural Production Zone across the remaining area would not be the most effective way to manage activities across the rest of the island. 	<p><u>Efficiency</u></p> <ul style="list-style-type: none"> • Option 1 is not considered to be the most efficient approach; the PDP Rural Production Zone provisions are efficient however have not been designed to specifically respond to the nuisances of Moturoa Island. The inclusion of a Precinct could improve this but is not efficient as it would add an additional chapter (to Option 2) that would need to be reviewed before understanding the controls on development. 	
<p><u>Overall evaluation</u></p> <p>On balance this option is not considered to be the most appropriate option to achieve the objectives because:</p> <ul style="list-style-type: none"> • It is not the most efficient way to achieve the desired outcomes for Moturoa Island; and • The use of a precinct is not consistent with the general approach taken in the PDP. 		

8.3.2 Option 2: Special Purpose Moturoa Island zone - Proposed approach

Option 2: Apply the ODP provisions of the Moturoa Island by way of Special Purpose MIZ and the Coastal Environment and other Natural Environment Values Overlays.

The approach retains the majority of the ODP provisions while resolving implementation inconsistencies and ensuring compliance with Planning Standards and aligns with the direction of the RPS through district wide overlays.

Benefits	Costs	Risk of acting / not acting
<ul style="list-style-type: none"> • Introduces provisions that aligns with directions in the Planning Standards. • Social benefits may arise through the continuation of an established approach which is familiar to plan users. • Option 2 would remove the requirement for controlled activity consent for the construction of a building (greater than 25m²) within the building areas. This is a benefit as it reduces the consenting costs for the residents but is appropriate given the Coastal Environment restrictions that will apply which includes a maximum footprint and requirement for finishing, and that there are only two developable areas remaining. • The RPS is given effect to by way of the Coastal Environment and Natural Environment Values Overlays that are proposed to apply to the site. • Affords a more streamlined approach than Option 1 in terms of the number of Chapters that would require review before confirming the relevant controls for development. • Provisions provide for protection of conservation areas and specified location for built development in accordance with the updated Moturoa Island Development Plan affording an increased environmental benefit. • The level of development that would be provided for by this approach is generally consistent with what could have been 	<ul style="list-style-type: none"> • The application of a special zone with identified building areas and further restrictions on development outside of these areas to what is otherwise required in the PDP approach for sensitive areas may result in the potential for additional consenting costs for any development within Moturoa Island. 	<ul style="list-style-type: none"> • There is low risk associated with Option 2, the MIZ and the management measures afforded through the various overlays provides for a consistent implementation of the management approach for Island from the ODP, in a way that aligns with the Planning Standards and the RPS. A more stringent approach to development and increased likelihood of requirement for resource consent already exists under the ODP (to other coastal environments) approach and as such, should be anticipated by the residents. • As with Option 1 another risk associated with this approach is that it would continue to provide for a greater density of residential development than what might otherwise be provided for in a Coastal Environment. However, this is consistent with the historic arrangement and is considered to be offset by the contribution to enhancement and protection of the ecological values undertaken by the residents. This is predominantly achieved through protection of areas in perpetuity by way of the conservation covenant, but also through the ongoing restoration and pest and weed control

<p>achieved via the ODP approach.</p>		<p>that is undertaken. Further, it is noted that the residential development potential has largely been taken up with additional residential development limited to the two remaining buildable areas. As such, this is considered to be a low risk.</p>
<p><u>Effectiveness</u></p> <ul style="list-style-type: none"> The proposed rules and standards are effective as they recognise and provide appropriate protection of the sites natural and ecological features and values, with relevant thresholds that trigger the need for resource consent. This, in turn, offers increased clarity and certainty for the developer and surrounding community. Referencing to an updated Moturoa Island Development Plan will improve interpretation and effectiveness of provisions. 	<p><u>Efficiency</u></p> <ul style="list-style-type: none"> The proposed option is also an efficient method of achieving the MIZ objectives, and efficiently implements the Development Plan and aspirations of the Islands owners. 	
<p><u>Overall evaluation</u></p> <p>On balance this option is considered to be the most appropriate option to achieve the objectives because:</p> <ul style="list-style-type: none"> The proposed provisions effectively respond to the site constraints and features and provides a framework for development in accordance with that anticipated by the Moturoa Island Development Plan. The proposed provisions comply with the Planning Standards and electronic format of the PDP. The approach retains the majority of the ODP provisions while resolving implementation inconsistencies and ensuring compliance with the Planning Standards and aligns with the direction of the RPS through district wide overlays. 		

9 Summary

An evaluation of the proposed objectives and provisions for the MIZ has been carried out in accordance with section 32 of the RMA. This evaluation has concluded that the objectives are the most appropriate way to achieve the purpose of the RMA and the provisions are the most appropriate way to achieve the objectives for the following reasons:

- The MIZ objectives give effect to Part 2 of the RMA, give effect to relevant National Policy Statements and RPS policy direction.
- The MIZ provisions will ensure amenity values and qualities of surrounding environments are maintained with appropriate rules and standards that ensure that ecological values will be protected, and enhancement of these areas enabled.
- The MIZ provisions will continue to provide for the level of residential development anticipated in the Moturoa Island Development Plan subject to compliance with bulk and scale controls afforded by the Coastal Environment Overlay.
- Where compliance cannot be achieved, resource consent as a non-complying activity is required. This will ensure a suitable level of scrutiny can be applied when resource consent is sought for activities that have the potential to compromise the values associated with the Island.

Overall, it is considered that the proposed provisions are the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions.

10 Appendices

10.1 Appendix 1: Moturoa Island Development Plan