

# Planning Report 2

## Variation 2/Plan Change 46 - Matakana Island

### Natural Environment

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#### 1.0 Introduction

1.1 Extensive research regarding the quality of the natural environment of Matakana Island has been undertaken during 2011 and 2013 as part of the development of the Matakana Island Plan and the review of the Regional Policy Statement (RPS).

1.2 To incorporate the findings from this research and to ensure that the District Plan gives effect to the RPS, amendments were proposed to the following components of the District Plan:

- Section 5: Natural Environment (the Activity Lists and Matters of Discretion),
- Appendix 1: Schedule of Identified Significant Ecological Features,
- Significant Ecological Features included in the District Plan Maps (Matakana Island Only).

1.3 For a full background to this issue and the proposed provisions please refer to the Section 32 Report, especially Paragraph 11 – “Proposed changes to the District Plan”.

1.4 Any recommended amendments to rules in this report will be shown as follows; existing District Plan text in black, proposed changes as included in the Section 32 Report in red, and recommendations as a result of this Planning Report in blue.

#### 2.0 Topic 1: Updating the District Plan Maps and Appendix 1 - Schedule of Identified Significant Ecological Features

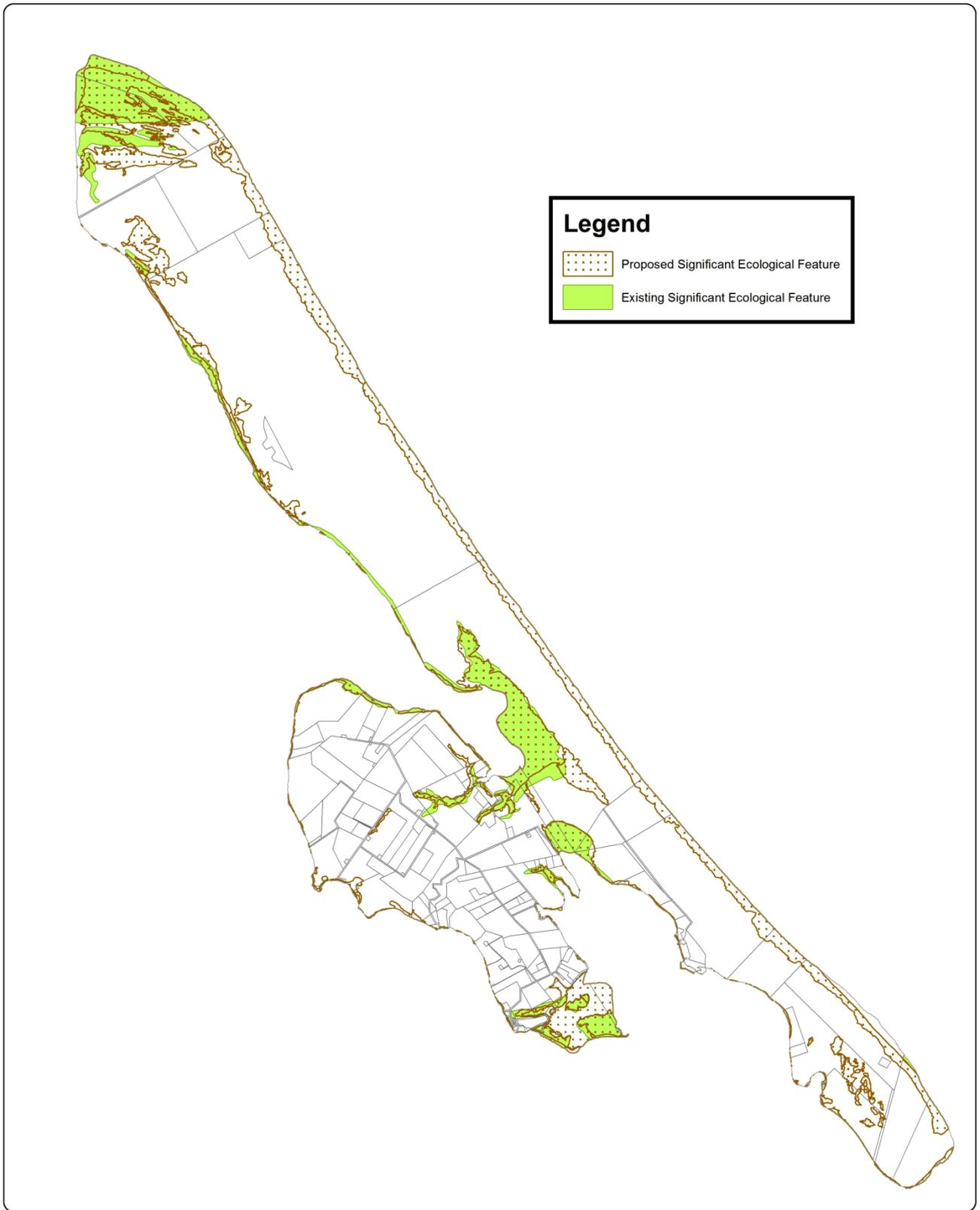
##### 2.1 Background

2.1.1 Included in the Operative District Plan are 20 Significant Ecological Features on Matakana Island. These features measure approximately 585ha and have been included in the District Plan since 1994. The Significant Ecological Features are located on both the forested sand barrier and the farmlands part of the Island. The largest feature, with an area of approximately 183ha, is located on the northern end of the forested sand barrier.

2.1.2 Substantial research has been done for both the Western Bay of Plenty District Council and Bay of Plenty Regional Council as well as some of the

landowners over the past five years. This research, which was more intensive and accurate than the 1994 study, has confirmed that the Island has a diverse range of habitats that result in a rich and varied array of biodiversity. The research also pointed out that more land has to be protected than initially included in the District Plan. Despite the extent of exotic forestry on the Island, there are over 200 indigenous vascular plant species known on the Island with eight of these species included in the New Zealand threatened classification lists.

- 2.1.3** The native dominated vegetation cover along the frontal dune system is commonly only 12 to 25 metres wide. Due to a lack of native sand binding vegetation, there is evidence of wind erosion and an opportunity to improve the dune system by extending the native vegetation to the backdune.
- 2.1.4** The dunes and beach are breeding and nesting grounds for a range of 'Threatened' and 'At Risk' shorebirds and have the most extensive population of 'Threatened' Katipo spider in the Bay of Plenty.
- 2.1.5** The freshwater wetlands and dune lakes at the northern end have one of the best populations of 'At Risk – Declining' swamp ferns in New Zealand. The pines are also growing above a much lower canopy of indigenous species of swamp grasses. These lakes and wetlands also provide habitat for threatened or at risk birds and at least three indigenous fish species.
- 2.1.6** It is evident from this research that the District Plan has to be updated to record these important features and populations and respond to the risks they face. The updated Significant Ecological Features were included in Appendix 1 and on the District Plan Maps of Proposed Variation 2/Plan Change 46. The map on the next page shows both the current and proposed significant ecological features.
- 2.1.7** This map shows the Significant Ecological Features as per the Operative District Plan (existing) and the proposed features as notified.
- 2.1.8** In general, the proposed significant ecological features also correspond with the natural character areas included in the Proposed Regional Policy Statement.



**Legend**

-  Proposed Significant Ecological Feature
-  Existing Significant Ecological Feature

Produced using ArcMap by the Western Bay of Plenty District Council GIS Team.  
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Email: [gis@westernbay.govt.nz](mailto:gis@westernbay.govt.nz) Scale A3 - 1:60,000  
 Date: 25/09/2013  
 Operator: mlb  
 Map: E:\Shape\MLB\Map\Matakana Island Maps\Matakakana Island - Existing-Proposed Ecological




**ATTACHMENT A**

**MATAKANA ISLAND  
 EXISTING AND PROPOSED  
 ECOLOGICAL FEATURES**



## 2.2 Submission Points

**2.2.1** Nine submissions and eight further submissions were received. The Bay of Plenty Regional Council were in support of the proposed changes to the Significant Ecological Features included in both the District Plan Maps and Appendix 1.

The main submission points made by submitters are as follows:

**2.2.2** Submitters 14, 15 and the Bay Of Plenty Regional Council support the proposed changes. The Regional Council pointed out that the proposed changes to the Significant Ecological Features support the objectives, policies and methods of the RPS.

**2.2.3** The Department of Conservation is of the opinion that two proposed covenanted areas and an existing covenanted area towards the north-western end should also be included as Significant Ecological Features (see Figure 1 below).

**2.2.4** TKC Holdings supports with an amendment the proposed changes to the Significant Ecological Features. Some of the features included production forestry and they believe that both the Planning Maps and Appendix 1 should be amended to reflect the needs of the current forestry operations.

**2.2.5** Federated Farmers opposed the proposed Significant Ecological Features. They are of the opinion that the Significant Ecological Features should be amended to exclude all production forestry areas.

**2.2.6** Submitter 12 is of the opinion that due to the large scale of the District Plan Maps, the boundaries of the Significant Ecological Features are not clear.

## 2.3 Option 1 – Retain the Significant Ecological Features in Appendix 1 and on the District Plan Maps as Notified.

<b>Advantages</b>	<ul style="list-style-type: none"> <li>▪ The updated significant ecological features in the District Plan will reflect the current situation.</li> <li>▪ The District Plan will give effect to the Regional Policy Statement.</li> <li>▪ The ecological values of the Island will be recognised, protected and in some places enhanced.</li> </ul>
<b>Disadvantages</b>	<ul style="list-style-type: none"> <li>▪ It will put some restrictions on landowners.</li> <li>▪ Three areas of ecological significance, identified by the Department of Conservation, will not be included.</li> </ul>
<b>Effectiveness/ Efficiency</b>	<ul style="list-style-type: none"> <li>▪ Council will be able to avoid, remedy or mitigate the effects from development effectively.</li> <li>▪ The more detailed research will improve the effectiveness of the District Plan.</li> <li>▪ The District Plan will be more effective by giving effect to the Regional Policy Statement.</li> <li>▪ The District Plan will be more effective as the proposed significant features will complement the</li> </ul>

	<p>objectives of Section 5 - Natural Environment.</p> <ul style="list-style-type: none"> <li>▪ As the current forestry operations have existing use rights, the protection of the environment within production forestry areas will be limited.</li> </ul>
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#### 2.4 Option 2 – Exclude the production forestry areas from the Significant Ecological Features

<b>Advantages</b>	<ul style="list-style-type: none"> <li>▪ Production forestry can proceed without restrictions. However, as the foresters have existing use rights, the restrictions imposed through proposed Variation 2/Plan Change 46 will be limited.</li> </ul>
<b>Disadvantages</b>	<ul style="list-style-type: none"> <li>▪ It will become easier to establish other land use activities in these areas that might have a significant impact on the quality of the valued ecological features.</li> </ul>
<b>Effectiveness/ Efficiency</b>	<ul style="list-style-type: none"> <li>▪ Even though production forestry is included in some of the Significant Ecological Features, there are other fauna and flora within these areas that are of significance. By excluding these areas, Council will not be effective and efficient in protecting these areas of significance.</li> </ul>

#### 2.5 Option 3 – Include the three areas identified by the Department of Conservation as Significant Ecological Features.

<b>Advantages</b>	<ul style="list-style-type: none"> <li>▪ Three areas of moderate ecological significance, as per the research undertaken by Wildland Consultants in 2011, will be protected.</li> </ul>
<b>Disadvantages</b>	<ul style="list-style-type: none"> <li>▪ It will put some restrictions on landowners.</li> </ul>
<b>Effectiveness/ Efficiency</b>	<ul style="list-style-type: none"> <li>▪ The District Plan will be more effective in protecting an additional 16.42ha of land with an ecological value.</li> </ul>

#### 2.6 Discussion

##### Existing production forestry within Significant Ecological Features

**2.6.1** All of the submitters acknowledge that there are significant ecological areas on Matakana Island that need to be protected. Two submitters and four further submitters are concerned about the effect that the significant ecological features will have on the forestry operations and the Emissions Trading Scheme liabilities of the forestry operators.

**2.6.2** Even though the production forest is not an ecological feature in itself, the frontal dune system and wetlands, which have some pine trees, have ecosystems and undergrowth that are of significance and thus need to be protected. By excluding these areas from the list of Significant Ecological Features, other rural activities can be established in these areas that will have a significant impact on them.

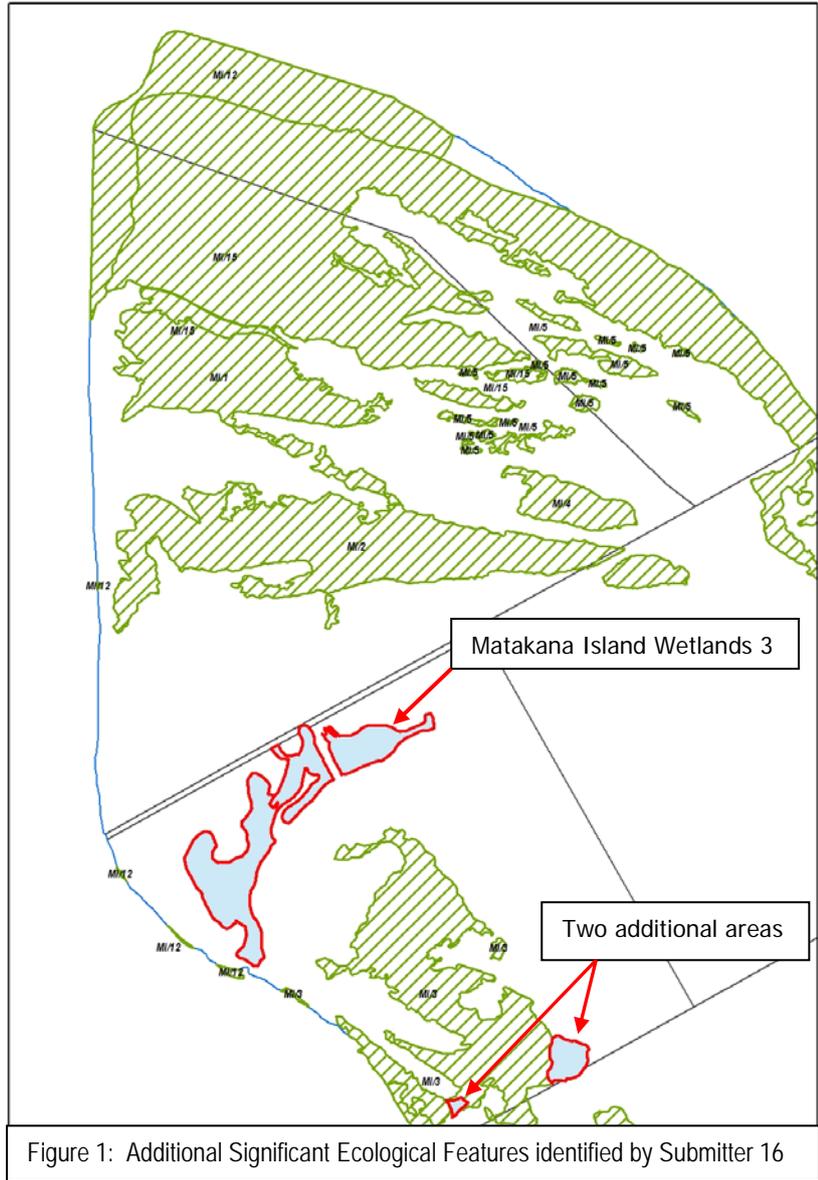


Figure 1: Additional Significant Ecological Features identified by Submitter 16

- 2.6.3 Production forestry has an existing use right in accordance with Section 10 of the RMA and the operations, management and rotation of the forest can continue under this. Even though the management and rotation of the production forest may impact on these ecological features, the forest has been in existence for the past 100 years.
- 2.6.4 It seems that certainty is the submitters' main concern. They are of the opinion that the District Plan does not provide certainty that the forestry operators can continue with the management, felling and replanting of production forest within a Significant Ecological Feature.
- 2.6.5 The following statement is included in the Explanatory Statement of Section 5 of the Operative District Plan:

*Existing use rights may apply in relation to the management of stock by landowners. The rules in the District Plan do not compulsorily require fencing by landowners.*

- 2.6.6** To provide more certainty, this statement can be amended to read the same as the statement in Section 6 (Landscape) of the District Plan. The statement in Section 6 reads:

*Existing use rights apply. These include farm management and the management of other land currently used for production forestry, woodlots, and quarries.*

- 2.6.7** For more clarity, the District Plan definition of Production Forestry can also be amended to include the replanting of trees.

#### Additional Ecological Features

- 2.6.8** The Department of Conservation advocates for the inclusion of 'Matakana Island Wetlands 3 (14.5ha), an existing covenanted area, and two relatively small areas (1.68ha and 0.24ha) be included as Significant Ecological Areas. These three areas are located on the north-western side of the forested sand barrier (see figure 1).

- 2.6.9** These sites were included in the Wildland Consultants' report of August 2011, but overlooked during the development of the amended District Plan Maps (as notified).

#### Other issues:

- 2.6.10** Although the scale of the Planning Maps (hard copies) are relatively large, they can be viewed electronically by the public or hard copies can be produced at any scale.

## **2.7 Recommendation**

THAT:

- 2.7.1** The wording in the Explanatory Statement of Section 5 regarding 'existing use rights' (8<sup>th</sup> paragraph) be replaced with the following paragraph:

*Existing use rights apply. These include farm management and the management of other land currently used for production forestry, woodlots, and quarries.*

- 2.7.2** The District Plan definition of Production Forestry be amended to include the wording 'replanting of trees', reading as follows:

**"Production Forestry"** means the management of land for commercial wood production including the extraction of timber therefrom and the replanting of trees but does not include the milling or processing of timber.

- 2.7.3** The three additional sites included in the submission of the Department of Conservation be included on the District Plan Maps and Appendix 1 as Significant Ecological Features.

The following submissions are therefore:

### Accepted

Submission	Point Number	Name
16	7	Department of Conservation
FS29	FS3	TKC Holdings Ltd
FS30	FS2	Blakely Pacific Ltd
FS28	FS2, FS3, FS47, FS45	Bay of Plenty Regional Council

### Accepted in Part

Submission	Point Number	Name
11	7, 8,	Bay of Plenty Regional Council
15,	4	Donna Poka
14, FS32	4, FS2, FS15	Nessie H Te Kuka
FS31	FS2, FS16	Te Runanga O Ngai Te Rangi Iwi Trust

### Rejected

Submission	Point Number	Name
2	2	Easton Taikato
7, FS29	4, 5, FS61, FS62, FS90, FS118, FS150, FS163	TKC Holdings Ltd
8, FS27	FS12, FS13, FS64, FS65,	Carrus Corporation Ltd
10, FS30	FS6, FS5	Blakely Pacific Ltd
24	2	Federated Farmers

## 2.8 Reason

- 2.8.1** Various specialist studies have shown that the proposed Significant Ecological Features are of high value and need to be preserved.
- 2.8.2** The proposed changes will make it clear that, as an existing use right, production forestry can continue within identified Significant Ecological Features.
- 2.8.3** The three additional areas of ecological significance included in the submission of Submitter 16 were identified prior to 2011 and overlooked during the Plan Change notification process.

## 3.0 Topic 2: Amendments to the Activity Lists and Matters of Discretion

### 3.1 Background

- 3.1.1** The following activities are included in the Operative District Plan as Restricted Discretionary Activities:
- (a) Native vegetation removal, destruction or clearance (including logging and burning).
  - (b) Earthworks.

- (c) Infilling (including dumping), drainage or piping of wetlands.
- (d) Planting of exotic species.
- (e) Visitor and outdoor recreational facilities and activities.
- (f) Educational facilities.
- (g) Accommodation facilities associated with (e) or (f) above.
- (h) Dwellings and accessory buildings including minor dwellings and accessory dwellings.
- (i) Home enterprises.
- (j) Subdivision.
- (k) Minerals exploration, mining and quarrying.
- (l) Works and network utilities as provided for in Section 10.

**3.1.2** Even though Matakana Island is zoned Rural, there are significant differences between rural land in general and rural land on an Island such as Matakana Island. From the research of the past 4-5 years, engagement with landowners and findings from the Environment Court, it is also clear that there are significant differences between the forested sand barrier and the farmlands with regard to the natural environment, topography, landscape, human settlement pattern, land use and natural hazard risks.

**3.1.3** Plan Change 46/Variation 2 argues that the above-mentioned list of Restricted Discretionary Activities is not appropriate for Matakana Island. As a result these activities were proposed as Non-Complying Activities, with the exception of "visitor and outdoor recreational facilities and activities" and "accommodation" and "educational facilities" which were proposed as Discretionary Activities.

**3.1.4** Included in Plan Change 46 are matters of discretion and assessment criteria for the newly listed Discretionary and Non-Complying Activities.

## **3.2 Submission Points**

**3.2.1** The proposed Activity Lists received eight submissions and 16 further submissions. Three submissions were in support, two in support with an amendment while three opposed the proposed provisions. Ten further submissions were in opposition and six were in support.

**3.2.2** Eight submissions and nine further submissions were received on 5.6 – "Matters of discretion". Four submissions were in support, one in support with an amendment and three opposed the proposed provisions. Four of the further submissions were in support.

**3.2.3** The three forestry landowners opposed the proposed provisions. They are of the opinion that:

- The proposed provisions lack balance to promote sustainable management of their land resources.
- The proposed provisions are too restrictive and that Matakana Island should at least have the same provisions as the rest of the District.
- Production forestry should be included as a Permitted Activity.

- Subdivision and development should become a Controlled Activity or Restricted Discretionary Activity on Matakana Island.
- The Matters of Discretion are vague and refer to the Matakana Island Plan, which is only a background document.

**3.2.4** Submitter 24 request that production forestry should become a Permitted Activity on Matakana Island.

**3.2.5** The Regional Council supports the proposed changes with an amendment. According to the Regional Council the list of Discretionary and Non-Complying Activities should be extended to incorporate the Restricted Discretionary Activities that are excluded from Matakana Island. They also want amendments to be made to the Matters of Discretion.

**3.2.6** The Western Bay of Plenty District Council pointed out that some of the reference numbers are incorrect.

**3.2.7** Submitters 14, 15 and the Department of Conservation supports the provisions as notified.

**3.3 Option 1 – Make the provisions in 5.4 Activity Lists and 5.6 Matters of Discretion, such as production forestry and subdivision and development, less restrictive.**

<b>Advantages</b>	<ul style="list-style-type: none"> <li>▪ More development flexibility to landowners.</li> </ul>
<b>Disadvantages</b>	<ul style="list-style-type: none"> <li>▪ Will increase pressure from development on Significant Ecological Features.</li> <li>▪ Allowing production forestry as a Permitted Activity will enable landowners to extend the existing production forest by removing native vegetation within a Significant Ecological Feature.</li> <li>▪ Council will have less control over subdivision and development in Significant Ecological Features.</li> </ul>
<b>Effectiveness/ Efficiency</b>	<ul style="list-style-type: none"> <li>▪ Due to the complexity and extent of the ecological features:             <ul style="list-style-type: none"> <li>– the District Plan might fail to give effect to the purpose and matters of importance (Sections 6 &amp; 7) of the RMA.</li> <li>– it might be difficult to take the Hapu Management Plan into account.</li> </ul> </li> <li>▪ The more detailed research will improve the effectiveness of the District Plan.</li> <li>▪ The Plan will be less effective in giving effect to the Regional Policy Statement.</li> </ul>

**3.4 Option 2 – Incorporate the mainly renumbering amendments proposed by Submitters 11, 13 and 16, while retaining the provisions in 5.4 Activity Lists and 5.6 Matters of Discretion as notified.**

<b>Advantages</b>	<ul style="list-style-type: none"> <li>▪ Council will be proactive in protecting the Significant Ecological Features on Matakana Island.</li> <li>▪ The District Plan will:             <ul style="list-style-type: none"> <li>– give effect to the Regional Policy Statement and the purpose and matters of importance in the RMA.</li> <li>– take the Hapu Management Plan into account.</li> <li>– give effect to the purpose and matters of importance (Sections 6 &amp; 7) of the RMA.</li> </ul> </li> <li>▪ Give effect to the outcomes from detailed research undertaken over the past 4 to 5 years.</li> </ul>
<b>Disadvantages</b>	<ul style="list-style-type: none"> <li>▪ It puts some restrictions on landowners.</li> <li>▪ Will not incorporate some of the amendments requested by the Regional Council and Department of Conservation to improve the efficiency of the provisions.</li> </ul>
<b>Effectiveness/ Efficiency</b>	<ul style="list-style-type: none"> <li>▪ Council will be able to avoid, remedy or mitigate the effects from development more effectively.</li> <li>▪ The District Plan will be more effective by giving effect to the Regional Policy Statement.</li> <li>▪ The District Plan will be more effective as the proposed changes the Sections 5.4 and 5.6 will complement the objectives of Section 5 - Natural Environment.</li> </ul>

**3.5 Discussion**

**3.5.1** It is important to keep in mind that:

- There are significant differences between rural land in general and rural land on an Island such as Matakana Island. This is based on the research of the past 4-5 years, engagement with landowners and the findings from the Environment Court.
- There are also significant differences between the forested sand barrier and the farmlands with regard to the natural environment, topography, landscape, human settlement pattern, land use and the development expectations of landowners.
- A Significant Ecological Features overlay is an additional constraint that needs consideration. Activities within the overlay are normally more restrictive than activities outside the overlay. As a result, the outcomes from this option are linked to the outcomes from Planning Report 1, which deals with the activity status outside the overlay.

**3.5.2** Both the Activity Lists and Matters of Discretion were developed after taking into account the outcomes from the Hapu Management Plan, Matakana

Island Plan and Regional Policy Statement (both the Proposed and Operative Statement).

The Activity Lists included in 5.4

**3.5.3** Plan Change 46/Variation 2 proposes that Matakana Island be excluded from the operative list of Restricted Discretionary Activities (5.4.2). This is mainly due to the following:

- a) The pockets of native vegetation on the farmlands portion of the Island are of high importance in terms of limiting coastal erosion, which is a significant issue along the harbour edge.
- b) Even though native vegetation is relatively limited on Matakana Island, it is a very important component of an ecosystem that hosts a range of 'Threatened' and 'At Risk' shorebirds and has the most extensive population of 'Threatened' Katipo spider in the Bay of Plenty.
- c) The sand binding vegetation on the frontal dune system is commonly only 12-25m wide. To protect the frontal dune, the importance of this vegetation is very high.
- d) The freshwater wetlands and dune lakes at the northern end have one of the best populations of 'At Risk – Declining' swamp ferns in New Zealand. The pines are also growing above a much lower canopy of indigenous species of swamp grasses. These lakes and wetlands also provide habitat for threatened or at risk birds and at least three indigenous fish species.
- e) The Significant Ecological Features on the Island correspond closely with the High and Very High Natural Character Areas of the Proposed RPS.

**3.5.4** It is expected that activities such as native vegetation removal, earthworks, infill and drainage of wetlands and mineral exploration should be more restrictive than what is allowed outside a Significant Ecological Feature. Currently most of these activities are either Discretionary or Non-Complying Activities in the Rural Zone.

**3.5.5** Planning Report 1 considers the various activities within the Rural Zone and proposes that subdivision and the development of dwellings on the forested sand barrier be a Restricted Discretionary Activity. A detailed list of Activity Performance Standards and Matters of Discretion are included in Section 18. By including additional Matters of Discretion (Section 5.6), the list of matters to be considered are becoming so extensive that, for practical purposes, the activity essentially becomes Discretionary or Non-Complying.

**3.5.6** Plan Change 46/Variation 2 proposes that, in the Rural Zone on the forested sand barrier, minor dwellings be a Prohibited Activity and rural contractor depots be a Non-Complying Activity (see Planning Report 1). As a result, these activities cannot be accommodated as a Restricted Discretionary Activity within a Significant Ecological Feature.

**3.5.7** The submission points from the forestry landowners requesting the relaxation of the activity status within the Significant Ecological Features to Restricted Discretionary are therefore rejected.

- 3.5.8** More extensive visitor and outdoor recreation facilities were proposed on Matakana Island as a Restricted Discretionary Activity (than within the rest of the Rural Zone). Due to the wide range and potential impact of these activities, it is more appropriate to accommodate these activities as a Discretionary Activity.
- 3.5.9** The forestry landowners and Federated Farmers advocate that production forestry be included as a Permitted Activity. As discussed in paragraph 2.6 and recommended in paragraph 2.7 of this report, amendments have to be made to the wording of “existing use rights” and the definition of Production forestry (see 2.7 of this report).
- 3.5.10** The Bay of Plenty Regional Council request to include wording to stipulate that any activity not listed as a Permitted, Discretionary, Non-Complying or Prohibited Activity is a Discretionary Activity. The principle of this request is already included in the Operative District Plan in Section 4A1 – “Activities not specifically provided for”. The request is thus rejected.
- 3.5.11** Western Bay of Plenty District Council requests that an editorial reference numbering amendment be made to proposed 5.4.3 (a) and (b), and this is supported.

#### Matters of Discretion – 5.6

- 3.5.12** No Discretionary or Non-Complying Activities are included in the Operative District Plan and as a result no Matters of Discretion were included. Proposed Plan Change 46 proposed the inclusion of Discretionary and Non-Complying Activities and as a result Matters of Discretion were included.
- 3.5.13** As pointed out in paragraph 3.5.7, Discretionary and Non-Complying activity status are required. The submission points from the forestry landowners to delete 5.6 Matters of Discretion are therefore rejected.
- 3.5.14** The Matakana Island Plan has been developed through a consultative process and is supported by extensive research, and was developed within the community planning framework that is supported by the Local Government Act. The Matakana Island Plan can thus be included as a reference. As a result, the submission points on this topic from the forestry landowners are rejected.
- 3.5.15** The Bay of Plenty Regional Council is correct by indicating that:
- the proposed matters 5.6.2(d) to (f) are not natural environment specific and as a result should be deleted.
  - the proposed matters included in 5.6.2 (a) to (c) be reworded to refer to the matters in 5.6.1 and 18.5.8 and the objectives and policies of Section 5.
- 3.5.16** Most of the abovementioned amendments are also supported by the Department of Conservation.

### 3.6 Recommendation

THAT:

#### 3.6.1 Amend 5.6.2 to read:

#### 5.6.2 Discretionary and Non-Complying Activities – Matters of Discretion and Assessment Criteria

In considering an application for a Discretionary Activity or a Non-Complying Activity, Council shall consider:

- (a) The Relevant objectives and policies of the District Plan.
- (b) The matters listed in 5.6.1, 18.5.8.
- ~~(b) With regard to the Matakana Island forested sand barrier, the vision, principles and implementation strategies included in the adopted Matakana Island Plan.~~
- ~~(c) The potential impact the activity may have on the natural environment.~~
- ~~(d) Potential for conflict with existing and foreseeable activities in the area.~~
- ~~— In justifying any location where potential for conflict and other adverse effects arise, consideration should be made of possible alternative locations and the need to be in the specific area chosen.~~
- ~~(e) Traffic Generation~~
  - ~~— Impact on roading including traffic safety;~~
  - ~~— Access;~~
  - ~~— Effect on amenity.~~
- ~~(f) Scale of the activity including number of people carrying out the activity, the hours of operation and how this affects the existing character and amenity values.~~

The following submissions are therefore:

#### Accepted

Submission	Point Number	Name
13	1	Western Bay of Plenty District Council
FS28	FS5, FS15, FS25, FS40	Bay of Plenty Regional Council

### Accepted in Part

Submission	Point Number	Name
11	5, 6	Bay of Plenty Regional Council
16	3, 5 & 6	Department of Conservation
14	1, 3	Te Kuka, Nessie Hinetai
15	1, 3	Poka, Donna

### Rejected

Submission	Point Number	Name
8, FS 27	7, FS41, FS18, FS15, FS44, FS85, FS94,	Carrus Corporation Ltd
10	8, 11	Blakely Pacific Limited
7, FS29	7, 10, FS20, FS38, FS18, FS41, FS59, FS83, FS87, FS115, FS146, FS60, FS89, FS117, FS148, FS149	TKC Holdings Ltd
24	1	Federated Farmers
FS26	FS1	Cathryn Faulkner

### 3.7 Reason

The proposed changes to Sections 5.4 and 5.6 will:

- 3.7.1 Give effect to the Proposed Regional Policy Statement.
- 3.7.2 Take the Hapu Management plan into account.
- 3.7.3 Give a clear indication that the Significant Ecological Features on Matakana Island are very important.
- 3.7.4 No impact on the existing production forestry operations.

## 4.0 Recommended Changes to the District Plan

- 4.1 The purpose of this part of the report is to show the Proposed Plan Change in full including any recommended changes in response to the submissions and further submissions.
- 4.2 Recommended changes to the District Plan First Review are shown as follows; existing District Plan text in black, proposed changes as included in the Section 32 Report in red, and recommendations as a result of this Planning Report in blue.

### Proposed Changes to: 3 Definitions

“**Production Forestry**” means the management of land for commercial wood production including the extraction of timber therefrom and the replanting of trees but does not include the milling or processing of timber.

### Proposed Changes to Section 5. Natural Environment

#### **Explanatory Statement**

(8<sup>th</sup> paragraph)

~~Existing use rights may apply in relation to the management of stock by landowners. The rules in the District Plan do not compulsorily require fencing by landowners.~~  
Existing use rights apply. These include farm management and the management of other land currently used for production forestry, woodlots, and quarries.

#### **5.4 Activity Lists**

##### **5.4.2 Restricted Discretionary Activities (excluding Matakana Island)**

##### **5.4.3 Discretionary Activities**

- (a) Visitor and outdoor recreational facilities and activities on Matakana Island that meet the performance standards in 18.4.1(f).
- (b) Accommodation facilities and educational facilities associated with (a) above on Matakana Island that meet the performance standards in 18.4.1(e).

##### **5.4.4 Non-Complying Activities**

- (a) Subdivision and *development* on Matakana Island.

## 5.6 Matters of Discretion

### 5.6.42 Discretionary and Non-Complying Activities – Matters of Discretion and Assessment Criteria

In considering an application for a Discretionary Activity or a Non-Complying Activity, Council shall consider:

- (a) Relevant objectives and policies of the District Plan.
- (b) The matters listed in 5.6.1, 18.5.8.
- ~~(b) With regard to the Matakana Island forested sand barrier, the vision, principles and implementation strategies included in the adopted Matakana Island Plan.~~
- ~~(c) The potential impact the activity may have on the natural environment.~~
- ~~(d) Potential for conflict with existing and foreseeable activities in the area.~~
  - ~~— In justifying any location where potential for conflict and other adverse effects arise, consideration should be made of possible alternative locations and the need to be in the specific area chosen.~~
- ~~(e) Traffic Generation~~
  - ~~— Impact on roading including traffic safety;~~
  - ~~— Access;~~
  - ~~— Effect on amenity.~~
- ~~(f) Scale of the activity including number of people carrying out the activity, the hours of operation and how this affects the existing character and amenity values.~~

# Attachment B

## Proposed Changes to Appendix 1

### Schedule of Identified Significant Ecological Features

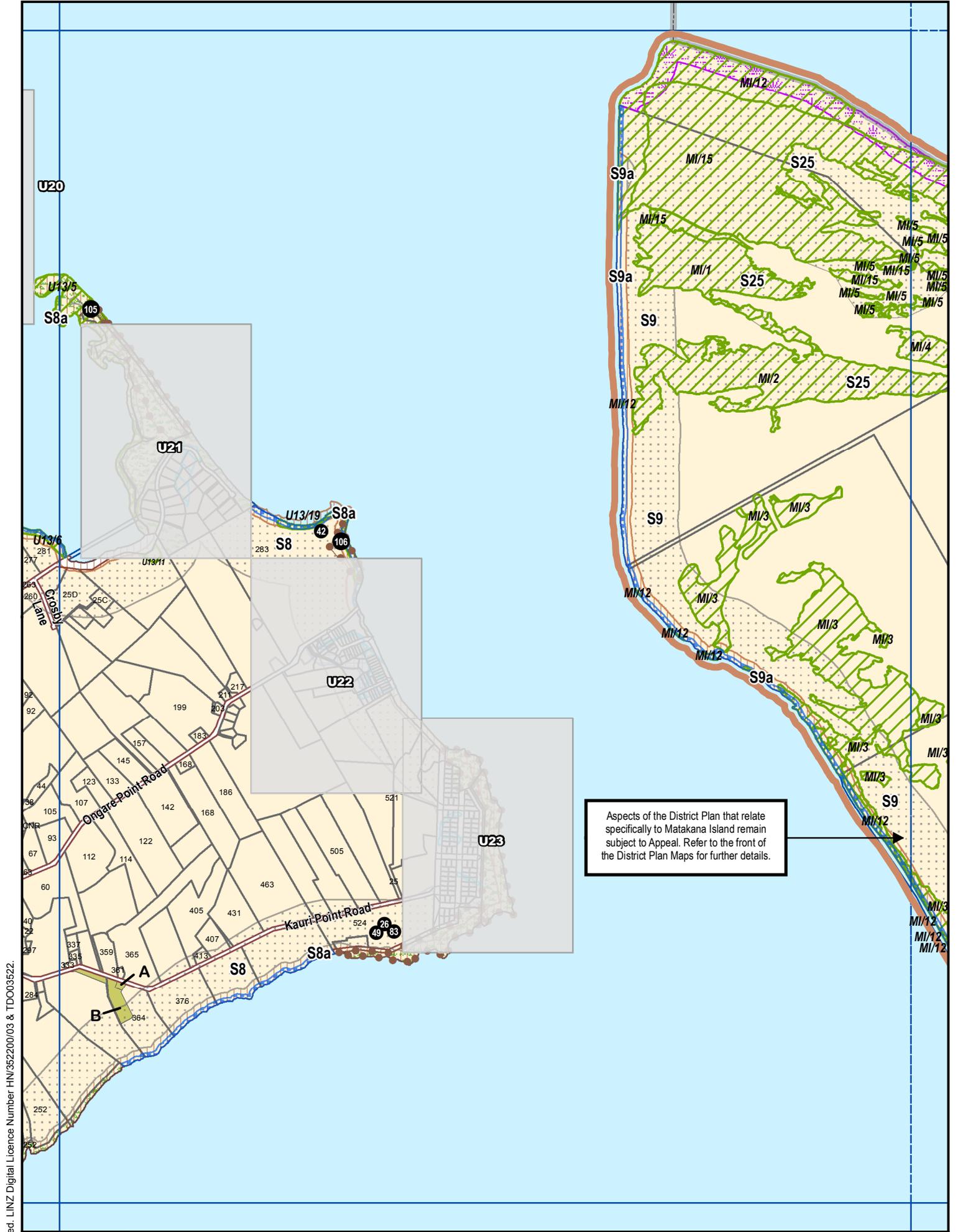
#### Schedule of Identified Significant Ecological Features

Site No	District Plan Map Ref	Name	Habitat
U13/2	C04; C05	Freshwater Wetlands, Matakana Island	Freshwater Wetlands
U13/3	C04; C05	Nthn Matakana Is Wetland and Dunes	Freshwater Wetlands and Dunes
U13/7	C05; D05	Matakana Island Estuary Wetland	Estuarine Wetlands
U13/21	D05	Mid-Matakana Island Shoreline	Estuarine Wetlands
U13/24	C04	Cottage Road	Sedgeland and Flaxland
U14/103	E06	Opureora	Tussockland
U14/104	E06	Motungaio Island	Saltmarsh, shrub and forest
U14/105	E06	Tahunamanu Island	Sandspit vegetation
U14/109	E06	Hunters Creek	Freshwater and Saline Vegetation
U14/112	E06	Opureora Inlet	Wetland Vegetation
U14/113	E06	Opureora Inlet	Sedgeland
U14/114	E06	Waiherehere Road	Estuarine Vegetation
U14/115	E06	Tahunamanu Spit	Sandspit
U14/116	D05; D06; E06	Bluegum Bay	Estuarine Vegetation
U14/117	D05; D06	Tirohanga	Sedgeland and Mangrove Shrubland
U14/125	D06; E06	Waihirere Inlet	Freshwater and Saline Vegetation
U14/126	E05; E06	Tirohanga Road Wetland	Grey Willow Forest
U14/127	E06	Waihirere Road Wetland	Grey Willow Forest
SBS-7	E06	Opureora Road	Bird Nesting and Roosting Site
SBS-8	E07	Matakana Island	Bird Nesting and Roosting Site
MI/1	C04;	Matakana Wetlands B	Scrub and freshwater wetland
MI/2	C04; C05;	Matakana Wetlands C	Scrub, tussockland, and freshwater wetland
MI/3	C04; C05; D05;	Central Matakana Wetlands	Freshwater wetland vegetation
MI/4	C04; C05	Matakana Wetlands D	Freshwater wetland vegetation and forest
MI/5	C04; C05;	Matakana Wetlands A	Sedgeland and freshwater wetland vegetation
MI/6	C05; D05;	Matakana Island 2	Mangrove scrub and shrubland, freshwater wetland vegetation, sandspit vegetation, and forest

MI/7	D05;	Tirohanga Point Pohutukawa	Pohutukawa forest
MI/8	E05;	Tirohanga Point Beach	Bird nesting site
MI/9	E05	Matakana Point	Pohutukawa forest
MI/10	D05;	Matakana Island 4	Flaxland, scrub, and estuarine wetland vegetation
MI/11	E05;	Tahunamanu Pohutukawa	Pohutukawa forest
MI/12	C04; C05; D05; D06; E05; E06; E07; F07	Tauranga Harbour	Estuarine wetland vegetation, intertidal flats, and bird feeding, roosting, and breeding sites
MI/13	E06;	Tahunamanu Island	Intertidal flat vegetation, dunes, and sandspit vegetation
MI/14	D05; D06; E06;	Blue Gum Bay 1	Forest, freshwater wetland, estuarine wetland
MI/15	C04; C05; D05; D06; E06; E07; F07	Matakana Island 1	Sand dune vegetation, freshwater wetland vegetation,
MI/16	E06;	Opureora Inlet	Freshwater wetland vegetation and estuarine wetland vegetation
MI/17	E06	Waihirere Road Wetland	Freshwater wetland vegetation and estuarine wetland vegetation
MI/18	D05; D06; E05; E06	Blue Gum Bay 2	Freshwater wetland vegetation and estuarine wetland vegetation
MI/19	E06	Otapu Bay	Freshwater wetland vegetation and estuarine wetland vegetation
MI/20	E06;	Opureora	Freshwater wetland vegetation, estuarine wetland vegetation, dunes, and bird nesting and roosting
MI/26	E07;	Duck Bay	Estuarine scrub and tussockland
MI/27	E07;	Southeastern Matakana Wetlands	Freshwater wetland vegetation
MI/28	E05;	Matakana Island 5	Estuarine wetland vegetation

# New District Plan Maps

C04, C05, D05, D06, E06, E07, F07



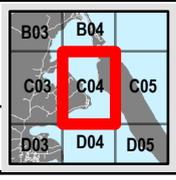
Aspects of the District Plan that relate specifically to Matakana Island remain subject to Appeal. Refer to the front of the District Plan Maps for further details.

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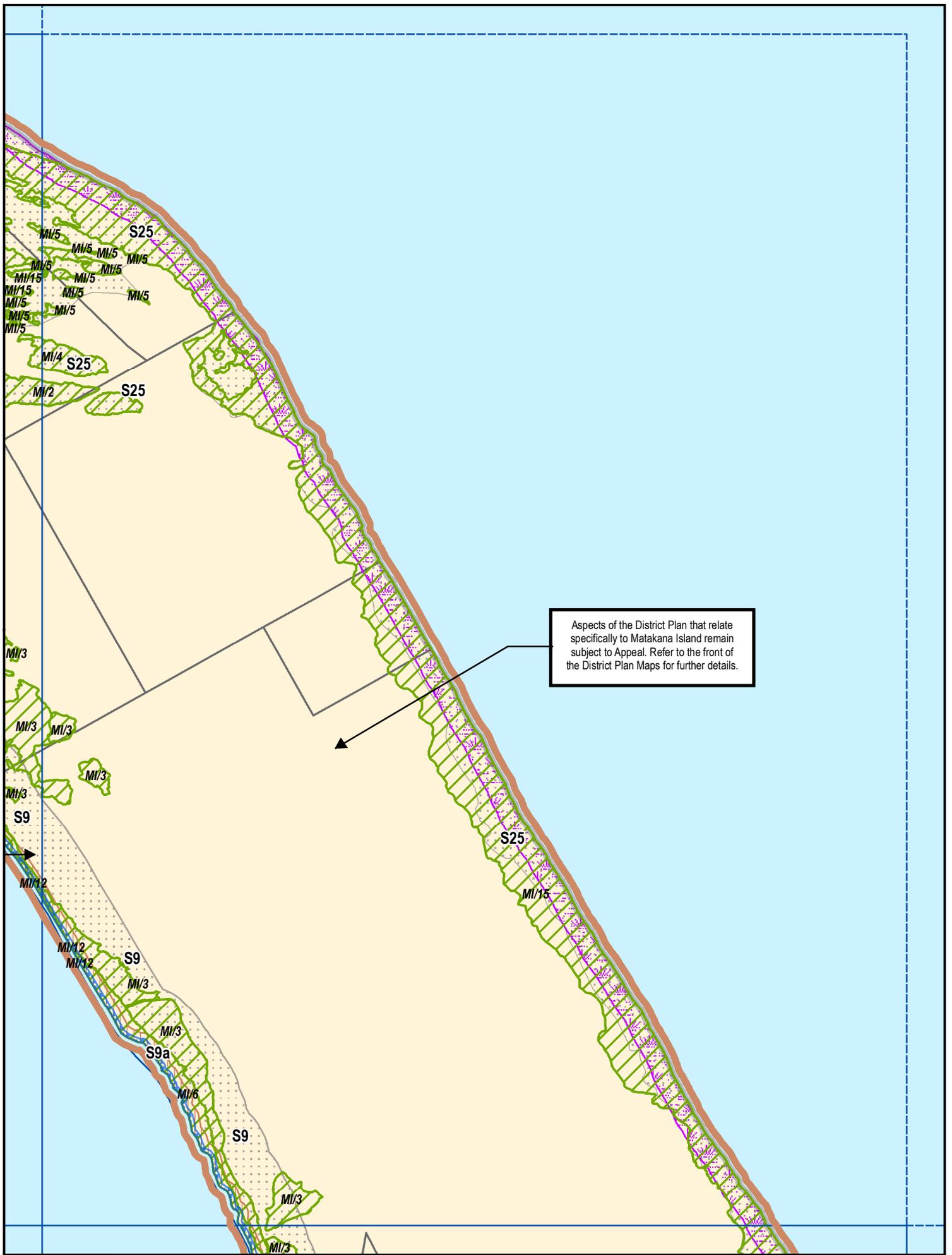
# C04 Rural Series



Scale 1:25000 (A4)



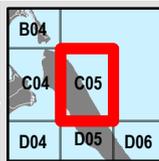
Revision Date: 7 March 2014



# C05 Rural Series



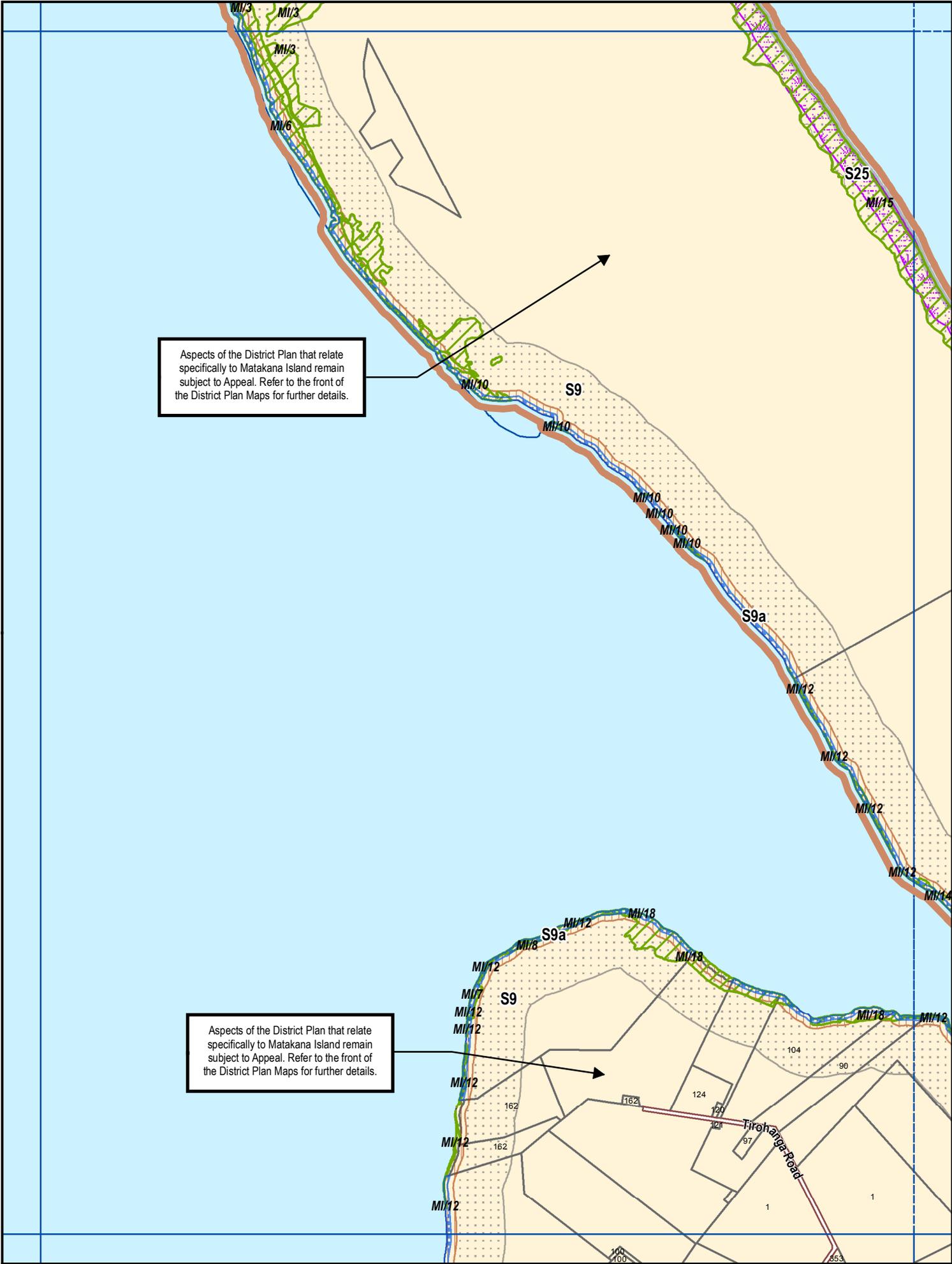
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Revision Date: 7 March 2014

Aspects of the District Plan that relate specifically to Matakana Island remain subject to Appeal. Refer to the front of the District Plan Maps for further details.

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**D05 Rural Series**

Scale 1:25000 (A4)

C04	C05
D04	<b>D05</b>
E04	E06

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Revision Date: 7 March 2014





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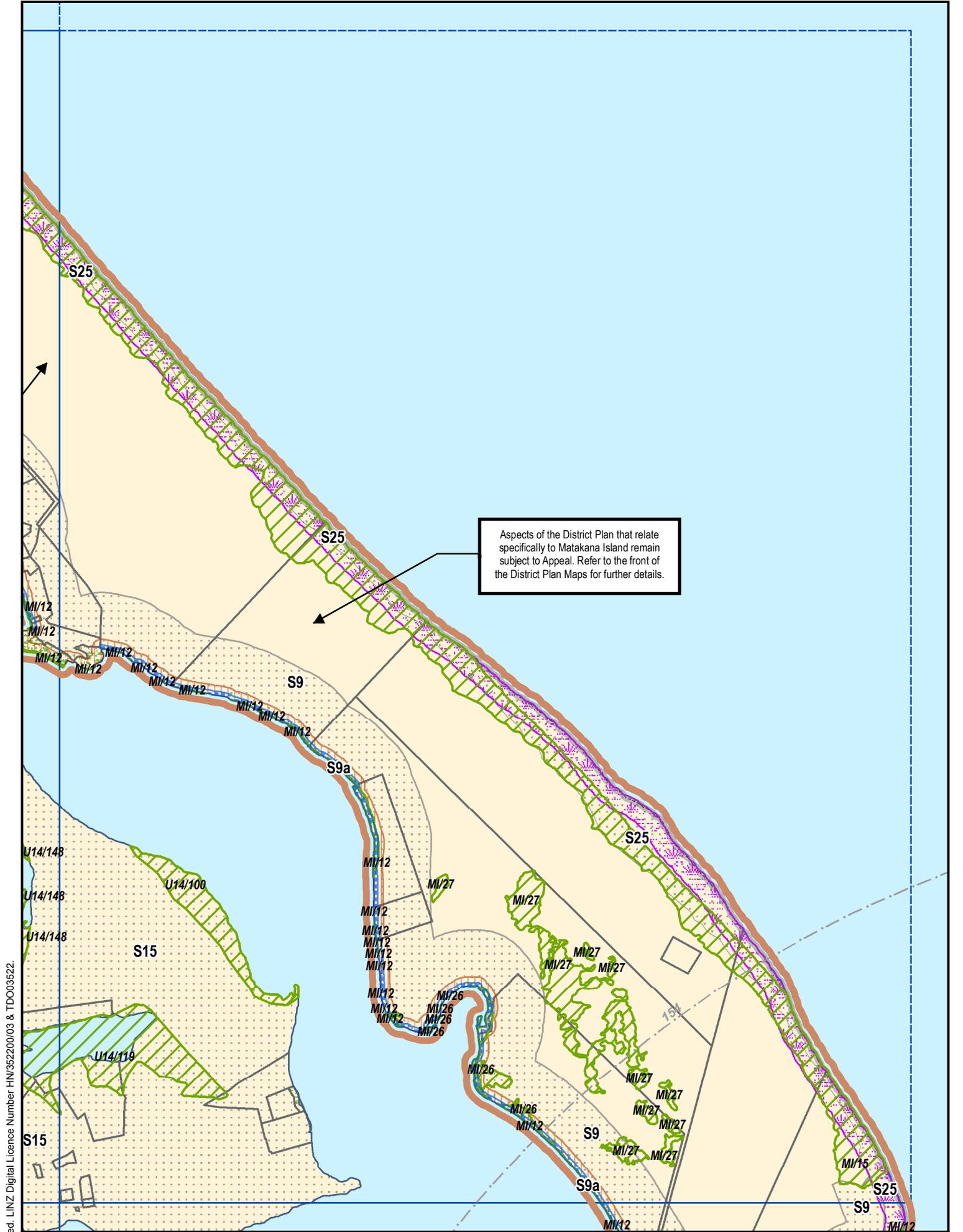
## E06 Rural Series

D05	D06
E05	E06
F05	F07

Scale 1:25000 (A4)

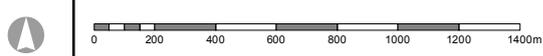
Western Bay of Plenty  
District Council

Revision Date: 7 March 2014

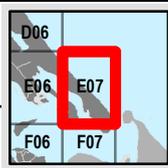


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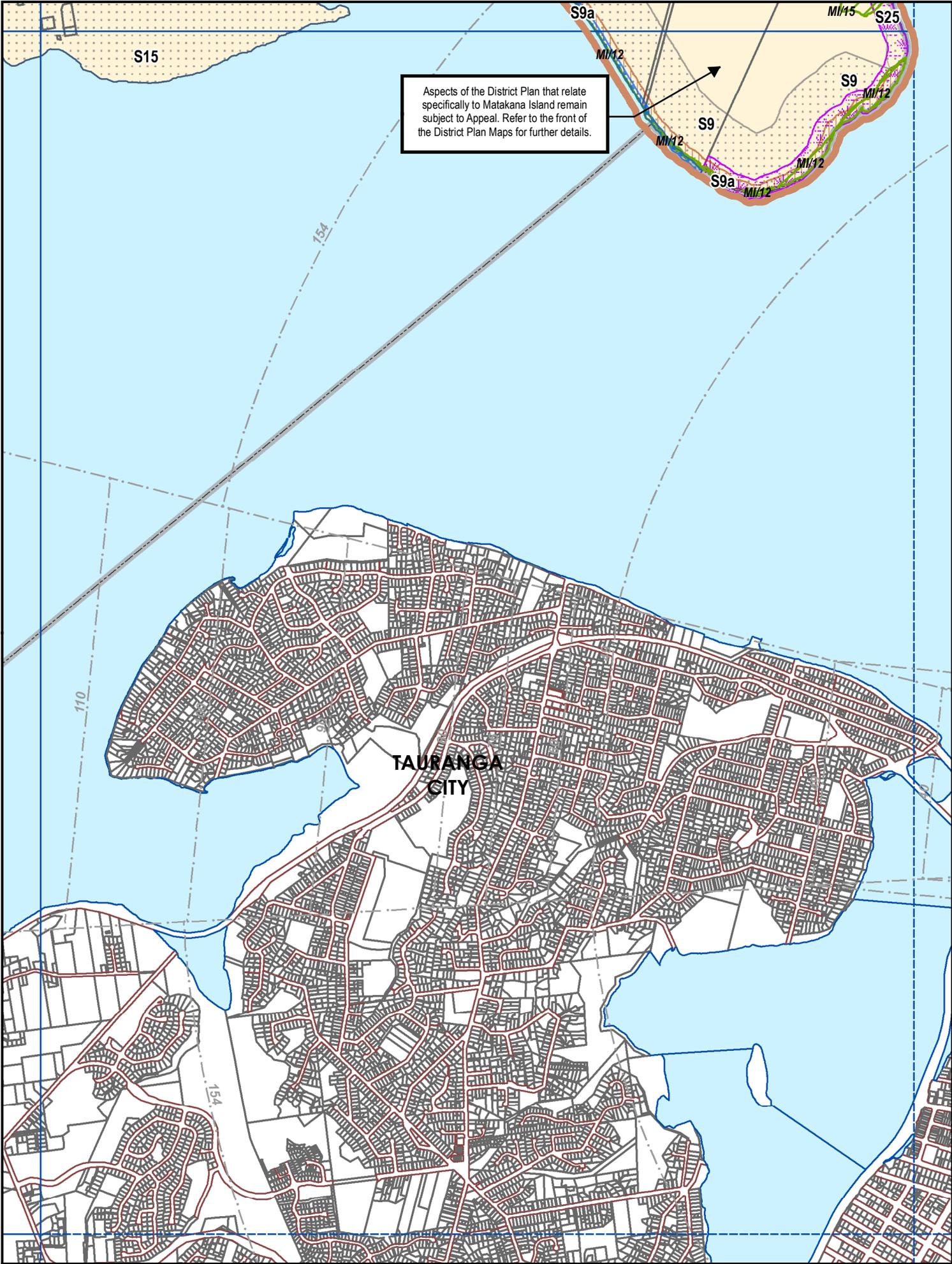
# E07 Rural Series



Scale 1:25000 (A4)



Revision Date: 7 March 2014

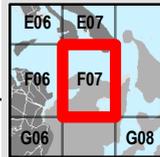


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# F07 Rural Series



Scale 1:25000 (A4)



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