

Part 10a

Land units: objectives, policies and activity tables

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Annotations key

[DRx] indicates where the content is affected by decision report x

Underlined content to be inserted.

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where this annotation appears next to a figure, this indicates that the figure has been amended or deleted, or a new figure inserted.

[APx] indicates content is affected by Appeal x.

Plan modification annotations

 indicates where content is affected by proposed plan modification x. refer to plan modification folder or website for details.

 indicates where the content is part of plan modification x, which is subject to appeal.

Underlined content to be inserted.

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10a.1 Introduction

This part of the Plan contains the objectives, policies, activity tables and some rules applying to land identified on the planning maps as being in a land unit. Each land unit also identifies issues, and a strategy for how those issues will be addressed and the objectives and policies achieved. The division into land units has been done by grouping land according to common physical, locational, and development characteristics.

The land units have been grouped as follows:

| Land unit grouping | Description |
|------------------------|---|
| Landform 1-7 | These land units apply to particular types of landform, ranging from coastal cliffs and slopes, to forest and bush. The landform land units apply on Waiheke, Great Barrier, Ponui and Pakihi. |
| Island residential 1-2 | There are two island residential land units. They apply to residential development on smaller sites on Waiheke and Rakino. |
| Commercial 1-7 | These land units provide for a range of commercial activities from local shops to quarrying. These land units may be based around a particular location (ie Ostend or Oneroa) or a particular type of activity (ie local shops, wharf, or industrial). Five of the commercial land units apply only on Waiheke. Commercial 6 (quarry) applies to a quarry on Waiheke, a quarry on Great Barrier and to Karamuramu Island. Commercial 7 (wharf) applies to wharves on Waiheke, Great Barrier and Rakino. |
| Matiatia (mixed use) | The Matiatia land unit provides for mixed use development in a specific location on Waiheke. |
| Open space 1-4 | Open space 1 and 2 provide for particular types of recreation activity - local parks and esplanade reserves, and community facilities and sports parks. Open space 1 applies on Waiheke and Great Barrier. Open space 2 applies on Waiheke, Great Barrier and Rakino. Open space 3 (Rangihoua Park) and 4 (marae) focus on particular locations on Waiheke. |
| Rural 1-3 | Rural 1 and 2 apply on Waiheke. Rural 3 applies only on Rakino. |
| Conservation | This land unit applies to land used for conservation activities. It applies to Department of Conservation land, to the Whakanewha Regional Park owned by the Auckland Regional Council on Waiheke and to some privately owned land. |
| Other islands | Specific island based land units apply to Rotoroa and Pakatoa in recognition of the particular characteristics of these islands, including past activities and opportunities for future development. |

In this part, the land units appear in the same order as given in the above table.

10a.2 Land unit - Landform 1 (coastal cliffs)

10a.2.1 Introduction

This land unit is applied to steep, exposed coastal cliffs and offshore islets and stacks.

Coastal cliffs is characterised by:

- A steep, rugged, wild and dynamic landscape which defines the coastal margins.
- Visual prominence due to its exposed coastal location.
- Sparse vegetation, including cliff associations and unprotected remnant gully vegetation.
- Instability, exposure, and varying degrees of erosion.
- An absence of buildings or structures.

Overall, coastal cliffs have high natural character values and a rugged, visually prominent landscape.

10a.2.2 Resource management issue

The significant resource management issue which needs to be addressed in the Plan is:

- How to protect the natural character and visual prominence of the coastal cliffs from the adverse effects of activities and buildings.

10a.2.3 Objectives

1. To protect the natural character and visual prominence of the coastal cliffs from the adverse effects of activities and buildings.
2. To, where possible, enhance or restore, the natural character and visual prominence of the coastal cliffs.
3. To protect coastal cliffs from the adverse effects of natural hazards.

Policies

1. By protecting the coastal cliffs from modification by activities and buildings.
2. By requiring new sites to be of a size and nature that avoids adverse effects on the natural character, landscape values, and the visual prominence of the land unit.

10a.2.4 Resource management strategy

The visual prominence and natural character value of this land unit is so high, that the resource management strategy is to not specifically provide for activities and buildings to occur at all and to require a large minimum site size for subdivision within the land unit.

Rural property management plans are provided for as a discretionary activity in recognition of the long term management approach to development for a whole site that is expected from these plans. Some sites contain a range of different landform land units. It is therefore appropriate for a rural property management plan to include methods for protecting and enhancing any parts of the site which are classified as landform 1.

10a.2.5 Rules - activity table

| Activity | Status |
|--|--------|
| The construction and relocation of buildings, or undertaking alterations and additions to the exterior of existing buildings | NC |
| All activities (other than ecosourced planting and rural property management plan as provided for below) | NC |
| Ecosourced planting | P |
| Rural property management plan | D |

Legend

P = Permitted

D = Discretionary

NC= Non-complying

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.2.6 Rules - development controls

Refer to [part 10c - Development controls for land units and settlement areas](#) for the controls applying in this land unit. The development controls listed in that part apply to all activities, whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

10a.2.7 Assessment matters

For applications for resource consent refer to [part 11 - Assessment matters](#) for assessment criteria for discretionary activities.

10a.2.8 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.3 Land unit - Landform 2 (dune systems and sand flats)

10a.3.1 Introduction

Dune systems and sand flats is applied to open dune systems and to sand flats which may be covered in pasture or other vegetation.

Dune systems and sand flats is characterised by:

- High natural character and visual amenity value due to the open expansive qualities of the landscape, the coastal location and the general absence of buildings and structures. This is especially apparent in the dune systems area.
- A dynamic and variable nature, meaning that the dune systems and sand flats continually change over time, though some areas change faster than others.
- High ecological value due to the wildlife habitats and plant species present.
- Sensitivity to modification by activities and buildings, especially in the dune systems area.
- Varying degrees of instability, for example, in some locations there are mobile sand dunes and in other locations there are stable sand flats with regenerating vegetation cover.
- Pastoral farming as the dominant activity if there is any activity at all.

Overall, the land unit has a dynamic and variable natural environment, with high natural character, ecological and visual amenity values.

10a.3.2 Resource management issue

The significant resource management issue which needs to be addressed in the Plan is:

- How to protect the natural character, ecological and visual amenity value of the dune systems and sand flats from the adverse effects of activities and buildings.

10a.3.3 Objective

1. To protect the ecological, heritage, natural character, landscape, and visual amenity values of the dune systems and sand flats from the adverse effects of activities and buildings.
2. To, where possible, enhance or restore, the ecological, heritage, landscape, natural character, and visual amenity values of the dune systems and sand flats.

Policies

1. By protecting the ecological, natural character, and visual amenity values of the dune systems area of the land unit from modification by activities and buildings.
2. By limiting the activities that can occur in the sand flats area of the land unit to those which avoid adverse effects on the ecological, natural character, landscape, and visual amenity values of the land unit.
3. By ensuring that the scale, form, colour and location of new buildings in the sand flats area will not have adverse effects on the ecological, heritage, natural character, and visual amenity values of the land unit.
4. By requiring new sites to be of a size and nature that avoids adverse effects on the ecological, natural character, and visual amenity values of the land unit.

10a.3.4 Resource management strategy

As the dune systems area of the land unit needs a higher degree of protection than the sand flats area, the resource management strategy is to divide the land unit into two parts; the dune systems area and the sand flats area.

In the dune systems area, the natural character, ecological and visual amenity values are so high that buildings and activities are not specifically provided for at all. In the sand flats area, the range of activities is limited to those with a low intensity and buildings require an assessment to ensure that there will be no adverse effects on the natural character, ecological and visual amenity value of the land unit.

Rural property management plans are provided for as a discretionary activity in recognition of the long term management approach to development for a whole site that is expected from these plans. Some sites contain a range of different landform land units. It is therefore appropriate for a rural property management plan to include methods for protecting and enhancing any parts of the site which are classified as landform 2.

10a.3.5 Rules - activity tables

Landform 2 is divided into two areas:

- dune systems - the location of these is identified with the symbol 'ds' on the planning maps
- sand flats - the location of these is identified with the symbol 'sf' on the planning maps.

There is a separate activity table for each of these areas.

10a.3.5.1 Dune systems area

| Activity | Status |
|--|--------|
| The construction and relocation of buildings, or undertaking exterior alterations and additions to existing buildings. | NC |
| All activities (other than ecosourced planting and rural property management plan as provided for below) | NC |
| Ecosourced planting | P |
| Rural property management plan | D |

Legend

P = Permitted

D = Discretionary

NC= Non-complying

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.3.5.2 Sand flats area

| Activity | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | RD |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD |
| Continuous canopy indigenous forestry | P |
| EITHER: Dwelling (one per site) OR: Visitor accommodation for up to 10 people | P |
| Dwelling (one per site) not otherwise provided for as a permitted activity | D |
| Home occupations | P |
| Homestay | P |
| Horticulture | P |
| Multiple dwellings | D |
| Outdoor adventure activities | D |
| Pastoral farming | P |
| Residential accessory buildings | P |
| Rural property management plan | D |
| Visitor accommodation not otherwise provided for as a permitted activity | D |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance (including domestic firewood harvesting) are treated as development controls and are therefore not listed in this table.

10a.3.6 Rules - standards and terms for multiple dwellings

An application for multiple dwellings will only be considered as a discretionary activity where one or more of the following criteria are met:

1. The resulting number of dwellings on the site will be no more than that which would occur if:
 - a. the site were subdivided in accordance with the minimum site areas set out in [table 12.1](#) for this land unit; and
 - b. one dwelling was located on each site.
2. An application is made at the same time for subdivision resulting in the amalgamation of sites such that the number of dwellings on the new site created would be no greater than that which could be achieved through locating a dwelling on each of the original sites.
3. The dwellings are for papakainga housing.

4. The land has been owned co-operatively by a number of individuals since prior to 29 September 1992.

Proposals which do not meet these standards are a non-complying activity.

10a.3.7 Rules - development controls

Refer to [part 10c - Development controls for land units and settlement areas](#) for the controls applying in this land unit. The development controls listed in that part apply to all activities, whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

10a.3.8 Assessment matters

For applications for resource consent refer to [part 11 - Assessment matters](#) for:

- Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings.
- Assessment criteria for discretionary activities.

10a.3.9 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.4 Land unit - Landform 3 (alluvial flats)

10a.4.1 Introduction

This land unit is applied to low-lying pasture land that is often located near dune systems and sand flats and wetland systems.

Alluvial flats is characterised by:

- Low-lying land with pasture as the main vegetation cover.
- Pastoral farming and horticultural activities that use the high productive capability of the alluvial soil. These are often of a smaller scale than the primary production activities occurring within other land units.
- The character and amenity associated with a rural landscape.
- High water tables and various water bodies such as streams and wetlands.
- A working landscape with various built elements such as farm buildings, houses and drainage systems.

Overall, alluvial flats provides for small scale rural activities which contribute to the lifestyle, economy and identity of the islands.

10a.4.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to provide for primary production activities, such as pastoral farming and horticulture, to establish and operate within in the land unit.
2. How to recognise that primary production activities may need to be complemented by other activities to ensure that a reasonable economic return for the landowner is achieved.
3. How to control the potential adverse effects of other activities so that the rural character of the landscape and the general amenity of the area is maintained.
4. How to manage the flooding which results from the high water tables associated with the land unit.

10a.4.3 Objective

To provide for smaller scale primary production activities and a limited range of other activities where they do not detract from the rural character of the landscape or the general amenity of the locality.

Policies

1. By providing for primary production activities, such as pastoral farming and horticulture, to establish and operate in the land unit.
2. By requiring new sites to be of a size and nature that ensures smaller scale rural activities can occur and which maintains the rural character of the landscape.
3. By ensuring that the scale, nature and location of other activities will not have adverse effects on the rural character of the landscape or the general amenity of the locality.

10a.4.4 Resource management strategy

The resource management strategy is to provide for primary production activities, such as pastoral farming and horticulture, so that these activities can continue to contribute to the economy, the lifestyle and the identity of the islands.

The smaller minimum site size in this land unit recognises that moderate to large scale farming operations may not always be viable in the islands, and as such, landowners may

need to diversify into a wider range of primary production activities, including those which do not require large sites.

A limited range of other activities is also provided for, subject to ensuring that the rural character of the landscape and general amenity values of the area are maintained. Provision for such activities is appropriate given that the income from primary production activities may need to be supplemented and as the majority of this land unit is located near settlement areas.

Visitor accommodation for up to 10 people is provided for as a permitted activity. Visitor accommodation for more than 10 people is a discretionary activity so that adverse effects on the rural character of the landscape and general amenity values of the locality can be assessed.

The flooding issues associated with the land unit will be managed through rules in [part 8 - Natural hazards](#). This may mean that while buildings are provided for in these land unit rules, they may not be provided for under the natural hazard rules.

10a.4.5 Rules - activity table

| Activity | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | P |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table ¹ | P |
| Accommodation for care | D |
| Accommodation for retired, elderly or disabled people | D |
| Art galleries and museums | D |
| Boarding house or hostel | D |
| Boarding kennels and catteries | D |
| Camping facilities | D |
| Care centres | D |
| Commercial firewood harvesting ² | D |
| Continuous canopy indigenous forestry | P |
| Dwelling (one per site) | P |
| Emergency services facilities | D |
| Forestry ² | D |
| Home occupations | P |
| Homestay | P |
| Horticulture | P |
| Multiple dwellings | D |
| Outdoor adventure activities | D |
| Pastoral farming | P |
| Residential accessory buildings | P |
| Rural property management plan | D |
| Visitor accommodation for up to 10 people | P |
| Visitor accommodation for more than 10 people | D |
| Winery | P |

Legend

P = Permitted

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. Commercial firewood harvesting and forestry are not expected to comply with the vegetation clearance controls set out in [part 10c - Development controls for land units and settlement areas](#) for landform 3.
3. The activities of earthworks and vegetation clearance (including domestic firewood harvesting) are treated as development controls and are therefore not listed in this table.

10a.4.6 Rules - standards and terms for multiple dwellings

An application for multiple dwellings will only be considered as a discretionary activity where one or more of the following criteria are met:

1. The resulting number of dwellings on the site will be no more than that which would occur if:
 - a. the site were subdivided in accordance with the minimum site areas set out in [table 12.1](#) for this land unit and
 - b. one dwelling was located on each site.
2. An application is made at the same time for subdivision resulting in the amalgamation of sites such that the number of dwellings on the new site created would be no greater than that which could be achieved through locating a dwelling on each of the original sites.
3. The dwellings are for papakainga housing.
4. The land has been owned co-operatively by a number of individuals since prior to 29 September 1992.

Proposals which do not meet these standards are a non-complying activity.

10a.4.7 Rules - development controls

Refer to [part 10c - Development controls for land units and settlement areas](#) for the controls applying in this land unit. The development controls listed in that part apply to all activities, whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

10a.4.8 Assessment matters

For applications for resource consent refer to [part 11 - Assessment matters](#) for assessment criteria for discretionary activities.

10a.4.9 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

Part 6 - Financial contributions

Part 7 - Heritage

Part 8 - Natural hazards

Part 9 - Hazardous facilities and contaminated land

Part 10c - Development controls for land units and settlement areas

Part 12 - Subdivision

Part 13 - Transport

10a.5 Land unit - Landform 4 (wetland systems)

10a.5.1 Introduction

This land unit is applied to fresh water wetlands that drain to rivers, streams or estuaries and to areas of land that support a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wetland systems is characterised by:

- Expansive, largely unmodified wetland systems in low-lying areas.
- Smaller wetland systems, some of which have been modified by land management practices on surrounding areas of land.
- Wildlife and plant habitats, which result in high ecological value in a local, regional and in some cases a national context. This is particularly apparent where the wetland system is unmodified.
- High hydrological importance within water catchments, particularly in terms of flood mitigation and sediment control.
- High natural character, especially where the wetland system is unmodified.

Overall, wetland systems is an important natural environment, with high natural character, ecological and hydrological values.

10a.5.2 Resource management issue

The significant resource management issue which needs to be addressed in the Plan is:

- How to protect the natural character, ecological and hydrological value of wetland systems from the adverse effects of activities and buildings.

10a.5.3 Objectives

1. To protect the natural character and the ecological and hydrological values and functional integrity of wetland systems from the adverse effects of activities and buildings.
2. To where possible, enhance or restore, the natural character and the ecological and hydrological values and functional integrity of wetland systems.

Policies

1. By protecting wetland systems from modification by activities and buildings.
2. By requiring new sites to be of a size and nature that avoids adverse effects on the natural character, ecological and hydrological values of the land unit.

10a.5.4 Resource management strategy

The natural character, ecological and hydrological values of this land unit are so high, that the resource management strategy is to not specifically provide for activities and buildings to occur at all and to require a large minimum site size for subdivision within the land unit.

Rural property management plans are provided for as a discretionary activity in recognition of the long term management approach to development for a whole site that is expected from these plans. Some sites contain a range of different landform land units. It is therefore appropriate for a rural property management plan to include methods for protecting and enhancing any parts of the site which are classified as landform 4.

10a.5.5 Rules - activity table

| Activity | Status |
|--|--------|
| The construction and relocation of buildings, or undertaking exterior alterations and additions to existing buildings. | NC |
| All activities (other than ecosourced planting and rural property management plan as provided for below) | NC |
| Ecosourced planting | P |
| Rural property management plan | D |

Legend

P = Permitted

D = Discretionary

NC= Non-complying

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearances are treated as development controls and are therefore not listed in this table.

10a.5.6 Rules - development controls

Refer to [part 10c - Development controls for land units and settlement areas](#) for the controls applying in this land unit. The development controls listed in that part apply to all activities, whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

10a.5.7 Assessment matters

For applications for resource consent refer to [part 11 - Assessment matters](#) for assessment criteria for discretionary activities.

10a.5.8 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.6 Land unit - Landform 5 (productive land)

10a.6.1 Introduction

This land unit applies to land which is predominantly pastoral, but includes other productive uses such as horticulture and woodlots. The land unit is applied to the expansive areas of land on eastern Waiheke while on Great Barrier, the land unit is generally applied to pockets of land.

Productive land is characterised by:

- Pastoral and horticultural activities, these are often of a moderate to large scale as compared to the productive activities occurring within other land units.
- Varying contours, with some areas being characterised as 'rolling to moderately sloping' and others being 'steep slopes'.
- An expansive landscape with an open pattern and a rural character.
- A range of pasture quality and productive capability due to the varying soil types.
- A number of natural features such as smaller wetlands and water systems.
- A working landscape with various built elements such as farm buildings, houses and drainage systems.

Overall, productive land provides for large scale rural activities which contribute to the lifestyle, economy and identity of the islands.

10a.6.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to provide for productive activities, such as pastoral farming and horticulture, to establish and operate within in the land unit.
2. How to maintain the open pattern and rural character of the landscape.

10a.6.3 Objective

To provide for productive activities and to ensure that the open pattern and rural character of the landscape is maintained.

Policies

1. By providing for productive activities, such as pastoral farming, viticulture and horticulture to establish and operate within the land unit.
2. By limiting the non-productive activities that can occur so that the rural use and character of the landscape is maintained.
3. By requiring new sites to be of a size and nature which ensures that moderate to large scale productive activities can occur and which protects the open pattern and rural character of the landscape.

10a.6.4 Resource management strategy

The resource management strategy is to provide for productive activities, such as pastoral farming and horticulture, so that these activities can continue to contribute to the economy, lifestyle and the identity of the islands.

Provision for non-productive activities is limited and the minimum site size is large so that the objective of using the land for productive activities will be achieved.

10a.6.5 Rules - activity table

| Activity | Status |
|---|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ unless specified as a restricted discretionary activity in this table | P |
| The construction and relocation of buildings for the following activities: Dwelling, Visitor accommodation, Home occupation, Homestay and Residential accessory buildings | RD |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table ¹ | P |
| Boarding house or hostel | D |
| Boarding kennels and catteries | D |
| Commercial firewood harvesting ² | D |
| Continuous canopy indigenous forestry | P |
| Dwelling (one per site) | P |
| Dwelling (two per site), on Great Barrier Island only, where the following circumstances apply: <ul style="list-style-type: none"> • there is no visitor accommodation (existing or proposed) on the site; and • the site is not required to meet the minimum subdivision site size in tables 12.1 and 12.2; and • a restrictive covenant is to be registered on the title to avoid subdivision for sites that do not meet the provisions of tables 12.1 and 12.2. | RD |
| Forestry ² | D |
| Home occupations | P |
| Homestay | P |
| Horticulture | P |
| Multiple dwellings on Waiheke and Ponui Islands | RD |
| Multiple dwellings unless otherwise specified as a restricted discretionary activity in this table | D |
| Outdoor adventure activities | D |
| Pastoral farming | P |
| Residential accessory buildings | P |
| Rural property management plan | D |
| The disposal of settled solids from septic tanks and wastewater treatment and disposal systems | D |
| Visitor accommodation for up to 10 people (excluding Great Barrier Island) | P |
| Visitor accommodation for up to 10 people, on Great Barrier Island only, where there is no more than one dwelling per site | P |
| Visitor accommodation for more than 10 people (excluding Great Barrier Island) | D |
| Visitor accommodation for more than 10 people, on Great Barrier Island only, where there is no more than one dwelling per site | D |
| Winery | P |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. Commercial firewood harvesting and forestry are not expected to comply with the vegetation clearance controls set out in [part 10c - Development controls for land units and settlement areas](#) for landform 5.
3. The activities of earthworks and vegetation clearance (including domestic firewood harvesting) are treated as development controls and are therefore not listed in this table.

10a.6.6 Rules - standards and terms for multiple dwellings

10a.6.6.1 An application for multiple dwellings will only be considered as a restricted discretionary activity where the resulting number of dwellings on the site will be no more than that which would occur if:

- a. the site were subdivided in accordance with the minimum site areas set out in table 12.1 for this land unit and
- b. one dwelling was located on each site.

10a.6.6.2 An application for multiple dwellings, other than under clause 10a.6.6.1 above, will only be considered as a discretionary activity where one or more of the following criteria are met:

1. An application is made at the same time for subdivision resulting in the amalgamation of sites such that the number of dwellings on the new site created would be no greater than that which could be achieved through locating a dwelling on each of the original sites.
2. The dwellings are for papakainga housing.
3. The land has been owned co-operatively by a number of individuals since prior to 29 September 1992.

10a.6.6.3 Proposals which do not meet these standards in 10a.6.6.1 or 10a.6.6.2 are a non-complying activity.

10a.6.7 Rules - development controls

Refer to [part 10c - Development controls for land units and settlement areas](#) for the controls applying in this land unit. The development controls listed in that part apply to all activities, whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

10a.6.8 Assessment matters

1. Matters of discretion for dwelling (two per site)

When considering an application for resource consent for dwelling (two per site) on Great Barrier Island only, the Council has restricted its discretion to considering the following matters;

- a. adequacy of a restrictive covenant
- b. access to dwelling
- c. location of dwelling

Explanation

A second dwelling on a site shall be considered as a restricted discretionary activity where a restrictive covenant is registered on the title, prior to the issue of any building consent, to

restrict the future subdivision of the second dwelling from the parent site where the minimum site size set out in [table 12.1](#) and [12.2](#) are not achieved.

2. Other listed activities

For other applications for resource consent refer to [part 11 - Assessment matters](#) for:

- a. Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings.
- b. Assessment criteria for discretionary activities.

Assessment criteria

- whether the restrictive covenant is adequate to control future subdivision of the site that would result in the second dwelling being located on a separate title
- whether the dwelling and access are located so as to minimise or avoid future opportunities to create a separate lot for the second dwelling where sites do not meet the minimum site sizes specified in [tables 12.1](#) and [12.2](#).

10a.6.9 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.7 Land unit - Landform 6 (regenerating slopes)

10a.7.1 Introduction

This land unit is applied to extensive areas of regenerating bush where kanuka and manuka are the predominant vegetation.

Regenerating slopes is characterised by:

- High natural character and visual amenity value, as a result of its visual prominence (in both coastal locations and as a backdrop to settlement areas) and its unbroken expansive qualities.
- Varying rates of regeneration due to differences in factors such as soil quality and stability, aspect and exposure.
- High ecological values, especially in areas where the regenerating vegetation has been long established and consequently there is an increased diversity of podocarp and broadleaf species and wildlife habitats.
- Small, scattered and unobtrusive buildings, if there are buildings at all.
- Isolated pockets of erosion particularly on north facing slopes.

Overall, regenerating slopes makes a significant contribution to the natural character, ecological and the visual amenity value of the islands.

10a.7.2 Resource management issue

The significant resource management issue which needs to be addressed in the Plan is:

- How to protect the natural character, ecological and visual amenity value of the regenerating slopes from the adverse effects of activities and buildings.

10a.7.3 Objective

To protect the ecological, natural character, landscape, and visual amenity values of the regenerating slopes from the adverse effects of activities and buildings.

Policies

1. By limiting the activities that can occur to those which avoid adverse effects on the ecological, natural character, landscape and visual amenity values of the land unit.
2. By managing the number, scale, form, colour and location of new buildings to avoid remedy or mitigate adverse effects on the ecological, landscape, natural character, and visual amenity values of the land unit.
3. By requiring new sites to be of a size and nature that protects the natural character, ecological and visual amenity values of the land unit.

10a.7.4 Resource management strategy

The resource management strategy is to limit activities to those of a low intensity and to require buildings to be assessed to ensure that there will be no adverse effects on the natural character, ecological and visual amenity value of the land unit.

10a.7.5 Rules - activity table

| Activity | Status |
|---|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | RD |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD |
| Camping facilities | D |
| Commercial firewood harvesting | D |
| Continuous canopy indigenous forestry | P |
| Dwelling (one per site) | P |
| Dwelling (two per site), on Great Barrier Island only, where the following circumstances apply: <ul style="list-style-type: none"> • there is no visitor accommodation (existing or proposed) on the site; and • the site is not required to meet the minimum subdivision site size in tables 12.1 and 12.2; and • a restrictive covenant is to be registered on the title to avoid subdivision for sites that do not meet the provisions of tables 12.1 and 12.2. | RD |
| Home occupations | P |
| Homestay | P |
| Horticulture | P |
| Multiple dwellings on Waiheke and Ponui Islands | RD |
| Multiple dwellings unless otherwise specified as a restricted discretionary activity in this table | D |
| Outdoor adventure activities | D |
| Residential accessory buildings | P |
| Rural property management plan | D |
| Visitor accommodation for up to 10 people (excluding Great Barrier Island) | P |
| Visitor accommodation for up to 10 people, on Great Barrier Island only, where there is no more than one dwelling per site | P |
| Visitor accommodation for more than 10 people (excluding Great Barrier Island) | D |
| Visitor accommodation for more than 10 people, on Great Barrier Island only, where there is no more than one dwelling per site | D |
| Winery | D |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance (including domestic firewood harvesting) are treated as development controls and are therefore not listed in this table.
3. Commercial firewood harvesting is not expected to comply with the vegetation clearance controls set out in [part 10c - Development controls for land units and](#)

[settlement areas](#) for landform 6.

10a.7.6 Rules - standards and terms for multiple dwellings

10a.7.6.1 An application for multiple dwellings will only be considered as a restricted discretionary activity where the resulting number of dwellings on the site will be no more than that which would occur if:

- a. the site were subdivided in accordance with the minimum site areas set out in table 12.1 for this land unit and
- b. one dwelling was located on each site.

10a.7.6.2 An application for multiple dwellings, other than under clause 10a.7.6.1 above, will only be considered as a discretionary activity where one or more of the following criteria are met:

1. An application is made at the same time for subdivision resulting in the amalgamation of sites such that the number of dwellings on the new site created would be no greater than that which could be achieved through locating a dwelling on each of the original sites.
2. The dwellings are for papakainga housing.
3. The land has been owned co-operatively by a number of individuals since prior to 29 September 1992.

10a.7.6.3 Proposals which do not meet these standards in 10a.7.6.1 or 10a.7.6.2 are a non-complying activity.

10a.7.7 Rules - development controls

Refer to [part 10c - Development controls for land units and settlement areas](#) for the controls applying in this land unit. The development controls listed in that part apply to all activities, whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

10a.7.8 Assessment matters

1. Matters of discretion for dwelling (two per site)

When considering an application for resource consent for dwelling (two per site) on Great Barrier Island only, the Council has restricted its discretion to considering the following matters:

- a. adequacy of a restrictive covenant
- b. access to dwelling
- c. location of dwelling

Explanation

A second dwelling on a site shall be considered as a restricted discretionary activity where a restrictive covenant is registered on the title, prior to the issue of any building consent, to restrict the future subdivision of the second dwelling from the parent site where the minimum site size set out in [tables 12.1](#) and [12.2](#) is not achieved.

2. Other listed activities

For other applications for resource consent refer to [part 11 - Assessment matters](#) for:

- a. Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings.

- b. Assessment criteria for discretionary activities.

10a.7.9 Relationship with rules in other parts of the Plan

Part 14 - Definitions must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

Part 4 - General rules

Part 5 - Network utility services

Part 6 - Financial contributions

Part 7 - Heritage

Part 8 - Natural hazards

Part 9 - Hazardous facilities and contaminated land

Part 10c - Development controls for land units and settlement areas

Part 12 - Subdivision

Part 13 - Transport

10a.8 Land unit - Landform 7 (forest and bush areas)

10a.8.1 Introduction

Forest and bush areas include extensive podocarp and broadleaf forest areas, areas of secondary regenerating forest and some isolated areas of manuka and kanuka.

Forest and bush areas are characterised by:

- Steep upper slopes and valley systems with some gently sloping areas.
- High conservation and ecological value as these areas have either survived or significantly recovered from milling activity in the past.
- High natural character and visual amenity due to the sheer dominance, scale and age of the vegetation cover.
- An absence of built structures.

Overall, forest and bush areas make a significant contribution to the natural character, conservation, ecological and visual amenity values of the islands.

10a.8.2 Resource management issue

The significant resource management issue which needs to be addressed in the Plan is:

- How to protect the natural character and the conservation, ecological and visual amenity value of the forest and bush areas from adverse effects of activities and buildings.

10a.8.3 Objectives

1. To protect the ecological, natural character, landscape, conservation, and visual amenity values of forest and bush areas from the adverse effects of activities and buildings.
2. To protect, where possible, enhance or restore, the conservation, ecological natural character, landscape and visual amenity values of forest and bush areas.

Policies

1. By limiting the activities that can occur to those which avoid adverse effects on the natural character and the conservation, ecological and visual amenity values of the land unit.
2. By ensuring that the scale, form, colour and location of new buildings will not have adverse effects on the natural character and the conservation, ecological and visual amenity values of the land unit.
3. By requiring new sites to be of a size and nature that protects the natural character and the conservation, landscape, ecological and visual amenity values of the land unit.

10a.8.4 Resource management strategy

The resource management strategy is to limit activities to those of a low intensity and to require buildings to be assessed to ensure that there will be no adverse effects on the natural character and the conservation, ecological and visual amenity value of the land unit.

10a.8.5 Rules - activity table

| Activity | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | RD |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD |
| Continuous canopy indigenous forestry | P |
| EITHER: Dwelling (one per site) OR: Visitor accommodation for up to 10 people | P |
| Dwelling (one per site) not otherwise provided for as a permitted activity | D |
| Home occupations | P |
| Homestay | P |
| Multiple dwellings on Waiheke and Ponui Islands | RD |
| Multiple dwellings unless otherwise specified as a restricted discretionary activity in this table | D |
| Residential accessory buildings | P |
| Rural property management plan | D |
| Visitor accommodation not otherwise provided for as a permitted activity | D |
| Winery | D |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance (including domestic firewood harvesting) are treated as development controls and are therefore not listed in this table.

10a.8.6 Rules - standards and terms for multiple dwellings

10a.8.6.1 An application for multiple dwellings will only be considered as a restricted discretionary activity where the resulting number of dwellings on the site will be no more than that which would occur if:

- a. the site were subdivided in accordance with the minimum site areas set out in table 12.1 for this land unit and
- b. one dwelling was located on each site.

10a.8.6.2 An application for multiple dwellings, other than under clause 10a.8.6.1 above, will only be considered as a discretionary activity where one or more of the following criteria are met:

1. An application is made at the same time for subdivision resulting in the amalgamation of sites such that the number of dwellings on the new site

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created would be no greater than that which could be achieved through locating a dwelling on each of the original sites.

2. The dwellings are for papakainga housing.
3. The land has been owned co-operatively by a number of individuals since prior to 29 September 1992.

10a.8.6.3 Proposals which do not meet these standards in 10a.8.6.1 or 10a.8.6.2 are a non-complying activity.

10a.8.7 Rules - development controls

Refer to [part 10c - Development controls for land units and settlement areas](#) for the controls applying in this land unit. The development controls listed in that part apply to all activities, whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

10a.8.8 Assessment matters

For applications for resource consent refer to [part 11 - Assessment matters](#) for:

- Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings
- Assessment criteria for discretionary activities.

10a.8.9 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.9 Land unit - Island residential 1 (traditional residential)

10a.9.1 Introduction

This land unit is located in western Waiheke adjoining or close to the commercial centre of villages and on four distinct areas in Rakino. It contains the most intensive form of residential development within the islands.

The characteristics of the land unit are:

- Generally low intensity residential development (compared with the Auckland isthmus) containing stand alone dwellings, with some isolated areas of higher intensity residential development, such as the existing retirement village at 15-37 Natzka Road, Ostend. Further high intensity or comprehensive development within the land unit is likely to be limited due to wastewater and stormwater servicing constraints.
- A highly modified, open and spacious landscape (in most of the land unit a large proportion of each site is covered in grass).
- A low proportion of indigenous vegetation.
- Flat or a moderate sloped topography.

The land unit also includes coastal terraces adjacent to the more accessible and heavily used beaches on Waiheke.

Overall, the land unit is important as a residential area with an open and spacious character.

10a.9.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to provide for residential development while maintaining the character and amenity of the area.
2. How to ensure that non-residential activities do not adversely impact on the amenity of residential areas.

10a.9.3 Objectives and policies

10a.9.3.1 Objective

To provide for residential development at a scale and intensity which maintains the relatively spacious character, increases the indigenous vegetation cover and allows for effective stormwater and wastewater disposal within the land unit.

Policies

1. By controlling the intensity, bulk, scale and location of buildings on sites in order to retain the character of the land unit.
2. By requiring the planting of sites for amenity and wastewater disposal purposes.

10a.9.3.2 Objective

To provide for appropriate non-residential activities where their scale, intensity and location are compatible with the residential character of the area.

Policies

1. By providing for activities which have functions which are compatible with, and support residential activities.
2. By ensuring that the character and scale of buildings used for non-residential activities are compatible with the amenities and character of the surrounding residential area.
3. By restricting the type and intensity of non-residential activities to those which are compatible in visual amenity terms and in other generated effects (eg traffic, noise,

hours of operation) with surrounding residential uses.

10a.9.3.3 Objective

To maintain the amenity and landscape qualities of beach front locations at Oneroa, Palm Beach, Blackpool and Onetangi.

Policies

1. By imposing additional controls on all buildings in the coastal amenity area so they do not compromise the character and amenity of the coast.
2. By only allowing non-residential activities within coastal areas where they are compatible with the character and amenity of these locations.

10a.9.4 Resource management strategy

The resource management strategy for the land unit is to provide for predominantly residential uses in the land unit and to recognise the need to more carefully manage the environmental impacts of such activities.

Coastal areas within the land unit are especially sensitive to the effects of future development. This is controlled by identifying a coastal amenity area which is shown on the planning maps. Development within this area requires a resource consent.

An overall development Plan has been applied to the retirement village at 15-37 Natzka Road, Ostend. The Waiheke Retirement Village is an established retirement village that accords with the provisions of the Retirement Villages Act 2003. The site has developed over a number of years in reliance on a number of resource consents granted by the council. It is considered that the village activity and its ancillary activities are sufficiently homogenous and of a sufficient size to be contained within an overall concept plan to regulate the use and further development of the village as a distinct component of the Island Residential 1 land unit on Waiheke. The particular rules that apply to this site are set out at [rule 10a.9.5.1](#) below. Refer also to [figure 10a.00 Waiheke Retirement Village, Ostend](#).

10a.9.5 Rules - activity table

| Activities | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table, within the coastal amenity area ¹ | RD |
| Alterations and additions to the exterior of existing buildings, including buildings used for any of the other activities listed in this table, within the coastal amenity area. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD |
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table, outside the coastal amenity area ¹ | P |
| Alterations and additions to the exterior of existing buildings, including buildings used for any of the other activities listed in this table, outside the coastal amenity area ¹ | P |
| Accommodation for care for up to 8 people | P |
| Accommodation for care for more than 8 people | D |
| Accommodation for retired, elderly or disabled people (other than provided for in rule 10a.9.5.1) | D |
| Art galleries | D |
| Boarding house or hostel | D |
| Care centre (other than provided for in rule 10a.9.5.1) | D |
| Community facilities | D |
| Dairy | RD |

| Activities | Status |
|--|--------|
| EITHER: Dwelling (one per site) OR: Visitor accommodation for up to 10 people | P |
| Visitor accommodation not otherwise provided for as a permitted activity | D |
| Dwellings not otherwise provided for as a permitted activity | D |
| Educational facilities | D |
| Emergency services facilities | D |
| Healthcare services (other than provided for in rule 10a.9.5.1) | D |
| Home occupations | P |
| Homestay | P |
| Offices | D |
| Residential accessory buildings | P |

10a.9.5.1 Waiheke Retirement Village Rules - activity table

| Activities | Status |
|--|--------|
| Accommodation for retired, elderly or disabled people | P |
| Residential accommodation associated with the primary use of the site | P |
| Any building complying with the relevant development controls with a building plan area of less than 25m ² | P |
| The following activities provided that they are subsidiary and ancillary to the primary retirement village and residential accommodation: <ul style="list-style-type: none"> • Care centres • Car parking areas • Community welfare facilities • Healthcare services (including geriatric hospital facilities) • Rest home • Ambulance facilities None of the above shall include retail or provide services beyond that provided as part of the function of the retirement village. | P |
| The construction or relocation of any building within the site with a building plan area of 25m ² or greater. | RD |

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.
3. Where the area of land comprising the retirement village (refer to [figure 10a.00](#)) is not used for any of the permitted activities listed in table 10a.9.5.1 above, the provisions of the underlying Island Residential 1 (traditional residential) land unit shall apply.



10a.9.6 Rules - standards and terms for visitor accommodation for up to 10 people

An application for visitor accommodation for up to 10 people will only be considered as a permitted activity where the following criterion is met:

1. Where the visitor accommodation consists of more than one building, those buildings must be clustered.

10a.9.7 Rules - development controls

The development controls listed in rules [10a.9.7.1](#) and [10a.9.7.2](#) below apply to all activities whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to the development controls in [rules 10a.9.7.1 to 10a.9.7.4](#) will be considered as development control modifications as set out in [clause 10c.3](#).

As well as the specific controls set out below, there are additional controls set out in [part 10c - Development controls for land units and settlement areas](#) which also apply to this land unit. All development on the Waiheke Retirement Village site will be subject to the development controls contained in [part 10c](#) except where otherwise specified below.

10a.9.7.1 Planting of front yards

On sites other than rear sites, not less than 60 per cent of the 4m front yard must be planted.

10a.9.7.2 Planting of wastewater disposal areas

On all sites, planting of the wastewater disposal area must be undertaken. [Appendix 13 - Planting guide](#), identifies vegetation that is appropriate for planting within effluent disposal fields.

Waiheke Retirement Village**10a.9.7.3 Height**

1. Within Area A only (as shown on [figure 10a.00](#)), buildings of more than 8m and no greater than 10m (maximum RL 13.5 - vertical datum: Auckland 1946) shall be considered as a restricted discretionary activity.

Note:

For all other parts of the site, the maximum permitted height remains at 8m as set out in [table 10c.1: Development controls - landforms 1-7](#), island residential 1 and 2. Except as provided for in rule 10a.9.7.3 above, any proposal to exceed the maximum height for the land unit will be considered as a development control modification under [clause 10c.3](#).

10a.9.7.4 Building coverage

1. Building coverage above 15% and up to 20% of net site area shall be considered as a restricted discretionary activity. Building coverage above 20% of the net site area shall be considered as a discretionary activity.

The Waiheke Retirement Village site at 15-37 Natzka Road, Waiheke comprises the parcels covered by the certificates of title 124B/ 179, 328/ 300, 80D/ 517, 131B/ 145, 131B/ 146, and 124B/ 180. The Waiheke Retirement Village shall register a covenant in favour of council recording that the sites shall be held together as one site and shall not be disposed of independently without prior written approval of council.

10a.9.8 Assessment matters**1. Matters of discretion for dairies**

When considering an application for resource consent for a dairy, the council has restricted its discretion to considering the following matters:

- traffic generation
- noise generation
- hours of operation
- the effect of the activity on the amenity of surrounding residential uses with respect to the above.

2. Matters of discretion and assessment criteria for activities on the Waiheke Retirement Village site

For restricted discretionary activities shown in [table 10a.9.5.1](#) the council has restricted its discretion to the following matters:

- development controls
- intensity and scale
- traffic generation
- parking
- access
- natural hazards
- servicing constraints: and

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- landscaping
- design and visual character

Refer to the assessment criteria below, in part [11.3.2\(1\)](#), (2), (4), (7), (8), (10) and (12) in relation to the above matters and [part 8 - Natural hazards](#).

Design and visual character

- (i) The design of any new building requiring consent shall have regard to matters of scale, form and appearance and should not detract from the character and amenity of the residential environment of Anzac Bay.
- (ii) Any new building should have an external colour that is integrated with the surrounding natural landscape and compatible with the existing built form, materials and colouring of the existing retirement village.

3. Other listed activities

For other applications for resource consent refer to [part 11 - Assessment matters](#) for:

- Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings
- Assessment criteria for discretionary activities.

10a.9.9 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.10 Land unit - Island residential 2 (bush residential)

10a.10.1 Introduction

This land unit is located in western Waiheke and generally adjoins the island residential 1 land unit.

The characteristics of the land unit are:

- Moderate to relatively steep slopes.
- Low intensity residential development (compared with the Auckland isthmus) containing stand alone dwellings.
- Heavily bush covered with generally indigenous vegetation.
- High ecological values.
- Dwellings which are a secondary component of the landscape. Most dwellings blend into the dominant natural character of the indigenous vegetation.

Overall, the land unit is an important residential area with a character which is strongly influenced by indigenous vegetation.

10a.10.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to ensure that buildings complement the predominant elements of the natural landscape of indigenous vegetation and steep topography.
2. How to conserve indigenous vegetation to maintain ecological values and the visual amenity of the land unit.
3. How to ensure that non-residential activities do not adversely impact on the amenity of residential areas.

10a.10.3 Objectives and policies

10a.10.3.1 Objective

To provide for residential development and limit non-residential activities to a scale, location, intensity and appearance which is complementary to the bush clad character of the natural environment.

Policies

1. By controlling the intensity of development and the bulk, scale and location of buildings to ensure that they are compatible with the natural and physical environment.
2. By assessing the design and appearance of buildings to ensure that they are integrated with the natural environment.
3. By restricting the type and intensity of non-residential activities to those which are compatible in visual amenity terms and in other generated effects (eg traffic, noise, hours of operation) with surrounding residential uses and the natural environment.

10a.10.3.2 Objective

To ensure that development of sites retains indigenous vegetation cover.

Policies

1. By requiring the maximum amount of indigenous vegetation to be retained.
2. By ensuring that any development is located on portions of the site that are of lower ecological value.

10a.10.4 Resource management strategy

The resource management strategy for the land unit is to provide for residential development at an intensity and scale, and of an appearance, which does not detract from the dominant indigenous bush clad character of the land unit. To ensure that this is achieved, building development within this land unit requires a resource consent.

10a.10.5 Rules - activity table

| Activities | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | RD |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD |
| Accommodation for care for up to 8 people | P |
| Accommodation for care for more than 8 people | D |
| Accommodation for retired, elderly or disabled people | D |
| Art galleries | D |
| Boarding house or hostel | D |
| Care centre | D |
| Community facilities | D |
| Dairy | RD |
| EITHER: Dwelling (one per site) OR: Visitor accommodation for up to 10 people | P |
| Visitor accommodation not otherwise provided for as a permitted activity | D |
| Dwellings not otherwise provided for as a permitted activity | D |
| Educational facilities | D |
| Emergency services facilities | D |
| Healthcare services | D |
| Home occupations | P |
| Homestay | P |
| Offices | D |
| Residential accessory buildings | P |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [clause 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.10.6 Rules - standards and terms for visitor accommodation for up to 10 people

An application for visitor accommodation for up to 10 people will only be considered as a permitted activity where the following criterion is met:

1. Where the visitor accommodation consists of more than one building, those buildings must be clustered.

10a.10.7 Rules - development controls

Refer to [part 10c - Development controls for land units and settlement areas](#) for the controls applying in this land unit. The development controls listed in that part apply to all activities, whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

10a.10.8 Assessment matters

1. Matters of discretion for dairies

When considering an application for resource consent for a dairy, the council has restricted its discretion to considering the following matters:

- traffic generation
- noise generation
- hours of operation
- the effect of the activity on the amenity of surrounding residential uses with respect to the above.

2. Other listed activities

For other applications for resource consent refer to [part 11 - Assessment matters](#) for:

- Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings
- Assessment criteria for discretionary activities.

10a.10.9 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.11 Land unit - Commercial 1 (Oneroa village)

10a.11.1 Introduction

This land unit applies to the retail and commercial area of Oneroa village on Waiheke.

The characteristics of the land unit are:

- Generally small scale retail and other commercial activities (shops, cafés, restaurants and offices) located in one to two storey buildings on small sites.
- Some community facilities (Artworks, Red Cross).
- A variety of small to medium scale tenancies.
- Most buildings are located on or close to Ocean View Road (and often include verandahs and landscaping).
- Relatively high volumes of traffic.
- Most of the activities within the land unit are connected to, or able to be connected to, the Owhanake wastewater treatment plant.

Oneroa village is a busy shopping centre which is a focal point for local residents, shopping, recreation and socialising. Its location within walking distance of Matiatia and on a major transport route to the eastern parts of the island means that it has a major role in servicing the needs of residents, commuters and visitors.

Oneroa is also situated in a dominant location on a ridge overlooking, and with pedestrian and vehicle connections to, Oneroa Beach.

The above characteristics contribute to the high amenity value of the village.

Overall, Oneroa is an important retail and commercial centre with a high level of amenity.

10a.11.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to enable retail and employment opportunities within Oneroa in a manner which protects and enhances the high amenity value and 'village' character of the centre.
2. How to ensure that commercial activity within Oneroa village does not negatively impact on other activities within the land unit or adversely affect the character and amenity of adjoining island residential land units.

10a.11.3 Objectives and policies

10a.11.3.1 Objective

To enable a vibrant, varied and safe retail environment within Oneroa village where the scale, form and location of buildings provides a high level of amenity.

Policies

1. By requiring new buildings or additions and alterations to existing buildings to be assessed to ensure consistency with design guidelines for Oneroa (refer to [appendix 12 - Oneroa village design guidelines](#)).
2. By requiring that residential activities are not located on the ground floor level to ensure an active and continuous frontage is maintained.
3. By requiring, on sites which adjoin Ocean View Road, that new buildings adjoin and face this road, to ensure an active and continuous retail frontage.
4. By requiring verandahs to be provided as shelter for pedestrians on the northern side of Ocean View Road.

10a.11.3.2 Objective

To allow for appropriate commercial growth and development within Oneroa village.

Policies

1. By recognising that within Oneroa village, wastewater disposal is not a constraint to future development as long as any waste disposal needs can be met within the terms of the notice of requirement for the Owhanake wastewater treatment plant.
2. By providing for a range of commercial and residential activity within the village.
3. By recognising the differences in the northern and southern sides of Ocean View Road through specific development controls.

10a.11.3.3 Objective

To ensure that any adverse environmental effect of commercial activity on other activities within the land unit or on adjoining island residential or open space land units is avoided or no more than minor in extent.

Policies

1. By requiring noise standards on all activities and internal noise controls for dwellings within the land unit.
2. By imposing additional controls on the location and size of buildings where they adjoin or face island residential or open space land units.

10a.11.4 Resource management strategy

The resource management strategy for the land unit is to allow a diverse range of retailing and commercial activities while controlling the design, scale and form of buildings to ensure that they are of a high amenity value and do not adversely affect adjoining island residential land units.

This will be undertaken by requiring that the construction of, or addition to, buildings within the land unit undergo a resource consent process.

10a.11.5 Rules - activity table

| Activities | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | RD |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD |
| Accommodation for care | P |
| Accommodation for retired, elderly or disabled people | P |
| Art galleries and museums | P |
| Boarding house or hostel | D |
| Care centre | P |
| Commercial carparking | D |
| Community facilities | P |
| Dwelling (one per site) | P |
| Educational facilities | P |
| Emergency services facilities | RD |
| Entertainment facilities | D |

| Activities | Status |
|--|--------|
| Function facilities | D |
| Funeral parlour | D |
| Healthcare services | P |
| Motor vehicle sales | D |
| Multiple dwellings | D |
| Office | P |
| Restaurant, cafe and other eating places | P |
| Retail premises | P |
| Service station | D |
| Tavern | P |
| Tourist complex | D |
| Visitor accommodation | D |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.11.6 Rules - standards and terms for multiple dwellings

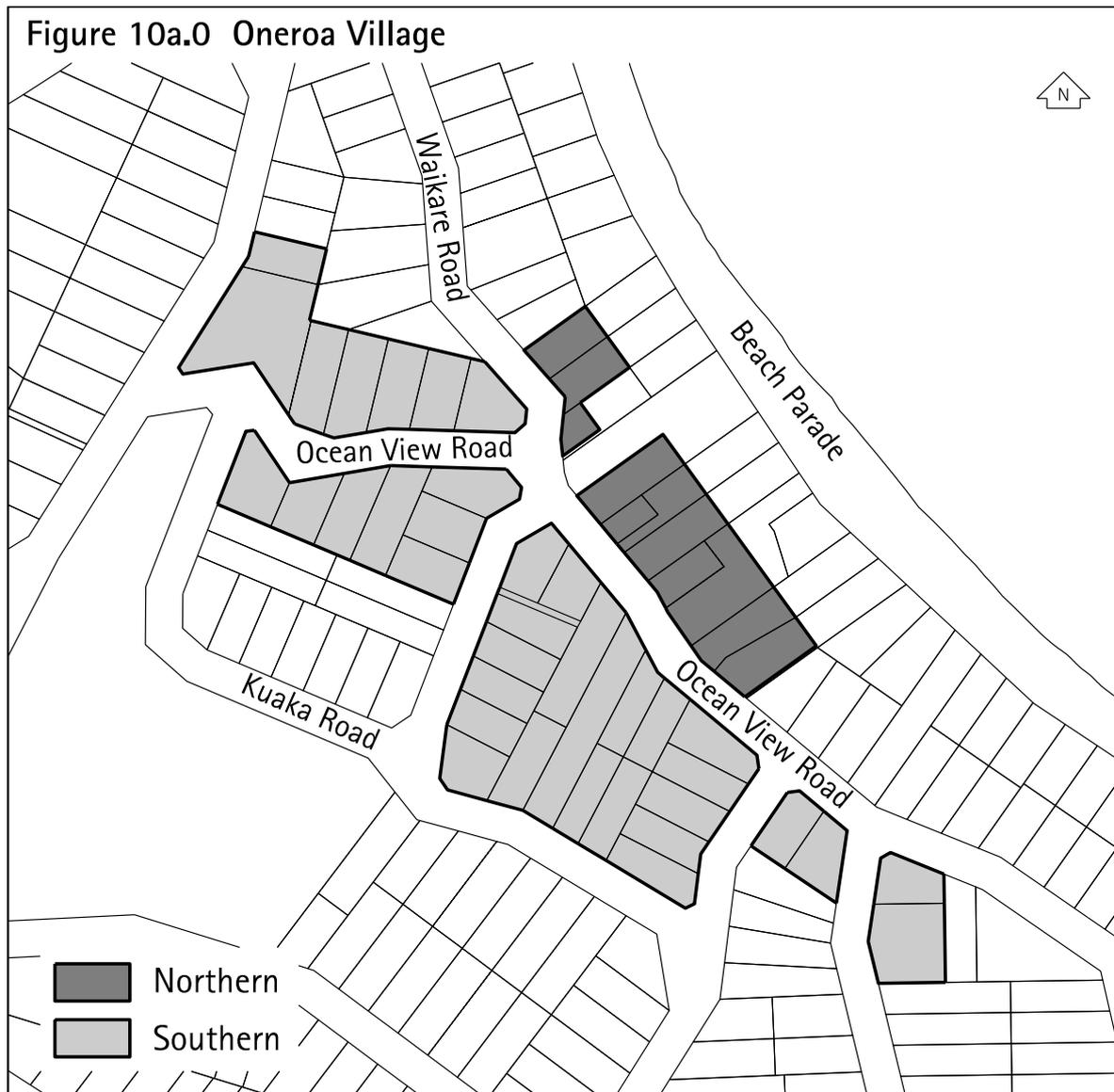
An application for multiple dwellings will only be considered as a discretionary activity where one or more of the following criteria are met:

1. The resulting number of dwellings on the site will be no more than that which would occur if:
 - a. the site were subdivided in accordance with the minimum site areas set out in [table 12.1](#) for this land unit and
 - b. one dwelling was located on each site.
2. An application is made at the same time for subdivision resulting in the amalgamation of sites such that the number of dwellings on the new site created would be no greater than that which could be achieved through locating a dwelling on each of the original sites.
3. The dwellings are for papakainga housing.
4. The land has been owned co-operatively by a number of individuals since prior to 29 September 1992.

Proposals which do not meet these standards are a non-complying activity.

10a.11.7 Rules - development controls

The development controls listed below apply to all activities whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).



For the purpose of applying some development controls, the land unit has been divided into the northern and southern sides of Ocean View Road. The location of these two areas is identified on [figure 10a.0](#).

As well as the specific controls set out below, there are additional controls set out in [part 10c - Development controls for land units and settlement areas](#) which also apply to this land unit.

10a.11.7.1 Building location - northern side

Buildings on sites with frontage to the northern side of Ocean View Road must:

1. Be built up to the Ocean View Road boundary for the entire length of the road frontage of the site.
2. Provide a verandah along the full extent of the site frontage. The verandah must:
 - a. Be so related to its neighbours as to provide continuous pedestrian cover.
 - b. Have a minimum height of 3m and a maximum height of 4m above the footpath immediately below.
 - c. Be set no further back than 600mm in plan view from the kerbline.

This provision is supplementary to and not in substitution for any of the council's bylaw requirements relating to verandahs.

3. Contain display areas or windows on a minimum of 75 per cent of the site frontage at road level.
4. Provide a visual connection with the coast and foreshore by incorporating at least one of the following:
 - a. A balcony or terrace which fronts the coast and foreshore and is accessible from the footpath.
 - b. A view through the building, from the road frontage to the coast and foreshore.
 - c. Any other building feature that preserves and enhances the connection with the coast for the public.

Explanation

The building location controls seek to ensure that buildings on the northern side of Ocean View Road maintain and enhance the connection with the coast. It is intended that a continuous frontage be achieved with verandahs required as protection for pedestrians. The purpose of the visual connection requirement is to maintain a public link with the coast and to ensure that buildings are designed with attention to both the coastal aspect and the road frontage.

10a.11.7.2 Frontage control - northern side

Within buildings on sites with frontage to the northern side of Ocean View Road, residential activities must not be located at street level (except for entrances or access to such activities) unless commercial activity fronts the street and the residential activity is located behind it.

Explanation

The frontage control seeks to ensure that residential activities are located appropriately to maintain an active ground floor and to ensure the character of Oneroa village is maintained.

This rule will retain the vitality, connectiveness and interaction of Oneroa village while allowing residential activity in appropriate locations.

10a.11.7.3 Height - northern side

Buildings on the northern side of Ocean View Road:

1. Must not exceed a maximum height of 6.5m, where the building adjoins the Ocean View Road frontage.
2. This may be increased to a maximum height of 9m where the ground level is greater than 3m below that at the boundary with Ocean View Road.
3. Must maintain a single storey frontage at street level.

Explanation

As the topography drops away to the northeast there is potential for greater building heights which will not affect views of Oneroa Beach and Oneroa Bay. The purpose of this rule is to encourage terraced buildings which follow the topography of the site.

10a.11.7.4 Building location - southern side

Buildings on the sites with frontage to the southern side of Ocean View Road must:

1. Maintain a discontinuous and varied frontage.
2. Contain display areas or windows on a minimum of 75 per cent of the site frontage at road level.
3. Provide a minimum of 5 per cent of the site area for public use as open space in the

form of courtyards, landscaped plaza(s), or arcades to maximise the connection with the coast and useable space.

10a.11.7.5 Frontage control - southern side

Within buildings on sites with frontage to the southern side of Ocean View Road, residential activities must not be located at street level (except for entrances or access to such activities) unless commercial activity fronts the street and the residential activity is located behind it.

Explanation

The frontage control seeks to ensure that residential activities are located appropriately to maintain an active ground floor and to ensure the character of Oneroa village is maintained.

This rule will retain the vitality, connectiveness and interaction of Oneroa village while allowing residential activity in appropriate locations.

10a.11.7.6 Height - southern side

Buildings on the southern side of Ocean View Road must not exceed a maximum height of 8m.

Explanation

As the topography drops away to the northeast there is potential for building heights to be greater than those on the northern side. This will not affect views of Oneroa Beach and Oneroa Bay. The purpose of this rule is to encourage terraced buildings which follow the topography of the site.

10a.11.7.7 Internal noise control for residential units

1. All dwellings must be designed and constructed so as to provide an indoor design level of balanced noise criterion (NCB) 30 in any habitable room assuming the building is exposed to a noise level of 55dBA L_{eq} at the boundary of the site.
2. The NCB level of 30 must be achieved with windows and doors open unless adequate alternative ventilation is provided to the requirements of clause G4 of the New Zealand Building Code.
3. Building elements (ie walls, floors) which are common between different activities must be constructed to prevent noise transmission to the requirements of clause G6 of the New Zealand Building Code.
4. After completion of the construction of the dwelling(s), and before the issue of the code compliance certificate, the consent holder must submit a report to the satisfaction of the council, which is signed by a suitably qualified acoustic engineer, which certifies that the dwelling(s) have been built in compliance with the noise and ventilation requirements above.

Explanation

Residential development within Oneroa village is to be designed to ensure that a level of acoustic amenity is provided within the bedrooms and other habitable rooms of residential activities from other activities within the same development and activity in the surrounding area.

10a.11.7.8 Noise control between activities

- The L_{eq} noise levels and maximum level (L_{max}), arising from any activity, measured at or within the boundary of any adjacent site (not held in common ownership) classified as commercial 1 must not exceed:

| Hours | Noise levels |
|------------|-----------------------------------|
| 7am - 10pm | L_{eq} 60dBA |
| 10pm - 7am | L_{eq} 55dBA L_{max} 75dBA |

- Where the activity affects a residential use in another land unit, the noise controls in [rule 10c.5.3](#) apply.

Explanation

Excessive noise occurring for a continuous period or duration can be damaging to public health and can have an adverse effect on the amenity of the receiving environment.

10a.11.7.9 Access

All buildings on sites along Ocean View Road with front, rear or side access to the northern or southern service lanes must be designed, constructed and maintained to achieve full service access from the adjacent service lane.

Explanation

The intent of this control is to avoid the proliferation of driveways accessing sites directly from Ocean View Road which has the potential to adversely affect the pedestrian amenity of the village.

10a.11.7.10 Screening

Where any outdoor storage, refuse disposal area, service or parking area adjoins or directly faces a road or land that is classified as island residential or open space, such areas must be screened from the road or the island residential or open space land unit by:

- A solid wall or fence not less than 1.8m in height, built of concrete, brick, stone, timber or other solid material, or;
- Densely planted indigenous vegetation which is capable of reaching a minimum height of 1.8m and will screen the area throughout the year.

Explanation

Imposing a screening control on common boundaries between these areas can lessen the amount of noise, dust, glare and litter spreading from the generating site. It reduces the visual impact of unsightly areas of storage and parking, and can establish a sense of privacy from visual and physical intrusion.

10a.11.8 Assessment matters

1. Matters of discretion for emergency services facilities

When considering an application for emergency services facilities, the council has restricted its discretion to the following matters:

- access for emergency vehicles
- noise.

2. Other listed activities

For other applications for resource consent refer to [part 11 - Assessment matters](#) for:

- Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings.

- Assessment criteria for discretionary activities.

10a.11.9 Relationship with rules in other parts of the Plan

Part 14 - Definitions must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

Part 4 - General rules

Part 5 - Network utility services

Part 6 - Financial contributions

Part 7 - Heritage

Part 8 - Natural hazards

Part 9 - Hazardous facilities and contaminated land

Part 10c - Development controls for land units and settlement areas

Part 12 - Subdivision

Part 13 - Transport

10a.12 Land unit - Commercial 2 (Ostend village)

10a.12.1 Introduction

Ostend village is an existing commercial centre centrally located on Waiheke. It is bounded by Waitai, Wharf, Putiki, Ostend and Whakarite Roads.

The characteristics of the land unit are:

- Commercial buildings which are mainly stand alone with no continuous building frontage to the street.
- Most site sizes being over 1000m² in area.
- A mix of commercial, residential and community facilities.
- An administrative service centre for Waiheke.
- Belgium Street as the predominant road.
- Its close proximity to the Tahiroa industrial area.

Overall, Ostend village is seen as the administrative centre of Waiheke. It is further evolving a range of commercial, residential and community functions which indicates the consolidation of a significant activity centre for Waiheke.

10a.12.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to enable and enhance a range of activities within Ostend village.
2. How to facilitate further development in a manner that achieves good design outcomes.

10a.12.3 Objective and policies

10a.12.3.1 Objective

To enable and consolidate commercial and community facilities and residential uses within the existing village.

Policy

1. By providing for a wide range of commercial, residential and community activities throughout the land unit.

10a.12.3.2 Objective

To ensure that new development within Ostend village achieves good design and safety outcomes and enhances general amenity values.

Policies

1. By controlling the construction and alteration of buildings within the land unit so that the design and appearance is integrated in terms of form and location.
2. By using specific bulk and location rules so that built development is integrated in terms of scale and intensity.
3. By requiring new developments to be designed to enable surveillance within and through the area, to provide for clear sightlines, to avoid the creation of potential hiding places, and to encourage use by the public of public and semi-public places.
4. By requiring landscaping to enhance the built environment at the business and residential land unit interface.

10a.12.3.3 Objective

To ensure that any environmental effect of commercial activity on other activities within the land unit or on adjoining island residential land units is avoided, remedied or mitigated.

Policies

1. By requiring noise standards on all activities and internal noise controls for dwellings within the land unit.
2. By specifying side and rear yards where the boundary of the site adjoins another land unit.

10a.12.4 Resource management strategy

The resource management strategy is to provide for a mix of activities that enhances and consolidates the existing village. In order to achieve this, a wide range of activities are provided for within the land unit.

In addition, good design outcomes are sought so that development enhances the safety and amenity values of the area. To achieve this, the council will require resource consent for all new buildings and additions to buildings so that these matters can be assessed.

10a.12.5 Rules - activity table

| Activities | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | RD |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD |
| Accommodation for care | P |
| Accommodation for retired, elderly or disabled people | P |
| Art galleries and museums | P |
| Boarding house or hostel | D |
| Care centre | P |
| Commercial carparking | D |
| Community facilities | P |
| Dwellings (one per site) | P |
| Educational facilities | P |
| Emergency services facilities | RD |
| Entertainment facilities | D |
| Function facilities | D |
| Funeral parlour | P |
| Healthcare services | P |
| Home occupations | P |
| Homestay | P |
| Motor vehicle sales | D |
| Multiple dwellings | D |
| Office | P |
| Park and ride facilities | RD |
| Residential accessory buildings | P |

| Activities | Status |
|--|--------|
| Restaurant, cafe and other eating places | P |
| Retail premises | P |
| Service station | D |
| Tavern | P |
| Tourist complex | D |
| Visitor accommodation | D |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.12.6 Rules - standards and terms for multiple dwellings

An application for multiple dwellings will only be considered as a discretionary activity where one or more of the following criteria are met:

1. The resulting number of dwellings on the site will be no more than that which would occur if:
 - a. the site were subdivided in accordance with the minimum site areas set out in [table 12.1](#) for this land unit and
 - b. one dwelling was located on each site.
2. An application is made at the same time for subdivision resulting in the amalgamation of sites such that the number of dwellings on the new site created would be no greater than that which could be achieved through locating a dwelling on each of the original sites.
3. The dwellings are for papakainga housing.
4. The land has been owned co-operatively by a number of individuals since prior to 29 September 1992.

Proposals which do not meet these standards are a non-complying activity.

10a.12.7 Rules - development controls

The development controls listed below apply to all activities whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

As well as the specific controls set out below, there are additional controls set out in [part 10c - Development controls for land units and settlement areas](#) which also apply to this land unit.

10a.12.7.1 Location of activities

The following rule applies to properties fronting onto Belgium Street:

1. Dwelling(s) must be located above ground floor (street) level, unless:

- Retail or other commercial activity fronts the street and the dwelling(s) and/or any car parking areas are located behind this retail or commercial activity.
2. Development incorporating other activities (eg dwellings) above or behind a retail or other commercial frontage must have small but clearly identifiable pedestrian entries from the street (as well as from the rear, when parking is provided at the rear) in order to provide pedestrian amenity and access to these other uses.
 3. Where carparking areas are located at ground level they must be designed so that vehicles cannot be seen from the street.

Explanation

This rule seeks to ensure that non-retail activities are located appropriately to maintain an active commercial ground floor along Belgium Street to enhance the retail character of Ostend village.

This rule will enhance the vitality, connectiveness and interaction of Ostend village while allowing residential activity and carparking areas in appropriate locations.

10a.12.7.2 Internal noise controls for residential units

1. All dwellings must be designed and constructed so as to provide an indoor design level of balanced noise criterion (NCB) 30 in any habitable room assuming the building is exposed to a noise level of 55dBA L_{eq} at the boundary of the site.
2. The NCB level of 30 must be achieved with windows and doors open unless adequate alternative ventilation is provided to the requirements of clause G4 of the New Zealand Building Code.
3. Building elements (ie walls, floors) which are common between different activities must be constructed to prevent noise transmission to the requirements of clause G6 of the New Zealand Building Code.
4. After completion of the construction of the dwelling(s), and before the issue of the code compliance certificate, the consent holder must submit a report to the satisfaction of the council, which is signed by a suitably qualified acoustic engineer, which certifies that the dwelling(s) have been built in compliance with the noise and ventilation requirements above.

Explanation

Residential development within Ostend village is to be designed to ensure that a level of acoustic amenity is provided within the bedrooms and other habitable rooms of residential activities from other activities within the same development and activity in the surrounding area.

10a.12.7.3 Noise controls between activities

1. The L_{eq} noise levels and maximum level (L_{max}), arising from any activity, measured at or within the boundary of any adjacent site (not held in common ownership) which is also classified as commercial 2 must not exceed:

| Hours | Noise levels |
|------------|-----------------------------------|
| 7am - 10pm | L_{eq} 60dBA |
| 10pm - 7am | L_{eq} 55dBA L_{max} 75dBA |

2. Where the activity affects a residential use in another land unit, the noise controls in [rule 10c.5.3](#) apply.

Explanation

Excessive noise occurring for a continuous period or duration can be damaging to public health and can have an adverse effect on the amenity of the receiving environment.

10a.12.7.4 Front yards

1. For sites fronting Belgium Street: 2m shall be provided, free of buildings, parking or loading spaces.
2. For all other sites: 4m shall be provided, free of buildings, parking or loading spaces.

Explanation

The purpose of this rule is to ensure that buildings are set back from the Belgium Street frontage to allow space for amenity landscaping. The 4m front yard rule for sites not fronting Belgium Street will function as an amenity setback between the Ostend village land unit and adjacent residential properties.

10a.12.7.5 Landscape amenity controls

The following rules apply to all sites:

1. Planting along the street frontage:
 - a. For every 7m of site frontage, at least one specimen tree (Pb95 at the time of planting) must be provided along the front boundary.
 - b. The trees must be well developed specimen trees (Pb95 at the time of planting), capable of growing to a height of 5m within 10 years of planting.
 - c. Where trees are planted in a strip, the strip must have a minimum width of 2m.
 - d. Where trees are planted individually along a frontage, the trees must be planted in an area of not less than 4m² for each tree.
2. Landscaped area:
 - a. Each site must have a total landscaped area of not less than the frontage length for a depth of 2m. The landscaped area must be located at the street frontage.
 - b. A minimum of two-thirds of any area proposed to meet part or all of the landscaped area must comprise planting.
 - c. Planting must include a variety of shrubs not less than 1m high and with not less than half of the required planted area covered by such shrubs.
 - d. Any landscaped area is not to be less than 4m² in area with a minimum dimension of 1.5m.

No part of a parking or loading space can be located in a landscaped area which is required under this rule.

Explanation

The landscape amenity control is an important contributor to the provision and maintenance of adequate amenity at the business and residential interface. In addition to its amenity contribution, landscaping also provides a useful technique for mitigating adverse effects through, for example, softening the appearance of development (eg monotonous building form, parking areas), separating pedestrian and vehicle activities taking place on the site from those taking place on the street, and providing form, scale and texture that complement development.

10a.12.7.6 Screening

Where any outdoor storage, refuse disposal area, service or parking area adjoins or directly faces a road or land that is classified as island residential or open space, such areas must be screened from the road or the island residential or open space land unit by:

1. A solid wall or fence not less than 1.8m in height, built of concrete, brick, stone, timber or other solid material, or;

2. Densely planted indigenous vegetation which is capable of reaching a minimum height of 1.8m and will screen the area throughout the year.

Explanation

Imposing a screening control on common boundaries between these areas can lessen the amount of noise, dust, glare and litter spreading from the generating site. It can reduce the visual impact of unsightly areas of storage and parking, and can establish a sense of privacy from visual and physical intrusion.

10a.12.8 Assessment matters

1. Matters of discretion for emergency services facilities

When considering an application for emergency services facilities, the council has restricted its discretion to the following matters:

- access for emergency vehicles
- noise.

2. Matters of discretion for park and ride facilities

When considering an application for park and ride facilities, the council has restricted its discretion to the following matters:

- traffic generation, access and parking
- landscaping design and site layout
- lighting.

3. Other listed activities

For other applications for resource consent refer to [part 11 - Assessment matters](#) for:

- Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings
- Assessment criteria for discretionary activities.

10a.12.9 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.13 Land unit - Commercial 3 (local shops)

10a.13.1 Introduction

This land unit applies to the small scale neighbourhood shops on Waiheke at Surfdale, Onetangi, Rocky Bay, Palm Beach, Little Oneroa and Ostend.

These shops have a smaller scale than retail activities within the main commercial centres of Oneroa and Ostend, and generally service the retail requirements of the surrounding local community.

These shops play a role as a place where residents of the local community can meet and interact.

10a.13.2 Resource management issue

The significant resource management issue which needs to be addressed in the Plan is:

- How to enable small scale retail and restaurant opportunities outside the main commercial areas of Oneroa and Ostend without compromising the character and amenity of the surrounding residential areas.

10a.13.3 Objectives and policies

10a.13.3.1 Objective

To provide for small scale retail, and certain non-retail activities, in close proximity to residential areas, to service the needs of local residents.

Policies

1. By providing for retail activities as permitted activities in the land unit.
2. By providing for certain non-retail activities, through a resource consent process, when the activity supports the primary retail function of the land unit, and services the needs of local residents.

10a.13.3.2 Objective

To enable a vibrant, varied and safe retail environment within the land unit where the scale, form and location of buildings provides a high level of amenity.

Policies

1. By requiring retail activities to locate on the ground floor to ensure an active and continuous retail frontage is maintained.
2. By requiring, on sites which adjoin a road, that new buildings adjoin and face this road, to ensure an active and continuous retail frontage.
3. By requiring verandahs to be provided as shelter for pedestrians.

10a.13.3.3 Objective

To ensure that any adverse effect of business activity on adjoining residential and open space land units is avoided or mitigated.

Policies

1. By adopting controls which limit development to that of a similar scale and intensity as that of adjacent residential activities.
2. By requiring appropriate noise standards to be met at the interface between residential and business activity.
3. By imposing additional controls on the location and size of buildings where they adjoin or face island residential or open space land units.

10a.13.4 Resource management strategy

The resource management strategy is to provide for small scale retail activity outside the main retail centres of Oneroa and Ostend, which services the needs of local residents, without compromising the residential amenity which is predominant within these areas.

This strategy is achieved by listing retail activities as permitted activities and certain non-retail activities as restricted discretionary or discretionary activities.

10a.13.5 Rules - activity table

| Activities | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | P |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table ¹ | P |
| Accommodation for care | D |
| Accommodation for retired, elderly or disabled people | D |
| Art galleries and museums | D |
| Boarding house or hostel | D |
| Care centre | D |
| Community facilities | D |
| Dwelling (one per site) | P |
| Educational facilities | D |
| Entertainment facilities | D |
| Healthcare services | D |
| Restaurant, cafe and other eating places | RD |
| Retail premises | P |
| Tavern | D |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearances are treated as development controls and are therefore not listed in this table.

10a.13.6 Rules - development controls

The development controls listed below apply to all activities whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

As well as the specific controls set out below, there are additional controls set out in [part 10c - Development controls for land units and settlement areas](#) which also apply to this land unit.

10a.13.6.1 Building location

Buildings on sites with frontage to a road must:

1. Be built up to the road boundary for the entire length of the road frontage of the site.
2. Provide a verandah along the full extent of the site frontage. The verandah must:
 - a. Be so related to its neighbours as to provide continuous pedestrian cover.
 - b. Have a minimum height of 3m and a maximum height of 4m above the footpath immediately below.
 - c. Be set no further back than 600mm in plan view from the kerbline.

This provision is supplementary to and not in substitution for any of the council's bylaw requirements relating to verandahs.

3. Contain display areas or windows on a minimum of 75 per cent of the site frontage at road level.

10a.13.6.2 Retail frontage control

Within buildings on sites with frontage to a road, non-retail activities must not be located at street level (except for entrances or access to such activities) unless retail fronts the street and the non-retail activity is located behind it.

Restaurants, cafes and other eating places are considered to be retail for the purpose of this rule.

Explanation

The retail frontage control seeks to ensure that non-retail activities are located appropriately to maintain an active retail ground floor and to ensure the retail character of the land unit is maintained.

10a.13.6.3 Noise controls between activities

The L_{eq} noise levels and maximum level (L_{max}), arising from any activity, measured at or within the boundary of any adjacent site (not held in common ownership) classified as commercial 3 must not exceed:

| Hours | Noise levels |
|------------|-----------------------------------|
| 7am - 10pm | L_{eq} 60dBA |
| 10pm - 7am | L_{eq} 55dBA L_{max} 75dBA |

Explanation

Excessive noise occurring for a continuous period or duration can be damaging to public health and can have an adverse effect on the amenity of the receiving environment.

10a.13.6.4 Screening

Where any outdoor storage, refuse disposal area, service or parking area adjoins or directly faces a road or land that is classified as island residential or open space, such areas must be screened from the road or the island residential or open space land unit by:

1. A solid wall or fence not less than 1.8m in height, built of concrete, brick, stone, timber or other solid material, or;
2. Densely planted indigenous vegetation which is capable of reaching a minimum height of 1.8m and will screen the area throughout the year.

Explanation

Imposing a screening control on common boundaries between these areas can lessen the amount of noise, dust, glare and litter spreading from the generating site. It reduces the

visual impact of unsightly areas of storage and parking, and can establish a sense of privacy from visual and physical intrusion.

10a.13.7 Assessment matters

1. Matters of discretion for restaurants, café and other eating places

When considering an application for resource consent for restaurants, café and other eating places, the council has restricted its discretion to considering the following matters:

- traffic generation
- noise generation
- hours of operation
- the effect of the activity on the amenity of surrounding residential uses with respect to the above.

2. Other listed activities

For other applications for resource consent refer to [part 11 - Assessment matters](#) for assessment criteria for discretionary activities.

10a.13.8 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.14 Land unit - Commercial 4 (visitor facilities)

10a.14.1 Introduction

This land unit applies to specific properties in Onetangi, Palm Beach, and Orapiu on Waiheke. The character of the land unit is varied although it is generally located close to the coast and residential areas.

The current activities within the land unit include holiday accommodation, dwelling, hotel, restaurant and bar activities.

Overall, the purpose of the land unit is to provide for larger scale visitor facilities within specific locations on Waiheke.

10a.14.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to provide for a range of visitor facilities while not compromising the character and amenity of surrounding residential areas or the coastal environment.
2. How to ensure that development on these sites is restricted to visitor facility activities only and does not include permanent dwellings.

10a.14.3 Objectives and policies

10a.14.3.1 Objective

To provide for visitor facilities to service the needs of tourists to Waiheke.

Policies

1. By providing for camping facilities and visitor accommodation as permitted activities in the land unit.
2. By not providing for dwellings within the land unit.

10a.14.3.2 Objective

To ensure that any adverse effect of visitor facilities on adjacent island residential or open space land units or the coast is avoided or mitigated.

Policies

1. By controlling buildings in terms of design, bulk and location.
2. By adopting controls which protect the privacy and amenity of adjacent island residential and open space land units.

10a.14.4 Resource management strategy

The resource management strategy and purpose for the land unit is to provide for visitor facilities while ensuring that adjoining residential uses and the natural environment are not detrimentally impacted.

The land unit provides for three different forms of visitor facilities or holiday accommodation. These are camping facilities, visitor accommodation and tourist complexes.

These facilities vary in scale and intensity with camping facilities having a generally low intensity (providing for camping and caravan activities), visitor accommodation having a medium intensity (including motels, hotels and backpackers) and larger intensity tourist complexes which allow for visitor accommodation and dining, bar and function facilities.

The purpose of the land unit is to specifically provide for visitor facilities, therefore in order to protect the purpose of the land unit, dwellings are a non-complying activity.

10a.14.5 Rules - activity table

| Activities | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | RD |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD |
| Camping facilities | P |
| Restaurant, café and other eating places | D |
| Tourist complex | D |
| Visitor accommodation | P |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.14.6 Rules - development controls

The development controls listed below apply to all activities, whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

As well as the specific controls set out below, there are additional controls set out in [part 10c - Development controls for land units and settlement areas](#) which also apply to this land unit.

10a.14.6.1 Screening

Where any outdoor storage, refuse disposal area, service or parking area adjoins or directly faces a road or land that is in an island residential or open space land unit, such areas must be screened from the road or the island residential or open space land by:

1. A solid wall or fence not less than 1.8m in height built of concrete, brick, stone, timber or other solid material; or
2. Densely planted indigenous vegetation which is capable of reaching a minimum of 1.8m in height and will screen the area throughout the year.

Explanation

Imposing a screening control on common boundaries between these areas can lessen the amount of noise, dust, glare and litter spreading from the generating site. It reduces the visual impact of unsightly areas of storage and parking, and can establish a sense of privacy from visual and physical intrusion.

10a.14.7 Assessment matters

For applications for resource consent refer to [part 11 - Assessment matters](#) for:

- Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings.
- Assessment criteria for discretionary activities.

10a.14.8 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.15 Land unit - Commercial 5 (industrial)

10a.15.1 Introduction

This land unit applies to areas of existing industrial activity in western Waiheke and is found in Tahī and Erua Roads in Ostend, Beatty Parade in Surfdale and Totara Road in Onetangi. The Tahī and Erua Road industrial area is the largest on the island and contains the majority of the industrial area.

The characteristics of the land unit are:

- A range of low to medium intensity industrial activities on small to medium sized sites.
- High levels of landscape modification and limited vegetation.
- Relatively high levels of impervious surfaces on sites (driveways, parking areas and buildings).
- Flat or a moderate sloped topography.
- Close proximity to residential areas and in some instances recreational and wetland areas.

Overall, the land unit is important as an employment centre and for servicing the industrial needs of Waiheke residents and businesses.

10a.15.2 Resource management issues

The significant resource management issues that need to be addressed in the Plan are:

1. How to provide for a range of industrial activities.
2. How to ensure that industrial activities within the land unit do not adversely impact on the environmental quality of surrounding areas.
3. How to manage the reverse sensitivity effects which can arise between industrial and other more sensitive land uses.

Note: Reverse sensitivity is the principle where an existing (and lawful) activity produces effects that a new activity regards as objectionable.

10a.15.3 Objectives and policies

10a.15.3.1 Objective

To provide for and protect low to medium intensity industrial activity.

Policies

1. By providing for a range of industrial uses as permitted activities in the land unit.
2. By excluding activities from the land unit that are sensitive to the noise which may be created by complying industrial activities.

10a.15.3.2 Objective

To ensure that any adverse environmental effect of industrial or other commercial activities within the land unit, on adjoining island residential or open space areas is avoided or mitigated.

Policies

1. By imposing additional controls on the location and size of buildings where they adjoin or face island residential or open space land units.
2. By requiring the screening of yards and storage areas where these adjoin or face island residential or open space land units

10a.15.4 Resource management strategy

The resource management strategy for the land unit is to provide for low to medium intensity industrial activity while protecting the character and amenity of surrounding residential and open space land units.

10a.15.5 Rules - activity table

| Activities | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | P |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table ¹ | P |
| Boarding kennels and catteries | D |
| Emergency services facilities | RD |
| Funeral parlour | P |
| Industry | P |
| Motor vehicle sales | P |
| Motor vehicle services | P |
| Refuse transfer station | D |
| Restaurant, cafe and other eating places | RD |
| Retail premises | P |
| Service station | D |
| Winery | D |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.15.6 Rules - development controls

The development controls listed below apply to all activities whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

As well as the specific controls set out below, there are additional controls set out in [part 10c - Development controls for land units and settlement areas](#) which also apply to this land unit.

10a.15.6.1 Yards

1. Front yard

3m minimum - where the front boundary of a commercial 5 site faces an island residential or open space land unit. Otherwise no front yard is required.

2. Side and rear yard

3m minimum - where the side or rear boundary of a commercial 5 site adjoins an island residential or open space land unit. Otherwise no side or rear yard is required.

These front, side or rear yards must be landscaped and must not contain parking or manoeuvring areas.

Explanation

The purpose of this rule is to minimise the adverse amenity and visual effects of industrial activity on adjoining residential and open space land uses while allowing a certain level of development on industrial sites as of right.

10a.15.6.2 Screening

Where any outdoor storage, refuse disposal area, service or parking area adjoins or directly faces a road or land that is in an island residential or a open space land unit, such areas must be screened from the road or the island residential or open space land by:

1. A solid wall or fence not less than 1.8m in height built of concrete, brick, stone, timber or other solid material; or
2. Densely planted indigenous vegetation which is capable of reaching a minimum of 1.8m in height and will screen the area throughout the year.

Explanation

Imposing a screening control on common boundaries between these areas can lessen the amount of noise, dust, glare and litter spreading from the generating site. It reduces the visual impact of unsightly areas of storage and parking, and can establish a sense of privacy from visual and physical intrusion.

10a.15.7 Assessment matters

1. Matters of discretion for emergency services facilities

When considering an application for emergency services facilities, the council has restricted its discretion to the following matters:

- access for emergency vehicles
- noise.

2. Matters of discretion for restaurants, café and other eating places

When considering an application for resource consent for restaurants, café and other eating places, the council has restricted its discretion to considering the following matters:

- the reverse sensitivity effect of the activity on existing industrial activities
- traffic generation
- hours of operation.

3. Other listed activities

For other applications for resource consent refer to [part 11 - Assessment matters](#) for assessment criteria for discretionary activities.

10a.15.8 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

Part 10a - Land units: objectives, policies and activity tables

Part 5 - Network utility services

Part 6 - Financial contributions

Part 7 - Heritage

Part 8 - Natural hazards

Part 9 - Hazardous facilities and contaminated land

Part 10c - Development controls for land units and settlement areas

Part 12 - Subdivision

Part 13 - Transport

10a.16 Land unit - Commercial 6 (quarry)

10a.16.1 Introduction

This land unit is applied to quarries on Waiheke and Great Barrier and to Karamuramu Island.

The Waiheke quarry is situated on a hill overlooking the intersection of Onetangi, Ostend and O'Brien Roads. This quarry produces base course crushed rock material for use in road construction and the building industry in Waiheke.

Blackwells quarry is located on Great Barrier, to the west of the Medlands settlement area. This quarry produces all grades of metal for use in road construction and the building industry on Great Barrier.

Karamuramu Island is a 7.5ha island located to the south of Ponui Island. Karamuramu Island is a regionally significant producer of a red hard greywacke rock known as jasper, which is used in the road construction and building industry.

The land unit provides for the continuation of quarrying and associated uses in these three areas.

10a.16.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to provide for quarrying and associated activities while ensuring that the potential adverse effects of such activities are avoided or mitigated.
2. How to manage the reverse sensitivity effects which can arise between quarrying and other more sensitive land uses.

Note: Reverse sensitivity is the principle where an existing (and lawful) activity produces effects that a new activity regards as objectionable.

10a.16.3 Objective

To provide for quarrying and associated activities, while protecting the amenity and character of neighbouring properties on Waiheke and Great Barrier and the ecological values of surrounding areas, waterways and the sea.

Policies

1. By requiring quarrying activities to undergo a resource consent and to submit a quarry management plan, so that any effects of the activity can be appropriately assessed and controlled.
2. By imposing yard controls from site boundaries within which quarrying cannot happen.
3. By restricting hours during which explosives may be used in quarry operations.
4. By preventing or reducing vibration, dust, noise, and soil and water contamination.

10a.16.4 Resource management strategy

The resource management strategy for this land unit is to provide for quarrying in defined locations on Waiheke and Great Barrier and at Karamuramu Island in a manner which allows for the continuation of the activity while protecting the visual amenity value and character of surrounding properties and the ecological values of surrounding areas, waterways and the sea.

Quarry management plans are required to show and describe a number of operational and managerial aspects of a quarrying operation in order to assess the effects of the activity. These include the area to be quarried, the location of buildings and plant, silt control

measures, screening, areas for the stockpiling of overburden and existing and final contour levels.

10a.16.5 Rules - activity table

| Activities | Status |
|------------|--------|
| Quarrying | D |

Legend

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.16.6 Rules - development controls

The development controls listed below apply to all activities whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

As well as the specific controls set out below, there are additional controls set out in [part 10c - Development controls for land units and settlement areas](#) which also apply to this land unit.

10a.16.6.1 Yards

1. Quarrying must not be carried out within 30m of any front, side or rear site boundary.
2. Buildings must not be located within 15m of any front, side or rear boundary.
3. Parking and manoeuvring areas must not be located within 15m of any front, side or rear boundary.
4. Quarrying and associated activities on Karamuramu Island are exempt from the requirements of 1-3 above.
5. Blackwells quarry on Great Barrier is exempt from the requirements of 2 and 3 above.

10a.16.6.2 Noise

The L_{eq} and L_{max} noise levels as measured at the site boundary must not exceed the following:

| Hours | Noise levels |
|---|-----------------------------------|
| Monday to Friday: 7am - 6pm Saturday: 7am - 4pm | 70dBA L_{eq} |
| At all other times, including Sundays and public holidays | 45dBA L_{eq} 75dBA L_{max} |

10a.16.6.3 Vibration and blasting

1. The noise created by the use of explosives measured at the boundary of the site must either not exceed a peak overall sound pressure of 128dB or alternatively a peak sound level of 122dBC.
2. All blastings must be restricted to between 9am and 5pm Monday to Friday except where necessary because of safety reasons.

3. Blasting must be limited to two events per day.
4. When blasting, the limit of particle velocity (peak particle velocity) measured on any foundation (or uppermost full storey) of an adjacent building not connected with the site, related to the frequency of the ground vibration, must not exceed the limits of table 1 of DIN 4150-3 (1999-02): Structural Vibration - Effects of Vibration on Structures. Peak particle velocity means the maximum particle velocity in any of three mutually perpendicular directions. The units are millimetres per second (mm/s).
5. Every blast must be recorded and monitored by reliable and appropriate methods (eg clauses 5.4 and 6.4 of DIN 4150-3) to ensure these limits are not exceeded. These records must be made available to the council on request.

10a.16.6.4 Topsoil

Topsoil must not be disposed of by sale or otherwise permanently removed from the quarry site or brought onto and sold from the quarry site.

10a.16.7 Assessment matters

10a.16.7.1 Assessment criteria

The council's assessment of an application for quarrying as a discretionary activity will include consideration of the following matters:

1. The extent to which the quarry operation is likely to have adverse effects on the amenity and character of neighbouring properties and the ecological values of surrounding areas and waterways. In particular consideration should be given to the following effects:
 - traffic generation
 - dust and siltation
 - noise
 - ground vibration
 - visual and amenity
 - water quality.

In assessing these effects, the council will have regard to the proposed length, scale and intensity of the quarrying operation including the area, depth and volume of material proposed to be excavated, and any associated activities.
2. The extent to which the potential adverse effects identified in (1) above will be avoided, remedied or mitigated.
3. Whether an end use for the land which is proposed to be quarried has been identified, and if so what the effect of this end use will be.

10a.16.7.2 Quarry management plan

A quarry management plan must be submitted as part of any application to undertake quarrying.

The quarry management plan will outline details about the operation of the particular quarry. This plan will form part of the council's assessment of an application to undertake quarrying.

The plan should contain the following information in plan form and in explanatory material:

1. Demarcation of the area to be quarried.
2. Existing contours.
3. Final contours and floor levels including the proposals for the coordination of final

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- levels of adjoining land.
4. Proposed use of land once quarrying activity has ceased.
 5. Ultimate drainage of quarried lands.
 6. An indication of the period over which quarrying will continue, and of staged development.
 7. Location of buildings and plant.
 8. Provision for the disposal and/or stockpiling of overburden, waste and quarried material, including the areas to be used for stockpiling.
 9. Areas for stockpiling topsoil (where applicable).
 10. Proposed extent of earthworks and quarrying including dust and siltation mitigation measures.
 11. Provision for screening unsightly features from public view and fencing dangerous or potentially dangerous features.
 12. Description of methods to be employed to prevent contamination of air or natural water and to comply with the noise and vibration provisions of [rules 10a.16.6.2](#) and [10a.16.6.3](#).
 13. An indication of the route by which quarried material is to be removed from the site.

10a.16.8 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.17 Land unit - Commercial 7 (wharf)

10a.17.1 Introduction

This land unit is applied to the paved areas of land behind the wharf structures at Orapiu and Kennedy's Point on Waiheke, at Sandy Bay on Rakino and to the wharves at Tryphena, Whangaparapara and Port Fitzroy on Great Barrier.

The wharf land unit is characterised by:

- Moderate visual amenity values due to its location in a modified coastal environment.
- Significant peaks in vehicle traffic and people at times of ferry departure and arrival.
- Freight handling and ancillary activities.
- Built development limited to small scale offices and ancillary buildings.
- Facilities for the recreational use of the coastal environment.

Overall, the wharf land unit plays a crucial role in facilitating the movement of freight, traffic and people on and off the islands.

10a.17.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to ensure the efficient operation of the wharf and transport facilities.
2. How to ensure the efficient and safe operation of recreational activities.
3. How to protect the character of the adjoining coastal environment from the potential adverse effects of activities and buildings.

10a.17.3 Objective

To ensure the efficient operation of the wharf, transport and recreation facilities while protecting the character of the adjoining coastal environment from the potential adverse effects of activities and buildings.

Policies

1. By providing for wharf and transport associated activities and buildings to establish and operate within the land unit.
2. By providing for recreational activities and facilities to establish and operate within the land unit.
3. By ensuring that buildings are of a size and scale which will not have adverse effects on the character of the adjoining coastal environment.

10a.17.4 Resource management strategy

The resource management strategy is to provide wharf and transport associated activities and buildings so that the efficient operation of the wharf facilities can occur as well as contributing to the recreational needs of the islands.

Appropriate development controls have been put in place to ensure that buildings will not have adverse effects on the adjoining coastal environment.

10a.17.5 Rules - activity table

| Activity | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | P |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table ¹ | P |
| Boat launching ramps and jetties (including boat trailer parks) in all areas except for the area behind Orapiu Wharf | P |
| Boat launching ramps and jetties (including boat trailer parks) in the area behind Orapiu Wharf | RD |
| Carparking areas | P |
| Marine fuelling services | P |
| Passenger transport (buses, taxi and other multiple occupancy vehicles) and cycle facilities/bike racks | P |
| Public toilets | P |
| Wharf administration and freight handling activities | P |

Legend

P = Permitted

RD= Restricted discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.
3. Activities that occur below mean high water springs come under the jurisdiction of the Auckland Regional Council and may require a resource consent under the Auckland Regional Plan: Coastal.

10a.17.6 Rules - development controls

Refer to [part 10c - Development controls for land units and settlement areas](#) for the controls applying in this land unit. The development controls listed in that part apply to all activities, whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

10a.17.7 Assessment matters**1. Notification requirements**

Except as provided for by section 95A(4) of the RMA, applications for a resource consent for the restricted discretionary activity in rule 10a.17.5 will be considered without public notification or the need to obtain written approval of or serve notice on affected persons (in accordance with section 95A(3) and 95B(2) of the RMA).

2. Matters of discretion for boat launching ramps and jetties in the area behind Orapiu Wharf

When considering an application for resource consent for boat launching ramps and jetties in the area behind Orapiu Wharf, the council has restricted its discretion to considering the following matters:

- location

- traffic generation
- parking.

10a.17.8 Relationship with rules in other parts of the Plan

Part 14 - Definitions must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

Part 4 - General rules

Part 5 - Network utility services

Part 6 - Financial contributions

Part 7 - Heritage

Part 8 - Natural hazards

Part 9 - Hazardous facilities and contaminated land

Part 10c - Development controls for land units and settlement areas

Part 12 - Subdivision

Part 13 - Transport

10a.18 Land unit - Matiatia (gateway)

10a.18.1 Introduction

This land unit is applied at Matiatia, which is a harbour at the western end of Waiheke.

Matiatia is characterised by:

- High visual amenity due to its coastal location and surrounding headlands and hill slopes, many of which are revegetating.
- Its 'gateway' function which results from the wharf and ferry building located at the northern end of the beach. The wharf and ferry building act as the main transport terminal for passenger ferry services to and from Waiheke.
- Passenger transport services (buses and taxis) located to the rear of the ferry building.
- Ocean View Road, which is located on the northern side of the valley and is used by high numbers of people moving in and out of the area at times of ferry departure and arrival.
- A large area on the valley floor (approximately 5ha) which is mostly used for carparking but also contains the Harbourmaster building and a variety of smaller activities.
- The storage and carparking activities located on the privately owned site on the northern side of Ocean View Road.
- An esplanade reserve located adjacent to the Matiatia Bay foreshore that is used for public recreation.
- A regenerating wetland (approximately 4ha) located on the valley floor to the side and rear of the large flat area. The wetland flows out to Matiatia Bay.

The existing development on the valley floor at Matiatia is not befitting its location at the 'gateway' to the island, particularly because of the expansive carparking, ad hoc appearance of the existing buildings and the lack of activities and services for ferry passengers. It is intended that the land will be comprehensively redeveloped to create a safe and efficient transport network and a mixed use development that will serve both residents and visitors to the island.

Overall, Matiatia has some notable assets such as its ferry terminal, coastal landscape and the regenerating wetland. However, in order to create a truly effective and attractive 'gateway' to Waiheke, a comprehensive redevelopment of the land on the valley floor needs to be undertaken.

10a.18.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to develop a safe and efficient transport network at Matiatia, including provision for passenger transport and carparking activities.
2. How to develop Matiatia so that it provides activities and services that will better meet the needs of the residents and visitors that use the area.
3. How to ensure that the built environment at Matiatia is attractive and safe and will not have adverse effects on the landscape character of Matiatia Bay.
4. How to ensure that development at Matiatia is of a scale and intensity that can be serviced in terms of water supply and wastewater disposal without creating adverse effects on the environment.
5. How to protect the wetland area from the adverse effects of use and development.
6. How to ensure that there will be open space and public areas included within any future development at Matiatia.
7. How to ensure that Matiatia is developed as a truly effective and attractive 'gateway' to Waiheke.

8. How to protect the Maori heritage values associated with the site, particularly the urupa.

10a.18.3 Objectives and policies

10a.18.3.1 Objective

To develop a safe and efficient transport network while maintaining the landscape character of Matiatia.

Policies

1. By identifying a specific area for the safe and efficient operation of wharf-associated activities and passenger transport so that these activities have priority over single occupancy vehicles.
2. By providing for the further development of carparking areas and carparking buildings and other transport infrastructure where such development will enhance the safety and efficiency of the transport network at Matiatia.
3. By requiring carparking areas and buildings and other transport infrastructure to be integrated with the proposed mixed use development (referred to in the objective below at [clause 10a.18.3.2](#)).
4. By providing for the relocation of Ocean View Road if that is necessary to achieve a safe and efficient road layout, and if road stopping procedures have been undertaken.
5. By requiring safe and convenient pedestrian walkways between the wharf and the mixed use development and carparking areas and buildings.
6. By ensuring that medium to large scale carparking areas and carparking buildings are not located adjoining the esplanade reserve nor are highly visible to those arriving at Matiatia, in order to avoid adverse effects on the landscape character of Matiatia.

10a.18.3.2 Objective

To create a safe and attractive mixed use development that will meet the needs of the residents and visitors using the area while maintaining the landscape character and Maori heritage values of Matiatia.

Policies

1. By requiring a mix of activities to occur on the site, to meet the needs of both residents (eg retail, offices and restaurants and cafes) and visitors (eg visitor accommodation and function facilities).
2. By providing for residential activity so that there are people in the area during both the day and night.
3. By ensuring that the built environment is designed to be safe and attractive and does not have adverse effects on the landscape character of Matiatia.
4. By requiring areas of open space to be developed for public use, both within the mixed use development and adjoining the esplanade reserve, adjacent to the Matiatia Bay foreshore.
5. By ensuring that the layout of buildings and walkways on the site is clear and easy to follow for pedestrians and vehicles and is integrated with the carparking areas and buildings and other transport infrastructure.

10a.18.3.3 Objective

To ensure development at Matiatia does not have adverse effects on natural features and resources and gives effect to environmental sustainability principles.

Policies

1. By limiting the use and development that can occur in the wetland area to public recreation activities and associated structures.
2. By ensuring that the level and nature of activities provided for can be serviced in terms of water supply and wastewater disposal without resulting in adverse effects on the environment.
3. By requiring buildings to have a 'low impact' on the environment through the use of 'green building' methods and 'environmentally sustainable design' principles.

10a.18.4 Resource management strategy

The strategy outlined below will provide a framework for the implementation of the final form of development.

The resource management strategy for Matiatia is to divide the land unit into three different areas so that each area can be developed and used in different ways.

The areas are as follows:

1. Transport area

The transport area is located directly behind the wharf and ferry building and makes specific provision for the passenger transport (buses, taxis and other multiple occupancy vehicles) and wharf associated activities located in this area.

2. Mixed use area

This area is located on the valley floor and is the area that will be redeveloped for a mixed use development. Threshold controls have been adopted for this area in order to ensure that the development will contain a mix of activities, some of which will primarily meet the needs of residents using the area (eg retail, offices and restaurants and cafes) and some of which will primarily meet the needs of visitors using the area (eg visitor accommodation and function facilities). Some activities (eg cafes) will meet the needs of both residents and visitors).

Dwellings are also provided for in the mix of activities. This is because residential activity ensures that there is a 'people presence' on the site at all times, which in turn provides a feeling of safety and vitality for those using the area. This feeling of safety and vitality is especially important for Matiatia as it will create a positive environment for visitors arriving on Waiheke and for residents using the ferry services.

The built environment of a mixed use development is very important as the buildings create a 'sense of place' and entice people to use the activities located within the area. To ensure that buildings are attractive, inviting and maintain the landscape character of Matiatia, buildings within the mixed use area require consent as a restricted discretionary activity. The restricted discretionary activity consent process also provides the opportunity to assess applications for buildings in order to ensure that they will not have an adverse effect on the urupa at Matiatia.

The development platform for the mixed use activity is placed over Ocean View Road and the existing carparking areas. This is so that buildings can be located in these areas if it is found to be necessary and if road stopping procedures have been undertaken.

Carparking and other transport infrastructure have also been provided for within this area in recognition that these activities are vital to the transport role of the land unit. It is, however, recognised that the final form of these activities and the road will need to be determined in conjunction with the final form of the mixed use development.

The amount of activity provided for in the mixed use development has been set at a level, by the threshold controls, which can be serviced in terms of water supply and wastewater disposal. Wastewater from the mixed use development will be treated and disposed of by the Owhanake wastewater treatment plant located on the upper

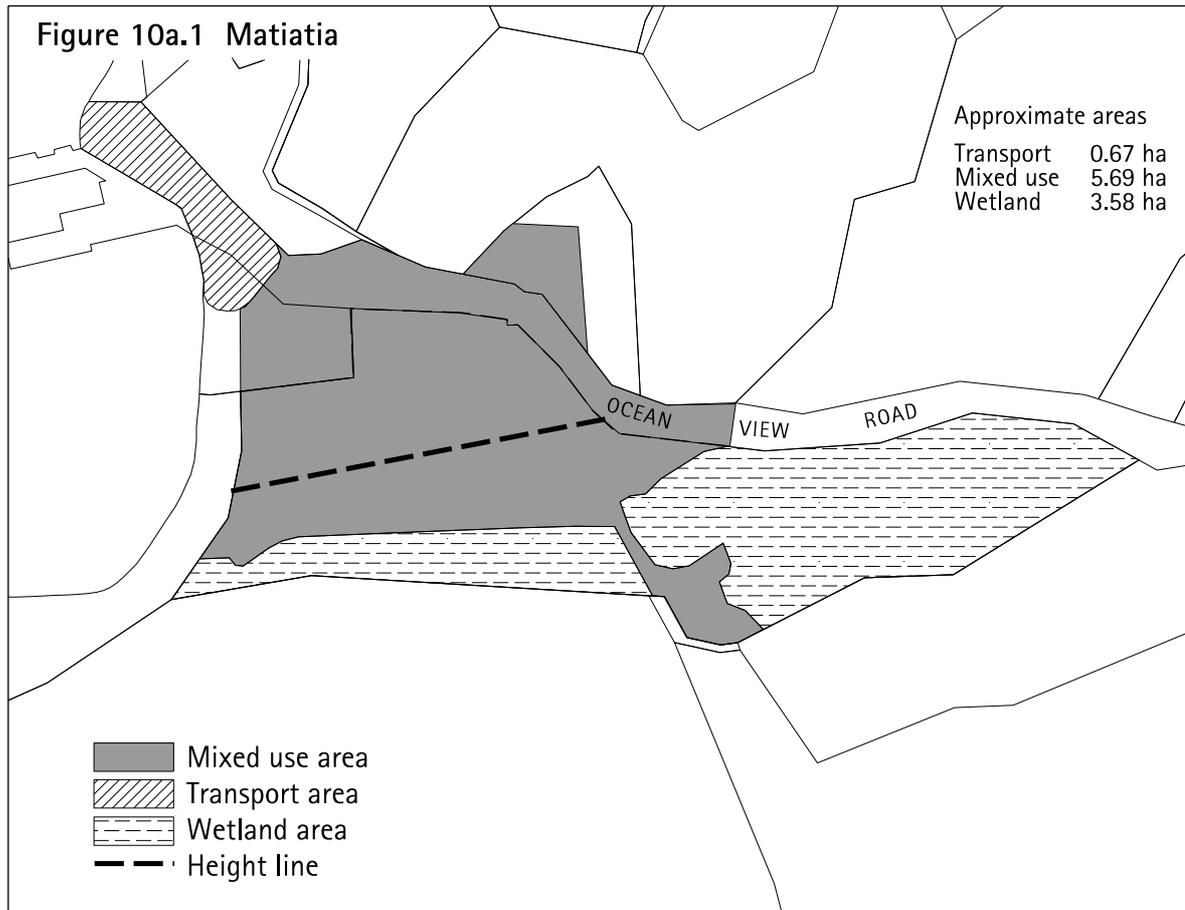
hill slopes on the northern side of the valley. Water will be supplied from the bore located behind the Harbourmaster's building and from rainwater capture.

3. Wetland area

This area includes the wetland located to the side and rear of the mixed use area. In the past, the wetland has been drained and used for pastoral farming but in recent times the wetland has regenerated as a result of weed eradication and increased water flows.

As well as contributing to the visual amenity and ecology of the area the wetland also plays a valuable 'polishing' role for the Owhanake wastewater treatment plant.

The location of these areas is shown on [figure 10a.1: Matiatia](#).



10a.18.5 Rules - activity tables

There are separate activity tables for each of the following areas:

- transport area
- mixed use area
- wetland area.

10a.18.5.1 Transport area

| Activity | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | P |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table ¹ | P |

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| Activity | Status |
|--|--------|
| Carparking (including drop off and pick up areas) | P |
| Marine fuelling services | P |
| Passenger transport (buses, taxis and other multiple occupancy vehicles) | P |
| Taxi stands | P |
| Boat launching ramps and jetties (including boat trailer parks) | D |
| Storage (vehicles and other items) | P |
| Wharf administration and freight handling activities | P |

Legend

P = Permitted

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.18.5.2 Mixed use area

| Activity | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | RD |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD |
| Art galleries and museums* | P |
| Artworks, monuments and sculptures | P |
| Boarding house or hostel* | P |
| Care centre* | P |
| | |
| Community facilities* | P |
| Dwellings* | P |
| Educational facilities* | P |
| Entertainment facilities* | D |
| Function facilities* | D |
| Healthcare services* | P |
| Office* | P |
| Park furniture (including seats, rubbish bins, lighting, signs, BBQs and picnic facilities) | P |
| Planted areas | P |
| Public carparking and other transport infrastructure (including drop off and pick up areas) existing at September 2006 | P |
| Public carparking and other transport infrastructure (including drop off and pick up areas) not existing at September 2006 | D |
| Relocation of Ocean View Road (if road stopping procedures have been undertaken) | P |
| Restaurant, cafe and other eating places* | P |

| Activity | Status |
|-----------------------------|--------|
| Retail premises* | P |
| Stormwater retention ponds | P |
| Tavern* | D |
| Tourist complex* | D |
| Visitor accommodation* | P |
| Visitor information centre* | P |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. Those activities marked with an asterisk (*) are subject to the threshold controls in [rule 10a.18.6.4](#).
3. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.18.5.3 Wetland area

| Activity | Status |
|---|--------|
| The construction and relocation of buildings, or undertaking exterior alterations and additions to existing buildings (except the observation areas, viewing platforms, boardwalks and related structures provided for below) | NC |
| Observation areas, viewing platforms, boardwalks and related structures | P |
| Park furniture (including seats, rubbish bins, lighting, signs, BBQs and picnic facilities) | P |
| Planted areas | P |
| Stormwater retention ponds | P |

Legend

P = Permitted

NC= Non-complying

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.18.6 Rules - development controls for mixed use area

The development controls listed below apply to all activities in the mixed use area whether those activities are permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

As well as the specific controls set out below, there are additional controls (for all areas within the land unit) set out in [part 10c - Development controls for land units and settlement areas](#).

10a.18.6.1 Building height

The maximum height of any building, or part thereof, is set out in the table below:

| Building location | Building height |
|---|-----------------|
| Buildings located to the north of the height line shown on figure 10a.1: Matiatia | 8m |
| Buildings (with a horizontal roof) located to the south of the height line shown on figure 10a.1 | 8m |
| Buildings (with a sloping roof of more than 6 degrees and containing not more than 3 storeys) located to the south of the height line shown on figure 10a.1 | 13m |

Explanation

This control ensures that buildings located at Matiatia are of appropriate scale with respect to the landscape character of the area. The additional height provided for in the southern portion of the mixed use area reflects the capacity of the hill slopes on the southern side of the valley to absorb the additional height without adverse effects on the landscape.

10a.18.6.2 Open space

1. A minimum of 35 per cent of the mixed use area must be set aside and developed as open space (ie it must be available for the public to access and use, and be free of buildings except public amenities such as toilets, seating and playgrounds).
2. At least 4000m² of this 35 per cent must be located adjoining the esplanade reserve.

Explanation

This control is intended to ensure that there is sufficient open space within and around the mixed use development for the public to use and enjoy.

10a.18.6.3 Activities abutting open space

Unless a building is solely designed for residential or visitor accommodation use, then such activities shall not be located on the ground floor.

Explanation

This control is intended to ensure that a significant proportion of the activities fronting open space areas are active and interesting and, consequently, add to the enjoyment of the open space by the public.

10a.18.6.4 Threshold controls

1. The establishment of a threshold activity (i.e. those activities marked with a * in the activity table at [rule 10a.18.5.2](#)) where the aggregate gross floor area (gfa) of all threshold activities is less than 10,000m² is a permitted activity.
2. The establishment of a threshold activity (i.e. those activities marked with a * in the activity table at [rule 10a.18.5.2](#)) where the aggregate gross floor area (gfa) of all threshold activities is between 10,000m² and 12,000m² is a discretionary activity.

| Activity category | Category limit (aggregate gfa) | Sub-limit (aggregate gfa) for an individual activity within category limit |
|--|--------------------------------|--|
| Retail premises, restaurants, cafes and other eating places | 3500m ² | 1500m ² for restaurants, cafes and other eating places. |
| Dwellings, visitor accommodation, function centres and tourist complex | 7000m ² | 5000m ² for dwellings. |
| All other activities | 1500m ² | n/a |

3. For every 4m² of GFA of dwellings, visitor accommodation, function facility or tourist complex, there shall be a minimum of 1m² GFA of all other activities.

Except that the control set out in (3) above does not apply to the first 3000m² of development or after 2000m² of other activities has been established.

Notes:

- An activity not provided for in the activity table (ie it is non-complying) must be considered to be a threshold activity if it operates as a commercial activity (except for carparking).
- No portion of gross floor area can be counted in two category limits.
- Where retail premises and restaurants, cafes and other eating places are included within a tourist complex they are subject to the sub-limit for retail premises, restaurants, cafes and eating places (ie 1500m²) rather than the category limit for tourist complexes (ie 7000m²).

Explanation

The threshold controls have two functions:

1. To ensure that the overall amount of threshold activities that can establish in the mixed use area will not generate adverse effects in terms of the Matiatia landscape and transport environment or with respect to water supply and wastewater disposal.
2. To establish a 'gateway' to Waiheke that includes a mix of uses rather than just one or two activities. A mix of activities is considered beneficial because it will provide activities for island residents (eg retail, offices and restaurant and bar activities) and activities for visitors (eg visitor accommodation and conference and events facilities). A mixed use development will create a vibrant, safe and interesting built environment that is appropriate at the 'gateway' to the Waiheke.

10a.18.6.5 Activity size

Individual premises containing retail activity, a tavern or restaurant, café or other eating place must not have a gross floor area greater than 500m².

Explanation

The 500m² limit is intended to ensure a 'human scale' of activities within the built environment at Matiatia.

10a.18.6.6 Minimum dwelling size

The minimum gross floor area of dwellings is:

- 45m² for one bedroom dwellings
- 70m² for two bedroom dwellings
- 90m² for three bedroom dwellings

Explanation

This control is to ensure that all dwellings at Matiatia are of a size that will ensure that occupants enjoy a reasonable degree of amenity and comfort.

10a.18.6.7 Internal noise control for dwellings

1. All dwellings must be designed and constructed to provide an indoor design level of balanced noise criterion (NCB) 30 in any habitable room assuming the building is exposed to a noise level of 55dBA L_{eq} at the boundary of the site.
2. The NCB level of 30 must be achieved with windows and doors open unless adequate alternative ventilation is provided to the requirements of clause G4 of the New Zealand Building Code.

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3. Building elements (ie walls, floors) which are common between different activities must be constructed to prevent noise transmission to the requirements of clause G6 of the New Zealand Building Code.
4. After completion of the construction of the dwelling(s), and before the issue of the code compliance certificate, the consent holder must submit a report to the satisfaction of the council, which is signed by a suitably qualified acoustic engineer, which certifies that the dwelling(s) have been built in compliance with the noise and ventilation requirements above.

Explanation

Residential development at Matiatia is to be designed to ensure that an appropriate level of acoustic amenity is provided within the bedrooms and other habitable rooms of residential activities, taking into account other activities within the same development and activity in the surrounding area.

10a.18.6.8 Noise control between activities

The L_{eq} noise levels and maximum level (L_{max}), arising from any activity, measured at or within the boundary of any adjacent site (not held in common ownership) also within the Matiatia land unit must not exceed:

| Hours | Noise levels |
|------------|-----------------------------------|
| 7am - 10pm | L_{eq} 60dBA |
| 10pm - 7am | L_{eq} 55dBA L_{max} 75dBA |

Explanation

Excessive noise occurring for a continuous period or duration can be damaging to public health and can have an adverse effect on the amenity of the receiving environment.

10a.18.6.9 [Deleted]

10a.18.6.10 Setback from mean high water springs

Carparking areas and carparking buildings (except those for disabled users and short term and drop off spaces) must not be located within 100m of MHWS. However this rule does not apply to public carparking areas existing as at September 2006.

Explanation

This control protects the landscape character and general amenity of Matiatia Bay from the adverse effects of medium to large at grade carparking areas and carparking buildings.

This control also avoids the adverse traffic congestion and safety effects that would result from medium to large carparking areas and buildings located in close proximity to the wharf area.

10a.18.6.11 Infrastructure servicing

1. No activity that requires a wastewater connection to the Owhanake wastewater treatment plant may be established unless the wastewater generated by the activity, in combination with the other activities in the mixed use area, will not exceed 80m³ per day or conditions 4 and 5 of the discharge permit have been satisfied.
2. In addition to (1) above, no activity may be established unless it is provided for in the water and wastewater management plan. The water and wastewater management plan must be approved by the council and the Auckland Regional Council and must contain all of the following:
 - a. An up to date record of all buildings and the mix of activities within the mixed use area and the corresponding peak design wastewater flow allocation, along with a total of the actual flow generated from that mix of activities.
 - b. Details of the current allocation for the mixed use development from the Owhanake wastewater treatment plant.
 - c. Details of the contractual arrangements for individual tenants and property developers/owners in respect of water and wastewater management.
 - d. Up to date monitoring of the water use and wastewater discharge including (but not limited to: rainfall, daily water storage, daily water use, daily treated effluent re-use and an estimate of the occupancy and or patronage).
 - e. Details of the water reduction fittings and other water conservation measures that will be put in place with written confirmation that all such fixtures will be maintained as part of an on-going maintenance programme.
 - f. Details and procedures for the handling of risks such as water shortages and contamination.
 - g. Details of how water usage will be monitored so that trends by activity can be established.
3. In addition to (1) and (2) above, no activity that is reliant on the re-use of treated wastewater from the Owhanake wastewater treatment plant may be established unless approval has been obtained from the medical officer of health and the operator of the Owhanake wastewater treatment plant.

Explanation

Rule (1) above ensures that activities do not establish in the mixed use area until there is capacity at the Owhanake wastewater treatment plant to accommodate the wastewater generated by the activity (in combination with all the other activities in the mixed use area).

The water and wastewater management plan is intended to be a tool for the comprehensive management of the wastewater discharges and water usage of activities in the mixed use area.

Rule (3) above ensures that activities reliant on the re-use of treated wastewater do not establish unless confirmation has been obtained that using such wastewater is acceptable

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from a health perspective and that re-use is acceptable with respect to the operation and effectiveness of the Owhanake wastewater treatment plant.

10a.18.6.12 Water storage

Any new buildings must have access to bulk water supply tanks in accordance with the following table and any bulk water supply tank must be accessible for use by the New Zealand Fire Service Commission:

| Total gross floor area of threshold activities | Volume of water supply tanks |
|--|------------------------------|
| 5000-7000m ² | 2000m ³ |
| 7001-10000m ² | 3000m ³ |

Explanation

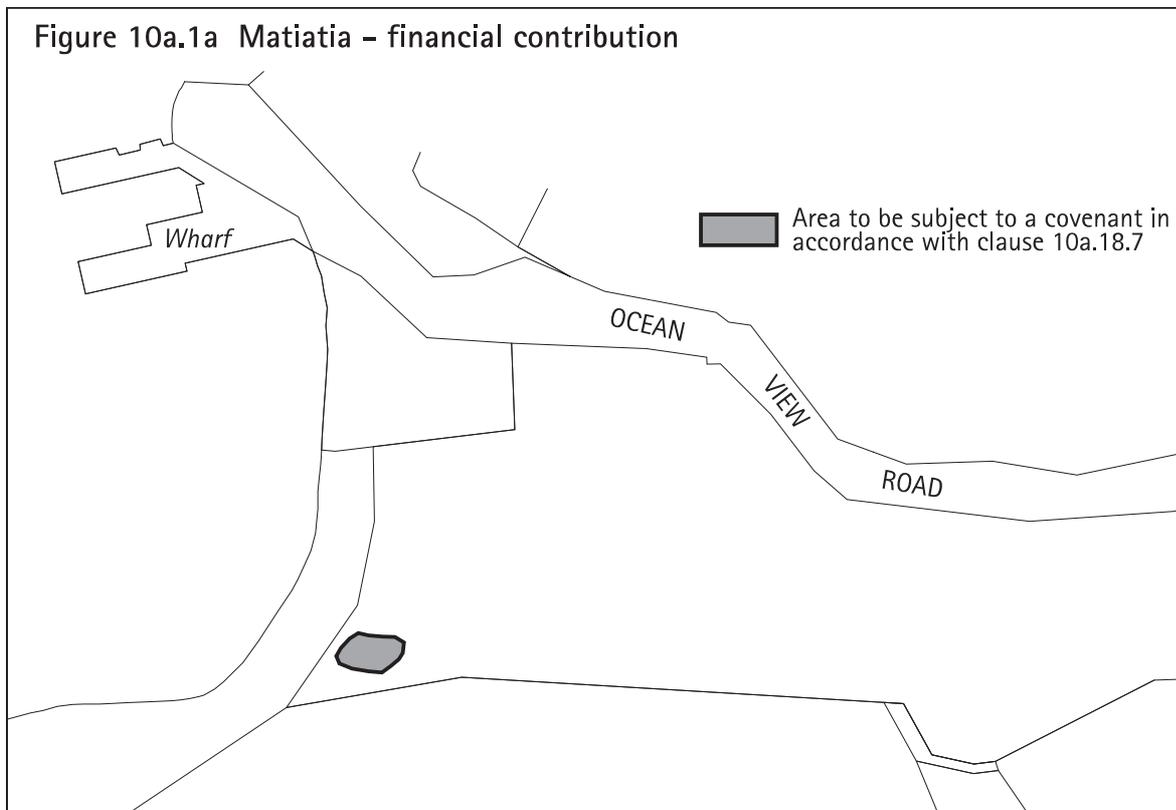
The water supply tanks are intended to ensure that the activities within the mixed use area have an adequate and safe water supply at all times of the year.

10a.18.7 Rules - financial contributions

For all subdivision and development up to an aggregate of 12,000m² in the mixed use area, the following financial contributions apply:

1. The wetland area must be held in council ownership and be available for passive recreation use by the public; and
2. The area marked on [figure 10a.1a: Matiatia - financial contribution](#) must be subject to a covenant which ensures that no structure is placed or constructed in this area.

Development over 12,000m² is subject to [part 6 - Financial contributions](#).



10a.18.8 Assessment matters - for restricted discretionary activities

10a.18.8.1 Notification requirements

Except as provided for by section 95A(4) of the RMA, applications for a resource consent for the restricted discretionary activities identified in the activity tables in [clause 10a.18.5](#) will be considered without public notification or the need to obtain written approval of or serve notice on affected persons (in accordance with section 95A(3) and 95B(2) of the RMA).

10a.18.8.2 Buildings in the mixed use area

1. Matters of discretion

When considering an application to construct, relocate, or carry out additions or alterations to a building in the mixed use area, the council has restricted its discretion to considering the following matters:

- scale
- form (including design and sustainable design matters)
- materials
- location
- landscaping, open space and pedestrian walkways
- residential amenity
- vehicle access and carparking.

2. Assessment criteria

Discretion over the matters identified in clause (1) above will be applied by considering the following:

a. Building form and materials

The extent to which:

- i. The building(s) is designed to maintain the landscape character and amenity of Matiatia.
- ii. The building(s) is designed to address and enhance the street, open spaces and other public areas, particularly the waterfront.
- iii. The building(s) is designed to bear a strong relationship to the human scale.
- iv. The scale, massing and height of buildings is appropriate to the existing and nearby buildings, the topography of the site and important views and vistas.
- v. Articulation and architectural detail is used to keep areas of blank wall to a minimum and break up any excessive bulk of the building(s).
- vi. The rear of the building(s) and service areas are orientated to the rear of other buildings.
- vii. The public and private spaces associated with each building are clearly distinguishable .
- viii. Windows look directly onto the street, open spaces and other public areas wherever possible.
- ix. Entrances to upper floors are clearly distinguished from entrances to lower floors.

- x. The building(s) is designed to accommodate a wide range of uses, in particular the ceiling height on the ground floor should be in the order of 3.5-4.0m to accommodate changes in activity over time.
- xi. The building(s) is constructed of materials that are not highly reflective.
- xii. External lighting has been used to enhance public safety within the development without creating adverse effects on surrounding sites.
- xiii. The building(s) incorporate verandahs or other features which provide shelter for pedestrians.

b. Building location

The extent to which:

- i. The building(s) achieves an integrated and cohesive form of development, particularly when viewed by those arriving on the ferry.
- ii. The building(s) integrates the mixed use development with public carparking and other transport infrastructure in the area.
- iii. The building(s) screen carparking and other transport infrastructure so that it is not highly visible to those arriving at Matiatia by boat.
- iv. The building(s) create a sense of definition and enclosure by fronting the edge of the street and open spaces.
- v. Buildings containing 'active uses' such as retail, restaurants, cafes and other eating places are located in close proximity to the ferry terminal and carparking activities; and buildings containing 'non-active uses' such as residential dwellings are located further away from the ferry terminal and carparking activities.
- vi. The proposed building(s) reflect the 'gateway' function of Matiatia.
- vii. The building will be located and/or constructed in a manner which will ensure that the building does not have an adverse effect on any potential burial sites (the information supplied by the ground penetrating radar study should be used to determine this along with a physical groundwork that may be required in order to determine if a "potential" burial site is a burial site in actuality).

c. Landscaping, open space and pedestrian walkways

- i. The extent to which landscaping will:
 - Be put in place concurrently with the proposed building(s).
 - Be planted with ecosourced plants.
 - Integrate the buildings with adjoining open spaces and pedestrian walkways.
 - Mitigate the adverse effects of the development on the landscape character of Matiatia, particularly the coastal landscape.
- ii. The extent to which open spaces:
 - Will be put in place concurrently with the proposed building(s).
 - Will be planted with ecosourced plants.
 - Will be located adjoining the esplanade reserve and throughout the mixed use development so that variety of open spaces are created, such as a large space for events and more intimate spaces such as courtyards.
 - Are designed to be safe, inviting and attractive for the public and open at all times.

- Include public amenities such as shelter, seating and lighting.

iii. The extent to which public walkways will:

- Be put in place concurrently with the proposed building(s).
- Create a clear and legible network throughout the mixed use development and between the mixed use development and the wharf and car parking areas.
- Be of a width and design that will facilitate use by a variety of people, including commuters and visitors.
- Be lit and designed so as to be safe for users during the day and night.

d. Vehicle access and carparking provided for the mixed use development

i. The extent to which vehicle access within the mixed use area will:

- Create a clear and easy-to-follow network of accessways for vehicles through the mixed use development.
- Be designed to be safely used by vehicles, cyclists and pedestrians and includes traffic calming and paving differentiation where appropriate.
- Be landscaped in a manner which integrates the accessways with the mixed use development and the surrounding coastal environment
- Minimise conflict with pedestrian flows.
- Include on-road and short term parking where appropriate.

ii. The extent to which carparking provided for the mixed use development is:

- Designed and located in a manner which maintains the visual amenity of the mixed use development and the Matiatia landscape as a whole, particularly for those arriving at Matiatia.
- Integrated with the surrounding development and other traffic infrastructure in terms of access points and traffic flows, congestion and safety.
- Designed and located to facilitate sharing of carparking spaces by activities eg night-time activities can use the spaces unused by daytime activities.
- Designed and landscaped to provide a safe environment for users during the day and the night.

e. Residential dwellings

The extent to which a building(s) that is intended to accommodate residential dwellings are:

- i. Designed to ensure that residents have a high level of amenity, particularly in terms of private open space and outlook.
- ii. Located, designed and constructed to ensure that residents have a high level of aural privacy and are not unduly affected by noise from surrounding activities or by other activities and services such as entrances and lift wells within the building.
- iii. Designed to ensure that there is adequate admission of daylight.

f. Sustainable design

The extent to which the building(s):

- i. Are designed to minimise energy consumption. As a guide, buildings with a depth of 10-14m have good natural light and can be naturally ventilated, thereby decreasing energy consumption.
- ii. Are located, designed and orientated to take account of solar access and other elements such as shelter from the prevailing winds.
- iii. Are designed to be 'water-autonomous', particularly with respect to how the roof size and form maximises the collection of rainwater and how water conservation devices and fittings will be used.
- iv. Are constructed of materials and finishes that have been chosen because they are more sustainable than others that might have been used, including consideration of embodied energy, location of supply, life cycle assessment, toxicity and effects on indoor air quality.
- v. Additional stormwater flows generated by the building(s) will be managed within the development, by techniques such as rain gardens, roof gardens and filtration strips.

[Appendix 11 - Sustainable design guidelines for the islands](#) will assist applicants with these sustainable design criteria.

10a.18.9 Assessment matters - for discretionary activities

10a.18.9.1 Public carparking and other transport infrastructure in the mixed use area

The council's assessment of an application for public carparking and other transport infrastructure as a discretionary activity in the mixed use area will include consideration of the relevant assessment criteria for restricted discretionary activities and the extent to which public carparking and other transport infrastructure:

1. Has been located and designed to give priority to passenger transport and other multiple occupancy vehicles.
2. Has been designed and located so that it is integrated with the mixed use development.
3. Will have adverse effects on the landscape character and visual amenity of Matiatia, particularly when viewed by those arriving at Matiatia by boat.
4. Will generate adverse effects in terms of traffic safety and congestion on Ocean View Road.
5. Will generate adverse effects on the efficient operation of public transport and other multiple occupancy vehicles.
6. Will compromise the ability for a mixed use development of 10,000m² gross floor area to establish in the mixed use area.

10a.18.9.2 Threshold controls

The council's assessment of an application for a discretionary activity to modify the threshold controls in [rule 10a.18.6.4](#) will include consideration of the extent to which the proposed gross floor area and associated activities and / or buildings:

1. Will contribute to providing a mix of activities that will meet the needs of both residents and visitors using Matiatia.
2. Will compromise the ability for a mixed use development that contains at least three types of threshold activities to establish.
3. Will create a vibrant, safe and interesting gateway to Waiheke.
4. Is able to be serviced in terms of water supply and wastewater disposal (this should be assessed with reference to the water and wastewater management plan).
5. Will have adverse effects on the parking and traffic environment at Matiatia,

particularly in terms of the safety and efficient functioning of the Matiatia transport system.

6. Will result in a scale and intensity of activity and built development that will have adverse effects on the landscape character and visual amenity of Matiatia.
7. Will result in adverse effects on the overall functioning and viability of other commercial centres on Waiheke such as Oneroa and Ostend. Consideration should be given to the range of commercial services and facilities available in those centres and any new activities that may occupy and sustain those centres in the future.
8. Is consistent with the council's adopted growth strategies for Waiheke (if the proposal is for residential activities).

10a.18.9.3 Other listed discretionary activities

For other applications for resource consent refer to [part 11 - Assessment matters](#) for assessment criteria for discretionary activities.

10a.18.10 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.19 Land unit - Rural 1 (landscape amenity)

10a.19.1 Introduction

This land unit is applied to pockets of small scale, rural land located between the village areas of western Waiheke.

Landscape amenity is characterised by:

- Small scale farming and horticulture activities.
- Flat to rolling land.
- A rural landscape with built elements but also the openness, features and patterns created by productive activities.
- The contrast of its rural landscape with the intensity and nature of the surrounding village development.

The area of the land unit adjoining Onetangi Road differs from the other areas of rural amenity land in that it contains activities that may be considered 'non-rural' in their character, such as entertainment facilities and tourist complexes. The scale of this area of the land unit is sufficiently large to accept these activities, while still maintaining a rural landscape with an open pattern.

Overall, the land unit has high visual amenity value, largely due to the contrast of its rural landscape with the village style development that occurs throughout western Waiheke.

10a.19.2 Resource management issues

The significant resource management issues that need to be addressed in the Plan are:

1. How to recognise the differences in scale between the 'Onetangi Road' area of the land unit and the 'other areas' of the land unit such as the Kennedy's Point, Palm Beach and Oneroa.
2. How to protect the rural landscape and visual amenity of the land unit from the adverse effects of buildings and activities.
3. How to protect the general amenity of the land unit, particularly in the 'other areas'.
4. How to provide for small scale rural activities, such as pastoral farming and horticulture, to establish and operate within the land unit.
5. How to acknowledge that non-rural activities such as restaurants and tourist complexes may be appropriate and in fact beneficial in the right locations.
6. How to control the size and nature of non-rural activities so that the rural character and visual amenity of the land unit is maintained.

Note: Refer to [clause 10a.19.4](#) below for an explanation of the 'Onetangi Road' and 'other areas' of the land unit.

10a.19.3 Objectives

To provide for rural activities and a limited range of non-rural activities while protecting the rural character and visual amenity of the land unit.

To provide for rural activities that maintain the openness, patterns and features of the land unit in contrast to the intensity of development in neighbouring villages.

Policies

1. By providing for productive activities, such as pastoral farming and horticulture to establish and operate within the land unit.
2. By limiting the non-productive activities that can occur in the 'other areas' of the land unit to those which avoid adverse effects on the landscape and rural character, and the general and visual amenity values of the locality.

3. By ensuring that the non-productive activities in the 'Onetangi Road' area will not have adverse effects on the rural character and the general and visual amenity of the land unit when viewed from Onetangi Road and surrounding locations.
4. By ensuring that the scale, form, colour and location of new buildings will not have adverse effects on the landscape, rural character and visual amenity values of the land unit.
5. By requiring new sites to be of a size and nature that ensures small scale rural activities can occur and which maintains the rural character and visual amenity of the landscape.
6. By ensuring that the land unit continues to provide the clear distinction between its rural landscape and the characteristics of the neighbouring villages.

10a.19.4 Resource management strategy

As the Onetangi Road area of the land unit is different in scale to the other areas of the land unit, the resource management strategy is to divide the land unit into two parts; 'Onetangi Road' and 'other areas'. The location of the Onetangi Road area is identified on [figure 10a.2](#).



Part 10a - Land units: objectives, policies and activity tables

In the 'other areas' the rural character and the general amenity of the land unit is protected by limiting the range of non-productive activities that can occur.

In the 'Onetangi Road' area of the land unit a wider range of non-productive activities are provided for in recognition of the fact that this area of the land unit is of a significantly larger scale than the other areas and can therefore potentially accommodate activities of a more intensive nature and larger scale. Notwithstanding, an assessment of such activities is required to ensure that there are no adverse effects on the rural character, visual amenity and general amenity of the land unit.

An assessment of buildings is required in both the 'Onetangi Road' and 'other areas' of the land unit to ensure that there are no adverse effects on the rural character and the visual amenity of the landscape.

10a.19.5 Rules - activity table

| Activity | Status |
|--|---------------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | RD |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD |
| Art galleries and museums | D |
| Dwelling (one per site) | P |
| Entertainment facilities within the Onetangi Road area identified on figure 10a.2 | D |
| Function facilities within the Onetangi Road area identified on figure 10a.2 | D |
| Home occupations | P |
| Homestay | P |
| Horticulture | P |
| Multiple dwellings | D |
| Open Air Markets | D |
| Outdoor adventure activities | D |
| Pastoral farming | P |
| Residential accessory buildings | P |
| Restaurant, cafe and other eating places | D |
| Tourist complex within the Onetangi Road area identified on figure 10a.2 | D |
| Visitor accommodation for more than 10 people | D |
| Visitor accommodation for up to 10 people | P |
| Wineries | D |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.19.6 Rules - standards and terms for multiple dwellings

An application for multiple dwellings will only be considered as a discretionary activity where one or more of the following criteria are met:

1. The resulting number of dwellings on the site will be no more than that which would occur if:
 - a. the site were subdivided in accordance with the minimum site areas set out in [table 12.1](#) for this land unit and
 - b. one dwelling was located on each site.
2. An application is made at the same time for subdivision resulting in the amalgamation of sites such that the number of dwellings on the new site created would be no greater than that which could be achieved through locating a dwelling on each of the original sites.
3. The dwellings are for papakainga housing.
4. The land has been owned co-operatively by a number of individuals since prior to 29 September 1992.

Proposals which do not meet these standards are a non-complying activity.

10a.19.7 Rules - development controls

The development controls listed below apply to all activities whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

As well as the specific control set out below, there are additional controls set out in [part 10c - Development controls for land units and settlement areas](#) which also apply to this land unit.

10a.19.7.1 Onetangi Road

On all sites with road frontage to Onetangi Road (as identified on [figure 10a.2](#)), all new buildings or exterior additions or alterations to an existing buildings must be located at least 100m from the road boundary.

Explanation

The purpose of this particular rule is ensure that the openness and rural character of the 'Onetangi Road' area of the land unit is maintained.

10a.19.8 Assessment matters

For applications for resource consent refer to [part 11 - Assessment matters](#) for:

- Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings.
- Assessment criteria for discretionary activities.

10a.19.9 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

Part 10a - Land units: objectives, policies and activity tables

Part 6 - Financial contributions

Part 7 - Heritage

Part 8 - Natural hazards

Part 9 - Hazardous facilities and contaminated land

Part 10c - Development controls for land units and settlement areas

Part 12 - Subdivision

Part 13 - Transport

10a.20 Land unit - Rural 2 (western landscape)

10a.20.1 Introduction

This land unit applies to three distinct areas on Waiheke: land at Owhanake, Church Bay and Park Point; land at Te Whau peninsula; and land at Thompsons Point.

Western landscape is characterised by:

- Its coastal location in that all land within the land unit either adjoins the coastline or is part of the wider coastal environment.
- Large areas of environmental significance, in particular wetland areas and areas of native vegetation.
- High natural character and visual amenity due to the large areas of regenerating native bush, and the coastal cliffs and slopes.
- A rural-residential style of living at Owhanake, Church Bay, Park Point and Te Whau. Thompsons Point is currently farmed.
- Small scale rural activities, primarily with a horticulture focus.
- The landscape values of the land unit are those of a cultural landscape containing four key elements:
 1. The openness and productivity of a rural landscape.
 2. The natural character of a regenerating landscape.
 3. The amenity of a low density residential landscape.
 4. The visual prominence of a coastal landscape.

Overall, western landscape provides for a rural-residential style of living with high natural character and landscape values.

10a.20.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to provide for small scale rural activities to establish and operate within the land unit.
2. How to protect the amenity of the existing rural-residential activity located in the land unit.
3. How to protect the natural character and landscape values of the land unit, including the features and patterns established by the small scale rural activities.
4. How to provide for rural-residential development to occur on Thompsons Point.

10a.20.3 Objective

To provide for and protect the rural-residential style of living while avoiding the adverse effects of activities and buildings on the natural character and landscape values of the land unit.

Policies

1. By providing for rural and residential activities to establish and operate in the land unit.
2. By limiting the range of non-rural and non-residential activities that can establish within the land unit to avoid adverse effects on the landscape values and the general amenity of the locality.
3. By requiring new sites to be of a size and nature that ensures that small scale rural activities can occur and which protects the natural character, landscape and amenity values of the land unit.

4. By ensuring that the scale, form, colour and location of new buildings will not have adverse effects on the natural character and landscape values of the land unit.
5. By providing for subdivision and/or multiple dwellings to occur at Thompsons Point with an emphasis on enhancing natural character and landscape values through the adoption of low impact design methods and the planting of indigenous vegetation.

10a.20.4 Resource management strategy

As the land at Owhanake, Church Bay, Park Point and Te Whau is largely developed to capacity, the focus of the resource management strategy for these areas is to provide for the continued operation of rural-residential activities and maintain the natural character and landscape values of the land unit.

As Thompsons Point has not yet been developed to capacity, the focus is on providing for the rural-residential development and revegetation of this area while maintaining the natural character and landscape values of the land unit.

Thompsons Point is identified on [figure 12.1](#) and is a prominent peninsula consisting of 141ha contained in four titles. The two larger sites (containing Areas 2B and 2C shown on [figure 12.1](#)) have a combined total of 117ha.

The southern site (Area 2B) comprises 38ha and immediately abuts Open Space 1 (ecology and landscape) land and Island Residential 2 land along its southern boundary. The site adjoins Rural 2 land along its other three boundaries. Areas 2B and 2C have differing landscape sensitivities and development opportunities and constraints. Area 2C is characterised by the immediate coastal environment and Area 2B is characterised by a major wetland system, steep hill spurs and slopes and nearby residential development.

The northern site (Area 2C) consists of 79ha and comprises the peninsula abutting the coast and extending to the seaward tip of Thompsons Point. The northern end of Thompsons Point is identified in the ARPS as an Outstanding Natural Landscape (ONL). The ARPS seeks to avoid rural-residential development in ONLs. However, built development may occur within an ONL in limited circumstances provided that the development is subservient to the natural values of the ONL. The overall development of Area 2C will provide for a rural-residential style of living in the context of a coastal landscape progressively enhanced by regenerating and planted vegetation. Within the ONL, a single building platform may be appropriate, subject to subdivision and/or multiple dwelling provisions and development controls.

The two smaller sites (within Area 2A) comprise land along the eastern and western edges of Thompsons Point and consist of 18.8ha and 4.5ha respectively.

Development of the land will provide for a rural-residential style of living with enhancement of natural character through native revegetation in the coastal environment.

The general amenity of the land unit is protected by limiting the activities provided for to those of a residential or rural nature and avoiding activities that might generate adverse noise or traffic effects that are out of context with a rural environment.

10a.20.5 Rules - activity table

| Activity | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | RD |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD |
| Dwelling (one per site) | P |
| Home occupations | P |
| Homestay | P |

| Activity | Status |
|--|--------|
| Horticulture | P |
| Multiple dwellings at Thompsons Point within Area 2C as shown on figure 12.1 that meet the standards and terms in rule 12.8.6.3(3) and where a Landscape Management Plan for this area has been approved in accordance with rule 12.8.6.1(6) . | RD |
| Pastoral farming | P |
| Visitor accommodation for up to 10 people | P |
| Visitor accommodation for more than 10 people | D |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.20.6 Rules - development controls

Refer to [part 10c - Development controls for land units and settlement areas](#) for the controls applying in this land unit. The development controls listed in that part apply to all activities, whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

10a.20.7 Assessment matters

For applications for resource consent refer to [part 11 - Assessment matters](#) for:

- Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings.
- Assessment criteria for discretionary activities.

10a.20.8 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.21 Land unit - Rural 3 (Rakino amenity)

10a.21.1 Introduction

Rakino is a small island of approximately 146ha located northeast of Motutapu. The island is 2.4km long and approximately 1.2km wide.

Rakino is characterised by:

- Its location, small size and undulating topography.
- The small permanent population (approximately 16) and high proportion of holiday homes, (there are approximately 76 dwellings in total on Rakino).
- Its two distinctive forms of residential subdivision pattern are recognised by applying this rural 3 (Rakino amenity area) land unit and the island residential 1 (traditional residential) land unit.
- Its popular beaches and bays for recreational boaties, residents and holiday homeowners.
- The location of the wharf and mooring areas at Sandy Bay.
- A general private ownership pattern with limited Department of Conservation and council ownership.

This land unit is characterised by:

- Sites of generally 4-5ha in size, with most having coastal frontage.
- All of the coastline of Rakino is within this land unit.
- Limited existing indigenous vegetation with large portions of sites being grass covered, although coastal frontages of sites generally contain remnants of indigenous vegetation, including regenerating and mature pohutakawa.
- The high amenity, character and ecological value of the coastline.
- Sites which generally contain dwellings and operate as 'lifestyle blocks' with holiday homes or permanent dwellings, although some are vacant.
- Undulating topography with a general downwards slope towards the coastline.

Overall, the land unit has a unique coastal character which has high amenity values.

10a.21.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to provide for residential 'lifestyle' activity on larger blocks of land on Rakino in a manner which protects the character and coastal amenity of the island.
2. How to ensure the protection of existing indigenous vegetation and encourage the planting of indigenous vegetation on sites in order to enhance the visual amenity values of the island and allow for effective stormwater and wastewater disposal.
3. How to acknowledge that certain non-residential activities like small scale visitor accommodation may be appropriate.

10a.21.3 Objectives and policies

10a.21.3.1 Objective

To provide for residential buildings and small scale visitor accommodation in a manner which protects the unique coastal character and amenity of the land unit.

Policies

1. By controlling the scale, form, colour and location of new buildings to ensure that they are visually compatible with, and do not dominate, the coastal environment.
2. By restricting the type and size of visitor accommodation within the land unit.

10a.21.3.2 Objective

To require the planting of indigenous vegetation on sites in order to enhance the visual amenity values of the island and allow for effective wastewater disposal.

Policy

1. By requiring the planting of sites for amenity and wastewater disposal.

10a.21.4 Resource management strategy

The resource management strategy for the land unit is to provide for predominantly residential uses and to manage the environmental and visual impacts of such activities.

The coastal environment of Rakino is particularly sensitive to the impact of development and this is recognised by the land unit. The objectives and policies also recognise that revegetation would improve the amenity and ecological value of the island.

10a.21.5 Rules - activity table

| Activities | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | RD |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD |
| Dairy | D |
| Dwellings (one per site) | P |
| Home occupations | P |
| Homestay | P |
| Horticulture | P |
| Pastoral farming | P |
| Residential accessory buildings | P |
| Visitor accommodation for up to 10 people | P |
| Visitor accommodation for more than 10 people | D |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.21.6 Rules - development controls

The development controls listed below apply to all activities whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

Part 10a - Land units: objectives, policies and activity tables

As well as the specific controls set out below, there are additional controls set out in [part 10c - Development controls for land units and settlement areas](#) which also apply to this land unit.

10a.21.6.1 Planting of wastewater disposal areas

On all sites, planting of the wastewater disposal area must be undertaken. [Appendix 13 - Planting guide](#), identifies vegetation that is appropriate for planting within effluent disposal fields.

10a.21.7 Assessment matters

For applications for resource consent refer to [part 11 - Assessment matters](#) for:

- Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings.
- Assessment criteria for discretionary activities.

10a.21.8 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.22 Land unit - Open space 1 (ecology and landscape)

10a.22.1 Introduction

This land unit is applied to the extensive network of esplanade reserves, local parks and conservation reserves on Waiheke and Great Barrier.

This land unit is characterised by:

- Passive recreation activities such as walking, cycling and picnic areas.
- A general absence of built development aside from public amenity facilities such as signage, seating, playgrounds, walkways, artworks and sculptures.
- High visual amenity value due to the open space character and in the case of esplanade reserves the prominent coastal location.
- High ecological values in parks, esplanade reserves and conservation reserves that contain native bush, wetlands and other natural features.

Overall, the parks and reserves within the land unit are a significant community asset with high visual amenity, passive recreational and ecological values.

10a.22.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to facilitate the use and enjoyment of the land unit for passive recreation activities by the public.
2. How to maintain and enhance the ecological value of land unit, particularly in conservation reserves and esplanade reserves.
3. How to protect the visual amenity and ecological value of the land unit from the adverse effects of new buildings.
4. How to provide for marine recreation activities that have a functional relationship to the sea while protecting the high ecological and visual amenity values of the land unit.

10a.22.3 Objective

To facilitate the use and enjoyment of local parks and esplanade reserves for passive recreation while protecting the visual amenity and ecological value of the land unit.

Policies

1. By providing for passive recreation activities to establish and operate within the land unit.
2. By limiting the scale and intensity of the activities that can occur within the land unit to avoid adverse effects on the landscape, visual amenity and ecological value of the land unit.
3. By ensuring that the scale, form, colour and location of new buildings will not have adverse effects on the landscape, visual amenity and ecological values of the land unit.
4. By requiring that new planting on conservation and esplanade reserves to consist of ecosourced species.

10a.22.4 Objective

To provide for marine recreation facilities that have a functional relationship to the sea while protecting the high ecological, landscape and visual amenity values of the land unit.

Policies

1. By providing for marine recreation activities to establish and operate within the land unit.
2. By providing for clubrooms for an activity that has a functional relationship to the sea.
3. By providing for minor boat repair and maintenance activities and associated facilities to operate at the south-eastern side of the Ostend Domain Reserve, Waiheke Island only, in a manner that does not have adverse effects on the visual amenity of the surrounding area and the ecological values of the coastal environment that are any more than minor.
4. By considering alternative location(s) and ensuring that the location of the building will not have adverse effects on the landscape, visual amenity and ecological values of the coastal environment.
5. By ensuring that the scale, form, colour and location of any new buildings will not have adverse effects on the landscape, visual amenity and ecological values of the coastal environment.

10a.22.5 Resource management strategy

The resource management strategy is to meet the recreational needs of the Waiheke and Great Barrier communities by providing for passive recreation activities. The more intensive recreational activities, such as sports fields, are not provided for in order to avoid adverse effects on the ecological and visual amenity value of the land unit.

This includes provision for marine recreation facilities that have a functional relationship to the sea and rely on the coastal location for effective operation.

An assessment of new buildings is required to ensure that there will not be adverse effects on the ecological and visual amenity value of the land unit.

10a.22.6 Rules - activity table

| Activity | Status |
|--|--------|
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD |
| The construction and relocation of buildings where the footprint of the building is over 50m ² , including buildings used for any of the other activities listed in this table ¹ | RD |
| The construction and relocation of buildings where the footprint of the building is ≤ 50m ² , including buildings used for any of the other activities listed in this table. | P |
| Artworks, monuments and sculptures | P |
| Boat launching ramps and jetties (including boat trailer parks) | D |
| Camping facilities | D |
| Carparking areas | P |
| Marine recreation facilities | D |
| At the south-eastern side of the Ostend Domain Reserve, Waiheke Island only, boat repair and maintenance activities and boat launching and retrieval associated with that repair and maintenance, where this occurs ancillary to marine recreation facilities | D |
| Observation areas, viewing platforms and related structures | P |
| Park furniture (including seats, rubbish bins, lighting, signs, BBQs and picnic facilities) | P |
| Planted areas | P |
| Playgrounds (including playground apparatus) | P |
| Stormwater retention ponds | P |
| Toilets and changing facilities | P |
| Walking, jogging, fitness and riding trials (bridle and bicycle) | P |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.22.7 Rules - development controls

The development controls listed below apply to all activities whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

As well as the specific controls set out below, there are additional controls set out in [part 10c - Development controls for land units and settlement areas](#) which also apply to this land unit.

10a.22.7.1 Ecosourced planting

In conservation reserves and esplanade reserves only, all planting must consist of ecosourced species.

Explanation

The purpose of this particular rule is to protect and enhance the ecological value of the conservation and esplanade reserves within the land unit.

10a.22.8 Assessment matters

For applications for resource consent refer to [part 11 - Assessment matters](#) for:

- Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings.
- Assessment criteria for discretionary activities.

10a.22.9 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.23 Land unit - Open space 2 (recreation and community facilities)

10a.23.1 Introduction

This land unit is applied to sports parks and community facilities such as halls and clubrooms on Rakino, Waiheke and Great Barrier.

Community facilities and sports parks is characterised by:

- A range of active recreation (eg sports fields, skateboard parks) and community activities (eg community meetings).
- A variety of buildings such as halls, changing rooms, clubrooms and sports equipment.

Overall, the community facilities and sports parks within the land unit play an important role in providing for the recreational and social needs of the Rakino, Waiheke and Great Barrier communities.

10a.23.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to facilitate the use and enjoyment of community facilities and sports parks for active recreation and community activities.
2. How to protect the visual amenity of the land unit from the adverse effects of new buildings.

10a.23.3 Objective

To facilitate the use and enjoyment of community facilities and sports parks for active recreation and community activities while protecting the visual amenity values of the land unit.

Policies

1. By providing for active recreation and community activities to establish and operate in the land unit.
2. By ensuring that the scale, form, colour and location of new buildings will not have adverse effects on the visual amenity values of the land unit.

10a.23.4 Resource management strategy

The resource management strategy is to provide for active recreation and community purposes so that these activities can continue to contribute to the recreational and social needs of the Rakino, Waiheke and Great Barrier communities.

An assessment of new buildings is required to ensure that they will not have adverse effects on the visual amenity of the land unit.

10a.23.5 Rules - activity table

| Activity | Status |
|--|--------|
| The construction and relocation of buildings where the footprint of the building is over 50m ² , including buildings used for any of the other activities listed in this table. ¹ | RD |
| The construction and relocation of buildings where the footprint of the building is ≤ 50m ² , including buildings used for any of the other activities listed in this table. | P |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions . ¹ | RD |
| Artworks, monuments and sculptures | P |
| Boat launching ramps and jetties (including boat trailer parks) | D |
| Care centres | D |
| Carparking areas | P |
| Clubrooms | P |
| Community facilities | P |
| Information centres | P |
| Observation areas, viewing platforms and related structures | P |
| Organised sports and recreation and associated grounds and playing fields | P |
| Park furniture (including seats, rubbish bins, lighting, signs, BBQs and picnic facilities) | P |
| Planted areas | P |
| Playgrounds (including playground apparatus) | P |
| Stormwater retention ponds | P |
| Toilets and changing facilities | P |
| Walking, jogging, fitness and riding trials (bridle and bicycle) | P |

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.23.6 Rules - development controls

Refer to [part 10c - Development controls for land units and settlement areas](#) for the controls applying in this land unit. The development controls listed in that part apply to all activities, whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

10a.23.7 Assessment matters

For applications for resource consent refer to [part 11 - Assessment matters](#) for:

- Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings.

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- Assessment criteria for discretionary activities.

10a.23.8 Relationship with rules in other parts of the Plan

Part 14 - Definitions must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

Part 4 - General rules

Part 5 - Network utility services

Part 6 - Financial contributions

Part 7 - Heritage

Part 8 - Natural hazards

Part 9 - Hazardous facilities and contaminated land

Part 10c - Development controls for land units and settlement areas

Part 12 - Subdivision

Part 13 - Transport

10a.24 Land unit - Open space 3 (Rangihoua Park)

10a.24.1 Introduction

Rangihoua Park is a 110ha reserve which is owned by council. It is a significant part of council's open space strategy for Waiheke. Rangihoua Park currently contains the following activities:

- a golf course
- playing fields and associated buildings
- tennis courts
- picnic and BBQ area
- walking tracks, mountain bike trails and bridle trails
- a historic village and museum
- a lawn cemetery
- an equestrian area
- parking and vehicle access areas.

Included within the park are three streams, some wetland areas, two ponds and areas of planting. The main landscape feature in the park is Rangihoua Maunga. The park is located adjacent to the Rangihoua Creek and Putiki Bay estuary which is of ecological significance.

The land occupied by the park is of significance to iwi. The area was occupied by the ancestors of Ngati Paoa and the Putiki-O-Kahu Pa was located on the Rangihoua Maunga. The slopes of Rangihoua were cultivated for many generations and the terraces can still be seen. The Rangihoua area is waahi tapu, of spiritual significance to the tangata whenua.

The park contains the following heritage items which are scheduled elsewhere in the Plan:

- an archaeological site on Rangihoua Maunga
- a building in the historic village.

10a.24.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to manage the use of the park in an integrated manner which recognises the differing characteristics and differing scales and types of land use appropriate to various parts of the park.
2. How to manage the relationship between the park and surrounding land uses and water bodies (Rangihoua Creek and Putiki Bay) in order to avoid adverse effects and achieve positive benefits throughout Rangihoua Park.
3. How to recognise and protect the significant iwi values associated with the Rangihoua Maunga.
4. How to maintain and enhance the landscape and ecological values associated with the Rangihoua Maunga, the open space character of the park, the streams and pond, and the vegetated areas.
5. How to manage the range of community aspirations to use the park in a variety of ways including for active and passive recreation and for cultural activities.

10a.24.3 Objectives and policies

10a.24.3.1 Objective

To recognise and protect the significant iwi values associated with the Rangihoua Maunga.

Policies

1. By involving iwi in the management of the Rangihoua Maunga.
2. By not providing for any activities, other than planting and maintenance of ecosourced species on the Rangihoua Maunga.

Explanation

The council has set up a kaitiaki management committee, called the Rangihoua and Tawapareira Reserve Management Subcommittee to manage the Rangihoua Maunga. The committee includes iwi and council representatives.

Note: The council has agreed to an approach with tangata whenua that limits access to Rangihoua Maunga to iwi approved people.

10a.24.3.2 Objective

To protect, maintain and enhance the heritage, ecological, landscape values and open space values of the park associated with the Rangihoua Maunga, the bush, streams and wetland areas.

Policies

1. By controlling the scale, form, colour and location of buildings within the park to ensure that the dominance and character of the natural environment is retained.
2. By recognising and protecting Rangihoua Maunga as the dominant landscape feature of the park.
3. By protecting the stream, wetland and bush areas from development.

Explanation

Rangihoua Park has considerable landscape values. It is important that any buildings that may be located within the recreation, cultural and heritage facilities and landscape amenity areas need to be sympathetic to the surrounding landscape.

10a.24.3.3 Objective

To maintain and enhance the ecological values associated with the vegetation, streams, wetland areas, and the adjacent Rangihoua Creek and Putiki Bay.

Policies

1. By requiring any planting to consist of ecosourced species.
2. By requiring planting along the stream banks and wetland margins within the park.
3. By controlling earthworks and vegetation clearance in order to limit sediment runoff into on-site streams and wetland areas and into Rangihoua Creek and Putiki Bay.

Explanation

Rangihoua Park has considerable ecological values. It is important that these are recognised and provided for by any future development of the park.

10a.24.3.4 Objective

To provide for a range of recreational and community activities, where appropriate, throughout the park.

Policies

1. By providing for recreation and associated facilities in those parts of the park identified as most suitable for this purpose.
2. By providing for buildings and structures which will contribute to the community use of the park, at an appropriate scale and in appropriate locations.
3. By providing for the ongoing use and limited expansion of the lawn cemetery, and the historic village and museum.

10a.24.3.5 Objective

To provide for appropriate levels of public access to and use of the park.

Policies

1. By providing for public access at appropriate locations.
2. By recognising the importance of linking walkways, mountain bike and bridle trails in the park with the wider network of walkways and trails.
3. By providing for the various recreational activities in a manner that avoids conflict or risks to public safety.

10a.24.3.6 Objective

To ensure that buildings and activities on the park do not adversely affect adjacent sites.

Policies

1. By setting appropriate noise standards for activities on the park.
2. By controlling the location of buildings with respect to adjacent sites.
3. By requiring parking areas to be set back from the park's external boundaries.

10a.24.4 Resource management strategy

The resource management strategy is to divide the park into the following five areas:

- recreation
- conservation
- Rangihoua Maunga
- cultural and heritage facilities
- landscape amenity.

These areas are identified on [figure 10a.3 Rangihoua Park](#).

These areas recognise that different planning approaches are required for the various areas of the park. The characteristics of these areas are further described below.

1. Area A - recreation

This area includes the following:

- sports fields
- tennis courts
- golf course
- equestrian area
- associated buildings.

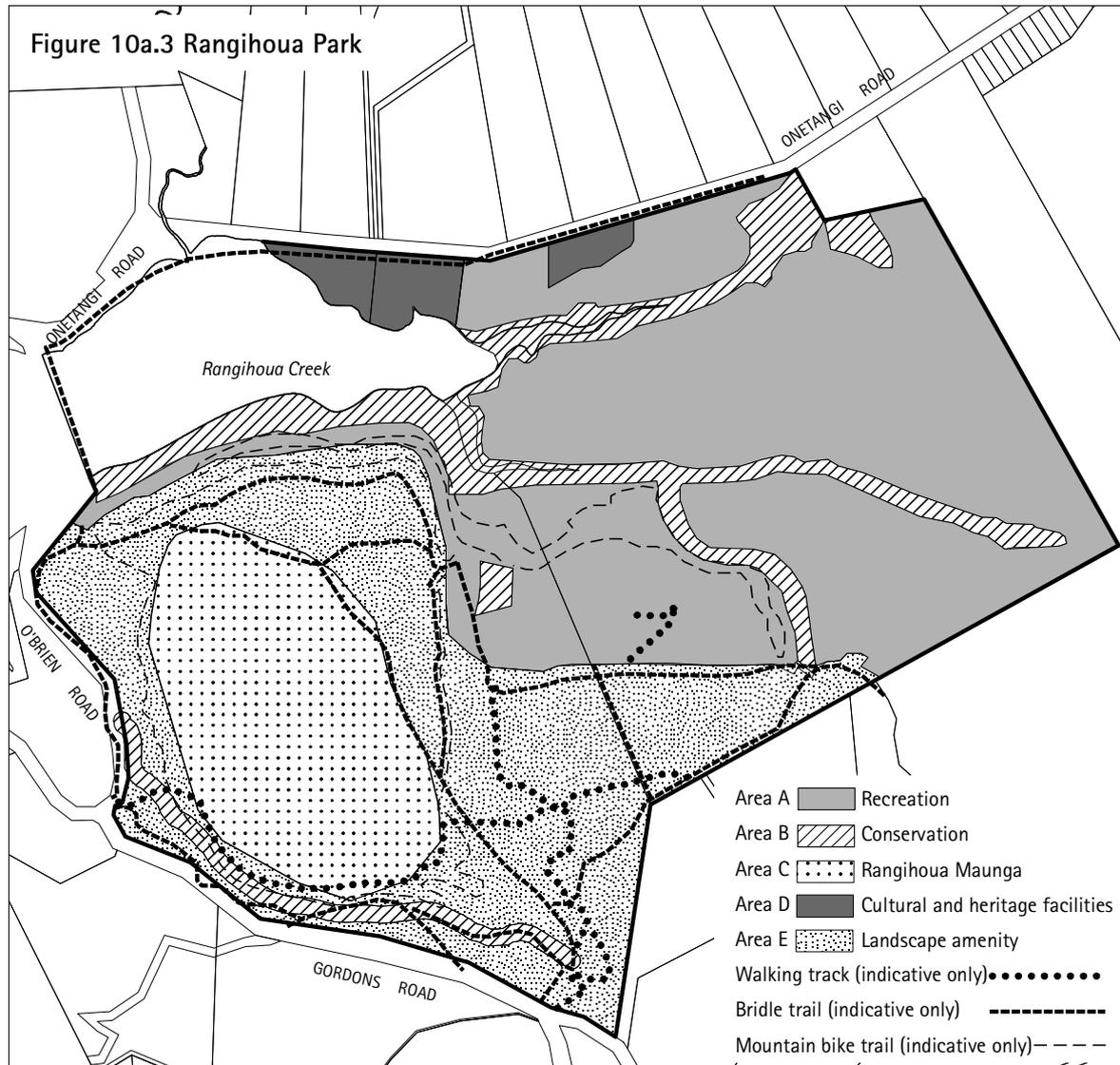
The planning approach for this area focuses on providing for recreation.

2. Area B - conservation

This area includes the three tributaries of Rangihoua Creek which flow through the park. The planning approach for this area focuses on protecting and enhancing the streams, including their banks.

3. Area C - Rangihoua Maunga

The planning approach for this area focuses on protecting the upper slopes of the Rangihoua Maunga to recognise and provide for its iwi values and also its dominance as a landscape feature within the park.



4. Area D - cultural and heritage facilities

This area includes the lawn cemetery, and the historic village and museum. The planning approach for this area focuses on providing for the continued operation and limited expansion of these facilities. .

5. Area E - landscape amenity

This area is characterised by large areas of open space, bush and revegetated areas. It includes the lower slopes of the Rangihoua Maunga. The planning approach for this area focuses on maintaining the landscape amenity and providing for specific recreation opportunities, such as walking tracks, mountain bike trails and bridle trails.

10a.24.5 Rules - activity table

| Activities | A | B | C ² | D | E |
|--|----|----|----------------|----|----|
| The construction and relocation of buildings where the footprint of the building is over 50m ² , including buildings used for any of the other activities listed in this table ¹ | RD | NC | NC | RD | RD |
| The construction and relocation of buildings where the footprint of the building is ≤ 50m ² , including buildings used for any of the other activities listed in this table. | P | NC | NC | P | P |

| Activities | A | B | C ² | D | E |
|--|----|-----|----------------|-----|----|
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD | n/a | n/a | RD | RD |
| Carparking areas and vehicle access roads | P | NC | NC | P | P |
| Changing facilities | P | NC | NC | D | P |
| Clubrooms | P | NC | NC | P | P |
| Community facilities | P | NC | NC | P | D |
| Construction of a pedestrian and equestrian bridge over the streams | P | P | n/a | n/a | P |
| Equestrian activities | P | D | NC | D | P |
| Golf course (in accordance with an approved development plan) | P | n/a | NC | D | D |
| Information centres | P | NC | NC | P | D |
| Mountain biking and horse riding trails | P | D | NC | D | P |
| Museums | NC | NC | NC | P | NC |
| Observation areas, viewing platforms and related structures | P | NC | NC | P | P |
| Organised sports and recreation and associated grounds and playing fields | P | NC | NC | D | P |
| Park furniture (including seats, rubbish bins, BBQs, lighting, signs and picnic facilities) | P | NC | NC | P | P |
| Planting and maintenance of ecosourced species | P | P | RD | P | P |
| Playgrounds (including playground apparatus) | P | D | NC | D | P |
| Stormwater retention ponds | P | D | NC | D | P |
| Toilets | P | NC | NC | P | P |
| Walking and jogging trails | P | D | NC | D | P |

Legend

Areas:

A - Recreation

B - Conservation

C - Rangihoua Maunga

D - Cultural and heritage facilities

E - Landscape amenity

P = Permitted

RD= Restricted discretionary

D = Discretionary

NC= Non-complying

n/a applies where it is not possible to undertake the activity within the defined area.

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The Rangihoua and Tawapareira Reserve Management Subcommittee, which includes tangata whenua representatives, has been set up to manage the Rangihoua Maunga. All activities within area C - Rangihoua Maunga require the

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approval of the tangata whenua through the Rangihoua and Tawapareira Reserve Management Subcommittee. This includes earthworks, vegetation removal and planting.

3. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.
4. Approval from the council as landowner will need to be obtained in relation to all activities (including permitted activities) listed in part 10a.24.5 Rules - activity table. All such approvals must be granted or withheld in accordance with the Reserves Act 1977

10a.24.6 Rules - development controls

Refer to [part 10c - Development controls for land units and settlement areas](#) for the controls applying in this land unit. The development controls listed in that part apply to all activities whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

10a.24.7 Assessment matters - restricted discretionary activities

10a.24.7.1 Buildings in areas A, D and E

Refer to [part 11 - Assessment matters](#) for matters of discretion and notification requirements relating to applications for the construction and relocation of buildings and for exterior alteration and additions to existing buildings.

10a.24.7.2 Planting and maintenance of ecosourced species in area C

Matters of discretion

When considering an application for planting and maintenance of ecosourced species in area C (Rangihoua Maunga) the council has restricted its discretion to considering the following matters

- The extent to which the planting adversely affects the visual, cultural and spiritual values of significance to tangata whenua.
- Any consultation undertaken with tangata whenua.

Notification requirements

Except as provided for by section 95A(4) of the RMA, such applications for a resource consent will be considered without public notification or the need to obtain written approval of or serve notice on affected persons, other than tangata whenua (in accordance with section 95A(3) and 95B(2) of the RMA).

10a.24.8 Assessment matters - discretionary activities

10a.24.8.1 Artificial lighting and community facilities

For applications for artificial lighting or community facilities as a discretionary activity, refer to [part 11 - Assessment matters](#) for assessment criteria.

10a.24.8.2 Other discretionary activities

The council's assessment of any other discretionary activity listed in [rule 10a.24.5](#) will include consideration of the following matters:

1. Noise

Whether the activity gives rise to adverse noise effects experienced beyond the boundaries of the park.

2. Intensity

Whether the intensity and scale of the activity, in particular, the number of people involved, traffic generation, size and location of buildings and associated parking will be compatible with the character and amenity values of park.

3. Activities

- a. The extent to which any activity is consistent with any relevant open space strategy or reserve management plan.
- b. Whether the activity is consistent with the intent of the relevant objectives, policies and planning approach for the area.

4. Tangata whenua

The extent to which the activity adversely affects the visual, cultural and spiritual values of significance to tangata whenua. This will include consideration of any consultation undertaken with tangata whenua.

5. Crime prevention through environmental design

- a. The extent to which the activity provides or continues to provide for informal surveillance of public areas.
- b. The extent to which informal surveillance and clear visibility and clear lines of sight has been achieved through the location and design of any building, landscaping, fencing and other structures.
- c. Whether the proposed activity provides appropriate lighting of public and semi-public areas, including paths, parking areas, building entrances and exits.

6. Landscaping

Whether any proposed landscaping uses ecosourced species.

7. Natural environment

- a. The extent to which the activity gives rise to adverse effects on the natural environment, eg from vegetation removal, earthworks and the generation of wastewater (including stormwater).
- b. The effects of the proposed activity on the ecological values for the area.

10a.24.9 Relationship with rules in other parts of the Plan

Part 14 - Definitions must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

Part 4 - General rules

Part 5 - Network utility services

Part 6 - Financial contributions

Part 7 - Heritage

Part 8 - Natural hazards

Part 9 - Hazardous facilities and contaminated land

Part 10c - Development controls for land units and settlement areas

Part 12 - Subdivision

Part 13 - Transport

10a.24a Land unit - Open space 4 (marae)

10a.24a.1 Introduction

This land unit applies to Piritahi Marae which is located on 1.3ha of reserve land at Te Huruhi Bay, Blackpool on Waiheke. The marae occupies part of the Te Huruhi reserve. The establishment of Piritahi Marae was by members of the Maori community on Waiheke with affiliations to different iwi around New Zealand. Piritahi Marae consider themselves a taurahere marae with a non specific iwi affiliation.

The land unit provides for marae based activities including whareniui (meeting houses), wharekai, whareumu, pataka, (dining halls and associated buildings), whare hauora (health centres), and including residential accommodation. The land unit recognises and provides for the heritage, cultural, and community activities associated with a marae.

The land unit includes:

- 8150m² of land which has been leased to the marae since the 1970s and which has been developed to provide for various community activities including meeting facilities, healthcares services, and education
- 5000m² of additional land to be leased to the marae, to allow for an extension of the marae activities

The main needs that this land unit seeks to address, is the enabling of the Piritahi Marae community of the district to manage and develop their marae resource. This is one way in which the Waiheke community can provide for their social and cultural wellbeing and for their health and safety.

10a.24a.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to facilitate the use and development of the land occupied by the Piritahi Marae for cultural and community activities.
2. How to protect the visual amenity of the land unit from the adverse effects of new buildings.

10a.24a.3 Objective

To facilitate the use and development of the land occupied by Piritahi Marae for cultural and community activities while protecting the visual amenity of the land unit.

Policies

1. By providing for community activities associated with the marae to establish and operate in the land unit.
2. By ensuring that the scale, form, colour and location of new buildings will not have adverse effects on the visual amenity of the land unit.

10a.24a.4 Resource management strategy

The resource management strategy is to provide for community activities associated with Piritahi Marae so that these activities can continue to contribute to meeting the social and cultural needs of the Waiheke community.

An assessment of new buildings is required to ensure that they will not have adverse effects on the visual amenity of the land unit.

10a.24a.5 Rules - activity table

| Activity | Status |
|---|--------|
| The construction and relocation of buildings where the footprint of the building is over 50m ² , including buildings used for any of the other activities listed in this table. ¹ | RD |
| The construction and relocation of buildings where the footprint of the building is ≤ 50m ² , including buildings used for any of the other activities listed in this table. | P |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions. ¹ | RD |
| Carparking areas | P |
| Marae including associated care centres, community facilities, educational facilities, healthcare services and residential accommodation | P |
| Planted areas | P |

Legend

P = Permitted

RD= Restricted discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.24a.6 Rules - development controls

Refer to [part 10c - Development controls for land units and settlement areas](#) for the controls applying in this land unit. The development controls listed in that part apply to all activities, whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

10a.24a.7 Assessment matters

For applications for resource consent, refer to [part 11 - Assessment matters](#) for matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings.

10a.24a.8 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.25 Land unit - Conservation

10a.25.1 Introduction

This land unit covers a number of smaller islands, both publicly and privately owned, and land owned by the Department of Conservation (DOC) on Great Barrier, Waiheke and Rakino; and Whakanewha Regional Park owned by Auckland Regional Council ('ARC') on Waiheke. Some of the larger islands and island groups include Rangitoto, Motutapu, Motuihe, Browns Island, Kaikoura, Little Barrier, the Noises, the Mokohinau Islands and the Three Sisters group.

The characteristics of the land unit are:

- High scenic and ecological conservation values.
- The land is mostly managed by DOC under the Conservation Act 1987 and the Auckland Conservation Management Strategy.
- Small islands, regenerating or natural forest areas, with small parts of the land unit used for farming activities.

Conservation management is a key function of the land unit, and it also has an education and recreational role on a regional and national level. Because a large portion of the land is DOC owned, and because of the special value of the land in a regional and national sense, it has been identified as needing specific rules in the Plan to enable appropriate conservation, education and recreation activities to occur.

The council acknowledges that section 4(3) of the RMA exempts the crown from complying with a rules in the Plan in certain instances by stating that:

'Section 9(3) does not apply to any work or activity of the Crown within the boundaries of any area of land held or managed under the Conservation Act 1987 or any other Act specified in Schedule 1 to that Act (other than land held for administrative purposes) that -

- a. Is consistent with a conservation management strategy, conservation management plan, or management plan established under the Conservation Act 1987 or any other Act specified in Schedule 1 to that Act; and
- b. Does not have a significant adverse effect beyond the boundary of the area of land.'

10a.25.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to conserve, protect and enhance the natural environment of islands with high conservation values.
2. How to manage potential tourism and recreation impacts on this land unit.
3. How to have special regard to the environmental values of these islands, and particularly those related to flora and fauna and to manage land use activities and development accordingly.
4. How to provide for limited facilities and infrastructure in order to minimise or avoid any detrimental impacts arising from education, visitor and recreational activities.

10a.25.3 Objective

To ensure that the land unit is appropriately managed to enable conservation, preservation and enhancement of the natural environment along with appropriate educational, visitor and recreational activities

Policies

1. By enabling conservation activities and the construction of buildings by DOC and the ARC to be undertaken as permitted activities.
2. By limiting adverse visual effects of buildings by controlling the scale, form, colour and location of new buildings to ensure that the natural landscape remains the dominant element.
3. By providing for passive recreation activities to establish and operate in this land unit.
4. By ensuring that any potential impacts arising from educational, visitor and recreational activities around the islands do not detrimentally impact upon or affect the natural and environmental values of the islands.
5. By protecting flora and fauna indigenous to the islands through strict controls on vegetation removal.
6. By recognising the need to protect and enhance, where appropriate, the conservation values of privately owned islands in the land unit and limiting the range of activities that can occur on these.

10a.25.4 Resource management strategy

The resource management strategy for the land unit is to focus on the value of conservation and protection of valuable publicly owned land, including Whakanewha Regional Park, and some privately owned islands, to enable conservation and recreation activities. DOC activities need to be able to be undertaken with minimal council involvement, except where these may have significant adverse effects on the environment.

10a.25.5 Rules - activity table

| Activity | Status |
|--|--------|
| The construction and relocation of buildings, excluding DOC and ARC buildings, but including buildings used for any of the other activities listed in this table ¹ | RD |
| Alterations and additions to the exterior of existing buildings, excluding DOC and ARC buildings, but including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD |
| The construction and relocation of DOC and ARC buildings, including DOC and ARC buildings used for any of the other activities listed in this table ¹ | P |
| Alterations and additions to the exterior of existing DOC and ARC buildings, including DOC and ARC buildings used for any of the other activities listed in this table ¹ | P |
| Activities approved as an authorised concession under Part 3B of the Conservation Act 1987 (excluding any built structure) | P |
| Activities that are consistent with any management plan for Whakanewha Regional Park established under the Reserves Act 1977 | P |
| Camping facilities | P |
| Carparking areas | D |
| DOC structures, facilities and operations | P |
| Ecosourced planting | P |
| Educational facilities on Motutapu for up to a maximum of: <ul style="list-style-type: none"> • 250 persons for the Motutapu Outdoor Education Camp • 25 persons for state schools | P |
| Educational facilities not provided for as a permitted activity | D |
| Function facilities | D |

| Activity | Status |
|---|--------|
| Home occupations | P |
| Homestay | P |
| Information centre | P |
| Multiple dwellings where they are required to support conservation or education activities on a particular site or island | D |
| Observation areas, viewing platforms and related structures | P |
| Offices associated with conservation activities | P |
| Park furniture (including seats, rubbish bins, lighting, signs, BBQs and picnic facilities) | P |
| Pastoral farming | P |
| Residential accessory buildings | P |
| Retail premises | D |
| Visitor accommodation | D |
| Walking tracks | P |

Legend

P = Permitted

RD = Restricted discretionary

D = Discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.25.6 Rules - development controls

The development controls listed below apply to all activities whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

As well as the specific controls set out below, there are additional controls set out in [part 10c - Development controls for land units and settlement areas](#) which also apply to this land unit.

10a.25.6.1 Earthworks and vegetation clearance associated with activities on land owned or managed by DOC or ARC and activities in Whakanewha Regional Park

The following permitted activities are not required to comply with the standards in [part 10c - Development controls for land units and settlement areas](#), relating to earthworks and indigenous vegetation clearance:

1. Any earthworks or removal of indigenous vegetation associated with DOC structures, facilities and operations that are necessary to achieve the Department of Conservation's functions under the Conservation Act 1987 and undertaken by DOC or DOC approved contractors.
2. Any earthworks or removal of indigenous vegetation associated with activities that are consistent with any management plan for Whakanewha Regional Park established under the Reserves Act 1977 undertaken by ARC or ARC approved contractors.

All earthworks described above must be undertaken using erosion and sediment control measures to ensure that, in so far as practicable, soil erosion is minimised and sediment does not enter into wetlands or water bodies. For information on how to achieve this refer to [appendix 16 - Erosion and sediment control guidelines for earthworks](#).

10a.25.7 Assessment matters

For applications for resource consent refer to [part 11 - Assessment matters](#) for:

- Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings.
- Assessment criteria for discretionary activities.

10a.25.8 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.26 Land unit - Pakatoa

10a.26.1 Introduction

This land unit is specific to Pakatoa Island, a small 24ha island which lies off the eastern end of Waiheke. It is the northern most of a chain of islands that extends from Man O' War Bay down to the Clevedon Coast.

The island is characterised by:

- Tourist complex confined to the northern part of the island.
- Development consisting of small detached visitor chalets, with a main hotel/accommodation area.
- Sandy white beaches with a low coastal escarpment.
- Open space, pohutukawa forest, and remnant bush in the south of the island.
- The only population of weka in the inner Hauraki Gulf Islands.

Overall, the island provides for a mix of activities that support the potential for a small residential community combined with a tourist complex activity, including a range of entertainment, function and recreational activities supporting a visitor destination experience, while recognising limits to the physical and visual carrying capacity for a small island and the sensitive nature of the coastal environment.

The Pakatoa land unit has been divided into three sub-areas as follows:

- tourist complex area
- residential area
- landscape protection area.

The location of each area is identified on [figure 10a.4: Pakatoa](#).

10a.26.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to conserve and where appropriate restore the natural character of the island and, in particular, its coastline.
2. How to achieve a balance between open space and buildings to preserve the amenity values and natural character of the land unit as seen from the sea and eastern Waiheke when identifying appropriate future uses.
3. How to enable continued use of the island for visitor, recreation, entertainment and residential purposes, while avoiding, remedying or mitigating adverse effects of buildings and other structures when seen from the sea and other islands in proximity to Pakatoa and maintaining landscape values.
4. How to enable opportunities for public access and recreational opportunities as part of the sustainable development of the island.
5. How to maintain, protect and where appropriate, enhance wildlife habitats and indigenous flora and fauna.

10a.26.3 Objectives and policies

10a.26.3.1 Objective - tourist complex area

To provide for a high quality built environment accommodating a mix of visitor related activities (including public open space) that develop and build upon historical tourism activity in this area.

Policies

1. By managing the scale, form, colour and location of new buildings or modification of existing buildings in order to maintain or enhance amenity and natural character values.
2. By providing for a diverse range of activities that support the visitor and residential activities on the island.

10a.26.3.2 Objective - residential area

To provide for residential type and visitor activities that integrate with the island's landscape and coastal setting.

Policies

1. By managing the intensity of subdivision and the scale, form, colour and location of new buildings or modification or additions to existing buildings in order to maintain or enhance amenity and natural character values.
2. By providing for a range of activities, including visitor accommodation, that are compatible with and support the residential use of this part of the island.
3. By requiring planting, as part of any development proposal, where this will enhance landscape and environmental qualities and is necessary to reduce the visual impact of buildings and land use activities.
4. After the creation of an initial 5 sites within Residential Area B1 and in proximity to the tourist complex area, enabling further subdivision and development on a staged basis subject to a master planning process for the entire Residential Area.

10a.26.3.3 Objective - landscape protection area

To preserve and enhance the coastal margins and open landscape character of the landscape protection area.

Policies

1. By protecting, and where appropriate, enhancing open space and natural areas on the island by restricting building, indigenous vegetation removal and earthworks in these areas.
2. By requiring pest and weed management in the landscape protection area as part of any subdivision application in the residential area.

10a.26.4 Resource management strategy

The resource management strategy for Pakatoa is to provide for the use and development of the island for visitor and residential activities within a resource management framework which recognises the need to protect the natural character and amenity values of the island. The resource management strategy is to use provisions that manage the density, location, design and appearance of buildings, with a particular focus on managing the effects of buildings in those parts of the island that are elevated and more likely to be visible from the sea. Land use activities relate to those that support residential and/or visitor activities.

The resource management strategy also recognises that subdivision and development can proceed on a staged basis (to a maximum of 4 stages) subject to a master planning process that encompasses the whole Residential Area. The initial subdivision for and development of up to 5 sites is enabled in a location within Residential Area B1 and in proximity to the existing tourist complex area, prior to Master Plan being prepared.

Pakatoa is managed by identifying three different areas within the land unit where particular development controls apply.

Those areas are the:

- tourist complex area
- residential area

- landscape protection area.

10a.26.5 Rules - activity table

| Activities | Tourist complex area | Residential area | Landscape protection area |
|--|----------------------|------------------|---------------------------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | RD | RD | NC |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹ | RD | RD | NC |
| Accommodation Care | P | D | NC |
| Accommodation for retired, elderly or disable people | P | D | NC |
| Ancillary activities | D | D | NC |
| Art galleries and museums | P | D | NC |
| Boat launching ramps and jetties | P | NC | NC |
| Camping facilities | P | D | NC |
| Community facilities | P | D | NC |
| Dwelling (one per site)* | P | P | NC |
| Educational facilities | P | D | NC |
| Entertainment facilities | P | NC | NC |
| Function facilities | P | NC | NC |
| Healthcare services | D | D | NC |
| Home occupations | P | P | NC |
| Horticulture | D | P | NC |
| Marine fuelling services | P | NC | NC |
| Multiple dwellings * | P | P | NC |
| Offices | P | NC | NC |
| Outdoor adventure facilities | P | P | NC |
| Restaurant, cafe and other eating places | P | NC | NC |
| Retail premises | P | NC | NC |
| Tavern | P | NC | NC |
| Visitor accommodation | P | P | NC |
| Wharf administration and freight handling activities | P | NC | NC |

Legend

P = Permitted

RD= Restricted discretionary

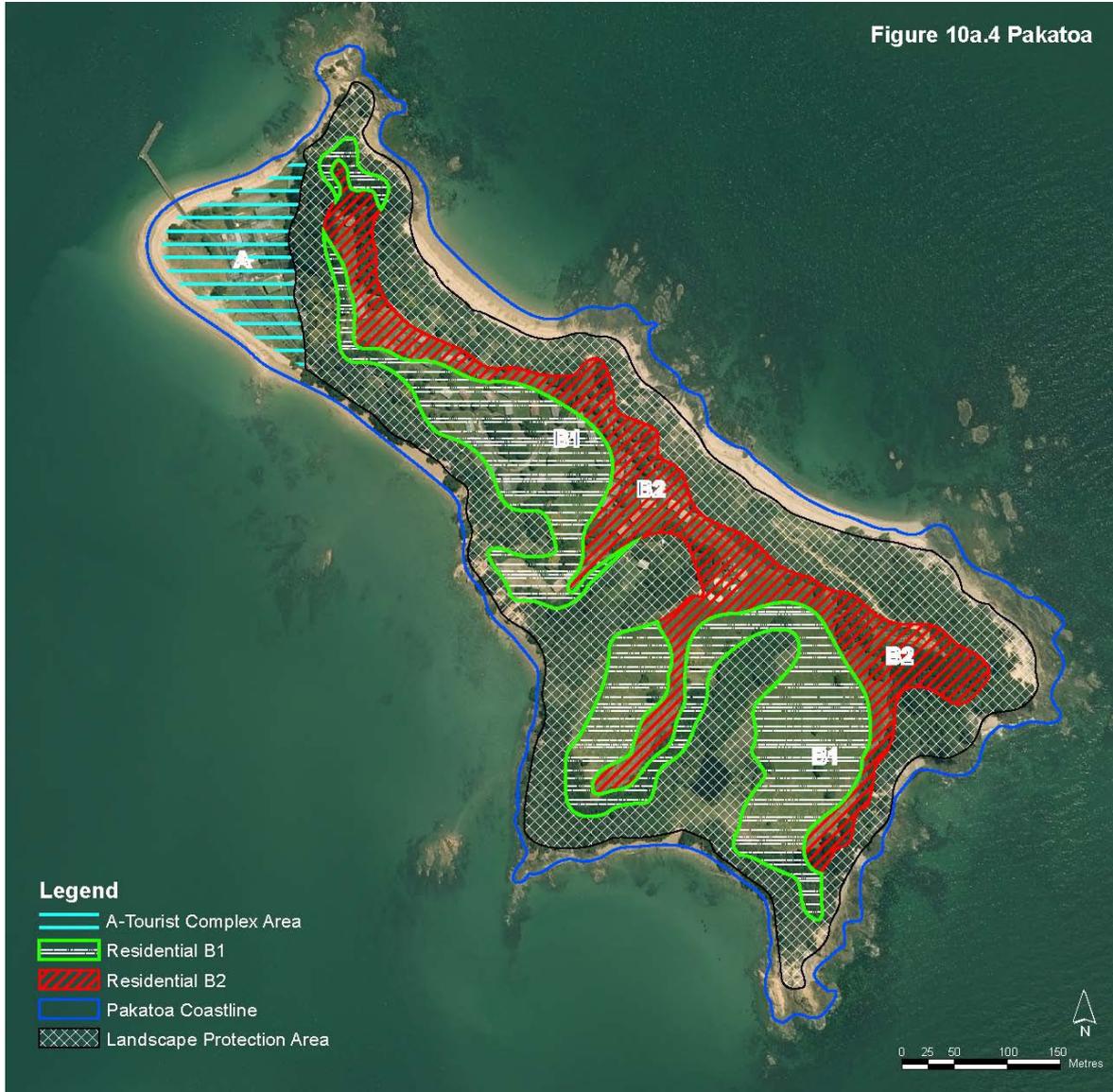
D = Discretionary

NC= Non-complying

* Subject to Rule 10a.26.6.1

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table



10a.26.6 Rules - development controls

The development controls listed below apply to all activities whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

As well as the specific controls set out below, there are additional controls set out in [part 10c - Development controls for land units and settlement areas](#) which also apply to this land unit.

10a.26.6.1 Maximum number of dwellings or visitor accommodation units

1. The maximum number of dwellings and/or visitor accommodation units allowed in the residential areas is:

Part 10a - Land units: objectives, policies and activity tables

1. No more than 5 dwellings and/or visitor accommodation units in proximity to the tourist complex area as a permitted activity.
 2. Between 6-20 dwellings and/or visitor accommodation units as a restricted discretionary activity.
 3. Between 21-30 dwellings and/or visitor accommodation units as a discretionary activity.
 4. More than 30 dwellings and/or visitor accommodation units as a non-complying activity.
2. Any development proposal subject to Rule 10a.26.6.1.1(2) and (3) shall be subject to a Master Plan prepared and approved by the Council in accordance with Rule 12.7.2.4. Non-compliance with Rule 12.7.2.4 is a non-complying activity.
 3. Any application for development on Pakatoa which does not comply with 10a.26.6.1 (1), (2) or (3) will be considered as a non-complying activity.

10a.26.7 Assessment matters

For resource consent applications refer to [part 11 - Assessment matters](#) for:

- Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings.
- Assessment criteria for discretionary activities.

10a.26.8 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

10a.27 Land unit - Rotoroa

10a.27.1 Introduction

Rotoroa is a relatively small (82.5ha) island located to the east of Waiheke between Pakatoa and Ponui. At its narrowest point, the island is 170m in width but it is over 2km long, dimensioned north to south.

Rotoroa is characterised by:

- A landscape with high visual amenity value because of the series of small bays, headlands, ridgelines, knolls and hill-slopes and pockets of pohutukawa on the coastal fringe.
- A variety of buildings congregated behind the main beach at Home Bay.
- Scattered dwellings around the northern portion of the island.
- Pockets of exotic forestry woodlots, which serve to screen the majority of built development when viewed from the sea.
- Heritage items including the Tea House, detention cells, the hulk of the SS Rimu, stands of phoenix palms and Norfolk Island pine.
- Archaeological and geological sites including middens, pa and coastal stacks.

Rotoroa was used as a rehabilitation centre for people suffering from addiction problems between 1908 and 2006. Many of the physical features of Rotoroa are a direct reflection of this past use. Now that the rehabilitation centre has closed, it is intended that selected existing buildings will be removed and the island redeveloped, primarily for conservation purposes but also for residential and visitor activities.

10a.27.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to provide for conservation activities so that the natural character value of the island is enhanced.
2. How to provide for visitor and residential activities while protecting the landscape character and natural features of the island from the adverse effects of activities and buildings.
3. How to provide for recreation activities and to manage public access to suitable areas of the island, particularly adjoining the coast.

10a.27.3 Objective

To facilitate and manage the development of residential, conservation and visitor activities while ensuring that the landscape character and natural features of the island are protected, and enhanced where appropriate.

Policies

1. By providing suitable areas throughout the island for public access and recreation activities.
2. By ensuring that the scale, form, colour appearance and location of residential buildings will not have an adverse effect on the natural character and heritage features or landscape character of the island.
3. By requiring revegetation to be undertaken so that potential adverse effects of residential buildings are mitigated and the natural character of the island is maintained.
4. By requiring buildings and activities for visitors to be planned and developed in a comprehensive and integrated manner so that the landscape character of the island is protected.

5. By ensuring that the nature and intensity of visitor activities will not detract from the amenity or character or natural features of the island.

10a.27.4 Resource management strategy

The resource management strategy for Rotoroa is to divide the land unit into two different areas that are cohesively designed and managed to maintain, and where appropriate, enhance the landscape and natural character. Although Rotoroa is in private ownership, public access is to be provided in appropriate locations on the island and to the beaches identified in [figure 10a.5: Rotoroa](#), which are marked with indicative beach access. The two different areas recognise that each of these areas will be used and developed in different ways.

The areas are as follows:

1. Conservation / residential area

This area covers the majority of the island, including all of the coastal margins. The primary role of the area is to provide for conservation.

As an adjunct to the conservation role, there is provision for up to ten dwellings to be located on the northern portion of the island. In order to mitigate any adverse effects of these dwellings on the landscape character of the island, the existing buildings will be removed (except caretakers' dwellings), revegetative planting will be undertaken, and buildings will be assessed to ensure that they are of an appropriate scale, form, colour and location.

Public access is also to be provided along walking tracks and to the beaches identified in [figure 10a.5: Rotoroa](#) which are marked with indicative beach access.

2. Visitor area

This area is located behind the main beach and wharf at Home Bay on the western side of the island. The role of the area is to provide for visitor associated activities and the service infrastructure for the island.

Within this area, all buildings and activities will be assessed as part of one comprehensive application for integrated visitor development rather than as individual applications for various activities and buildings. This is to ensure that overall intensity of development and the scale, form and location of individual activities and buildings can be assessed in a comprehensive and integrated manner.

The existing buildings in the visitor area may also be used for temporary accommodation and amenity blocks for workers undertaking restoration and construction activities, provided that such accommodation does not involve external changes to the appearance of, or footprints to, existing buildings.

The location of each area is identified on [figure 10a.5: Rotoroa](#).

10a.27.5 Rules - activity tables

There is a separate activity table for each of the following areas:

- conservation / residential area
- visitor area.

10a.27.5.1 Conservation / residential area

| Activities | Status |
|---|--------|
| The construction and relocation of buildings (other than multiple dwellings), including buildings used for any of the other activities listed in this table ¹ | P |
| Alterations and additions to the exterior of existing buildings (other than multiple dwellings), including buildings used for any of the other activities listed in this table ¹ | P |

| Activities | Status |
|---|--------|
| Horticulture | P |
| Multiple dwellings (up to a maximum of 10 - excluding the caretaker's residence permitted below) and associated residential accessory buildings, located within the areas identified as indicative house sites on figure 10a.5: Rotoroa | RD |
| Two dwellings for use as caretakers' residences | P |
| Outdoor adventure activities | P |
| Park furniture (including seats, rubbish bins, lighting, signs, BBQs and picnic facilities) | P |
| Pastoral farming | P |
| Planted areas and artworks, monuments and sculptures | P |
| Stormwater retention ponds | P |
| Walking trails, observation areas, viewing platforms and related structures | P |

Legend

P = Permitted

RD= Restricted discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.27.5.2 Visitor areas A and B

| Activities | Status |
|--|--------|
| The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹ | P |
| Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table ¹ | P |
| Accommodation for workers within existing buildings (temporary) | P |
| Boat launching ramps and jetties | RD |
| Horticulture | P |
| Integrated visitor development | D |
| Park furniture (including seats, rubbish bins, lighting, signs, BBQs and picnic facilities) | P |
| Pastoral farming | P |
| Planted areas and artworks, monuments and sculptures | P |
| Playgrounds (including playground apparatus) | P |
| Two dwellings for use as caretakers' residences | P |
| Walking trails, observation areas, viewing platforms and related structures | P |
| Wharf administration and freight handling activities | P |

Legend

P = Permitted

D = Discretionary

RD= Restricted discretionary

Notes:

1. An explanation of the requirements associated with the construction, relocation, alteration and additions to buildings is outlined in [rule 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.27.6 Rules - development controls

Refer to [part 10c - Development controls for land units and settlement areas](#) for the development controls applying to this land unit. The development controls listed in that part apply to all activities whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

10a.27.7 Assessment matters

10a.27.7.1 Matters of discretion for multiple dwellings and associated residential accessory buildings

When considering an application for multiple dwellings and associated residential accessory buildings, the council has restricted its discretion to considering the following matters:

- scale
- form (design)
- colour
- appearance
- location
- accessways and tracks
- landscaping and revegetation
- removal of existing buildings
- public access.

The council's assessment will consider the matters in [clause 10a.27.7.2](#) below.

10a.27.7.2 Matters of discretion for boat launching ramps and jetties

When considering an application for boat launching ramps and jetties, the council has restricted its discretion to considering the following matters:

- location
- scale.

10a.27.7.3 Assessment criteria for multiple dwellings and associated residential accessory buildings as restricted discretionary activities

1. The extent to which the proposed building(s) is integrated with the natural landscape by:
 - Being of a scale, form, appearance and location that are not visually prominent.
 - The extent to which modulation within the facade prevents the dominance of any one single plane.
 - Articulating the building mass to avoid the appearance of a multi-level dwelling relative to land slope. Aligning buildings to run along contours where practicable. Having an external colour palette that is integrated with the hues of the surrounding natural landscape.

- Locating buildings in reasonable proximity to each other to encourage a cohesive appearance.
 - Being of a scale, form and location so that it maintains the visual coherence of the landscape character by not breaking the expanses of indigenous vegetation, or the pattern of any natural features such as coastal escarpments, ridges or prominent slopes.
 - Being located so that it does not dominate or detract from natural landscapes, natural features (such as beaches) and the coastal character of the island.
 - Being of a scale, form, colour, appearance and location that does not give rise to cumulative effects within the natural landscape.
2. The extent to which the revegetation plan shown on [figure 10a.5 \(Rotoroa\)](#) has been implemented and/or will be fully implemented prior to the completion of the new dwelling(s) within the residential sites.
 3. The extent to which a residential site specific planting plan complements the overall revegetation plan shown on [figure 10a.5](#) and demonstrates that:
 - planting will assist to integrate the building and will maintain the natural landscape character of the island
 - such planting will be undertaken in accordance with best practice including (but not limited to) sourcing plant stock from within the ecological district where possible
 - the plant species used in the planting plan are not of an invasive nature and can coexist with the wider native revegetation framework shown on [figure 10a.5](#)
 - where appropriate, exotic species such as pine trees, will be removed
 - methods are proposed for the control and management of weeds and animal pests
 - legally binding mechanisms have been proposed which ensure that domestic cats cannot be kept on the island.
 4. The extent to which any accessway or track to the proposed building(s) will have adverse effects on the landscape character or natural features of the island.
 5. The extent to which existing buildings will be removed before or concurrently with the construction of the new building(s).
 6. The extent to which public access will be provided for, particularly to the beaches identified in [figure 10a.5: Rotoroa](#) which are marked as having indicative beach access.

10a.27.7.4 Assessment matters for integrated visitor development

Information requirements

An application for integrated visitor development must include (but is not limited to) the following:

- Plans showing the location and scale (footprint and height) of all buildings and vehicle access (including tracks).
- A detailed description of all activities and buildings to be undertaken.
- A detailed description of all ancillary activities and buildings to be undertaken.
- A detailed description of the regenerative planting to be undertaken.
- A detailed description of the staging of development eg existing buildings which will be removed either before the new buildings are constructed or at the time of construction.

Assessment criteria

The council's assessment of an application for an integrated visitor development will include consideration of the following matters:

Part 10a - Land units: objectives, policies and activity tables

1. The assessment criteria set out in [clause 10a.27.7.2](#) above.
2. The extent to which the scale and intensity of the proposed activities will detract from the amenity and the landscape and coastal character of the island.
3. The extent to which the scale and intensity of the proposed activities can be serviced in terms of water supply and wastewater disposal without adverse effects on the natural features and resources on the island.
4. The extent to which a conservation strategy has been prepared which:
 - describes the ecological value of the islands, including the sites of ecological significance
 - details how the threats to the ecological values of the island will be addressed, including detailing weed and pest management
 - details how the ecological values of the island will be enhanced, including the areas to be replanted, the species to be used and any vegetation to be removed
 - addresses how the conservation works will inter-relate with any revegetation planting that has occurred as a result of the dwellings at the northern end of the island
 - addresses how public access will be provided around the island while ensuring that the conservation values are protected
 - addresses the bullet points of the revegetation plan assessment criteria above.

10a.27.8 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

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[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

Figure 10a.5 Rotoroa

