

## Attachment 2:

### PART 3 – AREA-SPECIFIC MATTERS / SPECIAL PURPOSE ZONES

#### Motukiekie Island zone

#### Overview

##### **Motukiekie Island**

*Motukiekie Island is approximately 29 hectares in area located in the outer Bay of Islands that has been privately owned since 1869. The Island was cleared of vegetation and grazed by sheep until the 1960's. The majority of the Island is now covered in mixed native and exotic vegetation, with areas of exotic species (Norfolk Island Pine, eucalyptus, Japanese cedar and Morton Bay fig) alongside widespread kanuka and a mixed understorey of indigenous vegetation. Pohutukawa are present around the coastal fringes of the island, and the indigenous climbing vine kiekie (from which the Island derives its name) is present.*

*Conservation planting works have been carried out across the island by the owners since 2004, and the predator free island is part of Project Island Song and monitored by DOC. Active conservation of the Island has substantially enhanced the ecological and natural values including pest and weed control and habitat enhancement. That has supported recolonisation by threatened native birds as part of "Ipipiri" the eastern Bay of Islands pest-free wildlife sanctuary.*

*Existing and future development is located within the building areas identified in the Motukiekie Island Development Plan. Outside of the specified [building](#) areas, conservation and enhancement of the natural and ecological values is promoted.*

*The location, scale, design and colour of buildings on the island need to be carefully managed so as to protect the natural values of the Island this is managed through the rules and standards of the zone along [Coastal Environment](#) and Natural [Environment](#) Values Overlays that apply to the Island.*

*The owners of the island are committed to undertake development in accordance with the Motukiekie Island Development Plan to actively support the restoration and enhancement of the conservation and habitat values.*

Objectives	
<b>MKIZ-O1</b>	Land use on <i>Motukiekie</i> Island is of a scale and type that compliments and is consistent with the <i>natural and landscape</i> values of the island.
<b>MKIZ-O2</b>	The natural characteristics and qualities of <i>Motukiekie</i> Island are preserved and protected for current and future generations to enjoy and appreciate.
<b>MKIZ-O3</b>	The ecological qualities of <i>Motukiekie Island</i> are protected and enhanced.
Policies	
<b>MKIZ-P1</b>	<i>Enable the development of no more than 3 <a href="#">residential units</a> in addition to the existing dwelling and consented caretakers' dwelling, where development is of appropriate scale and is located in the <a href="#">building sites</a> defined on the on the <i>Motukiekie Island Development Plan</i>.</i>
<b>MKIZ-P2</b>	Provide for additions and external alterations to <a href="#">residential units</a> , <a href="#">accessory buildings</a> and facilities for the storage of pleasure <a href="#">craft</a> where any significant adverse <a href="#">effects</a> are avoided and any other adverse <a href="#">effects</a> can be avoided, remedied or mitigated.
<b>MKIZ-P3</b>	Avoid development that is not in accordance with <i>Motukiekie Island</i> Development Plan or <i>that</i> diminishes the characteristics and qualities of the following: <ul style="list-style-type: none"> <li>a. <a href="#">significant natural area</a>;</li> <li>b. outstanding natural landscape;</li> <li>c. <a href="#">coastal environment</a>; and</li> <li>d. natural character.</li> </ul>
<b>MKIZ-P4</b>	Encourage the enhancement of ecological and natural values by enabling ongoing <a href="#">conservation activities</a> on <i>Motukiekie</i> Island.
<b>MKIZ-P5</b>	Manage land use and <a href="#">subdivision</a> to address the <a href="#">effects</a> 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 *Motukiekie* 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 *Coastal Environment*, 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. Where an exemption is specified in this Chapter, that exemption overrides the provisions in any other Chapter of the Plan.

MKIZ-R1	New buildings or structures, and extensions or alterations to existing buildings or structures	
<p><u><a href="#">Motukiekie</a></u> Island zone</p>	<p><b>Activity status:</b> Permitted</p> <p><b>Where:</b></p> <p><b>PER-1</b> The new <u><a href="#">building</a></u> or <u><a href="#">structure</a></u>, or extension or alteration to an existing <u><a href="#">building</a></u> or <u><a href="#">structure</a></u> is located within the <u><a href="#">building</a></u> areas identified in the <u><a href="#">Council</a></u> approved Moturoa Island Development Plan.</p> <p><b>PER-2</b> The <u><a href="#">building</a></u> or <u><a href="#">structure</a></u>, or extension or alteration to an existing <u><a href="#">lawfully established building</a></u> or <u><a href="#">structure</a></u> is located <u><a href="#">inside of the within a building area (including the solar array extension area)</a></u> identified on the <u><a href="#">Motukiekie Island Development Plan</a></u>, <u><a href="#">is associated with a conservation activity or farming activity permitted activity, that does not exceed 20% of the GFA of the existing building or structure and complies with standards:</a></u>  <u><a href="#">MKIZ-S1 Setbacks</a></u>  <u><a href="#">MKIZ-S2 Stormwater and effluent disposal</a></u>  <u><a href="#">CE-S1 and NFL-S1 Maximum Height</a></u>  <u><a href="#">CE-S2 and NFL-S2 Colours and Materials</a></u></p> <p><b>PER-3</b> The <u><a href="#">building</a></u> or <u><a href="#">structure</a></u>, or extension or alteration to an existing <u><a href="#">building</a></u> or <u><a href="#">structure</a></u> complies with <u><a href="#">CE-R1 New buildings or structures, and extensions or alterations to existing buildings or structures</a></u>, and standards:  <u><a href="#">MKIZ-S1 Setbacks</a></u>  <u><a href="#">MKIZ-S2 Stormwater and effluent disposal</a></u></p>	<p>Activity status where compliance not achieved with PER-1, <del>PER-2</del> or PER-3: <b>Non-complying</b> Discretionary under MKZ-R6</p> <p><b><u>Activities provided for under PER-1 are exempt from rules CE-R1 and NFL-R1</u></b></p>

<b>MKIZ-R2</b>	<b>Residential activity</b>	
<u><a href="#">Motukiekie</a></u> Island zone	<p><b>Activity status:</b> Permitted</p> <p><b>Where:</b></p> <p><b>PER-1</b> The <u><a href="#">residential activity</a></u> is located within the <u><a href="#">building</a></u> areas identified on the <u><a href="#">Motukiekie Island Development Plan</a></u>.</p> <p><b>PER-2</b> <u><a href="#">The number of residential units on Motukiekie Island does not exceed 5 in total (including up to two within Building area 1).</a></u></p>	<p><b>Activity status where compliance not achieved with PER-1 or PER-2: Non-complying</b></p>
<b>MKIZ-R3</b>	<b>Conservation activity</b>	
<u><a href="#">Motukiekie</a></u> Island zone	<p><b>Activity status:</b> Permitted</p> <p><b>Where:</b></p> <p><b>PER-1</b> <u><a href="#">Conservation activities</a></u> are limited to the following:</p> <ol style="list-style-type: none"> <li>1. planting;</li> <li>2. pest and weed control; and</li> <li>3. introduction of native fauna</li> </ol>	<p><b>Activity status where compliance not achieved with PER-1: Non-complying</b></p>

<b><u>MKIZ-R4</u></b>	<b><u>Visitor Accommodation</u></b>	
<b><u>Motukiekie Island zone</u></b>	<p><b><u>Activity status: Permitted</u></b></p> <p><b><u>Where:</u></b></p> <p><b><u>PER-1</u></b>  <u>Visitor accommodation is within a residential unit, accessory building or minor residential unit located within the building areas identified on the Council approved Motukiekie Island Development Plan.</u></p> <p><b><u>PER-2</u></b>  <u>The occupancy does not exceed 10 guests per night per residential unit (including any associated accessory building and or minor residential unit within the same building area).</u></p>	<p><b><u>Activity status where compliance not achieved with PER-1: Non-complying</u></b></p> <p><b><u>Activity status where compliance not achieved with PER-2: Discretionary</u></b></p>
<b><u>MIKZ-R5</u></b>	<b><u>Repair or Maintenance of existing tracks</u></b>	
<b><u>Motukiekie Island zone</u></b>	<p><b><u>Activity status: Permitted</u></b></p> <p>- <b><u>Where:</u></b></p> <p>- <b><u>PER-1</u></b>  <u>The repair or maintenance of lawfully established buildings, structures, walkways and tracks ancillary to a permitted activity where they have been lawfully established and where the size, scale and materials used are like for like.</u></p>	<p><b><u>Activity status where compliance not achieved with PER-1: Discretionary</u></b></p> <p><b><u>Activities provided for under PER-1 are exempt from rules CE-R2 and NFL-R2</u></b></p>

<b>MKIZ-R6</b>	<b><u>Helicopter movements</u></b>	
<b><u>Motukiekie Island zone</u></b>	<b><u>Activity status: Permitted<sup>1</sup></u></b> - <b><u>Where:</u></b> - <b><u>PER-1</u></b> <u>The number of movements (landing and take-off) does not exceed 5 per day, excluding movements for emergency services (including civil defence).</u>	<b><u>Activity status where compliance not achieved with PER-1: Discretionary</u></b>
<b>MKIZ-R7</b>	<b>New buildings or structures, and extensions or alterations to existing buildings or structures</b>	
<b><u>Motukiekie Island zone</u></b>	<b><u>Activity status: Discretionary</u></b> - <b><u>Where:</u></b> - <b><u>DIS-1</u></b> <u>The <u>building</u> or <u>structure</u>, or extensions or alteration to an existing lawfully established <u>building</u> or <u>structure</u> by more than 20% of GFA is located within the <u>building</u> areas identified in the Motukiekie Island Development Plan and complies with standards:</u> <u><a href="#">MKIZ-S1 Setbacks</a></u> <u><a href="#">MKIZ-S2 Stormwater and effluent disposal</a></u> <u><a href="#">MIKZ-S3 Special Information Requirements</a></u> <u><a href="#">CE-S2 and NFL-S2 Colours and Materials</a></u>	<b><u>Activity status where compliance not achieved: Non-complying</u></b>  <b><u>Activities provided for under DIS-1 are exempt from rules CE-R1 and NFL-R1</u></b>
<b>MKIZ-R8</b>	<b>Activities otherwise not listed in this chapter</b>	
<b><u>Motukiekie Island zone</u></b>	<b>Activity status: Non-complying</b>	<b>Activity status where compliance not achieved: Not applicable</b>

<sup>1</sup> Temporary Activity Rule TA-R5 permits helicopter movements for emergency services, military and conservation activities (without limit)

Standards		
MKIZ-S1	Setbacks	
<u><a href="#">Motukiekie Island zone</a></u>	The <u><a href="#">building</a></u> or <u><a href="#">structure</a></u> , or extension or additions to an existing <u><a href="#">building</a></u> or <u><a href="#">structure</a></u> must be set back at least 26m from <u><a href="#">MHWS</a></u> , <u>excluding lawfully established buildings within the set back and facilities for the storage of pleasure <a href="#">craft</a> and jetties on Motukiekie Island.</u>	Where the standard is not met, matters of discretion are restricted to: Not applicable
MKIZ-S2	Stormwater and effluent disposal	
<u><a href="#">Motukiekie Island zone</a></u>	Each <u><a href="#">residential unit</a></u> must have an exclusive area of at least 3,000m <sup>2</sup> available for disposing of and treating <u><a href="#">stormwater</a></u> and effluent.	Where the standard is not met, matters of discretion are restricted to: Not applicable
<u><a href="#">MIKZ-S3</a></u>	Special Information requirements	
<u><a href="#">Motukiekie Island zone</a></u>	<p><u>Any application made for a new building on Motukiekie Island under rules MIKZ-R1, CE-R1 or NFL-R1 shall include assessment of effects (AEE) that addresses all the following matters:</u></p> <ul style="list-style-type: none"> <li>a. <u>Ecological effects of vegetation removal and establishment</u></li> <li>b. <u>Archaeological values and effects on those values</u></li> <li>c. <u>Cultural values and effects on those values (via consultation with mana whenua)</u></li> <li>d. <u>Landscape and visual effects of proposed buildings and land use activities on the Coastal Environment, Natural character and Landscape values</u></li> <li>e. <u>Geotechnical site suitability</u></li> <li>f. <u>Effects of earthworks and landform modification</u></li> <li>g. <u>The location, height, form and massing of any proposed building and its position relative to the building areas identified on the Motukiekie Development Plan</u></li> </ul>	<u>Where the standard is not met, matters of discretion are restricted to: Not applicable</u>



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|--|---|--|
|  | <ul style="list-style-type: none"><li>h. <u>Site servicing (site access, electrical supply, water supply, stormwater management, wastewater treatment and effluent disposal)</u></li><li>i. <u>Construction buildings, materials and finishes</u></li><li>j. <u>Consistency with the Motukiekie Island Building Guidelines</u></li><li>k. <u>All of the matters in policy MKIZ-P5, which include natural character of the coastal environment; location, scale and design, the need for and location of earthworks or vegetation clearance.</u></li></ul> |  |
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## Attachment 3: Motukiekie Island Development Plan and Building Guidelines

### A. Motukiekie Island Development Plan



#### NOTES:

##### **Building Area 1 (Sunset Bay)**

Contains existing dwelling, consented caretakers' dwelling, decks, walkways, accessory buildings and beach cabanas.

##### **Solar Array Extension Area**

Contains existing solar arrays, and provision for doubling number of solar panels to support additional buildings.

##### **Building Area 2 (Northern Saddle)**

Contains existing utilities: solar panels, water tanks, sheds, storage, nursery, vegetable garden. Canopy of Norfolk Island pine. Site for future dwelling/ staff/ visitor accommodation and ancillary buildings/structures.

##### **Building Area 3 (Central Saddle)**

Existing clearing in central saddle with lawn and picnic table. Site for future dwelling/ staff/ visitor accommodation and ancillary buildings/structures.

##### **Building Area 4 (above Kiekie Cove)**

Wide ridgeline with canopy of Norfolk Island pine, eucalyptus and kanuka. Provides sites for future dwelling/ staff/ visitor accommodation and ancillary buildings/structures.

## **B. Motukiekie Island Building Guidelines**

- Future buildings must be wholly located within the identified Building Areas on the Development Plan
- Buildings should be of a single storey design, generally not exceeding 5m above natural ground level.
- Building materials, including window coverings such as curtains and blinds, should have a light reflectance value not exceeding 25% and favour hues that are complementary to (as distinct from seeking to camouflage) the colours of the vegetation and weathered rocks of the island.
- Potential earthworks and/or retaining structures should be minimised to avoid potential landscape, visual amenity and natural drainage pattern effects.
- Any external lighting should be configured to minimise its presence when the island is experienced from surrounding waters and adjacent islands, with any flood and spotlighting actively avoided. Other exterior lighting may most effectively address this consideration within inward-facing low bollards and the use of containing shrouds to luminaires on the building.
- Whilst the identified building areas are largely free of large trees, the location of existing trees and large shrubs within and in the immediate proximity of any proposed building should be identified when undertaking a site survey to allow the design of the building to retain (as far as possible) established vegetation within the building area.
- Planting should comprise indigenous species that are represented in the natural flora of Motukiekie.
- Access to future buildings shall utilise existing service tracks to the greatest extent that is practicable, to minimise vegetation clearance, stormwater concentration or other potentially adverse effects.

## Attachment 4: Consequential Amendments to Proposed District Plan

### PART 2 – DISTRICT-WIDE MATTERS / GENERAL DISTRICT-WIDE MATTERS / Coastal environment

CE-S3	Earthworks or indigenous vegetation clearance	
<a href="#">Coastal environment</a>	<p>Any <a href="#">earthworks</a> or indigenous vegetation clearance must (where relevant):</p> <ol style="list-style-type: none"> <li>1. not occur in outstanding natural character areas.</li> <li>2. not exceed a total area of 50m<sup>2</sup> for 10 years from the notification of the District Plan in an area of high natural character, <i><u>excluding the building areas identified on the Council approved Motukiekie Island Development Plan.</u></i></li> <li>3. not exceed a total area of 400m<sup>2</sup> for 10 years from the notification of the District Plan in:               <ol style="list-style-type: none"> <li>a) an area outside high or outstanding natural character areas; <i><u>or</u></i></li> <li>b) <i><u>associated with the construction, use and maintenance of a permitted or consented building located within a building area identified on the Motukiekie Island Development Plan.</u></i></li> </ol> </li> <li>4. not exceed a cut <a href="#">height</a> or fill depth of 1m.</li> <li>5. screen any exposed faces.</li> </ol> <p><b>Note:</b> The NESF requires a 10m <a href="#">setback</a> from any natural <a href="#">wetland</a> in respect of <a href="#">earthworks</a> or vegetation clearance and may require consent from the Regional Council.</p>	<p><b>Where the standard is not met, matters of discretion are restricted to: Not applicable</b></p>

## PART 2 – DISTRICT-WIDE MATTERS / NATURAL ENVIRONMENT VALUES / Natural features and landscapes

NFL-S3	Earthworks or indigenous vegetation clearance	
Within <a href="#">ONL</a> and <a href="#">ONF</a>	<p>Any <a href="#">earthworks</a> or indigenous vegetation clearance must (where relevant):</p> <ol style="list-style-type: none"> <li>1. not exceed a total area of 50m<sup>2</sup> over the life of the District Plan.</li> <li>2. not exceed a cut <a href="#">height</a> or fill depth of 1m.</li> <li>3. screen any exposed faces.</li> <li>4. be for the purpose of access and/or a <a href="#">building</a> platform.</li> <li>5. <u>not exceed a total area of 400m<sup>2</sup> for 10 years from the notification of the District Plan when associated with the construction, use and maintenance of consented building(s) within a building area identified on the Council approved Motukiekie Island Development Plan.</u></li> </ol> <p><b>Note:</b> The NESF requires a 10m <a href="#">setback</a> from any natural <a href="#">wetland</a> in respect of <a href="#">earthworks</a> or vegetation clearance and may require consent from the Regional Council.</p>	<p><b>Where the standard is not met, matters of discretion are restricted to: Not applicable</b></p>

## **PART 2 – DISTRICT-WIDE MATTERS / SUBDIVISION / Subdivision**

**Include new Subdivision rule:**

Part 2 – District Wide Matters – Subdivision

<b><u>SUB-R7A</u></b>	<b><u>Management plan subdivision (Motukiekie Island)</u></b>	
<b><u>Motukiekie Island zone</u></b>	<p><b><u>Activity status: Discretionary</u></b></p> <p>-</p> <p><b><u>Where:</u></b></p> <p>-</p> <p><b><u>DIS-1</u></b></p> <ol style="list-style-type: none"><li>1. <u>the minimum size of all lots in the management plan <a href="#">subdivision</a>, excluding lots used solely for access, utilities, <a href="#">roads</a> and reserves is 2ha;</u></li><li>2. <u>A maximum of 5 lots are created on the Island;</u></li><li>3. <u>This is the only management plan <a href="#">subdivision</a> for the Island;</u></li><li>4. <u>The <a href="#">subdivision</a> complies with standard: <a href="#">SUB-S8 Esplanades</a></u></li><li>5. <u>The application contains the information listed in <a href="#">APP3- Subdivision management plan criteria</a>.</u></li></ol>	<p><b><u>Activity status where compliance not achieved with DIS-1: Non-complying</u></b></p>