

Auckland Council District Plan – Hauraki Gulf Islands Section – Operative 2018

Plan Modification 14

NPS-UD Removal of Car Parking Minimums – Consequential Technical Amendments

Operative 10 November 2023

Enclosed:

- Public Notice
- Seal page
- Operative version

Public Notice

Auckland Unitary Plan

Auckland Unitary Plan and Hauraki Gulf and Islands District Plan – Plan Change to become operative

Resource Management Act 1991 (the Act)
Plan Change 71 and Plan Modification 14
NPS-UD Removal of Car Parking Minimums
- Consequential Technical Amendments

At its meeting on 7 September 2023 the council resolved to approve the above plan change to the Auckland Unitary Plan and plan modification to the Hauraki Gulf and Islands District Plan following the completion of the statutory processes.

The operative date is 10 November 2023.

The updated district plan and background information may be viewed at the following www.aucklandcouncil.govt.nz/planchanges.

Dated 03/11/2023

Find out more: phone 09 301 0101
or visit aucklandcouncil.govt.nz


Seal page

**Auckland Unitary Plan
Plan Modification 14: NPS-UD Removal of Car Parking
Minimums – Consequential Technical Amendments**

THE COMMON SEAL of the AUCKLAND COUNCIL was hereby affixed under the
authority of council :



-Mayor / Deputy Mayor / Chief Executive / Chief Officer



-Deputy Mayor / Chief Executive / Chief Officer / General Counsel

This plan modification became operative on 10 November 2023

Operative version



Updated text to HGI (clean)

Part 5

Network utility services

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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.
- ~~Struck through~~ content to be deleted.

5.1 Introduction

Network utility services in the islands involve a range of utilities such as electricity, telecommunications, wastewater and roads. Roads are addressed in this part of the Plan and are also dealt with in further detail in [part 13 - Transport](#).

Network utility services provide an important part of the overall physical resources for the islands. They are also a means of providing for the economic and social wellbeing for the island communities.

The RMA has an important role by giving a framework for providing for utility services in the district plan. This could be by way of providing for utility services by activity status, requiring resource consent or designation. It is also recognised that some utility operators have specific legislative rights under legislation that expressly provides for utility services. Furthermore, in recognising other legislative requirements and documents throughout this part, it is recognised that the RMA is part of the overall framework that enables utility services to be provided for the community.

The council recognises the importance of utility services but it also recognises the need to manage the effects of utilities in a sustainable manner that is in accordance with the RMA.

5.2 Resource management issues

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

1. How to ensure that the community needs with regard to network utility services are met.
2. How to avoid, remedy or mitigate the adverse effects of network utility services on the environment.
3. How to integrate network utility services within the landscape so that they do not detract from the quality of the visual environment and heritage values.

5.3 Objectives and policies

5.3.1 Objective

To provide for the efficient establishment, operation and maintenance of network utility services in the islands.

Policies

1. By providing for new network utility services.
2. By providing for the continued existence, operation and maintenance of established network utility services.
3. By providing for an additional broadband internet overhead distribution line on existing support poles and structures where there are existing overhead lines.
4. By recognising existing legislative provisions that apply to network utility services.
5. By encouraging the co-ordination and co-location of works between network utility operators to minimise environmental impacts and community disruption.
6. By requiring network utility operators to comply with the Code of Practice for Working in the Road.
7. By using the Hauraki Gulf Islands Development Code as a guideline for providing utility services for subdivision and development.
8. By providing for overhead lines in the appropriate landform land units.

Explanation

The Plan provides for the establishment and continued existence, operation and maintenance of network utilities.

The council recognises the legislative rights of network utility operators to locate their services in the road. The council also encourages utility operators to co-ordinate and co-locate works especially in the road where disruption can cause substantial effects on both the community and the environment. To minimise these effects, the council has endorsed the document Code of Practice for Working in the Road which provides a consistent set of standards and is a partnership agreement between councils in the Auckland region and utility operators.

Utility services located on private land will also have to comply with the Plan.

The council also recognises the high level of technological change and wishes to encourage the provision of high speed broadband telecommunication services.

5.3.2 Objective

To ensure adverse effects associated with network utilities such as noise, earthworks, odour, dust, spill lighting, air emissions, signs, electromagnetic field emissions and radio frequency fields (RF) are avoided, remedied or mitigated.

Policies

1. By ensuring that utility services meet appropriate environmental standards so that adverse effects are avoided, remedied or mitigated.
2. By assessing the effect of network utility services on the environment where the standards are not met.

Explanation

Utility services have the potential to create adverse effects. The council wishes to ensure appropriate standards are adopted throughout the Plan. The standards have been established to ensure that adverse effects on the environment are avoided, remedied or mitigated during the establishment, operation and maintenance of utility services. Should the standards not be met, resource consent will be required to exceed the standards.

5.3.3 Objective

To ensure that the establishment of network utility services do not detract from the visual amenity of the environment or any heritage values.

Policies

1. By requiring underground services for new subdivision and development where the effects on landscape and heritage values can be adequately avoided, remedied or mitigated.
2. By requiring utility services to comply with [part 7 - Heritage](#).
3. By encouraging utility operators to underground existing overhead utilities where the opportunity exists for co-ordinated works with council road works.
4. By not providing for large scale aboveground and overhead utility services within the coastal and wetland or water body protection yards.
5. By providing for small scale aboveground utility services.
6. By controlling large scale aboveground and overhead utility services on significant ridgelines and in land units with high landscape value to ensure that they do not detract from the visual amenity of the surrounding environment.
7. By assessing the cumulative visual impact of overhead utilities and antennas on the environment.
8. By encouraging utility operators to design utility services that are visually sympathetic to the environment.

9. By encouraging the removal of obsolete services and re-use of redundant services, particularly within the road.
10. By encouraging utility operators to provide a long term plan for undergrounding existing overhead utilities.

Explanation

Network utility equipment by its very nature is utilitarian. Its function often dictates its size and appearance. In recognising utility services as an essential part of the infrastructure, the council has also identified that utility services can be visually intrusive, especially in sensitive environments such as natural and built heritage areas and areas of high landscape value.

Where new subdivision or development occurs undergrounding of services is required. However, the council also recognises that there may be circumstances where topographical constraints, the nature of existing development and the associated cost of undergrounding makes this impracticable.

The Plan recognises that the islands have a unique landscape and that some utility services can detract from the visual amenity of the landscape. The Plan requires visually significant above ground and overhead utility services that intend to locate on the coast, ridgelines, in the vicinity of heritage items and in areas of high landscape value to be assessed.

The council recognises the high cost of undergrounding existing overhead lines, but believes that it is a realistic goal to provide for this in the medium-to-long term, particularly in the more built up urban areas of the islands. Therefore, where the road is being 'opened' by any utility operator, additional underground ducting for future utility services should be provided wherever practicable. While the council cannot compel utility operators to underground existing services, it encourages utility operators to enter into agreements such as a memorandum of understanding with the council and provide long term plans for undergrounding. This provides a clear commitment to the community that there is a desire to underground existing services.

Providing for new overhead distribution lines in rural areas is also recognised by the council as it provides significant cost advantages. Where overhead lines are proposed to be located in sensitive landscapes, the council exercises a greater degree of control.

There also needs to be a greater understanding that to underground overhead services to provide better visual amenity can be prohibitively expensive for utility operators. These high costs may delay services to the public so that new technology may not be readily available or may be provided at higher cost. A balance needs to be achieved that takes into account environmental, economic and social benefits and costs.

The council will also encourage the removal of obsolete services and re-use of redundant services in the road. The road is a valuable resource and has multiple functions such as providing public amenity and open space. The lack of road space often provides a hindrance in providing an efficient network utility service and public amenity and open space.

The cumulative effect of aboveground and utility services in any one location can have an adverse effect on an area. There is a need to avoid the proliferation of separate structures and this requires a co-operative approach so that visual effects are appropriately managed. This is particularly relevant in the fast changing telecommunications industry where sites for cellular phone towers, antennas, and wireless internet services can be difficult to find.

There have been recent innovations particularly within the telecommunications industry to design and install equipment which are visually compatible with the surrounding environment. Utility services such as metrolight poles and cell site antennas have been developed that are small in scale and not readily noticeable. The council encourages continued innovation to design utility services that are compatible with the surrounding environment.

Generally, there needs to be a balance between providing utility services and ensuring that they do not detract from the environment in which they are located. The above policies recognise the unique nature of utility services while ensuring that they can be established,

operated and maintained so that adverse effects on the environment can be avoided, remedied or mitigated.

5.4 Resource management strategy

The resource management strategy is to provide for the efficient establishment, operation and maintenance of network utilities for the islands. In particular, access to utility services of electricity, telecommunications, roading and the existing wastewater system connecting to Owhanake wastewater treatment plant are essential to the sustainability of the economic and social wellbeing of the community.

While the Plan acknowledges the need for and essential nature of, utility services, the Plan also seeks to ensure that any adverse effects on the environment are avoided, remedied or mitigated. In particular, the visual amenity of the islands is unique and the council wishes to ensure that any effects on these qualities are avoided or minimised.

In particular, visually significant utility services to be located in the coastal areas, significant ridgelines, areas of high heritage or landscape value will require resource consent to assess any effects on the environment.

The rules in the Plan and other regulatory methods such as bylaws are the primary methods used to ensure that the establishment, operation and maintenance of utility services do not result in adverse effects on the environment. However, the resource management strategy also relies on non-regulatory methods such as co-operation between utility operators and the council when providing utility services in the road. The council would also like to ensure co-operation between the utility operators to co-locate wherever possible to minimise the proliferation of services. Documents such as the Code of Practice for Working in the Road can also deliver environmental outcomes. The council may also enter into memorandum of understanding partnerships with utility operators.

5.5 Rules - activities

5.5.1 Activity table

The activity statuses listed in the table below apply to network utility services in all land units, settlement areas and formed legal roads unless otherwise stated.

Activities	Status
Network utility services existing at 18 September 2006	P
Maintenance and operation of existing network utility services	P
Underground telecommunication, electricity, water network utilities and the existing wastewater system connecting to Owhanake wastewater treatment plant	P
Bundling of existing overhead telecommunication and electricity lines provided that the new line does not exceed 45mm in diameter	P
New overhead telecommunication or electricity service connection lines in landform 3 and 5 provided they: <ul style="list-style-type: none"> originate from existing overhead distribution lines do not involve the installation of new distribution overhead lines, poles and structures 	P
Post boxes	P
Public telephone boxes	P
Construction, operation and maintenance of the road network ¹ where the work is: <ul style="list-style-type: none"> located on land which has been vested or dedicated as road; and the road is not identified as unformed on the planning maps 	P
Any aboveground electricity or wastewater network utility building within formed legal road that has an area not exceeding 2.5m ² in plan view and does not exceed 1.8m in height (including plinth) provided that this rule excludes masts, vents and antennas	P

Activities	Status
Telecommunication services within the road reserve, subject to specified size and location limitations as stated in the National Environmental Standards for Telecommunication Facilities	P
Aboveground telecommunication, electricity, or wastewater network utility building up to a maximum height of 3m and maximum area of 10m ² (plan view) in landform 3 and 5, island residential 1 (except coastal amenity area), commercial 3, 5-7, residential amenity area, Claris light industry area, Mulberry Grove and Okiwi School provided that this rule excludes masts, vents and antennas	P
Up to two antennas attached to a building (excluding existing pole structures)	P
Radio communication and telecommunication antennas located on existing pole structures	P
Radio communication and telecommunication masts and attached antennas in commercial 5 and landform 3, 5 and 6	P
Metrolight poles	P
Construction of an additional broadband internet overhead distribution line on existing support poles where overhead lines exist at the date of public notification of the Plan provided that the additional line does not exceed 40mm in diameter	P
Temporary aboveground and overhead telecommunication, electricity and wastewater structures for the installation, maintenance and operation of telecommunications, electricity and wastewater networks. All temporary aboveground and overhead structures may be in place for only the construction period or 12 month period, whichever is the lesser	P
New overhead telecommunication and/or electricity distribution lines in landform 3 and 5	P
New overhead telecommunication and/or electricity distribution lines in formed legal road adjoining landform 1-7 and rural 1 provided that for rural 1 this rule shall apply to formed legal roads existing at 18 September 2006	P
Aboveground telecommunication, electricity, or wastewater network utility building up to a maximum height of 3m and maximum area of 10m ² (plan view) in landform 6, island residential 2 (except coastal amenity area), commercial 1-2, 4, rural 1-3, local retailing areas, headland protection area, Claris airport area provided that this rule excludes masts, vents and antennas	RD
Any aboveground telecommunication, electricity or wastewater network utility within formed legal road that has an area exceeding 2.5m ² in plan view and exceeds 1.8m in height (including plinth) provided that this rule excludes masts, vents and antennas	RD
Three or more antennas attached to a building (excluding existing pole structures)	RD
Radio communication and telecommunication masts and attached antennas in rural 1	RD
Otherwise permitted network utility service activities that do not meet one or more of the development controls	D
Network utility services not otherwise provided for as permitted, or restricted discretionary activities	D
Construction of aboveground and overhead network utility services within the coastal and wetland or water body protection yards or in landform 1, 2, 4 and 7, provided that this rule does not apply to utility services located in existing formed legal road	NC

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

NC= Non-complying

Note:

- Where land is vested or dedicated as road, any land unit or settlement area classification other than commercial 7 (wharf) will cease to have effect from the time of vesting or dedication. However the land unit and settlement area classifications applying to unformed legal roads as shown on the planning maps continue to have effect.

The property boundaries and aerial photograph used for the Great Barrier planning maps come from different data sources which are not always possible to reconcile. Therefore, there may be discrepancies between the location of the property boundaries, and the land unit, settlement area and road boundaries shown on the aerial photograph.

Where the road boundaries shown on the map do not match the aerial photograph, the rules in relation to roads will apply to land which is both defined as road (in accordance with [part 14 - Definitions](#)) and formed as road.

5.5.2 Notification requirements for restricted discretionary activities

Except as provided for by section 95A(4) of the RMA, applications for a resource consent for a restricted discretionary activity listed in [rule 5.5.1](#) will be considered without public notification or the need to obtain written approval of or serve notice on affected persons (in accordance in with section 95A(3) and 95B(2) of the RMA).

5.6 Rules - development controls

5.6.1 Compliance

The development controls listed in [rules 5.6.2 - 5.6.10](#) apply as follows:

1. These clauses do not apply to network utility services located in the legal road unless the road is identified as unformed on the planning maps. Refer to [clause 5.7.4](#) for requirements for any network utility services located in formed legal road.
2. All other permitted activities listed in [rule 5.5.1](#) must comply with [rules 5.6.2 - 5.6.10](#).
3. The development controls applying in the land unit or settlement area in which a network utility service is located apply only to the extent outlined in the [rules 5.6.2 - 5.6.10](#).

5.6.2 Height

1. The following network utility services are excluded from the maximum height control applying in the land unit or settlement area in which they are located:
 - a. Street light poles.
 - b. Metrolight poles.
 - c. Telecommunication distribution lines and poles.
 - d. Electricity distribution lines and poles.
2. The following network utility services may exceed the maximum height control applying in the land unit or settlement area in which they are located as follows:
 - a. A radio communication and telecommunication mast and attached antennas may exceed the height limit in commercial 5 and landforms 3, 5 and 6 by a maximum of 3m.
 - b. The height of radio communication and telecommunication antennas attached to an existing building may exceed the highest point of the roofline by a maximum of 2m.
3. All other buildings associated with network utility services must comply with the maximum height control applying in the land unit or settlement area in which they are located.

5.6.3 Building in relation to boundary

1. The following network utility services are excluded from the building in relation to boundary control applying in the land unit or settlement area in which they are located:
 - a. Street light poles.
 - b. Metrolight poles.
 - c. Telecommunication distribution lines and poles.
 - d. Electricity distribution lines and poles.
2. All other buildings associated with network utility services must comply with the building in relation to boundary control applying in the land unit or settlement area in which they are located.

5.6.4 Yards

1. The following network utility services are excluded from the side, rear and front yard controls, and any building restriction yard applying in the land unit or settlement area in which they are located:
 - a. Street light poles.
 - b. Metrolight poles.
 - c. Telecommunication distribution lines and poles.
 - d. Electricity distribution lines and poles.
2. All other buildings associated with network utility services must comply with the yard controls (including any building restriction yards) applying in land unit or settlement area in which they are located.
3. All network utility services must comply with any coastal protection yards, and wetland or water body yards applying in the land unit or settlement area in which they are located. (Note: an infringement of this control is a non-complying activity as listed in [rule 5.5.1](#)).

5.6.5 Building coverage

Any building associated with network utility services must comply with the building coverage control applying in relevant land unit or settlement area in which it is located. However this rule does not apply to special purpose sites created by subdivision under [clause 12.8.1](#).

5.6.6 Ridgeline control

Any building associated with network utility services must comply with the ridgeline control applying in the land unit or settlement area in which it is located.

5.6.7 Tree and vegetation removal

Any network utility service must comply with the indigenous vegetation controls and any exotic tree protection controls applying in the land unit or settlement area in which they are located. Refer to [clause 10c.5.2](#) for rules about exotic tree and indigenous vegetation protection on legal roads.

Notes:

1. Trimming of vegetation for network utility services is also controlled by the Telecommunications Act 2001 and Electricity Regulations 2004.
2. It is the council's practice to require network utility operators to provide a tree management plan which is reviewed annually. Prior to any tree trimming the operator must contact the council's arborists.

5.6.8 Noise

Any activity that generates noise must comply with the noise standards applying in the land unit or settlement area in which it is located, and any noise standards in [part 4 - General rules](#).

However the noise standards do not apply to the noise from vehicles on public roads.

5.6.9 Dust

Where any activity that generates dust, all reasonable steps must be taken to suppress the dust.

5.6.10 Earthworks

Earthworks associated with network utility services (including the construction of access) must comply with the earthworks controls applying in the land unit or settlement area in which they are located.

Earthworks associated with the use, maintenance and upgrading of existing formed public roads are a permitted activity. However where such earthworks are carried out, erosion and sediment control methods must be undertaken to minimise silt runoff in accordance with [appendix 16 - Erosion and sediment control guidelines for earthworks](#).

5.7 Other requirements

5.7.1 Air emissions and odour

Network utility services that generate air emissions and odour may require resource consent from the ARC.

5.7.2 Signs and spill lighting

The council's bylaws control the following:

- signs located on network utility structures
- spill lighting associated with network utility services on private property

5.7.3 Electromagnetic field emissions

Network utility services that generate electromagnetic field emissions are controlled by the International Commission on Non-Ionising Radiation Protection Guidelines 2001.

5.7.4 Roading opening notices

Any proposal to construct utility services under or on legal road must apply for a road opening notice (RON) under the Local Government Act 2004. The network utility operator must comply with requirements in that Act regarding traffic safety, location and placement of structures, occupation of the road and reinstatement. A means of compliance is meeting the requirements of the Code of Practice for Working in the Road.

Any activity under, above or over legal road must meet the requirements set out in [clauses 5.7.1 - 5.7.3](#) above.

5.7.5 Radio frequency fields

An activity that generates radio frequency fields must comply with the National Environmental Standards (NES): NZS2772.1:1999 Radio-frequency Fields Part 1: Maximum Exposure Levels 3kHz-300GHz.

5.8 Matters of discretion and assessment criteria

5.8.1 Matters of discretion for restricted discretionary activities

For restricted discretionary activities the council has restricted its discretion to considering the following matters:

Restricted discretionary activities	Matters over which the council has restricted its discretion																	
	a	b	c	d	e	f	g	h	i	j	k	l			o	p	q	r
Aboveground, electricity or wastewater network utility within formed legal road that has an area exceeding 2.5m ² in plan view and exceeds 1.8m in height (including plinth) provided that this rule excludes masts, vents and antennas																		
Three or more antennas attached to a building	a	b		b					i	j		l	m		o	p		
Cell phone masts and attached antennas in rural 1	a	b	c	d		f	g	h	i	j		l	m	n	o	p		
Aboveground telecommunication, electricity, or wastewater network utility building up to a maximum height of 3m and maximum area of 10m ² (plan view) in landform 6, island residential 1 (except coastal amenity area), commercial 1-2, 4, rural 1-3, local retailing areas, headland protection area, Claris airport area provided that this rule excludes masts, vents and antennas	a	b	c	d		f	g	h	i			l	m	n	o	p	q	

a. Design, external appearance and visual effects

Whether the design and external appearance of buildings and structures are in character with the locality and its amenity values. In particular the work should be compatible with the neighbourhood area having regard to design, scale, colour and finishing materials.

b. Site layout and placement

Whether the utility equipment on a site or attached to an existing building are located or placed in a manner that is subservient to other built elements on the site. In particular, cabinets should be screened from public view or neighbouring sites by locating them in or behind existing buildings and screening with fencing or planting where appropriate. Where antennas are located above the roofline they should be located away from the primary building facade and located in such a way so as to visually integrate with the building.

c. Landscaping and screening

Whether landscaping and/or screening would effectively mitigate visual and amenity effects so that the effects of the work are internalised on the site and do not adversely affect adjacent properties, particularly residential and open space uses.

d. Height and proportion

Whether the height of the building or structure is in keeping with the maximum height limits for the relevant land unit or settlement area. Structures should not appear in clear contrast with other visual elements on the site and in the immediate environment. In particular, slimline masts are encouraged with as narrow a profile of equipment as possible.

e. Streetscape

Whether the proposed work has adverse effects on the streetscape by affecting the function of existing street furniture and street trees, or requiring their removal or

relocation. In particular, any work should consider any council streetscape plans for the area.

f. Access

The extent to which vehicle access is required to the site and whether there are alternative means of access to the site to construct, operate and maintain the utility service.

g. Tree and vegetation removal

Whether trees and other vegetation need to be removed for the construction of the utility service. In particular, tree and vegetation removal should be kept to a minimum and, where appropriate, screening and landscaping should be undertaken to mitigate the effects of such removal.

h. Earthworks

The degree to which earthworks are required for the construction of the utility service. Particular attention will be paid to erosion and sediment control measures along watercourses and the requirement to meet earthwork standards for the relevant land unit or settlement area.

i. Other environmental effects including noise, vibration, odour, dust, discharges to air and water, lighting and spill lighting, hazardous substances and vehicle movements

The extent to which any adverse effect on amenities of an area caused by nuisance matters such as noise, vibration, odour, dust, discharges to air and water, lighting and spill lighting and hazardous substances and vehicle movements will be kept to a minimum.

j. Removal of redundant services

Whether conditions are required to address the removal of redundant utility equipment or structures in the event that it is on the same alignment or locality as the proposal. With respect to utility services in legal road, reference should be made to the Code of Practice for Working in the Road.

k. Potential for undergrounding

Whether there are difficult ground conditions or technical constraints that make placement underground unfeasible.

l. Co-location

The extent to which there is potential for co-location of utility equipment, subject to technical limitations, to minimise the number of structures.

m. Cumulative visual effects

Whether any cumulative adverse visual effects arising from a number of utility services being located in a particular area or of the same (or similar) services being repeated in areas of significant amenity can be avoided, remedied or mitigated. This is particularly relevant for overhead electricity and telecommunication lines, and masts and antennas.

Whether any cumulative adverse visual effects arising from both the nature of the proposed development and its widespread location across parts, or all, of the islands can be avoided, remedied or mitigated.

n. Landforms and landscapes

Whether the proposal has the potential to adversely affect landforms, landscapes or areas of visual amenity, particularly where these are located on the coast (within the coastal protection yard), visually prominent ridgelines or in outstanding natural landscapes.

o. Heritage

Whether the proposal has the potential to adversely affect any items scheduled in the Plan for their heritage value.

p. Radio frequency fields

The extent to which the proposal complies with the National Environmental Standards (NES): NZS2772.1:1999 Radio-frequency fields Part 1: Maximum Exposure Levels 3kHz-300GHz which controls radio frequency emissions.

q. Electromagnetic field emissions

The extent to which the proposal complies with the International Commission on Non-Ionising Radiation Protection Guidelines 2001.

r. Overhead network utility services

Whether it is necessary to locate services overhead, having regard to any technical constraints or ground conditions that make placement underground unfeasible.

Whether the placement of overhead services would have any additional adverse effects on the visual environment, amenity values or health and safety, having regard to the level of adverse effects caused by existing network utility services in the vicinity.

5.8.2 Assessment criteria for discretionary activities

The council's assessment of an application for a discretionary activity will include consideration of all the matters in [clause 5.8.1](#).

5.9 Relationship with rules in other parts of the Plan

[Part 14 - Definitions](#) must be referred to as it contains 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 proposed network utility service:

[Part 4 - General rules](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

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

[Part 10a - Land units: objectives, policies and activity tables](#)

[Part 10b - Settlement areas: objectives, policies and activity tables](#)

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

[Part 12 - Subdivision](#)

[Part 13 - Transport](#)

For the avoidance of doubt it is noted that:

1. Any network utility services that are to be located on or within scheduled items (including within the scheduled site surrounds of such items) must comply with [part 7 - Heritage](#).
2. Any network utility service that involves hazardous substances must comply with [part 9 - Hazardous facilities and contaminated land](#).
3. Any network utility service that generates traffic or provides carparking must comply with [part 13 - Transport](#).

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.


~~Struck through~~ content to be deleted.

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.

~~Struck through~~ content to be deleted.

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 Tahiri Road 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

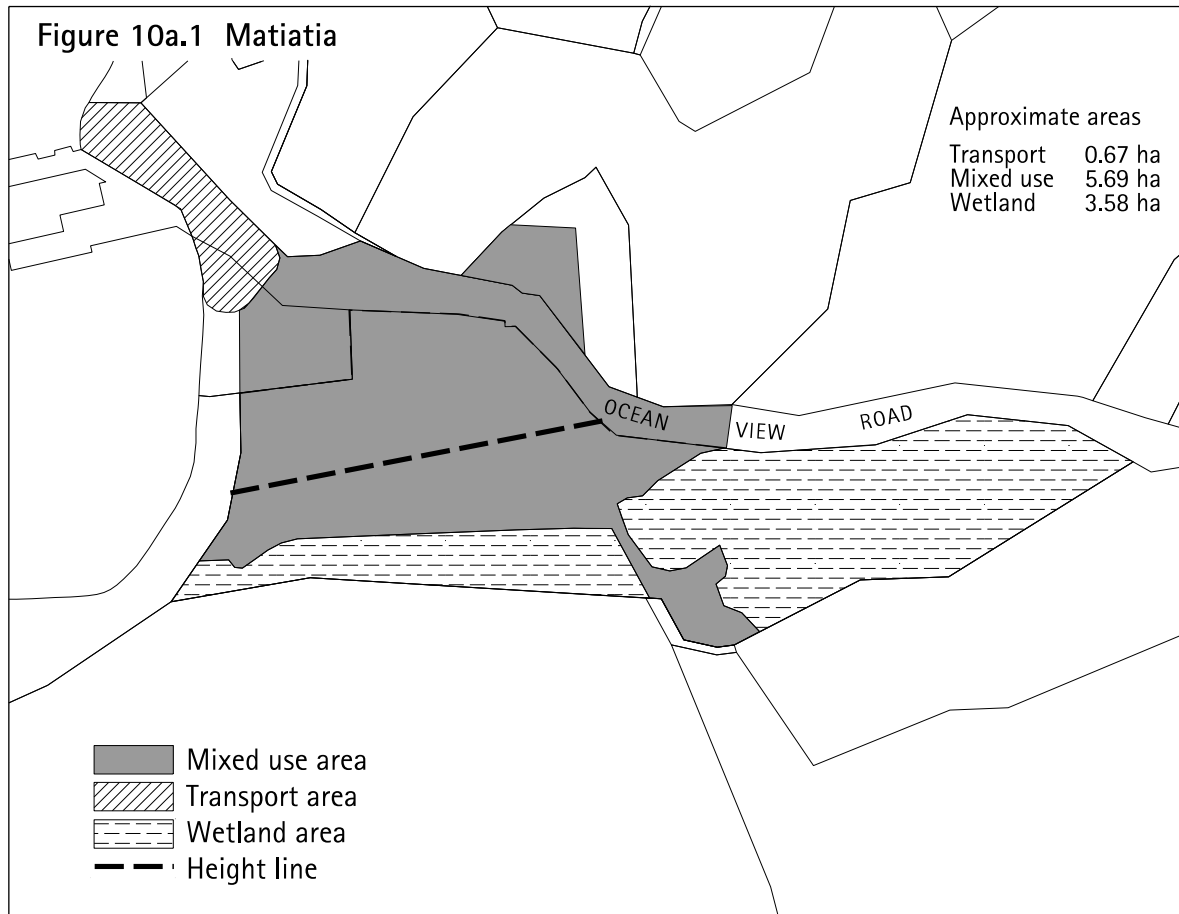
hill slopes on the northern side of the valley. Water will be supplied from the bore located behind the Harbourmaster's building and from rainwater capture.

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

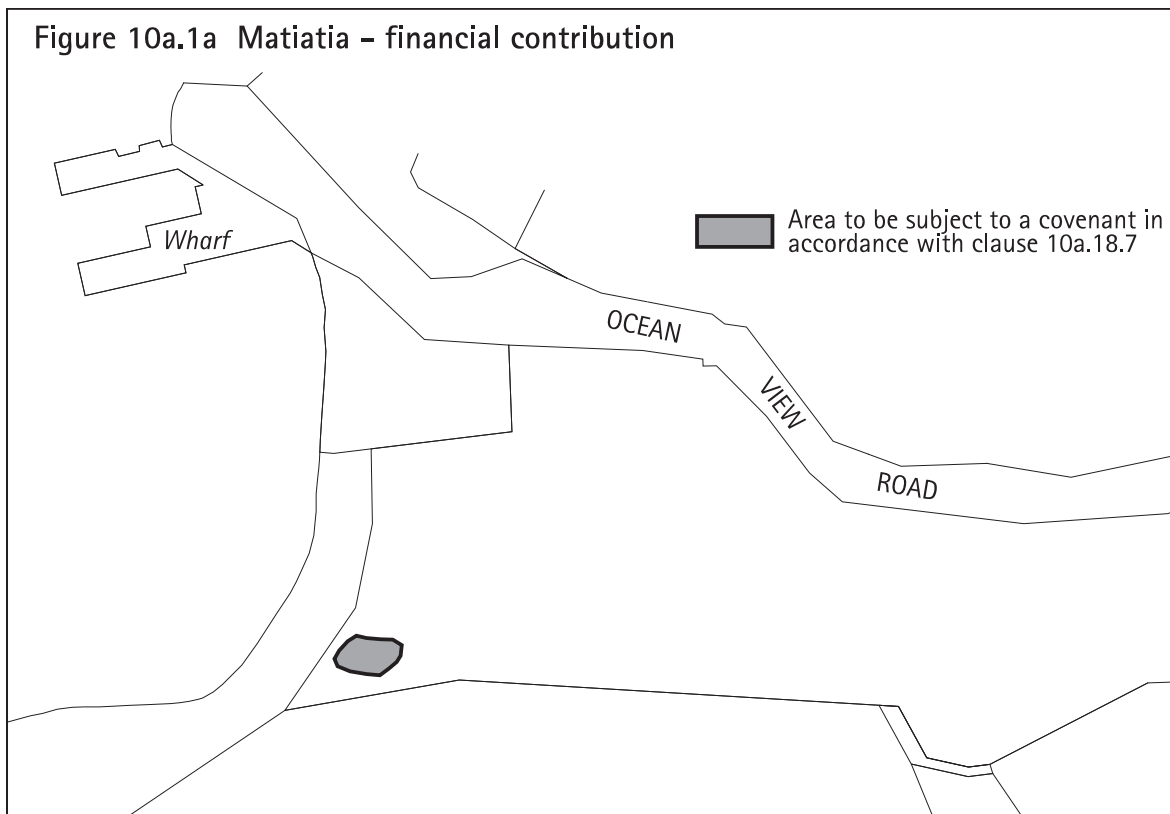
The water supply tanks are intended to ensure that the activities within the mixed use area have an adequate and safe water supply at all times of the year.

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.

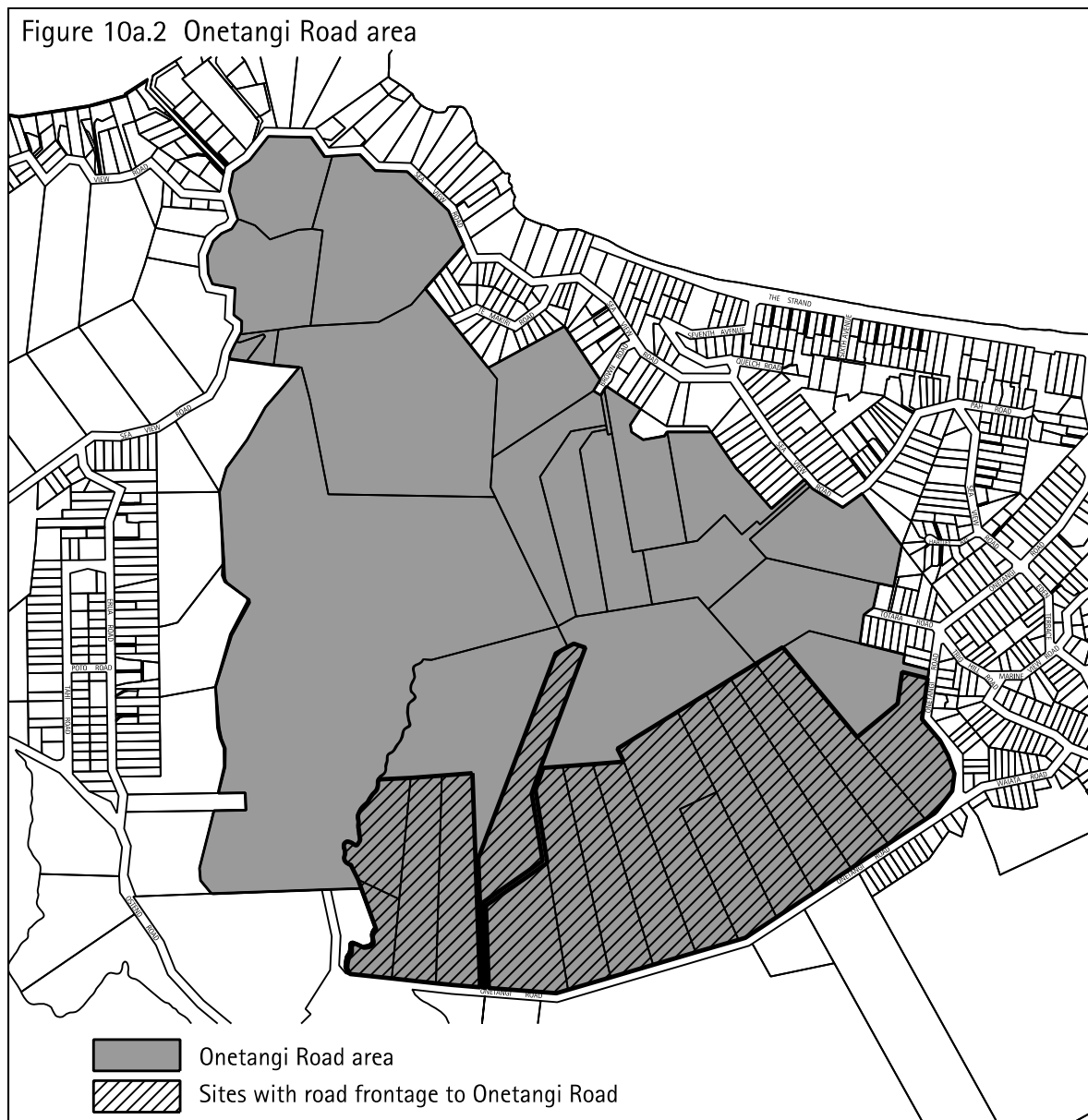
Policies

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 holidays 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.

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

- 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.

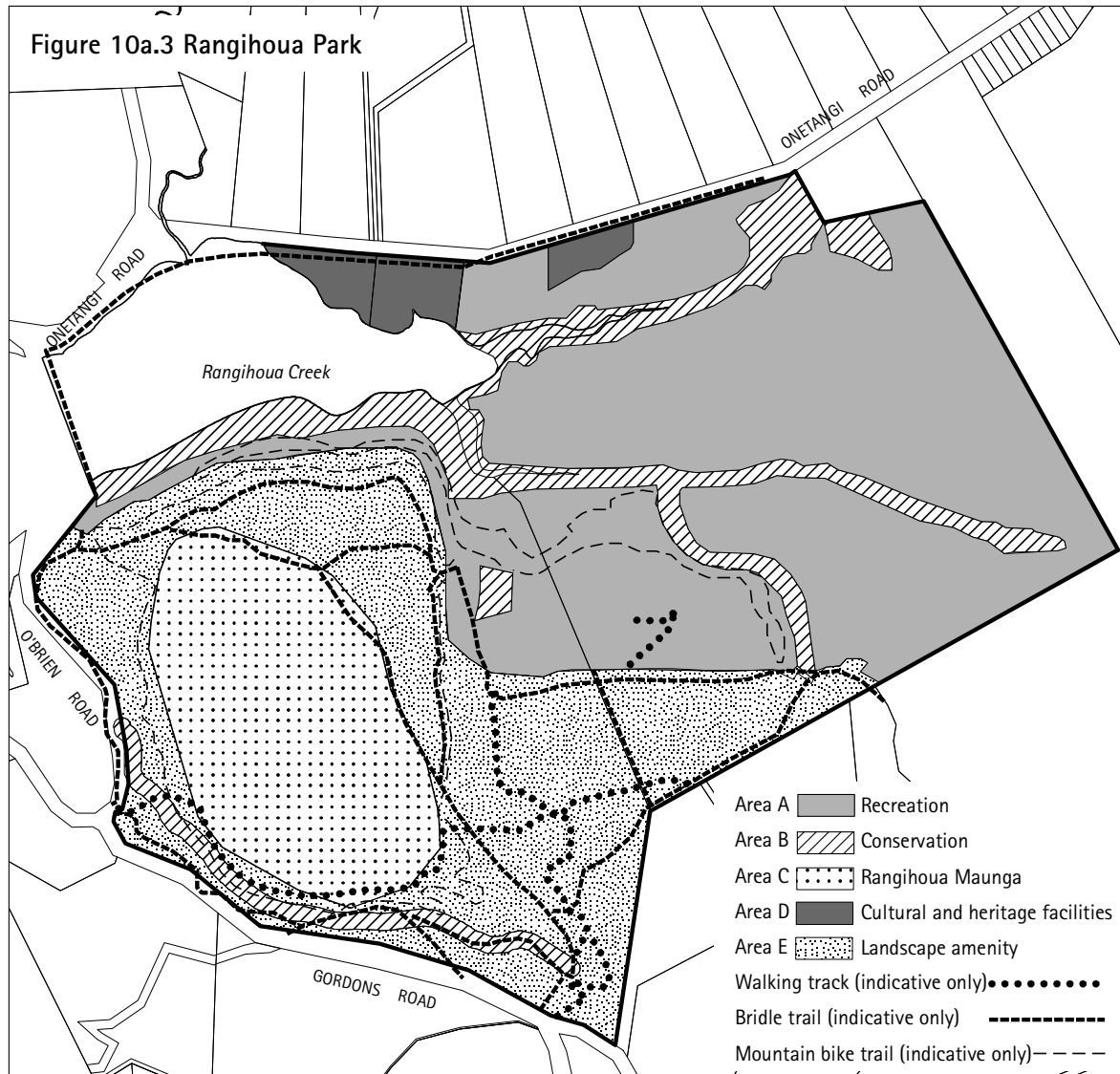
The planning approach for this area focuses on providing for recreation.

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

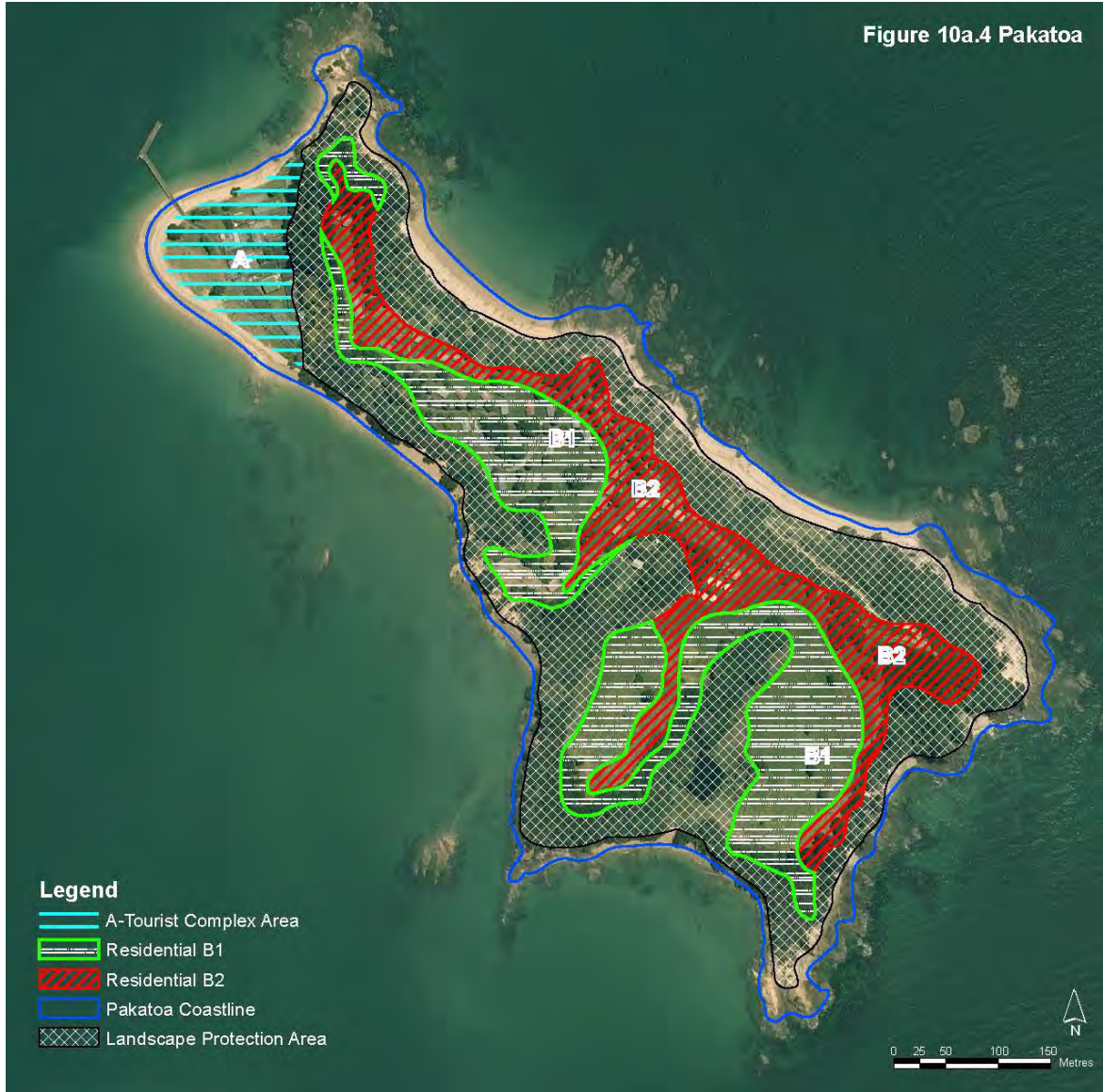
D = Discretionary

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](#)

[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](#)

Figure 10a.5 Rotoroa



Part 11

Assessment matters

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Annotations key

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

Underlined content to be inserted.

~~Struck through~~ content to be deleted.

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.

~~Struck through~~ content to be deleted.

11.1 Introduction

This part of the Plan contains the following:

- Assessment criteria for discretionary activities, including specific assessment criteria for commercial firewood harvesting and forestry.
- Matters over which council has restricted its discretion for new buildings and additions and alterations to existing buildings in specific land units and settlement areas. These are considered as restricted discretionary activities.

11.2 Matters to be considered for all resource consent applications

The following matters need to be considered by the council when assessing any resource consent application:

1. Hauraki Gulf Marine Park Act 2000

The purpose of the Hauraki Gulf Marine Park Act 2000 is outlined in [part 2 - Resource management overview](#). Its introduction requires the council, when assessing an application for resource consent for the Hauraki Gulf, its islands and catchments, to have regard to the matters set out in sections 7 and 8 of the HGMPA 2000. The HGMPA 2000 is contained in [appendix 10](#).

2. Objectives and policies

For all applications, the council will have regard to the objectives and policies for the relevant land unit or settlement area, as well as the general objectives and policies in [part 2 - Resource management overview](#) and [part 3 - Strategic management areas](#).

Clauses (1) and (2) above are in addition to any assessment criteria identified in [clause 11.3](#) and [table 11.1 Assessment criteria for particular discretionary activities](#) for the particular activity.

11.3 General assessment criteria for discretionary activities

11.3.1 Introduction

When considering applications for discretionary activities, the council must consider all relevant matters under the RMA. [Clause 11.3.2](#) below lists assessment criteria for 18 matters which may need to be considered by the council when assessing an application for a discretionary activity. [table 11.1: Assessment criteria for particular discretionary activities](#) identifies the assessment criteria of particular relevance to the various discretionary activities listed in the activity tables for the individual land units and settlement areas. Those activity tables are contained in [part 10a - Land units: objectives, policies and activity tables](#) and [part 10b - Settlement areas: objectives, policies and activity tables](#). Parts 10a and 10b also contain assessment criteria applying to particular activities in some land units and settlement areas. It is important to note that these assessment criteria do not limit the matters that the council may consider when assessing applications for discretionary activities.

The council's assessment of an application for a non-complying activity may also include consideration of any of the matters listed in [clause 11.3.2](#), or any assessment matters identified in the particular land unit or settlement area, where the matters relate to an effect that the particular activity being applied for may have on the environment.

11.3.2 Assessment criteria

As noted in [clause 11.3.1](#) above, the list of assessment criteria below should be read in conjunction with [table 11.1](#).

1. Traffic generation

- a. The extent to which the traffic generated by the activity adversely affects the safety and capacity of the adjacent road network.
- b. Whether any adverse effect associated with the activity can be mitigated by upgrading the road and/or the intersection design.

2. Access

- a. The extent to which any adverse effects associated with the activity may be reduced or mitigated by controlling the location or design of the accessway.
- b. The extent to which the requirements of the council's standard engineering details (or equivalent) for design of the access between the carriageway and the property boundary will be met.
- c. Whether the sight distances from the accessway are adequate for safe ingress and egress from the subject site.
- d. Whether the location of the accessway will cause on-street congestion from the ingress and egress of vehicles.
- e. Whether the location of the accessway will give rise to adverse noise effects on adjacent sites.
- f. Whether, for larger sites, pedestrian access is sufficiently separated from the vehicle access to ensure the safety of pedestrians.
- g. Whether consideration has been given to the provision and location of suitable traffic calming devices on vehicle accessways near the site boundary with the road reserve to ensure that vehicles are travelling at appropriate speeds.

3. Noise

- a. Whether the activity gives rise to adverse noise effects experienced beyond the boundaries of the site.

- b. Whether consideration has been given to mitigation methods such as:
- providing barriers, including fences and earthen berms, to remove the line of sight between the noise source and the noise receiver
 - providing greater distances between the noise generator and the noise receiver
 - screening the noise generator using natural or man-made materials
 - replacing the noise generator with a quieter alternative
 - restricting or imposing conditions on hours of operation.

4. Development controls

Whether the activity complies with the development controls for the relevant land unit or settlement area.

Note: The modification to one or more of the development control rules may be considered concurrently as a separate discretionary activity in accordance with [clause 10c.3](#).

5. Natural environment

The extent to which the activity gives rise to adverse effects on the natural environment, such as through the creation of wastewater, stormwater, vegetation removal and sediment runoff.

6. Outdoor activities

- a. Whether any outdoor work or entertainment area has been screened, separated or landscaped from adjacent sites.
- b. Whether the applicant has undertaken any acoustic attenuation to reduce the noise effects of outdoor activities.

7. Parking

- a. Whether parking and manoeuvring space will be provided on-site appropriate to the particular form of development, in accordance with the requirements of [part 13 - Transport](#).
- b. Whether large areas of aboveground parking spaces are proposed as part of the activity, and if there are, their impact on visual and aural amenity values.
- c. The extent to which the location of parking areas has been avoided adjacent to boundaries with island residential land units.
- d. Whether the internal circulation of parking areas has been designed for safe and efficient on-site vehicle circulation.
- e. Whether consideration has been given to the provision of on-site cycle facilities such as bike racks.

8. Intensity and scale

Whether the intensity and scale of the proposal, in particular, the number of people involved in the activity, traffic generation and size and location of buildings and associated parking will be compatible with the character and amenity values of the surrounding area having regard to the objectives and policies of the relevant land unit or settlement area.

9. Cumulative effects

- a. Whether the location of an activity in an area is appropriate, given the presence of other activities in the area and their combined effect on the surrounding environment.
- b. The extent to which the establishment of the activity will contribute to an accumulation of activities in the area and corresponding adverse effects in

respect of the following:

- i. Traffic - the capacity of the adjacent road to deal adequately with the cumulative effect of traffic generated from the concentration of these activities.
- ii. Amenity - whether the character and amenity of the surrounding area, including streetscape, is adversely affected by the accumulation of activities, in particular, through the number of people involved in the activity, the size and location of buildings and associated parking, signs and noise generation.
- iii. Infrastructure - whether the wastewater and stormwater systems can adequately deal with the servicing needs of the activity, without contributing to offsite effects.

10. Servicing constraints

- a. Whether the site has constraints relating to problems of disposing of wastewater or stormwater.
- b. If the site does have servicing constraints, whether the applicant is able to demonstrate how these can be avoided, remedied or mitigated to the extent that the proposed activity can be adequately provided for.

11. Crime prevention through environmental design (CPTED)

- a. The extent to which the activity provides or continues to provide for informal surveillance of public and semi-public areas within and adjacent to the development including streets, parks, plazas and through-site links where practicable, by:
 - i. Locating doors, windows and other openings associated with living and working areas, so that they overlook and interact with the public and semi-public areas.
 - ii. Ensuring that walls and fences at the street edge have sufficient transparency or are of a low enough height to allow informal surveillance to occur.
 - iii. Avoiding blank, windowless, street level facades of buildings through the placement of doors and windows and by encouraging a mix of activities.
 - iv. Ensuring new development does not compromise good informal surveillance of public and semi-public areas provided by existing developments.
- b. Whether there is clear visibility and clear lines of sight of building entrances and exits from the street, and from public areas into and through public and semi-public areas in the proposed development, such as plazas, landscaped areas, through-site links, lobbies and car parking areas which are available for use or accessible by the general public.
- c. The extent to which informal surveillance and clear visibility and clear lines of sight has been achieved through the location and design of the building, landscaping, fencing and other structures.
- d. Whether the proposed activity provides appropriate lighting of public and semi-public areas, including paths, parking areas, plazas, building entrances and exits. Details of, or a lighting plan showing, lighting type, location and lux may need to be provided as part of any resource consent application. The provision of this is dependent on the scale and/or location of the activity.
- e. Whether the proposed activity provides clear definition between the boundaries of public, semi-public and private places through their design, layout and use of features such as lighting, landscaping, paving and signage.

- f. Whether potential entrapment spots (which are small, defined areas generally shielded on three sides by a barrier of some sort such as a recessed entrance or a gap in tall vegetation) and areas that may isolate users of public areas from public view have been avoided. Whether recesses in external walls next to pedestrian routes, walkways and footpaths have been avoided.
- g. The extent to which public access to private areas such as lobbies and car parks can be controlled through design and management so as to reduce opportunities for crime against people and property within the development.

In situations where any conflict exists between the rules in other parts of the Plan and the CPTED assessment criteria, the merits of both the rule and the above assessment criteria should be weighed up to ensure that a good design solution, meeting both CPTED and amenity (including noise and visual) outcomes, is achieved.

The design and operational requirements of network utility structures are to be taken into consideration when assessing and identifying potential entrapment spots. This is in recognition that some of these structures are unable to be completely closed off to the general public.

12. Landscaping

- a. Whether the landscaping is provided in a manner that enhances the visual appearance of the activity, including around parking areas, service areas, and at the site boundaries.
- b. Whether on-site landscaping adjoining the road enhances the character of the streetscape.
- c. The extent to which landscaping has been used to soften large facades, where relevant, and visually integrate the development with surrounding residential or open space land units.
- d. Whether existing trees and mature landscaping are to be retained.

In order to satisfy these criteria, a landscaping plan may need to be provided as part of any application.

13. Site facilities and offensive or hazardous activities

- a. Whether the activity generates any smells, odours, fumes, smoke, steam, dust or other particulate which will be offensive or hazardous, or cause other adverse effects to surrounding occupants.
- b. Whether any facilities for storing solid waste (such as rubbish bins) that are provided on-site have been appropriately located, screened and landscaped to avoid any adverse visual impact from the road and from within the development.

14. Visual privacy and aural amenity

Whether the development has been designed to maintain the visual privacy and aural amenity of adjacent sites, in particular, the privacy of habitable rooms and their associated outdoor living spaces and deck areas.

15. Hours of operation

Whether the proposed activity will occur outside of normal weekday working hours (7.30am to 6.00pm) and as a result give rise to adverse effects such as noise and loss of amenity values.

16. Lighting

- a. The extent to which the outdoor lighting is located, directed and designed to ensure that glare is not directed at adjacent sites.
- b. The extent to which glare from outdoor lighting causes discomfort and loss of amenity to adjacent sites.

- c. The extent to which glare from outdoor lighting detracts from the dark night-time sky environment.
- d. Whether outdoor lighting appropriately lights public and semi-public areas in a manner consistent with the principles of crime prevention through environmental design.

The use of measures such as screening or separation distances may be required to lessen any effects from security lighting on neighbouring residential properties. This will need to take into account CPTED requirements.

17. Sustainable building design

The extent to which the applicant has investigated alternatives in terms of sustainable design such as 'green building' methods, renewable energy sources and low impact design methods. ([Appendix 11 - Sustainable design guidelines for the islands](#) can assist applicants with this criteria.)

18. Reverse sensitivity

Whether it is appropriate to locate the activity in an area, given the proximity of other activities, the nature of established activities and the potential for reverse sensitivity issues to arise.

11.4 Specific assessment criteria for particular discretionary activities

11.4.1 Commercial firewood harvesting

The council's assessment of an application for commercial firewood harvesting will include consideration of the following matters:

1. Whether an appropriate management plan has been provided with the application.
2. Whether the proposed activity affects natural habitats and ecological values.
3. Whether the proposed activity affects visual and amenity values.
4. Whether the proposed activity causes or is likely to cause subsidence or erosion.
5. Whether there are species listed in [appendix 6 - List of threatened and unusual plant and animal species](#) located within or adjacent to the area subject to the activity.
6. Whether the applicant has proposed an appropriate rehabilitation programme for any area that is cleared.
7. Whether the proposed activity is likely to result in weed infestation within or adjacent to the area subject to the application.
8. Whether the proposed activity will affect any archaeological sites.
9. Whether the proposed activity will affect the natural character of the coastal environment.

11.4.2 Forestry

The council's assessment of an application for forestry will include consideration of the following matters:

1. Whether an appropriate management plan has been provided with the application, which provides information on:

- Anticipated date(s) and time period(s) for clearance, planting and harvesting to take place.
 - Likely methods to be employed during harvesting.
2. Whether the proposed activity affects natural habitats and ecological values.
 3. Whether the proposed activity affects visual and amenity values.
 4. Whether the proposed activity causes or is likely to cause subsidence or erosion.
 5. Whether there are species listed in [appendix 6 - List of threatened and unusual plant and animal species](#) located within or adjacent to the area subject to the activity.
 6. Whether the proposed activity affects the natural character of the coastal environment.
 7. Whether the proposed activity is likely to result in weed infestation within or adjacent to the area subject to the application.
 8. Whether the proposed activity will affect any archaeological sites.

11.4.3 Boat repair and maintenance activities at Ostend Domain Reserve

The council's assessment of an application for boat repair and maintenance activities will include consideration of the following matters:

1. The extent to which the proposed activity affects the ecological values of the coastal environment.
2. The extent to which the proposed activity incorporates management measures to avoid adverse effects within the coastal environment including, but not limited to, effects resulting from painting, anti-fouling and engine repair activities.

Provided that this clause (11.4.3) only applies to boat repair and maintenance activities, and boat launching and retrieval associated with that repair and maintenance, where this occurs ancillary to marine recreation facilities at the south-eastern side of the Ostend Domain Reserve (refer to [rule 10a.22.6 Rules - activity table](#)).

11.4.4 Buildings as a discretionary activity on Pakatoa

In addition to the matters in 11.3 (General assessment criteria for discretionary activities), any development proposal shall also have regard to the matters in 11.5.3.9 (Buildings as a Restricted Discretionary Activity).

11.5 Buildings as a restricted discretionary activity

11.5.1 Notification requirements

Except as provided for by section 95A(4) of the RMA, applications for a resource consent for the construction and relocation of buildings, and alterations and additions to existing buildings as a restricted discretionary activity 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).

11.5.2 Matters of discretion

The activity tables for some land units and parts of settlement areas provide for the following building works as a restricted discretionary activity:

- The construction and relocation of buildings
- Alterations and additions to the exterior of existing buildings (other than minor alterations and additions as defined in [part 14 - Definitions](#))

Part 11 - Assessment matters

The land units and parts of settlement areas where such building works are provided for as a restricted discretionary activity are:

- landform 2, 6 and 7
- island residential 1 (coastal amenity areas only)
- island residential 2
- commercial 1, 2 and 4
- rural 1-3
- open space 1-4
- conservation
- Pakatoa
- settlement area - local retailing areas
- settlement area - dune and wetland conservation areas
- settlement area - headland protection areas
- settlement area - Claris airport area
- Orama concept plan 41-16.

In the above land units and parts of settlement areas, and in the Orama concept plan, the council has restricted its discretion to considering the following matters for new buildings and additions and alterations to existing buildings:

- scale
- form (design and materials)
- colour (except that this matter will not be considered in commercial 1 and 2)
- location
- any relevant open space strategy or reserve management plan (for open space 1-4 only)
- the need to provide for the building (for rural 3 only).

In the Matiatia land unit, construction and relocation of buildings, and alterations and additions to existing buildings are also a restricted discretionary activity. The matters of discretion and assessment criteria are contained in the Matiatia land unit ([see clause 10a.18](#)) rather than in this part.

11.5.3 Applying the matters of discretion

11.5.3.1 Landform 2, 5, 6 and 7

In landform 2, 5, 6 and 7, discretion over the matters identified in [clause 11.5.2](#) will be applied so that the proposed building protects the natural landscape by:

1. Being of a scale, form and location that is not visually prominent when viewed from any public place, such as roads, public reserves and beaches.
2. Having an external colour that is integrated with the surrounding natural landscape. The council will refer to [clause 10c.4.8](#) for guidance in assessing this matter.
3. Being located so that it that does not dominate or detract from public views which are characterised by natural landscapes.
4. Being of a scale, form and location that maintains the visual coherence of the landscape character by not breaking the pattern of any natural features such as coastal escarpments, ridges, prominent slopes or indigenous vegetation.
5. Being of a scale, form, colour and location that does not give rise to cumulative effects on the natural landscape.

11.5.3.2 Island residential 1 - coastal amenity area only

In island residential 1, discretion over the matters identified in [clause 11.5.2](#) will be applied so that the proposed building is integrated with the character and amenity value of the immediate coastal environment by:

1. Being of a scale, form, appearance and location that is not visually prominent when viewed from any public place, such as roads, public reserves and beaches.
2. Being of a scale, form and location that does not detract from the character and amenity of the coastal environment at Blackpool, Oneroa, Palm Beach and Onetangi.
3. Having an external colour that is integrated with the surrounding natural landscape. The council will refer to [clause 10c.4.8](#) for guidance in assessing this matter.
4. Being sympathetic to the high visual amenity value of the surrounding coastal landscape.

11.5.3.3 Island residential 2

In island residential 2, discretion over the matters identified in [clause 11.5.2](#) will be applied so that the proposed building is integrated with the bush clad character of the environment by:

1. Being of a scale, form, appearance and location that is not visually prominent when viewed from any public place, such as roads, public reserves and beaches.
2. Being of a scale, form and location that does not detract from the dominant bush clad character of the land unit.
3. Having an external colour that is integrated with the surrounding natural landscape. The council will refer to [clause 10c.4.8](#) for guidance in assessing this matter.
4. Being of a scale, form and location that maintains the visual coherence of the surrounding landscape character.

11.5.3.4 Commercial 1 and 2

In commercial 1 and 2, discretion over the matters identified in [clause 11.5.2](#) will be applied so that a positive streetscape environment and high level of amenity is achieved by:

1. Ensuring that the building fronts the road and concentrates main entries and windows along road frontages.
2. Ensuring that on-site landscaping where provided adjoining the road enhances the character of the streetscape and links with the existing landscaping.
3. Ensuring that buildings encourage new public pedestrian linkages or consolidate and improve existing pedestrian linkages, where appropriate.
4. Ensuring that the building enhances the existing streetscape character and amenity values, while having regard to the functional and operational requirements of the building or activity which is intended for the building.
5. Ensuring that the building is of a 'human scale', and that its apparent bulk is moderated by articulating the building form and through surface treatment. Methods to achieve this include, but are not limited to:
 - roof forms
 - inclusion of verandas and balconies
 - window placement
 - number of storeys.
6. Ensuring that buildings on corner sites are laid out with multiple entry potential and built as much as feasible to the front boundary to complement the existing character and to optimise mixed use potential such as retail, other commercial, residential and community uses.
7. In relation to Oneroa village only:

- Ensuring that public views from Ocean View Road to the beach are maximised.
- Adherence to the principles of the design guidelines for Oneroa village (contained in [appendix 12 - Oneroa village design guidelines](#)).
- Ensuring that the scale, form and location of facades facing the beach are not visually prominent when viewed from the foreshore.

11.5.3.5 Commercial 4

In commercial 4, discretion over the matters identified in [clause 11.5.2](#) will be applied so that the proposed building is integrated with the character and amenity value of the surrounding residential areas and the coastal environment by:

1. Being of a scale, form, appearance and location that is not visually prominent when viewed from any public place, such as roads, public reserves and beaches.
2. Being of a scale, form and location that does not detract from the character and amenity of the surrounding residential area and coastal environment
3. Having an external colour that is integrated with the surrounding natural landscape. The council will refer to [clause 10c.4.8](#) for guidance in assessing this matter.
4. Being sympathetic to the visual amenity values of the surrounding residential areas and the coastal landscape.

11.5.3.6 Rural 1 and 2

In rural 1 and 2, discretion over the matters identified in [clause 11.5.2](#) will be applied so that the proposed building is integrated with the natural landscape by:

1. Being of a scale, form and location that is not visually prominent when viewed from any public place, such as roads, public reserves and beaches.
2. Having an external colour that is integrated with the surrounding natural landscape. The council will refer to [clause 10c.4.8](#) for guidance in assessing this matter.
3. Being located so that it that does not dominate or detract from public views which are characterised by natural landscapes.
4. Being of a scale, form and location that maintains the visual coherence of the landscape character by not breaking the pattern of any natural features such as coastal escarpments, ridges, prominent slopes or indigenous vegetation.
5. Being of a scale, form, colour and location that does not give rise to cumulative effects within the natural landscape.

11.5.3.7 Rural 3

In Rural 3, discretion over the matters identified in [clause 11.5.2](#) will be applied so that the proposed building is integrated with the natural landscape by:

1. Being of a scale, form and location that protects the unique coastal character and amenity when viewed from any public places, such as, public reserves, beaches, and the sea.
2. Having an external colour that is integrated with the surrounding natural landscape. The council will refer to [clause 10c.4.8](#) for guidance in assessing this matter.
3. Being located so that it does not dominate the coastal environment having regard to the modified character of the Island and any proposed mitigation, including any planting. It is recognised that the undulating topography and the open character may mean that buildings will be visible, but dominance is to be avoided taking into account the physical characteristics of the subject site.
4. Being of a scale, form and location that maintains the visual coherence of the landscape character by not breaking the pattern of any natural features such as coastal escarpments, ridges or indigenous vegetation while taking into account the

physical characteristics of the subject site.

5. Being of a scale, form, colour and location that does not give rise to adverse cumulative effects within the natural landscape.
6. The need to provide for the reasonable amenity of residential dwellings and visitor accommodation, including outlook, and sea views.

11.5.3.8 Open space 1-4

In open space 1-4, discretion over the matters identified in [clause 11.5.2](#) will be applied so that the proposed building is integrated with the natural landscape by:

1. Being of a scale, form and location that is not visually prominent when viewed from any public place, such as roads, public reserves and beaches.
2. Having an external colour that integrates the building with the surrounding natural landscape. The council will refer to [clause 10c.4.8](#) for guidance in assessing this matter.
3. Being of a scale, form and location that maintains the visual coherence of the landscape character by not breaking the pattern of any natural features such as coastal escarpments, ridges, prominent slopes or indigenous vegetation.
4. Being of a scale, form and location that does not give rise to cumulative effects within the natural landscape.

11.5.3.9 Pakatoa

On Pakatoa, discretion over the matters identified in [clause 11.5.2](#) will be applied so that proposed buildings are integrated with the natural landscape by:

Tourist complex area

1. Being of a scale, form and design that are visually integrated with the dominant landform when viewed from the coastal marine area or eastern Waiheke.
2. Graduated building height being achieved where building height is reduced in proximity to the coastal marine area with greater height encouraged against the escarpment.
3. Having an external colour and appearance that integrates the building with the surrounding natural landscape. The council will refer to [clause 10c.4.8](#) for guidance in assessing this matter.

Residential areas

4. Being of a scale, form and location that maintains the visual coherence of the landscape character by not breaking the pattern of any natural features such as the island's coastal escarpment or indigenous vegetation.
5. Being of a scale, form, colour and location that avoids, remedies or mitigates any cumulative effects on amenity and natural character values.
6. Incorporating appropriate landscaping or other forms of visual or landscape mitigation to avoid or mitigate adverse effects.
7. Buildings in the Residential B2 area, being located and of a height so that they do not dominate or detract from public views which are characterised by natural landscapes and do not intrude above the skyline when viewed from the coastal marine areas or other islands.
8. The appropriateness and content of the Master Plan required under Rule 12.7.2.4 (for the first application for any development beyond the initial 5 sites/dwellings provided for under that Rule) to achieve the objectives and policies of the Land Unit, and thereafter (for any future application) the extent to which the building scale, form and location is consistent with, and gives effect to, an approved Master Plan.

11.5.3.10 Conservation

Part 11 - Assessment matters

In the conservation land unit, discretion over the matters identified in [clause 11.5.2](#) will be applied so that the proposed building is integrated with the natural landscape by:

1. Being of a scale, form and location that is not visually prominent when viewed from any public place, such as roads, public reserves and beaches.
2. Having an external colour that integrates the building with the surrounding natural landscape. The council will refer to [clause 10c.4.8](#) for guidance in assessing this matter.
3. Being of a scale, form and location that maintains the visual coherence of the landscape character by not breaking the pattern of any natural features such as coastal escarpments, ridges, prominent slopes or indigenous vegetation.
4. Being of a scale, form and location that does not give rise to cumulative effects within the natural landscape.

11.5.3.11 Settlement areas - local retailing areas

In the local retailing areas, discretion over the matters identified in [clause 11.5.2](#) will be applied so that a positive streetscape environment and high level of amenity is achieved by:

1. Using building modulation, different roof forms and verandahs to maintain an attractive frontage to the road, and avoiding large blank walls.
2. Ensuring that on-site landscaping where provided adjoining the road enhances the character of the streetscape and links with existing landscaping.
3. Building design reflecting the use of ground level space for retail and service activities.
4. Incorporating elements of local materials, craft or artworks in the design or finishing of the building or surrounds.
5. Having an external colour that integrates the building with the surrounding natural landscape. The council will refer to [clause 10c.4.8](#) for guidance in assessing this matter.

11.5.3.12 Settlement areas - dune and wetland conservation areas

In the dune and wetland conservation areas, discretion over the matters identified in [clause 11.5.2](#) will be applied so that the proposed building is integrated with the natural landscape by:

1. Being of a scale, form and location that is not visually prominent when viewed from any public place, such as roads, public reserves and beaches.
2. In the case of dwellings, using design elements such as natural materials, building modulation, eaves and low reflectivity glass.
3. In the case of public toilets, using natural materials.
4. Having an external colour that integrates the building with the surrounding natural landscape. The council will refer to [clause 10c.4.8](#) for guidance in assessing this matter.
5. Being of a scale, form and location that maintains the visual coherence of the landscape character by not breaking the pattern of any natural features such as coastal escarpments, ridges, prominent slopes or indigenous vegetation.
6. Being of a scale, form and location that does not give rise to cumulative effects within the natural landscape.

11.5.3.13 Settlement areas - headland protection area

In the headland protection area, discretion over the matters identified in [clause 11.5.2](#) will be applied so that the proposed building is integrated with the natural landscape by:

1. Being of a scale, form and location that is not visually prominent when viewed from any public place, such as roads, public reserves and beaches.
2. Using design elements such as building modulation, eaves and low reflectivity glass.
3. Having an external colour that integrates the building with the surrounding natural landscape. The council will refer to [clause 10c.4.8](#) for guidance in assessing this matter.
4. Being of a scale, form and location that maintains the visual coherence of the landscape character by not breaking the pattern of any natural features such as coastal escarpments, ridges, prominent slopes or indigenous vegetation.
5. Avoiding locating buildings on ridgelines where these will be visible from outside of the site, detracting from the ridgeline.
6. Being of a scale, form and location that does not give rise to cumulative effects within the natural landscape.

11.5.3.14 Settlement areas - Claris airport area

In Claris airport area, discretion over the matters identified in [clause 11.5.2](#) will be applied so that the proposed building is integrated with the natural landscape by:

1. Being of an appropriate scale, form and location and design that provides an attractive entry point to Great Barrier.
2. Having an external colour that integrates the building with the surrounding natural landscape. The council will refer to [clause 10c.4.8](#) for guidance in assessing this matter.
3. Being of a scale, form and location that maintains the visual coherence of the landscape character by not breaking the pattern of any natural features such as indigenous vegetation.

11.5.3.15 Orama concept plan

In the Orama concept plan 41-16, discretion over the matters identified in [clause 11.5.2](#) will be applied so that the proposed building protects the natural landscape by:

1. Being of a scale, form and location that is not visually prominent when viewed from any public place, such as roads, public reserves and beaches.
2. Having an external colour that is integrated with the surrounding natural landscape. The council will refer to [clause 10c.4.8](#) for guidance in assessing this matter.
3. Being located so that it that does not dominate or detract from public views which are characterised by natural landscapes.
4. Being of a scale, form and location that maintains the visual coherence of the landscape character by not breaking the pattern of any natural features such as coastal escarpments, ridges, prominent slopes or indigenous vegetation.
5. Being of a scale, form, colour and location that does not give rise to cumulative effects on the natural landscape.

Table 11.1: Assessment criteria for particular discretionary activities

Activity	Particular matters to be addressed (the numbers refer to items listed in clause 11.3)																	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Accommodation for care	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Accommodation for retired, elderly or disabled people	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Art galleries and museums	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Boarding house or hostel	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Boarding kennels and catteries	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Boat launching ramps and jetties (including trailer parks)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Camping facilities	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Care centres	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Commercial carparking	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Commercial firewood harvesting	See assessment criteria in clause 11.4.1																	
Community facilities	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Dairy	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Dwelling (one per site) not otherwise provided for as a permitted activity	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Educational facilities	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Emergency services facilities	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Entertainment facilities	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Forestry	See assessment criteria in clause 11.4.2																	
Function facilities	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Funeral parlour	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Healthcare services	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Industry	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Marine fuelling services	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Marine recreation facilities	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

Activity	Particular matters to be addressed (the numbers refer to items listed in clause 11.3)																	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Motor vehicle sales	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Motor vehicle services	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Multiple dwellings	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Offices	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Outdoor adventure activities	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Papakainga housing	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Quarrying ¹	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Refuse transfer station	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Restaurant, café and other eating places	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Retail premises	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Rural property management plan	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Service station	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Tavern	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
The disposal of settled solids from septic tanks and wastewater treatment and disposal systems	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Tourist complex	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Visitor accommodation	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Winery	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

Note:

1. These criteria for quarrying do not apply in commercial 6 (quarry), or in the Medlands quarry area. There are particular assessment criteria listed within the commercial 6 land unit and the Medlands settlement area.

Legend

No.	Assessment criteria	No.	Assessment criteria
1	Traffic generation	10	Servicing constraints
2	Access	11	Crime prevention through environmental design
3	Noise	12	Landscaping
4	Development controls	13	Site facilities and offensive or hazardous activities
5	Natural environment	14	Visual privacy and aural amenity
6	Outdoor activities	15	Hours of operation
7	Parking	16	Lighting
8	Intensity and scale	17	Sustainable building design
9	Cumulative effects	18	Reverse sensitivity

These criteria are further outlined in [clause 11.3](#).

11.6 Multiple dwellings as a restricted discretionary activity

11.6.1 Notification requirements

Except as provided for by section 95A(4) of the RMA applications for a resource consent for multiple dwellings as a restricted discretionary activity 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).

11.6.2 Matters of discretion

When considering an application for resource consent for multiple dwellings as a restricted discretionary activity, the Council has restricted its discretion to considering the following matters:

- access to dwellings
- scale, form, colour and location of dwellings
- landscape, including cumulative effects

11.6.3 Applying the matters of discretion

11.6.3.1 In landforms 5, 6 and 7, discretion over the matters identified in clause 11.6.2 will be applied so that an application for multiple dwellings meets the following criteria:

1. Any driveway, parking and turning areas shall be constructed in a manner which requires minimal disturbance to the existing landform or vegetation.
2. Any proposal shall indicate the location of all existing and proposed dwellings on the site. The proposed dwelling(s) shall protect the natural landscape by:
 - Being of a scale, form, and location that is not visually prominent when viewed from any public place, such as roads, public reserves and beaches.
 - Having an external colour that is integrated with the surrounding landscape. The council will refer to clause 10c.4.8 for guidance in assessing this matter.
 - Being of a scale, form, colour and location that maintains the visual coherence of the landscape character, by not breaking the pattern of any natural features such as coastal escarpments, ridges, prominent slopes or indigenous vegetation.

3. In addition, council will consider whether the location of the proposed dwelling(s) is appropriate, given the presence of other buildings and activities in the area and the extent to which they give rise to cumulative effects on the natural landscape.

In landforms 6 and 7, an application for Multiple dwellings will also be subject to the following criterion:

4. The proposal shall include appropriate measures for enhancing or restoring areas of forest and bush and/or regenerating slopes directly affected by the proposal, including details of any proposed planting and methods to protect such planting.



Part 13

Transport

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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.
- ~~Struck through~~ content to be deleted.

13.1 Introduction

Connecting people, places, goods and services is an important issue in the islands. The transport system must cater for the movement of people and goods between the mainland and the Hauraki Gulf, between islands in the Hauraki Gulf, and around the islands themselves. The components of the transport system that connect people, places, goods and services include wharves, airfields, passenger transport, roads, cycleways, walkways, bridle paths and waterways. The use and development of these resources needs to be integrated with other natural and physical elements of the gulf islands to achieve sustainable management. This part of the Plan seeks to facilitate a sustainable approach to transport, and this will be the cornerstone of council's approach to addressing transport issues throughout the islands.

13.2 Resource management issues

Transport to, from, between and around the islands is a vital issue for residents and visitors alike. It has had, and will continue to have, considerable influence on the character and culture of the islands. It is therefore important that transport issues are robustly addressed in the Plan in a manner that is consistent with other relevant legislation, strategies, policy documents and plans, but which also recognises the unique influence transport issues have on the people and communities of the islands. The following issues are identified for the different modes of transport and associated natural and physical resources.

13.2.1 Water

The waters of the Hauraki Gulf provide strategic linkages between the islands and from the mainland. They form an integral part of the overall transport network of the islands. A number of different types of water transport occur within the Hauraki Gulf. These currently include commuter and visitor ferry links, freight movement, charter boats, recreational boats and cruise ships. While the council's authority under the RMA extends only to mean high water springs, land use decisions impact on the effectiveness and efficiency of water transport. It is therefore important that the council works closely with the Auckland Regional Council, other relevant authorities, passenger transport operators and stakeholders to ensure an integrated and sustainable approach is undertaken.

Principal issues

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

1. How to ensure close working relationships between the council and the relevant statutory bodies and stakeholders, who have authority and interests in the coastal marine area, to ensure an integrated and sustainable approach is undertaken to water transport.
2. How to protect the character and amenity of the islands while providing the necessary infrastructure to serve the needs of water transport and freight operators and recreational users.

13.2.2 Wharves

Wharves are a significant asset providing access for people, goods and services to and from the islands, as well as being used for boat launching, yachting and recreational fishing. Wharves also often require passenger terminals and connections to other land transport infrastructure such as carparking, bus stations, walkways, cycleways and taxi services to operate efficiently and effectively. While wharves within the Hauraki Gulf are controlled by other parts of the Plan, and the Auckland Regional Plan: Coastal, the connectivity and linkages section must be integrated with these provisions, and ensure that access to and from the wharves operates efficiently and effectively.

Principal issue

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

- How to ensure that the land transport system that provides for access to wharves within the islands operates effectively and efficiently.

13.2.3 Airstrips and helipads

The council owns and operates two airstrips on Great Barrier. The Plan acknowledges that air travel to Great Barrier is of increasing importance and that Claris airfield in particular plays a significant role in moving people and goods and helps enable the people and communities of Great Barrier to provide for their social and economic wellbeing.

The Plan also recognises the importance of air transport on Waiheke Island serving domestic, commercial and tourism interest. The airfield located at Carsons Road, Waiheke Island is identified on the planning maps.

There are also smaller airstrips and helipads in the islands. Some of these airstrips and helipads provide access to remote locations, or are used in the landform land units for farming operations.

While most visitors and residents access the inner gulf islands through the ferry services, in recent years there has been an increasing demand for tourist and private access via air travel, often helicopter. These sites are often easily accessed by other modes of transport, however, air travel can offer even greater convenience and accessibility. This has led to a proliferation of helipads, particularly in the rural land units, and concerns about the impact on amenity values. Air travel has different effects to land based transport, particularly noise.

Principal issues

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

1. How to provide for the effective and efficient operation of airfields used for passenger transport purposes so they can serve the wider community, both now and in the future.
2. How to provide for continued private air access to remote locations.
3. How to ensure that the adverse effects of air travel are mitigated or avoided, where necessary.
4. How to balance the increasing demand for private and commercial air travel to, from and around the gulf islands, whilst protecting amenity values.

13.2.4 Roading

The road network caters for passenger transport, private vehicles, cyclists, pedestrians and recreational pursuits such as horse riding. It is used for access to shopping, employment, education, entertainment, recreation and to access the wharves and airfields that provide for entry and exit to and from the islands. Therefore, it is a very important physical resource. While the quality of the road network is variable it still represents a significant physical resource that must be sustainably managed.

The construction of new roads may give rise to adverse effects, such as sediment runoff from earthworks, stormwater runoff and vegetation removal. The council needs to consider how the construction of new roads will be managed to ensure that the adverse effects are adequately mitigated.

The Plan acknowledges that there are many unformed legal roads, especially on Great Barrier. Many of these unformed legal roads are unlikely to be constructed due to a variety of factors, such as their location, geography and demand. The council must therefore consider how these are addressed in the future.

Principal issues

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

1. How to maintain accessibility and mobility while appropriately managing the traffic effects.
2. How to manage the construction effects of new roads.
3. How to manage the unformed legal roads throughout the islands.

13.2.5 Parking and access

The provision and management of parking, loading and on-site circulation plays a significant role in the ability of people to safely and efficiently access land use activities for work, recreation, shopping and business. It directly impacts on the use of private motor vehicles and cycles as a primary mode of transport for these activities. Adverse effects can occur when the demand for parking for an activity exceeds that provided on-site and there is an overspill of parking on the adjacent roadside. The safe and efficient use and capacity of the road can be adversely affected by parked or manoeuvring vehicles, while the amenity of an area can also be adversely affected by on-street parking. To avoid or reduce these effects, the Plan ensures that adequate loading spaces are provided for all activities. However, the council is mindful that on-site parking can generate adverse effects such as vegetation modification and removal, increased impervious surface areas, reduced private open space, reduced wastewater disposal areas, increased earthworks and sediment runoff. An oversupply of parking can also encourage reliance on private vehicle trips when viable alternative modes of transport are available.

Unrestricted vehicle access to properties located near intersections, or on busy roads with an important through traffic function can adversely affect the efficient functioning of the road network, and give rise to safety issues. Also, many sites on the islands are steep and well vegetated, which can make access difficult. Development of accessways can give rise to adverse effects, such as vegetation removal, earthworks and sediment runoff, and stormwater runoff. Given the need for on-site wastewater disposal and the rural nature of large parts of the islands, the site sizes are relatively large. Dwellings are often located considerable distance from the road, either to maximise views, access to sunlight, or achieve appropriate building platforms which in turn means that accessways are long. It is therefore necessary for council to control accessways to ensure appropriate access is provided, without giving rise to adverse environmental effects.

Principal issues

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

1. How to ensure that parking, where provided, and loading spaces are provided so that amenity, accessibility and the efficient operation of the transport network is maintained, while not giving rise to adverse effects.
2. How to ensure that access to sites does not cause significant adverse effects and that it is not left unrestricted at inappropriate locations.

13.2.6 Cycling, walking and horse riding

The council recognises the important contribution that cycling and walking can make to managing travel demand through its Cycling and Walking Strategy 1998. However, in the islands the sealed carriageway of many roads is not sufficiently wide for safe cycling, and cycling facilities are only provided for in limited locations. For pedestrians, only parts of the islands have footpaths.

The Council also recognises recreational cycling, walking and horse riding are an important form of recreation.

Principal issues

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

1. How to encourage a safe and efficient pedestrian and cycle network in the islands.

2. How to ensure that adequate provision is made for bicycle facilities so that cycling is appropriately recognised and provided for.

13.2.7 Passenger transport

Passenger transport is the principal means of access to the islands from the mainland. It is also an important method of transport around the islands. Existing bus services on Waiheke link with the ferry service. With car travel putting pressure on the existing road network it is important that the Plan integrates land use planning with transport and provides for the efficient and effective operation of passenger transport.

Principal issue

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

- How to ensure that the importance of passenger transport is recognised in the Plan and its use encouraged throughout the islands.

13.3 Resource management objectives and policies

13.3.1 Objective - wharves

To sustainably manage the use and development of the islands' wharves and associated infrastructure, while protecting the character and amenity values of the islands.

Policies

1. By recognising and providing for wharves and associated infrastructure at appropriate locations.
2. By integrating the land transport network with wharves to ensure accessibility to and from the islands is maintained and enhanced.
3. By ensuring that passenger transport is integrated with wharves, where those wharves have a passenger transport focus.

13.3.2 Objective - airstrips and helipads

To sustainably manage the use of the islands' airstrips and helipads and associated infrastructure, while protecting the character and amenity values of the islands.

Policies

1. By recognising and providing for the use and development of airstrips used for passenger and goods transport purposes and their associated infrastructure at appropriate locations.
2. By avoiding the location of activities sensitive to aircraft noise within the Claris and Okiwi airfield noise contours, unless the adverse effects can be adequately mitigated. At the airfield on Waiheke, adverse effects to the north of the airfield are managed by controlling the number of flight movements.
3. By recognising the need for helipads in remote locations, which may be difficult to access by other modes of transport.
4. By recognising that airstrips or helipads may be required for farming activities in the landform and rural land units.
5. By acknowledging that the gulf islands are a popular tourist destination and that air travel to, from and around the gulf islands is a recognised component of the tourist industry.
6. By not providing for helipads in locations that can adversely affect the amenity of surrounding residents.

13.3.3 Objective - roading

To recognise and provide for the existing road system as an important resource for an integrated transport network, while managing it to ensure the adverse effects on the surrounding environment are minimised.

Policies

1. By providing for and enhancing the road network to ensure it is safe, effective and efficient for vehicles, cyclists and pedestrians.
2. By reducing conflicts between vehicles, pedestrians and cyclists around key community focal points, such as wharves, commercial centres, schools and other public facilities.
3. By requiring a low impact design approach for new roads.
4. By continuing the council's programme for legalising roads.
5. By adopting and applying a functional road classification to roads on Waiheke to control access at specified locations.
6. By discouraging traffic generating activities in environments where they would have significant adverse effects.

13.3.4 Objectives - parking and access

13.3.4.1 Objective

To ensure the impact of activities on the safety and efficiency of the road network is addressed while avoiding adverse effects on the environment.

Policies

1. [Deleted]
2. By ensuring that there is not an oversupply of on-site parking, which can encourage traffic generation and result in unnecessary on-site modification.
3. By encouraging travel management plans to reduce the adverse effects of travel from new development.
4. By placing an upper limit on the number of on-site parking spaces which can be provided as of right to avoid the adverse effects associated with oversupply.

13.3.4.2 Objective

To ensure access to sites is provided at appropriate locations, while avoiding or mitigating adverse effects.

Policies

1. By controlling access at specific locations to ensure vehicle, pedestrian and cycle safety.
2. By controlling access gradients to avoid adverse environmental effects, such as sediment and stormwater runoff, safety, vegetation removal, stability and visual and amenity impacts.
3. By requiring a low impact design approach for accessways.
4. By requiring roadside parking platforms where parking is provided rather than accessways where access may give rise to significant adverse environmental effects.
5. By encouraging stable gradients for on-site accessways, and for the land on the adjacent road, to reduce erosion and sedimentation of waterways and the coastal environment.
6. By encouraging shared driveways where possible.

7. By acknowledging that all terrain vehicles can provide adequate access without needing to comply with access gradients.

13.3.5 Objectives - cycling, walking and horse riding

1. To improve cycling and pedestrian access to key community focal points such as residential areas, wharves, commercial centres, schools, and other public facilities.
2. To enhance the opportunities for recreational cycling, walking and horse riding.

Policies

1. By recognising that the road network must provide for pedestrians and cyclists as well as vehicles.
2. By encouraging the establishment of cycle facilities and cycleways, especially around key community focal points and public facilities.
3. By providing for the safe and efficient movement of pedestrians, especially around key community focal points and public facilities.
4. By considering cycling and walking issues and bridle paths when assessing subdivision applications.
5. By recognising and providing for recreational cycling, walking and horse riding.

13.3.6 Objective - passenger transport

To recognise and provide for passenger transport to, from and around the islands.

Policies

1. By continuing to improve passenger transport facilities.
2. By providing passenger transport facilities that integrate all transport modes.
3. By giving priority to public passenger transport where appropriate.
4. By working with transport providers and authorities to encourage greater connectivity between public passenger transport routes.

13.4 Resource management strategy

13.4.1 Context

This part of the Plan focuses on matters that are within the domain of resource management. The measures adopted within this part of the Plan need to complement and help give effect to the relevant regional plans and strategies, as well as the council's transport strategy - Connecting People and Places, and the Gulf Transport Strategy. In accordance with these other plans and strategies, the Plan adopts measures that integrate planning, transport and the environment, improve energy efficiency and accessibility and encourage a multi modal approach to transport.

13.4.2 Wharves

The commercial 7 (wharf) and Matiatia land units provide the relevant land use provisions for the land behind the wharves throughout the islands. As wharves are a vital component of the transport infrastructure it is important that this part of the Plan is consistent and integrated with the relevant provisions that control wharves elsewhere within the Plan.

13.4.3 Airstrips and helipads

The council has included within the Plan designations for the commercial airfields on Great Barrier. It may also investigate identifying appropriate sites for helipads on inner islands such as Rakino that do not have regular ferry services. This will provide for their ongoing

operational and future development requirements and ensure they are appropriately recognised and provided for in the Plan. Private helipads and airstrips may also be necessary in some remote locations where access cannot easily be obtained by conventional means. However, the Plan restricts helipads in areas that are easily accessible by more conventional means of transport, and where there is the potential to adversely affect amenity values. The Plan also acknowledges that helicopters and aeroplanes can be important for pastoral farming and horticultural activities and that air travel is a recognised component of the tourism industry.

13.4.4 **Roading**

While the roading network is of variable quality it is a significant resource that needs to be managed in an efficient and effective manner to ensure good accessibility. To achieve sustainable management of this resource a roading hierarchy has been developed to recognise each road's function. The provisions associated with the roading hierarchy will only apply to Waiheke.

The hierarchy comprises primary, secondary and local roads. The classification of the roads determines their management. The higher the classification the more priority is given to the movement of through traffic and, conversely, the lower the classification more priority is given to local access. The higher order roads can be expected to cater for higher traffic flows.

The road classification is as follows:

1. **Primary roads**

These carry the major traffic volumes through the islands.

2. **Secondary roads**

These roads collect traffic from local roads and distribute traffic from primary roads.

3. **Local roads**

The main function of local roads is to give access to adjacent land uses and they have limited through traffic.

All primary, secondary and local roads on Waiheke are identified as such on the planning maps.

The main outcome of the road classification is that it will provide the basis for rules controlling access to be applied to nearby land use activities. This will control the adverse effects of those activities on the safe and efficient operation of the road network.

For new road construction, a low impact design approach will be considered as outlined in the ARC Technical Publication 124 Low Impact Design Manual for the Auckland Region 2000.

13.4.5 **Parking and access**

Given the adverse effects of high numbers of private vehicle trips on parts of the road network and surrounding environment, the council seeks to reduce reliance on these trips and encourage alternative modes of transport wherever possible (eg passenger transport, cycling, walking). Because travel distances are considerable on some of the islands and alternative modes are not always available or viable, there will continue to be a certain level of reliance on private vehicle trips. Where activities can practicably be accessed using alternative modes of transport, however, the need for on-site car parking reduces. In these circumstances an oversupply of on-site parking is wasteful of land resources, can adversely affect amenity values and may only encourage continued reliance on private vehicle trips when viable alternatives are available.

Depending on their scale and location, parking areas can have adverse effects on the local environment in terms of increased traffic congestion, delays, decreased safety, noise and visual intrusion. For that reason limits have been placed on the scale of carparks provided for as permitted activities, with the individual effects of larger scale parking areas required to be assessed in terms of the adjoining road network, safety, and amenity values.

Again, the council seeks to reduce reliance on private vehicle trips and encourage alternative modes of transport wherever possible. An oversupply of on-site parking may only encourage continued reliance on private vehicle trips when viable alternatives are available.

The steepness of site access will be controlled, and where access causes significant adverse effects the council may require a roadside parking platform instead of an accessway. Alternatively, the Plan enables access with quad bikes, or similar vehicles, that does not comply with the access gradients. Access will also be controlled where any primary road intersects another primary road or a secondary road. Vehicle access from the carriageway to the property boundary (apart from the defined road boundary on Waiheke) is also controlled through council's vehicle crossing permits (or equivalent) and the relevant engineering standards at that time. However, as with on-site access the policy framework encourages stable access gradients both on and off site.

The council acknowledges that some sites in the gulf islands have problems with access. Where this occurs the council will work with property owners to resolve those access issues.

13.4.6 Cycling and walking

Accessibility means access to different transport options as well as access to destinations. It is important that the Plan considers cycling and pedestrian access to key community focal points such as residential areas, wharves, commercial centres, schools, and other public facilities. The policies require the council and applicants to consider cycling and walking issues in conjunction with subdivision. The importance of recreational cycling, walking and horse riding is also recognised.

13.4.7 Passenger transport

The Plan acknowledges that an integrated passenger transport system can reduce traffic congestion at key locations, increase efficiency and access to the islands and increase its attractiveness as a location. Although the council has limited control over the provision of the passenger transport system, the Plan's objectives and policies support its efficient and effective operation. The Plan also requires an assessment where larger parking areas (for over 25 vehicles) are proposed. As part of that assessment the council will consider opportunities for reducing the number of parking spaces. Excess parking can create unnecessary vehicle trips.

13.4.8 [Deleted]

13.4.9 Roles and responsibilities

The ARC has specific roles and responsibilities in relation to transport and the coastal marine area. This part of the Plan should, subject to the RMA, be consistent with the ARC's strategies, and give effect to the relevant statutory documents.

The Auckland Regional Transport Network Limited (ARTNL) is responsible for developing and maintaining certain aspects of ferry transport infrastructure in the Auckland region.

The Auckland Regional Transport Authority (ARTA) is responsible for the operational planning of integrated road and passenger transport infrastructure and services for the region; the funding of Auckland transport projects and services including contracting of passenger transport services; and implementing operational plans through the regional land transport programme.

13.4.10 Construction, maintenance and upgrade of the existing road network

Rules relating to the construction, maintenance and upgrade of the existing road network are contained within [part 5 - Network utility services](#).

13.5 Rules - notification requirements

Within this part of the Plan, except as provided for by section 95A(4) of the RMA, applications for a resource consent for restricted discretionary activities 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).

13.6 Rules - site access

13.6.1 Vehicle access - gradient

The following is a permitted activity:

- Any accessway no steeper than 1 in 6.

The following is a restricted discretionary activity:

- Any accessway steeper than 1 in 6.

Exception

An accessway may be steeper than 1 in 6 as a permitted activity when:

1. It is an accessway for quad bikes or similar; and
2. It is provided from a parking platform on the roadside to the dwelling.

Note: Where the above exception does not apply the normal site access controls outlined in rule 13.6.1 do apply.

Matters of discretion

When considering an application for any accessway steeper than 1 in 6, the council has restricted its discretion to considering the following matters:

- Whether a low impact design approach has been used.
- Whether construction of the accessway requires the modification or removal of protected vegetation.
- Whether there are any earthworks required for establishment of the accessway and any subsequent sediment runoff.
- The extent to which stormwater runoff can be avoided, or mitigated.

- Whether there are adverse visual and amenity issues associated with the accessway.
- Whether the materials used give rise to reflectivity issues.
- Whether the accessway gives rise to geotechnical or stability issues.
- Whether the accessway gives rise to any safety issues.
- Whether the location and design of the proposed access to the site gives rise to traffic or pedestrian safety considerations.

Where the adverse effects associated with establishing access to a site are significant, the council may as part of any resource consent process, require the applicant to provide a roadside parking platform where parking is proposed or loading spaces are required rather than an accessway.

Notification requirements

For notification requirements, refer [clause 13.5](#).

13.6.2

Vehicle access near intersections - defined road boundary

Construction of any vehicle access across the 'defined road boundary' as described below, and as shown on [figure 13.1: Defined road boundary](#), is a restricted discretionary activity. This rule applies to:

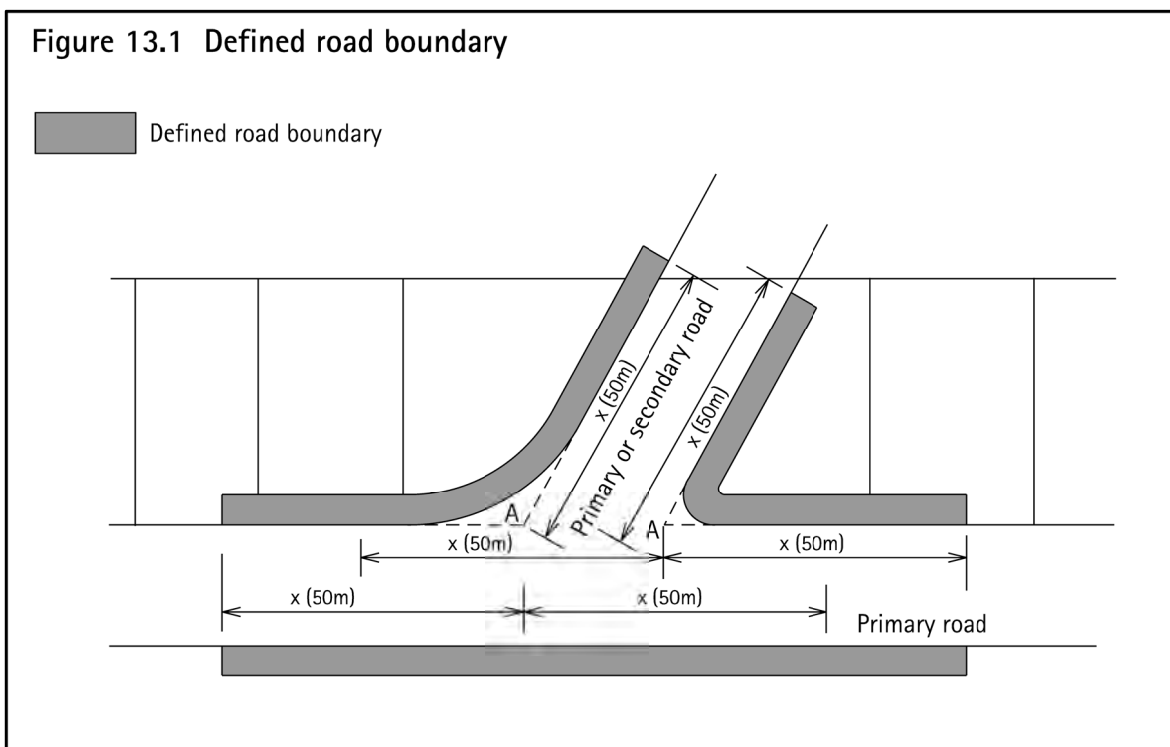
1. Any access from a primary road boundary, which is within 50m of an intersection with any other primary road boundary. Refer to figure 13.1.
2. Any access from a primary road boundary, which is within 50m of an intersection with any secondary road boundary. Refer to figure 13.1.
3. Any access from a road boundary opposite any of the above road boundaries.

Note: The above distances will be measured as illustrated by figure 13.1.

Matters of discretion

When considering an application to construct a vehicle access across the 'defined road boundary', the council has restricted its discretion to the following matters:

- The extent to which there are existing traffic problems on adjacent roads.
- Whether the access is likely to cause traffic congestion and/or conflict between pedestrian, cyclists and vehicles.



- Whether the location of the access will allow for adequate sight distances, or exacerbate present congestion and traffic safety problems caused by ingress and egress of vehicles.
- Whether the accessway will be sufficiently separated from pedestrian and cycle access to ensure safety of pedestrians and cyclists.

Note: Vehicle crossing permits will also be required from council for vehicle crossings between the carriageway and the property boundary.

Notification requirements

For notification requirements, refer [clause 13.5](#).

13.7 Rules - parking and loading

13.7.1 Provision of parking and loading spaces

The following is a restricted discretionary activity:

Any activity that does not comply with the parking and loading rules.

Note: Where parking is provided, parking spaces are to be provided for people with disabilities and accessible routes from the parking spaces to the associated activity or road as required by the New Zealand Building Code D1/AS1. The dimensions and accessible route requirements are detailed in the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility - Buildings and Associated Facilities (NZS:4121-2001).

13.7.2 [Deleted]

13.7.3 Number of loading spaces to be provided

With the exception of service stations and truck stops, every owner or occupier who constructs, substantially reconstructs, or adds to any building in the commercial 1-7 or Matiatia land units, or any activity elsewhere which generates delivery trips by heavy vehicles, must provide off-road loading spaces in accordance with [table 13.2: Number of loading spaces to be provided](#).

For the purposes of this rule, truck stops are stand alone facilities for the refuelling of heavy vehicles. It excludes facilities for the retail sale or hire of any goods, or for the mechanical repair and servicing of motor vehicles.

Table 13.2: Number of loading spaces required

1. Industry, wineries and retail premises	
Gross floor area of activity	Number of on-site loading spaces to be provided
0 - 5,000m ²	1 space
5,001 - 10,000m ²	2 spaces
Over 10,000m ²	2 spaces plus 1 space for every additional 5,000m ² of gross floor area
2. Offices, visitor accommodation, healthcare services and other activities not mentioned in (1) above	
Gross floor area of activity	Number of on-site loading spaces to be provided
0 - 20,000m ²	1 space
20,001 - 50,000m ²	2 spaces
Over 50,000m ²	2 spaces plus 1 space for every additional 25,000m ² of gross floor area
3. Service stations and truck stops	
No loading space is required where it can be demonstrated that there is adequate space on the forecourt of the service station or truck stop for loading activities to take place without adversely affecting vehicle manoeuvring on the site.	

13.7.4 Assessment and formation of parking and loading areas

All parking and loading spaces, apart from parking that services a single dwelling on a site, must comply with the following rules. Non-compliance with any of these rules is a restricted discretionary activity.

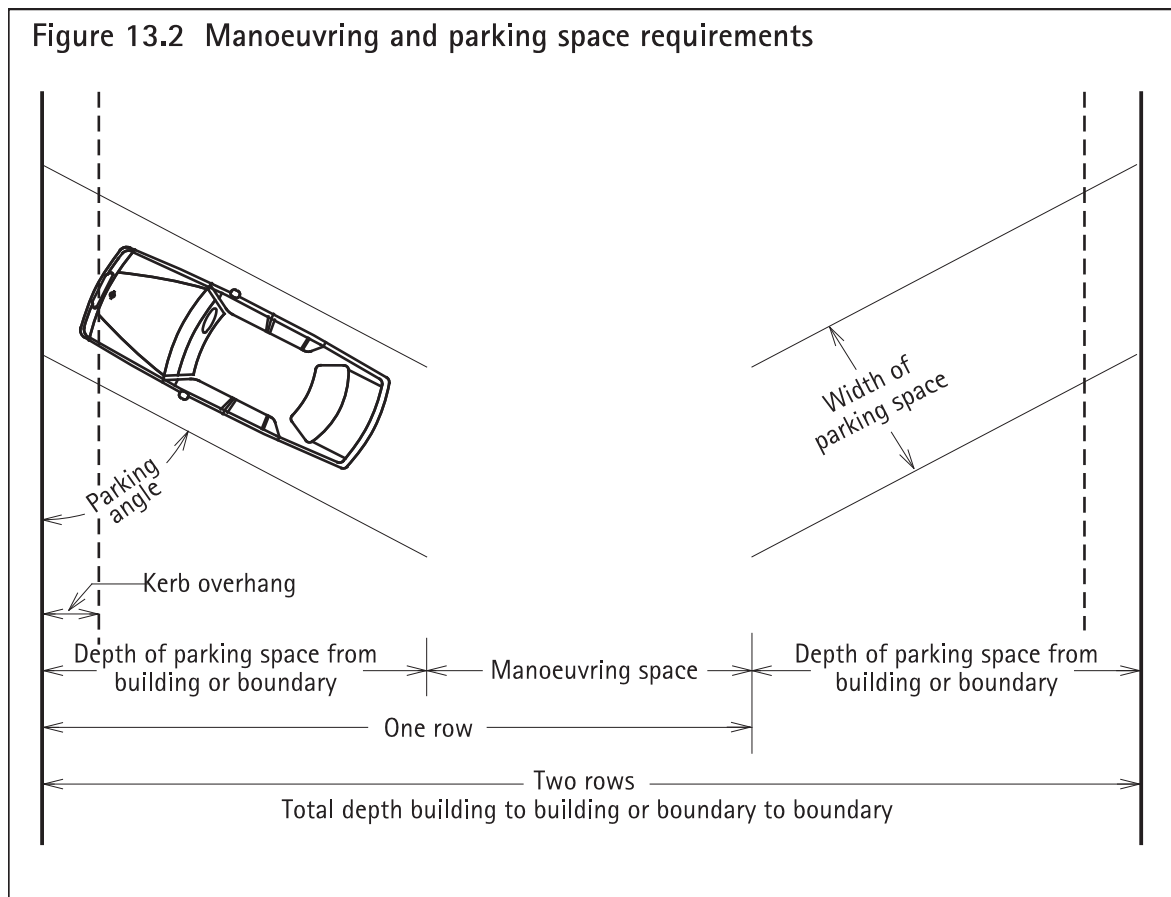
1. Fractional spaces

Where an assessment of the required loading standards results in a fractional space, any fraction under one half will be disregarded and any fraction of one half or more will be counted as one space.

2. Size of and access to parking and loading spaces

Every parking and loading space must:

- a. Comply with the dimensions in [figure 13.2: Manoeuvring and parking space requirements](#), [table 13.3 Dimensions for manoeuvring and parking spaces](#) and [figure 13.3: Preferred design envelope around parked vehicle](#). Parking spaces that comply with the preferred design envelope of figure 13.3 are considered to comply with the requirements of figure 13.2 and table 13.3.
- b. Provide parking spaces of larger dimensions than those specified in (a) above for use by disabled persons. Parking spaces which meet the requirements of NZS 4121:2001 Design Access and Mobility: Buildings and Associated Facilities will be considered to meet this requirement.
- c. Be provided with such access drives and aisles as are necessary for ingress and egress of vehicles to and from the road, and for the manoeuvring of vehicles within the site. In determining the extent of area required for manoeuvring space, the council will be guided by [figure 13.4: 90 percentile car tracking curves](#) and [figure 13.5: 90 percentile truck tracking curves](#).
In applying the tracking curves:



- The clearances identified in figures 13.4 and 13.5 must be maintained between the vehicle tracking area curve and any fixed object.
 - For public and customer carparking, the 90 percentile tracking curves will apply.
- d. Be located on the same site as the activity to which it relates, be available at all times and have adequate useable access to that activity or building. Each loading space must be adjacent to an adequate area for goods handling and must be convenient to any service area.
- 3. Formation of parking and loading spaces**
The whole of the parking and loading space or spaces, access drives, manoeuvring areas and aisles must, before the commencement of the activity to which those parking and loading spaces relate, and for as long as that activity is continued, be formed, provided with an all weather surface, drained, marked out or delineated, and maintained.
- 4. Availability of parking and loading spaces**
Parking areas must be kept clear and available at all times, free of charge and impediment, for vehicles used in conjunction with the particular activity to which the parking spaces relate on the site, and must not be used for the deposit or storage of any goods or materials or for any other purpose.
- 5. Screening of spaces**
Screening must be provided where four or more outdoor parking spaces provided on a site are adjacent to or visible from land which is in the island residential or open space land units or in a settlement area. The spaces must be screened from the land in the island residential or open space land units or settlement areas by:
- a. A solid wall or fence not less than 1.8m in height, built of concrete, brick, stone, timber or other solid material, or;
 - b. Densely planted indigenous vegetation which is capable of reaching a minimum height of 1.8m and will screen the parking spaces throughout the year.
- 6. Kerbs**
Where a parking or manoeuvring area on Waiheke is adjacent to a road, then a kerb or similar barrier, not less than 150mm high and at least 600mm from the road boundary, must be provided on those parts of the frontage not used for vehicular access.

Table 13.3: Dimensions for manoeuvring and parking spaces

All dimensions are in metres

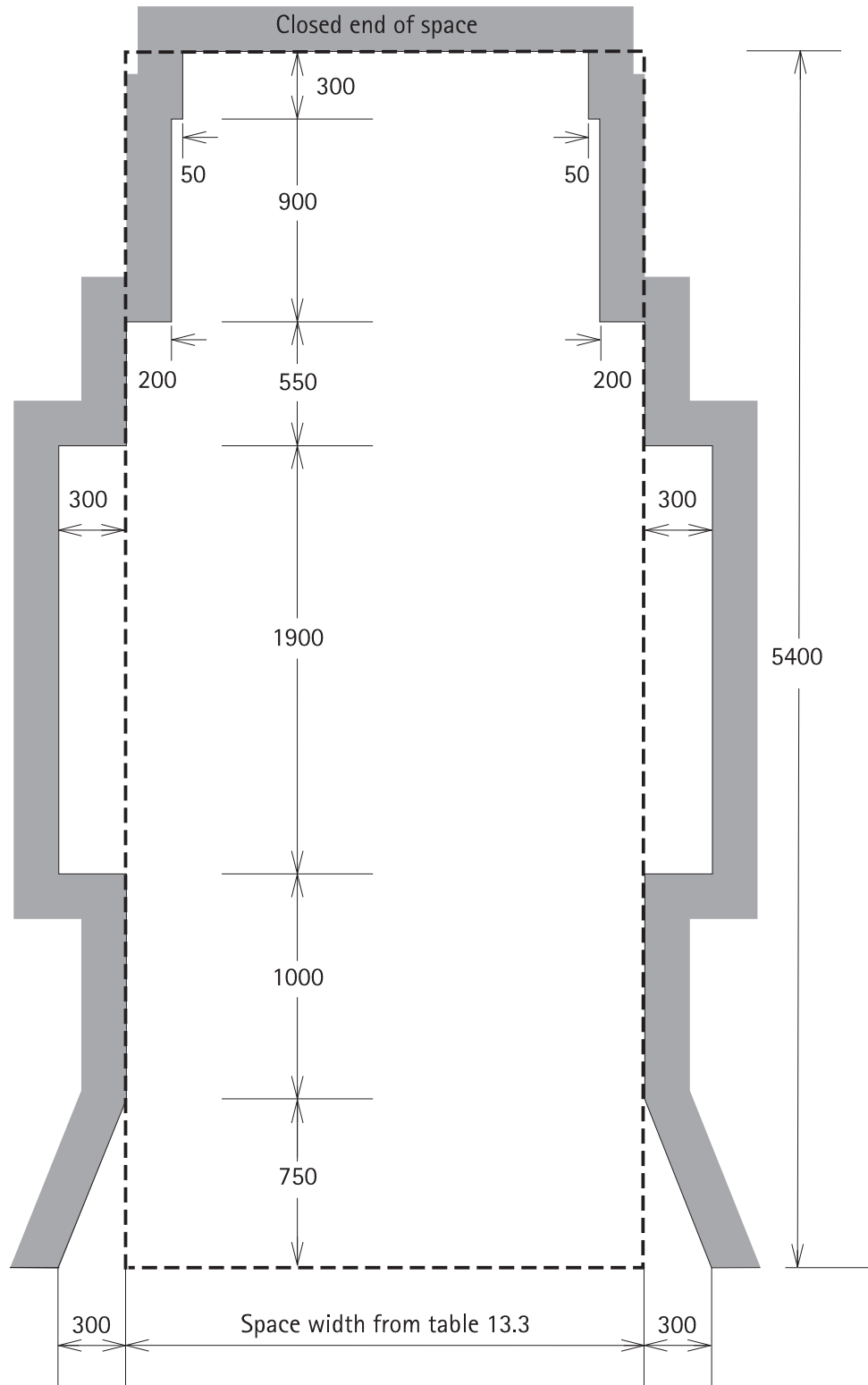
Parking angle	Width of parking space	Kerb overhang	Depth of parking space	Manoeuvring space	Total depth one row	Total depth two rows
90°	2.5	1.0	4.9	8.1	13	17.9
	2.6	1.0	4.9	7.1	12	16.9
	2.7	1.0	4.9	6.7	11.6	16.5
	≥2.75	1.0	4.9	6.6	11.5	16.4
75°	2.4	1.0	5.2	6.5	11.7	16.9
	2.5	1.0	5.2	6.0	11.2	16.4
	2.6	1.0	5.2	5.7	10.9	16.1
	2.7	1.0	5.2	5.0	10.2	15.4
	≥2.75	1.0	5.2	4.3	9.5	14.7

Parking angle	Width of parking space	Kerb overhang	Depth of parking space	Manoeuvring space	Total depth one row	Total depth two rows
60°	2.4	1.0	5.2	4.6	9.8	15.0
	2.5	1.0	5.2	4.1	9.3	14.5
	2.6	1.0	5.2	3.5	8.7	13.9
	2.7	1.0	5.2	3.3	8.5	13.7
	≥2.75	1.0	5.2	3.2	8.4	13.6
45°	2.4	0.8	4.9	2.9	7.8	12.7
	2.5	0.8	4.9	2.7	7.6	12.5
	2.6	0.8	4.9	2.5	7.4	12.3
	2.7	0.8	4.9	2.4	7.3	12.2
	≥2.75	0.8	4.9	2.3	7.2	12.1
30°	2.4	0.6	4.0	2.4	6.4	10.4
	2.5	0.6	4.0	2.4	6.4	10.4
	2.6	0.6	4.0	2.4	6.4	10.4
	2.7	0.6	4.0	2.3	6.3	10.3
	≥2.75	0.6	4.0	2.3	6.3	10.3
Parallel	5.9	0.4	2.5	3.6	6.1	8.6
	6.1	0.4	2.5	3.3	5.8	8.3
	6.3	0.4	2.5	3.0	5.5	8.0

Notes:

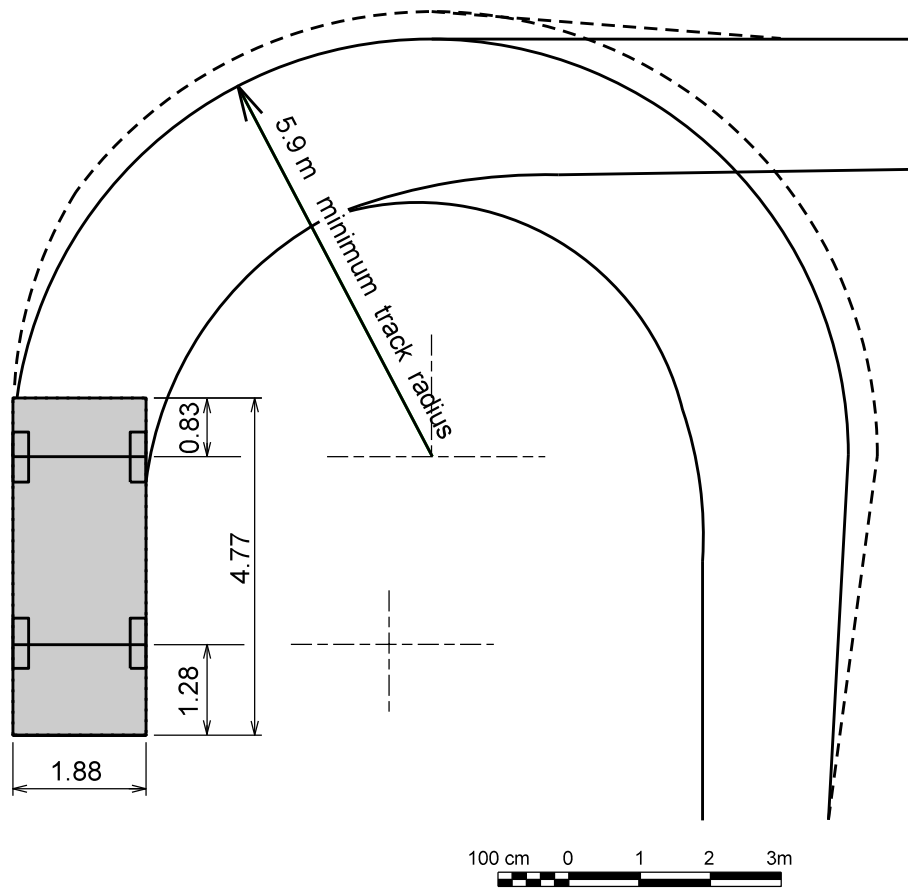
1. This table should be used in conjunction with [figure 13.2: Manoeuvring and parking space requirements](#).
2. Minimum aisle widths are 3.5m for a one-way aisle, and 5.5m for a two-way aisle. Where an aisle serves more than 50 spaces, it should be designed as a circulation route in which case the minimum width for a two-way aisle increased to 6.5m.
3. Stall widths must be increased by 0.3m where they abut obstructions such as columns or walls.
4. All overhang areas must be kept clear of objects greater than 150mm in height.
5. Where parallel end spaces have direct access through the end of the stall the length of the stall may be reduced to 5.4m.
6. One-way traffic is assumed for angle spaces.
7. Parking spaces must have a height of at least 2.3m over the full area of the space, except where special provision is made to divert overheight vehicles, in which case the minimum height may be reduced to 2.1m.
8. Parking spaces that comply with the preferred design envelope of [figure 13.3](#) are considered to comply with the parking spaces dimensions in [table 13.3](#).

Figure 13.3 Preferred design envelope around parked vehicle



Note: Not to scale
 Dimensions in millimetres
 The preferred design envelope provides for structural elements (such as columns, walls and other obstructions) to be clear of all four side doors but the standard provides for the opening of the front door only (when nose in)

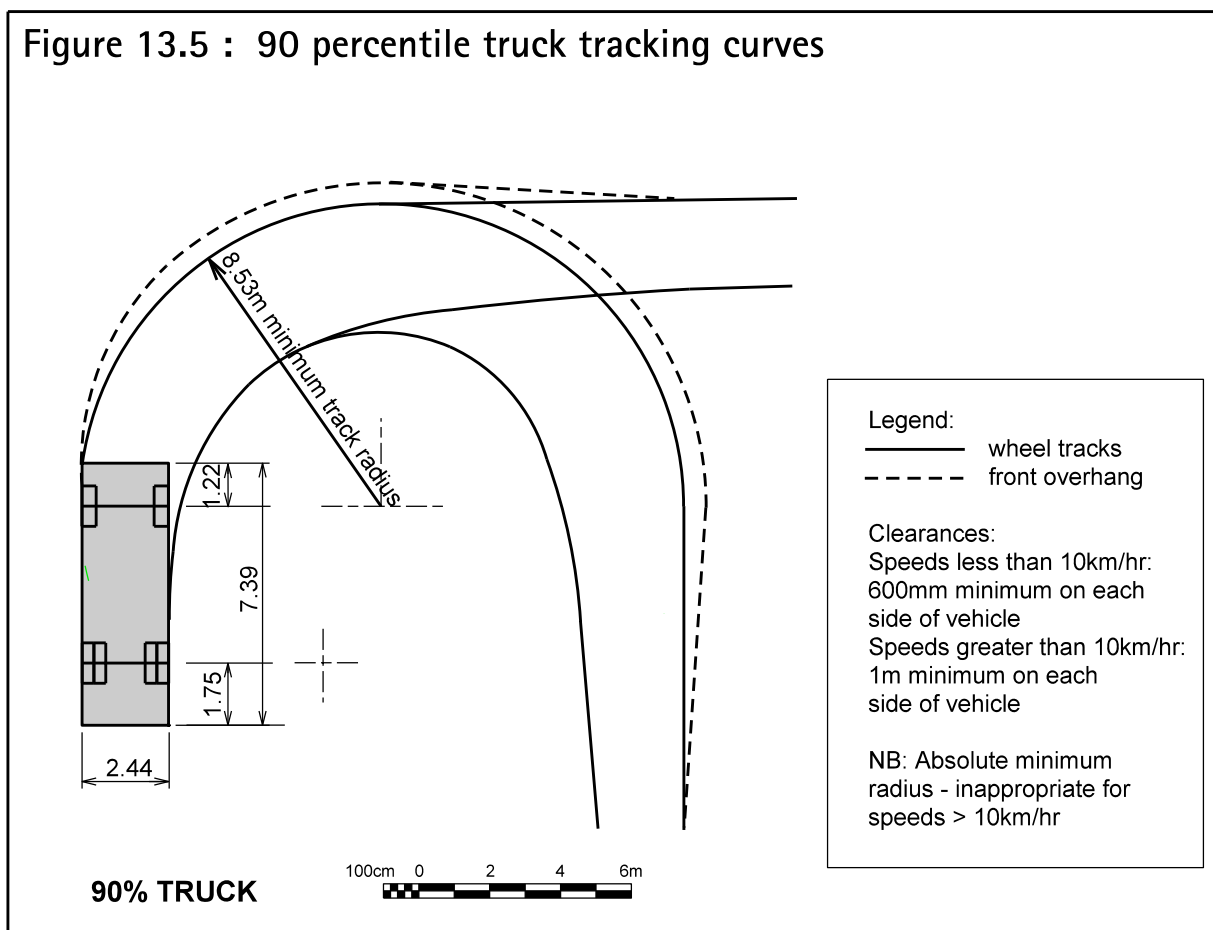
Figure 13.4 : 90 percentile car tracking curves



Legend
 ——— Wheel tracks
 - - - - - Front overhang

Clearances:
 Speeds less than 10km/hr: 300mm minimum on each side of vehicle.
 Speeds greater than 10km/hr: 600mm minimum on each side of vehicle.
 NB: Absolute minimum radius - inappropriate for speeds > 10km/hr.

Figure 13.5 : 90 percentile truck tracking curves



13.7.5 Matters of discretion for a reduction in loading spaces

When considering an application to reduce the number of loading spaces, the council has restricted its discretion to considering the following matters:

- The effects of constructing the loading spaces for which a reduction is sought - including any requirements for earthworks, vegetation clearance, or other modification of natural features.
- The likely demand for the loading spaces.
- The physical practicality of providing the required loading spaces, including any effect on the ability to provide on-site effluent disposal.
- The availability of alternative loading spaces in the vicinity.
- Any opportunities for sharing loading spaces with other users.

Assessment criteria

The council's assessment of an application for a reduction in loading spaces will consider the following matters:

1. [Deleted]

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2. Whether provision of the required number of loading spaces would necessitate the removal or modification of significant vegetation or other significant natural features on the site and/or require substantial earthworks having the potential for adverse land stability, visual and landscape, and sediment runoff effects.
3. [Deleted]
4. Whether a demonstrably less than normal demand for loading will be generated by the proposal - eg due to specific business practice, operating method (including the provision of dedicated transport to/from the site by the operator), type of customer.
5. Whether provision of the required number of loading spaces would compromise the ability to provide adequate on-site effluent disposal due to the impervious surface required.
6. Whether or not it is physically practicable to provide the required number of loading spaces on site in terms of the existing location of buildings, availability of access to the road, and other similar matters.
7. [Deleted]
8. Whether there is an accessible and adequate on-road loading space in close proximity or the ability to create such a loading space.
9. Whether other activities on the same or nearby sites operate at different times and can share loading spaces. In such a situation the council will require a legal agreement between the applicant and owner of the site(s) confirming such an arrangement.

Notification requirements

For notification requirements, refer [clause 13.5](#).

13.8 Rules - helipads and airstrips

13.8.1 Permitted activities

1. Helicopters or aircraft involved in emergency, police or rescue operations.
2. The existing Claris and Okiwi airstrips.
3. Landing areas in landforms 1 (coastal cliffs), 3 (alluvial flats), 5 (productive land), 6 (regenerating slopes) and 7 (forest and bush areas) where they are used for pastoral farming or horticultural purposes.
4. Any helicopter take-off or landing for the purposes of providing access to coastal fishing locations (excluding Waiheke Island) provided that:
 - a. the helicopter is at all times more than 1000m from any dwelling; and
 - b. there are no more than three inward and three outward movements in a seven day period.
5. Any helicopter take-off or landing for the purposes of providing access for the incidental maintenance of network utilities provided that there are no more than three inward and three outward movements in a seven day period.

13.8.2 Restricted Discretionary activities

Helipads and airstrips, (other than those permitted in rule 13.8.1) where:

1. There is no more than one helipad or airstrip per Site or for Pakatoa and Rotoroa Islands, there is no more than one helipad or airstrip per island;
2. The noise emissions from use of the airstrip comply with the following noise limits measured at or within the notional boundary of any noise sensitive activity (not on the same site):
 - a. Ldn 50dBA (3 day rolling average - where, as each new consecutive day is included in the calculated average, the last day of the period is deleted)
3. The noise emissions from use of the helipad comply with the following noise limits measured at or within the notional boundary of any noise sensitive activity (not on the same site):
 - a. Ldn 50dBA

Matters for discretion

When considering an application to establish a helipad or airstrip, the council has restricted its discretion to the following matters:

- Noise effects
- The visual effect of any earthworks or retaining structures required to establish a helipad or airstrip.

Note: other land use consents may be required under [part 10c](#).

Assessment Criteria

When considering the above matters of discretion, the council will have regard to the following assessment criteria:

1. The effects of noise received at or within the notional boundary of the noise sensitive activities;
2. The cumulative noise levels received at or within the notional boundary of any noise sensitive activity generated by use of the proposed helipad or airstrip along with any other consented or permitted landing area;
3. The adverse visual or amenity effects resulting from the type and size of the facility to be provided.
4. Whether the noise generated by use of the proposed helipad or airstrip can be adequately mitigated so as not to give rise to adverse noise and amenity effects, including appropriate controls over:
 - the type of helicopter(s)
 - the flight procedure, (flight track / path, ground idling, hovering)
 - the hours of operation and frequency of movements
 - the location of helipad or airstrip.
5. Proposed consent conditions which provide for recording, monitoring, reporting and review.

All helicopter noise shall be measured and assessed in accordance with NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.

For the purpose of [rule 13.8](#), the definition of notional boundary in [part 14](#) is extended to include any building used for a noise sensitive activity and is not limited to dwellings.

Notification requirements

For notification requirements, refer [clause 13.5](#).

13.8.3 Discretionary activities

Any helipad or airstrip that does not comply with rules [13.8.1](#) or [13.8.2](#).

13.8.4 Assessment criteria for discretionary activities

The council's assessment of an application for a airstrip as a discretionary activity will include consideration of the matters set out in [13.8.2](#) and the following matters:

1. The extent to which the airnoise boundary meets or exceeds the recommended noise control criteria of table 1 of NZS 6805:1992 Airport Noise Management and Land Use Planning.
2. The tourism benefits that may accrue from the airstrip.

The council's assessment of an application for a helipad as a discretionary activity will include consideration of the matters set out in [13.8.2](#) and the following matters:

1. The extent to which the helinoise boundary meets or exceeds the limits of acceptability of Rule 13.8.2(3).
2. The tourism benefits that may accrue from the helipad.

Note: The council intends to investigate identifying a specific helipad site on Rakino. A time limit should therefore be considered for any resource consent that may be granted for a helipad on Rakino where this occurs prior to the council identifying a specific site.

Part 14

Definitions

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Annotations key

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


Underlined content to be inserted.


~~Struck through~~ content to be deleted.

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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14.1 Introduction

This part contains the following information:

- a list of abbreviations used in the Plan
- definitions of terms used in the Plan
- definitions from the RMA.

14.2 List of abbreviations used in the Plan

ARCAuckland Regional Council

AS/NZSJoint Australian and New Zealand Standard

DOCDepartment of Conservation

HGMPAHauraki Gulf Marine Park Act 2000

MHWSMean high water springs

NZSNew Zealand Standard

RMAResource Management Act 1991 and its amendments

14.3 Definitions of terms used in the Plan

Introduction

As well as the definitions below, there are additional specialist definitions in the following parts of the Plan:

- [part 6 - Financial contributions](#)
- [part 7 - Heritage](#)
- [part 9 - Hazardous facilities and contaminated land](#).

Definitions from the RMA are contained in [clause 14.4](#).

Definitions

Access lot	means a separate lot identified on a survey plan for the purpose of access. The lot may be jointly owned in shares by a number of users, or by a single owner. 'Access site' has a corresponding meaning.
Access strip	means a strip of land created by the registration of an easement in accordance with section 237B for the purpose of allowing public access to or along any river, or lake, or the coast, or to any esplanade reserve, esplanade strip, other reserve, or land owned by the local authority or by the Crown (but excluding all land held for a public work except land held, administered, or managed under the Conservation Act 1987 and the Acts named in Schedule 1 of the Act).
Accessory building	means either: <ol style="list-style-type: none"> 1. A building which is used in a way which is incidental to the use of another building or buildings on the site; or 2. A building which is used in a way which is incidental to a permitted activity on the site.
Accessway	means land providing vehicular access to a site or to a parking space. It includes any manoeuvring area associated with vehicle access.
Accommodation for care	means land or buildings used or designed to be used for residential accommodation by five or more people (exclusive of the manager and the manager's family) where live-in management, care and support are provided to the residents. This may include any of the following: <ul style="list-style-type: none"> • emergency housing, refuge centres, and halfway houses • accommodation for people who for mental or physical health reasons require management, care and support. <p>It does not include healthcare services.</p>
Accommodation for retired, elderly or disabled people	means a development which provides residential accommodation for retired, elderly or disabled people. The accommodation includes any of the following: <ol style="list-style-type: none"> 1. Shared accommodation, serviced apartments or small self contained dwellings (including bedsits). There may be some shared facilities such as kitchen and dining facilities, toilet and washing facilities. 2. A building or part of a building lawfully authorised and used as a rest home and providing accommodation and full-time care. Meals, nursing and other medical care may be provided. 3. A retirement village providing accommodation, recreation, welfare and medical facilities. <p>Any serviced apartments or dwellings must comply with one of the following:</p> <ul style="list-style-type: none"> • Be part of a development undertaken by a registered charity, society, or public body. • Be held together under one title. • Be held in unit titles under the Unit Titles Act 1972 and encumbered by an appropriate legal instrument which ensures that the use of the dwelling is confined to retired, elderly or disabled people.
Adjacent	means being near or close but not necessarily contiguous.
Ahi kaa	has the same meaning as 'mana whenua' (as in the RMA).
Airstrip	means land used for the take off and landing of aircraft used for commercial purposes. It does not include a helipad.
Allotment	has the same meaning as in the RMA.
Amenity values	has the same meaning as in the RMA.

Ancillary activities	<p>means an activity which meets all of the following:</p> <ol style="list-style-type: none"> 1. It is located on the same site as the primary activity which is permitted on that site. 2. It is incidental to the primary activity. 3. It serves a supportive function to the primary activity.
Annual exceedence probability	<p>means the chance that a particular event will occur in any given year. This may be expressed as a percentage or a ratio, eg 10% annual exceedence probability is the same as a 1 in 10 year return period for an event. This term generally relates to hazards and climatological events.</p>
Antenna	<p>means any telecommunication, radio-communication and broadcasting equipment (including a satellite dish) used for transmission or reception. It includes the antenna mounting. It does not include the supporting mast or structure.</p>
Art galleries and museums	<p>means land or buildings used for the display of artworks, historical or cultural collections to the public and includes sculpture parks. It may include the sale of these items.</p>
Biodiversity	<p>means the variability among living organisms from all sources including terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part. This includes diversity within species, between species and of ecosystems.</p> <p>Components include:</p> <ol style="list-style-type: none"> 1. Genetic diversity - the variability in the genetic makeup among individuals within a single species and those among individuals within a population. 2. Species diversity - the variety of species, whether wild or domesticated, within a particular geographical area. A species is a group of organisms which have evolved distinct inheritable features and occupy a unique geographic area. Species are usually unable to interbreed naturally with other species due to such factors as genetic divergence, different behaviour and biological needs and separate geographic location. 3. Ecological (ecosystem) diversity - the variety of ecosystem types (eg forests, deserts, grasslands, streams, lakes, wetlands and oceans) and their biological communities that interact with one another and their non-living environments.
Biosecurity	<p>means measures that protect the economy, the natural environment and people from exotic pests and diseases. It includes preventing new pest and diseases from arriving, and eradicating or controlling those already here.</p>
Boarding house or hostel	<p>means a building used or designed to be used for residential accommodation by five or more people, boarders or lodgers (not including the manager or person in charge of the building and their family). The accommodation provided includes any of the following:</p> <ul style="list-style-type: none"> • accommodation only • food and accommodation • accommodation and the use of communal food preparation, toilet and washing facilities. <p>It includes hostels for students or farm workers.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • premises which are licensed under the Sale of Liquor Act 1989 • camping facilities • dwellings (excluding the accommodation for the manager or person in charge) • homestays • visitors' accommodation • tourist complexes • accommodation for care.

Boarding kennels and catteries	means land or buildings used for the care of cats or dogs for commercial purposes, or by animal welfare agencies such as the SPCA (Society for the Prevention of Cruelty to Animals). It does not include the breeding or raising of cats or dogs for commercial purposes.
Boatshed	means an accessory building used exclusively for the construction, maintenance, or storage of boats or boating equipment.
Bridle paths	means a path or trail suitable for the purposes of riding and/or leading horses, which may also be suitable for use by pedestrians or cyclists.
Building	<p>means any structure or part of a structure. It also includes any fixed or moveable structure (including caravans) used for residential purposes, assembly or storage. It does not include any of the following:</p> <ul style="list-style-type: none"> • any deck or terrace, in whole or part, under 1m in height • fences or walls under 2m in height • retaining walls under 1m in height • pools under 1m in height • temporary tents or marquees • satellite dishes less than 1m in diameter • masts, poles or antennas, where these are less than 3m in height above the attachment point • pergolas with a permanently open roof • signs or billboards.
Building Code	means the New Zealand Building Code, which is the first schedule to the Building Regulations 1992.
Building coverage	<p>means the extent or proportion of the net site area which is covered by buildings or parts of buildings.</p> <p>It includes any of the following:</p> <ul style="list-style-type: none"> • any parts of the eaves, spouting or bay windows which project more than 1m measured horizontally from an exterior wall • overhanging and cantilevered parts of buildings. <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • pergolas with a permanently open roof • parking below ground level with landscaping above which includes soil of sufficient depth to allow drainage • earthen terracing • satellite dishes • tanks used for collecting and storing rainwater for reuse on the site. <p>Maximum building coverage may be defined as an area (such as in m²) or as a proportion (such as a percentage) of the net site area depending on the requirements of the Plan.</p>
Building footprint	means the area of ground covered by a single building.
Building line	means a line drawn on the planning maps to indicate the extent of a building restriction yard.



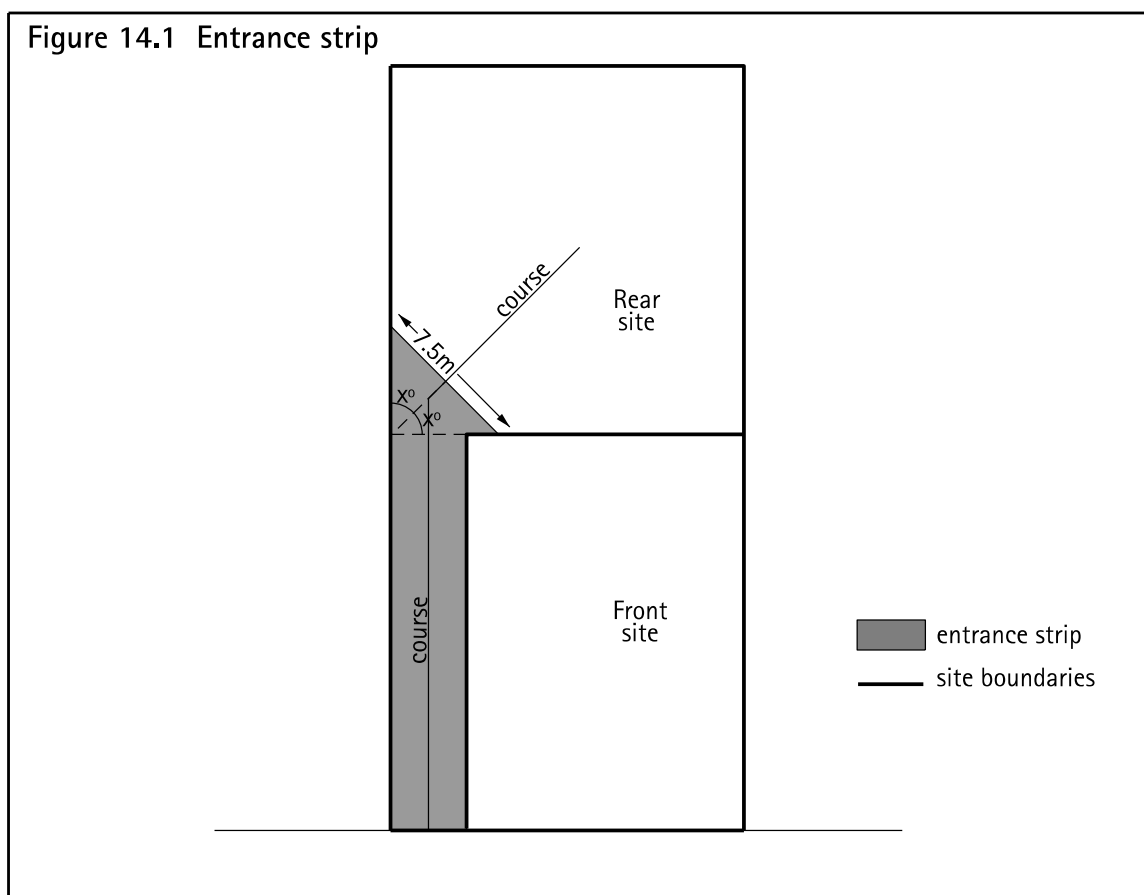
Camping facilities	<p>means land or buildings used or designed to be used for rent, hire or reward for temporary living places by two or more families or groups of people living independently of each other.</p> <p>The temporary living places may include any of the following:</p> <ul style="list-style-type: none"> • a tent • a caravan, campervan or other vehicle occupied either wholly or in part as a temporary living place. <p>The families or groups may share common entrances, water supplies, cooking facilities, toilet and washing facilities, or other premises and equipment.</p>
Care centre	<p>means land or buildings where any of the following apply:</p> <ol style="list-style-type: none"> 1. Three or more children (in addition to the children of the person in charge) aged 5 years or younger are educated and cared for. It may be licensed as such by regulation. 2. Three or more children aged 5 years or older (in addition to the children of the person in charge) are cared for out of school hours. 3. Elderly people are cared for during the day. 4. People with disabilities are cared for during the day. <p>It includes creches, playcentres, kindergartens, childcare centres, kohanga reo, and play groups.</p>
Catchment	<p>means an area of topography from which surface water flows via a self contained drainage system.</p>
Commercial carparking	<p>means land or buildings providing parking available to members of the public for a charge or fee.</p>
Commercial firewood harvesting	<p>means the harvesting of living manuka, kanuka for the production and sale of firewood. The harvesting must occur in accordance with a management plan.</p> <p>It does not include other activities associated with the milling or processing of trees.</p> <p>Note: the Plan does not restrict the harvesting or sale of exotic or dead vegetation</p>
Community facilities	<p>means land or buildings used for community or public use and run on a not-for-profit basis.</p> <p>It includes places used for the gathering of people for recreation, worship, cultural and spiritual instruction and deliberation, public halls and libraries.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • entertainment facilities • healthcare services • restaurants, cafes and other eating places.
Comprehensive development	<p>means a subdivision which creates at least three sites and which provides for the integrated assessment of the proposed sites, access (including any public access) and the development to be located on those sites.</p>
Construction noise	<p>means the noise arising from construction work.</p>

Construction work	<p>means:</p> <p>'any work in connection with the construction, erection, installation, carrying out, repair, maintenance, cleaning, painting, renewal, removal, alteration, dismantling, or demolition of:</p> <ol style="list-style-type: none"> a. Any building, erection, edifice, structure, wall, fence or chimney, whether constructed wholly or partly above or below ground level; b. Any road, motorway, harbour or foreshore works, railway, cableway, tramway, canal, or aerodrome; c. Any drainage, irrigation, or river control work; d. Any electricity, water, gas, or telecommunications reticulation; e. Any bridge, viaduct, dam, reservoir, earthworks, pipeline, aqueduct, culvert, drive, shaft, tunnel, or reclamation; or f. Any scaffolding. <p>Construction work includes:</p> <ol style="list-style-type: none"> g. Any work in connection with any excavation, site preparation, or preparatory work, carried out for the purpose of construction work; h. The use of any plant, tools, gear, or materials for the purpose of any construction work; i. Any construction work carried out underwater, including work on ships, wrecks, buoys, rafts and obstructions to navigation; and j. Any inspection or other work carried out for the purpose of ascertaining whether construction work should be carried out.' <p>This is the same definition as in NZS 6803:1999 Acoustics - Construction Noise.</p>
Contaminated land	has the same meaning as in the RMA.
Continuous canopy indigenous forestry	<p>means the sustainable harvesting of indigenous forests on a continuous canopy basis so that the ground is always covered by a canopy of tree species. The land must be registered with the New Zealand government's Permanent Forest Sink Initiative ('PFSI') and have a forest sink covenant registered on the title. Harvesting must be in accordance with the requirements of the PFSI.</p> <p>Note: To be eligible for the PFSI, the land must not have contained forest on 31 December 1989 and a change in land management practices since then must promote forest growth.</p>
Controlled activity	has the same meaning as in the RMA.
Co-operatively owned land	<p>means land owned by a number of individuals under a legally recognised, co-operative company or society structure. Land owned co-operatively has a corresponding meaning.</p> <p>Note: this definition is used in the context of the Plan rules which provide for multiple dwellings.</p>
Council	means the Auckland City Council. It includes any committee, community board, elected member of the council, or officer authorised to exercise the functions, duties or powers of the council.
Dairy	means a shop with a gross floor area of less than 50m ² (not including any attached dwelling) that supplies milk, bread, non-alcoholic drinks, packaged food and a variety of produce and household consumables.

DOC structures, facilities and operations	<p>means all structures, facilities and operations that are necessary to achieve the Department of Conservation's functions under the Conservation Act 1987 and consistent with any conservation management strategy, conservation management plan or management plans established under the Conservation Act 1987 or any other Act specified in Schedule 1 of that Act.</p> <p>It includes walking tracks, boardwalks, staircases, toilets, tramping huts and bunkhouses.</p>
Designation	has the same meaning as in the RMA.
Discretionary activity	has the same meaning as in the RMA.
Domestic firewood harvesting	<p>means the harvesting of living kanuka and manuka for the purpose of personal domestic firewood.</p> <p>It does not include other activities associated with the milling or processing of trees or the sale of firewood.</p> <p>Note: The Plan does not restrict the harvesting or sale of exotic or dead vegetation</p>
Dwelling	<p>means a building or a cluster of buildings, a room or group of rooms used or designed to be used exclusively on a permanent or temporary basis by one or more people as a separate household unit.</p> <p>Sleepouts must be treated as a building forming part of a dwelling rather than as an accessory building.</p> <p>It also includes the use of land for uses ancillary or incidental to a dwelling.</p> <p>Note: The terms 'accessory building', 'household unit' and 'sleepout' are defined elsewhere in this section.</p>
Earthen terracing	means an area of compacted earth that is above ground level, and includes any compacted earth behind a retaining wall.
Earthworks	<p>means earthmoving operations.</p> <p>It does not include quarrying, blasting, or rock drilling.</p> <p>Earthworks otherwise includes any of the following:</p> <ol style="list-style-type: none"> 1. The disturbance of land surfaces by: <ol style="list-style-type: none"> a. moving, removing, placing or replacing earth (including soil, clay, sand and rock); or b. excavation, contouring, cutting or filling operations. 2. Digging trenches for utility services or effluent disposal systems. 3. Cleanfill operations involving the depositing of soil or earth onto or into land, and not including material subject to biological breakdown.
Ecological corridor	means a geographical connection between natural habitats which provides for the movement of native flora and fauna between those habitats or provides a further habitat.
Ecosourcing	means the use of indigenous species naturally occurring in the general vicinity and the use of local genetic stock. In practice, this means sourcing seeds or cuttings from as close to the planting site as possible (eg from the same ecological unit or district). ' Ecosourced ' has a corresponding meaning.
Educational facilities	<p>means land or buildings used to provide regular instruction or training in accordance with a curriculum by teachers or instructors.</p> <p>It includes schools, technical institutes, teachers' colleges, universities, outdoor education centres, sports training establishments and home-schooling for more than two children not resident on the site.</p> <p>The activity also includes ancillary administrative, cultural, health, retail and communal facilities.</p>
Effect	has the same meaning as in the RMA.

Electricity network	<p>means a system made up of electrical links to allow the distribution of electricity. It includes any of the following:</p> <ol style="list-style-type: none"> 1. Underground infrastructure located at or below the existing ground surface. This includes cables (service connection and distribution lines), cabinets, conductors, transformers, substations, and Totally Underground Distribution Systems (TUDS). 2. Aboveground infrastructure located above the existing ground surface. This includes cabinets, pillars, transformers and substations. 3. Overhead infrastructure located over the existing ground surface and suspended by poles or support structures. This includes cables (service connection and distribution lines) and support poles, and any equipment or structure located on support poles.
Emergency services facilities	<p>means land and buildings used for a fire station, ambulance station or police station. This may include administration, vehicle and equipment storage and maintenance, and training.</p>
Entertainment facilities	<p>means land or buildings that are used for:</p> <ul style="list-style-type: none"> • recreation and entertainment; or • promotion of fitness. <p>It includes any of the following:</p> <ul style="list-style-type: none"> • premises used for gambling • theatres and cinemas • brothels and massage parlours • gymnasiums • commercial swimming pools • internet cafes (where more than five computer terminals are available for hire and use on the premises for gaming or internet access). <p>It does not include community facilities.</p>
Entrance strip	<p>means the narrow part of a site, designed to provide vehicle or other access from a road to the main part of the site. The entrance strip may have easements that provide access to other sites. The entrance strip only includes the narrow part of the site until it reaches 7.5m wide, perpendicular to the course of the entrance strip (as shown on figure 14.1: Entrance strip).</p>
Environment	<p>has the same meaning as in the RMA.</p>
Equestrian activity	<p>means any activity involving the riding or leading of horses, including the teaching and learning of horse riding skills, and the showing of horses competitively (including trotting, galloping and cross-country jumping).</p>
Erosion risk zone	<p>means land and sites likely to be affected by coastal erosion. Land and sites within an 'erosion risk zone' is identified on the planning maps.</p>
Exploration	<p>means:</p> <p>'any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of one or more minerals; and includes any drilling, dredging, or excavations (whether surface or sub-surface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and 'to explore' has a corresponding meaning'</p> <p>This is the same definition as in the Crown Minerals Act 1991.</p>
Freight handling and wharf administration activities	<p>means land or buildings used for any of the following:</p> <ul style="list-style-type: none"> • administrative offices associated with a wharf • the moving or storage of freight.

Figure 14.1 Entrance strip



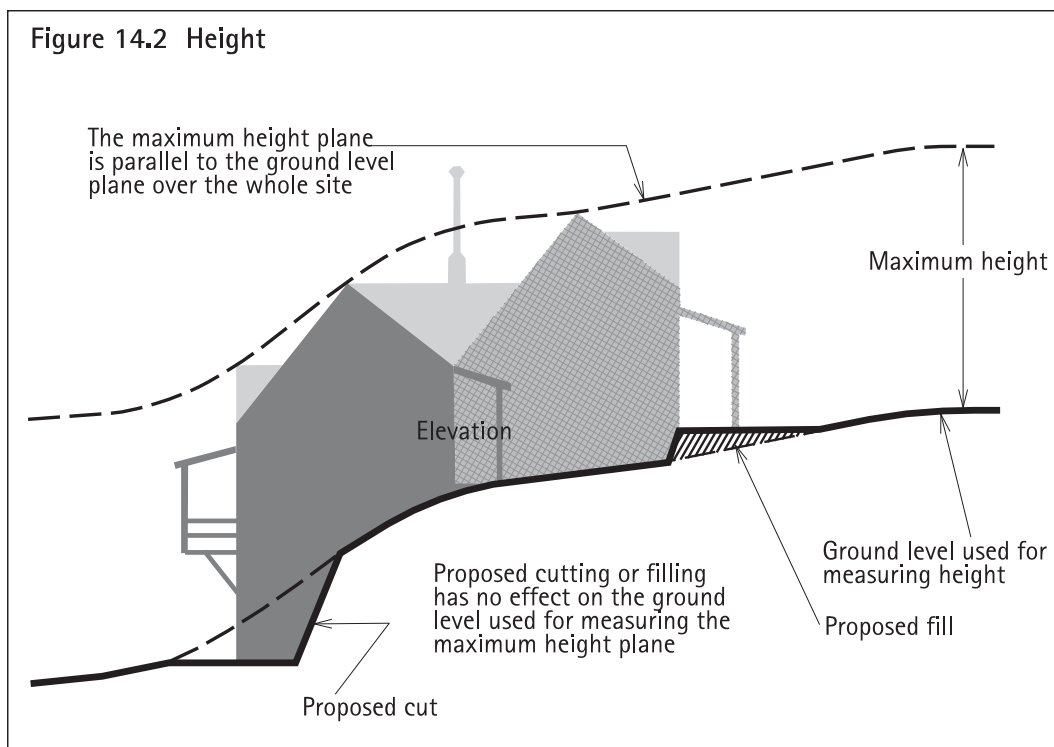
Forestry	means the management of land for commercial wood production including the extraction of timber. It does not include any of the following: <ul style="list-style-type: none"> • the milling or processing of timber • commercial firewood harvesting.
Function facilities	means land or buildings, or parts of buildings, where any of the following activities are held on a commercial basis: <ol style="list-style-type: none"> 1. Organised conferences, conventions, seminars and meetings. 2. Events and celebrations such as parties, wedding and funeral receptions. It does not include community facilities.
Funeral parlour	means land or buildings used for the purpose of directing or conducting funerals. It may include one or more of the following: <ul style="list-style-type: none"> • mortuary facilities • a place for holding funeral services • facilities for cremating the bodies of people who have had their funeral on the premises.
Gross floor area ('GFA')	means the combined area of all internal floorspaces, including any mezzanine floors, outdoor courtyards and external decking used for a commercial purposes such as beer gardens. The area includes all floors of all buildings on the site, but excludes any area used for parking and loading spaces.
Gross site area	means the total area of a site. It includes any entrance strip.

Ground level	means the finished level of the ground at the time the council issued a completion certificate under s224c of the RMA for the most recent subdivision applying to the site. However where there has been no such subdivision since 18 September 2006, the ground level will be taken to be the finished level of the ground as shown in the contour information based on 'light detection and ranging technology' (LIDAR) and flown between September 2005 and February 2006.
Hazardous facility	<p>means activities involving hazardous substances and sites.</p> <p>It includes any of the following:</p> <ol style="list-style-type: none"> 1. Sites where hazardous substances are used, stored or disposed of. 2. Vehicles used for transporting hazardous substances. <p>It does not include any of the following:</p> <ol style="list-style-type: none"> 1. The incidental use and storage of hazardous substances in minimal domestic scale quantities. 2. Hazardous activities which do not involve hazardous substances but which may pose a risk to people or the natural environment due to a physical or biological hazard (eg earthworks, electromagnetic radiation, genetically modified organisms and flour dust). 3. Network utility pipelines used for the transfer of hazardous substances such as gas, oil and sewage. 4. Infectious substances. 5. Retail premises which sell hazardous substances for the domestic use (eg supermarkets, hardware shops, pharmacies). 6. Fuel in motor vehicles, boats and small engines. 7. Facilities using genetically modified organisms.
Hazardous substance	<p>means any of the following:</p> <ol style="list-style-type: none"> 1. Substances with one or more of the following intrinsic properties: <ul style="list-style-type: none"> • an explosive nature • an oxidising nature • a corrosive nature • flammability • acute and chronic toxicity • ecotoxicity with or without bioaccumulation. 2. Substances which in contact with air or water (other than air and water where the temperature or pressure has been artificially increased or decreased) generate a substance with any one or more of the properties specified in item (1) above. 3. Substances which when discharged to surface or ground waters, have the potential to deplete oxygen as a result of the microbial decomposition of organic materials (eg milk or other food stuffs). 4. Radio-active substances except smoke detectors.
Hauraki Gulf islands	means that part of Auckland City excluding the Central Area and the Isthmus. This is shown in figure 1.1: Geographic areas .
Healthcare services	<p>mean land or buildings used for treatment or diagnosis of physical or mental health or welfare for people or animals.</p> <p>It includes hospitals, dentists, doctors' surgeries, psychiatrists, psychologists, alternative healthcare or treatments, rehabilitation clinics, physiotherapists, paediatricians, dieticians, counselling services, medical laboratories, veterinarians and ancillary dispensary pharmacies.</p> <p>It does not include chemists, hairdressers, beauty clinics or other retail activities.</p>

Height in relation to a building means the vertical distance between ground level at any point and the highest part of the building immediately above that point (as shown on [figure 14.2: Height](#)).

When determining the highest part of the building, parapets will be taken into account but not any of the following:

1. Radio and television antennas which do not exceed the maximum height normally permitted by the rules for the land unit or settlement area by more than 3m.
2. Chimneys which:
 - a. Do not exceed 1.1m in any horizontal direction; and
 - b. Do not exceed the maximum height normally permitted by the rules for the land unit or settlement area by more than 1.5m.
3. Finials which do not exceed the maximum height normally permitted by the rules for the land unit or settlement area by more than 1.5m.



Helipad means land or buildings used for the take off and landing of helicopters. It does not include facilities for servicing, freight handling or storage hangars.

Historic heritage has the same meaning as in the RMA.

Home occupation

means the commercial use of a site for craft, occupation, business, trade or profession which is secondary and incidental to the use of the site for residential purposes.

The home occupation must meet all of the following:

1. Be carried out by a person who lives on the site.
2. Be carried out either wholly within the dwelling or within a residential accessory building. However fruit and vegetables used for the home occupation may be grown outdoors.
3. Employ no more than one full-time equivalent employee who does not live on the site.
4. No goods can be sold, or displayed for sale, on the site other than:
 - a. Goods made on the site; or
 - b. Fruit, vegetables or other natural products grown on the site.
5. Generate or cause no objectionable noise, smoke, smell, effluent, vibration, dust or other noxious or dangerous effects on the environment.
6. Generate no significant increase in traffic when compared with the traffic that could otherwise be generated from reasonable residential use of the site.
7. Include no exterior display, other than a single sign that complies with the council's bylaw about signs, no exterior storage of materials, no other exterior indication of the home occupation or variation from the residential character of the site or the neighbourhood.

None of the following activities may be undertaken as a home occupation:

- the boarding of cats, dogs or other animals
- storage or sorting of any bottles, scrap or other waste materials
- fish, meat or animal by-product processing
- panel beating
- vehicle wrecking
- spray painting
- non-residential vehicle storage
- sheet metal work
- heavy engineering
- engine reboring or crankshaft grinding
- boat, caravan or motor vehicle building.

These exclusions do not prevent the people who live in the dwelling from carrying out the normal maintenance and repair of domestic equipment (including motor vehicles) they own and use.

Homestay

means where a resident person, family or other household provide within their own dwelling, accommodation (which may include meals) for reward or payment for not more than five guests. Homestay accommodation is not self-contained and does not contain a kitchen sink or dishwashing facility.

Horticulture

means the use of land or buildings for the growing of vegetables, fruit, berries, nuts, vines, flowers, plants or fungi. It includes market gardening, orcharding, and viticulture (but not a winery).

Household unit	<p>means a separate housekeeping unit consisting of any one of the following:</p> <ol style="list-style-type: none"> 1. One person; and up to five other people unassociated with the household. 2. Two or more people related by blood, marriage (whether legal or defacto), civil union, adoption or legal guardianship; and up to five other people unassociated with the household. 3. A group of not more than eight people unrelated by blood, marriage whether legal or defacto, civil union, adoption or legal guardianship. <p>It includes any of the normal domestic household activities which may occur on the site.</p>
Impervious surface	<p>means a surface which prevents water from passing into the ground.</p> <p>It includes any of the following:</p> <ul style="list-style-type: none"> • roofed areas • concrete and paving • driveway and parking areas • decking where there is not a gap of at least 5mm between the boards • any pool or tank (other than tanks used for collecting and storing rainwater for reuse on the site). <p>It includes areas which also fit within the definition of building coverage.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • eco pavers or gobi blocks (unless used for driveway and parking areas) • paths under 1m in width • decking where there is a gap of at least 5mm between the boards • tanks used for collecting and storing rainwater for reuse on the site. <p>Maximum impervious surface may be defined as an area (such as in m²) or as a proportion (such as a percentage) of the net site area depending on the requirements of the Plan.</p>
Indigenous vegetation	<p>means vegetation of a species which occurs naturally in New Zealand or arrived in New Zealand without human assistance. It includes manuka and kanuka.</p>
Industry	<p>means the production, processing, assembly, packaging, servicing, testing, repair, or storage of any materials, goods, products, vehicles or equipment.</p> <p>It may include any of the following:</p> <ul style="list-style-type: none"> • a works depot • vehicle dismantling or wrecking to extract parts for sale • a recycling facility (but not the composting of green waste). <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • quarrying or mining • refuse transfer stations.
Integrated visitor development	<p>means a comprehensive proposal for all buildings (including new and existing buildings) and activities associated with a visitor development. It may include one or more of the following:</p> <ul style="list-style-type: none"> • visitor accommodation • restaurants, café and other eating places • tourist complex • visitor information centre • dairy • management and maintenance facilities and service infrastructure.
Islands	<p>means the Hauraki Gulf islands, unless the context makes it clear that a different or smaller group of islands is being referred to.</p>

Kaitiakitanga	has the same meaning as in the RMA.
Landing Area	Any land located in landforms 1 (coastal cliffs), 3 (alluvial flats), 5 (productive land), 6 (regenerating slopes) and 7 (forest and bush areas) only where they are used for the take-off and landing of helicopters and aircraft in association with pastoral farming and horticulture.
Lot	means a distinct parcel of land defined on a survey plan.
Mana whenua	has the same meaning as in the RMA.
Marine fuelling services	means any facility supplying motor fuels (excluding CNG or LPG) to boats or other vessels moored alongside at a jetty or wharf.
Marine recreation facilities	means land or buildings used for marine recreation activities that have a functional relationship with the sea. It must be for community use and includes clubrooms used by organisations such as boating clubs, sea scouts and surf life saving clubs. It does not include retail premises.
Mast	means any pole, tower or structure designed to carry antennas.
Mean high water springs ('MHWS')	is determined by the average of the heights of each pair of successive high waters during that period of about 24 hours in each semi-lunation (approximately every 14 days) when the range of tides is greatest.
Metrolight pole	means a street light pole that has been designed to include telecommunications equipment as part of the pole structure. The equipment may include radio communication antennas.
Mining	means: 'to take, win, or extract, by whatever means, a mineral existing in its natural state in land, or a chemical substance from that mineral, for the purpose of obtaining the mineral or chemical substance; but does not include prospecting or exploration; and 'to mine' has a corresponding meaning.' This is the same meaning as in the Crown Minerals Act 1991.
Minor alterations and additions to a building	means any of the following: 1. Constructing an uncovered deck of natural or dark stained timber. The deck must comply with the development controls for the land unit or settlement area. 2. Changing or putting in windows or doors in an existing building. 3. Changing existing materials or cladding with other materials or cladding of the same colour.
Motor vehicle sales	means any of the following: 1. The sale, hire or lease of motor vehicles, trailer boats, caravans, or trailers. 2. The sale of spare parts for motor vehicles, outboard motors or trailer boats.
Motor vehicle services	means the servicing and repair of motor vehicles and outboard motors. This may include any of the following: • building motor vehicle bodies • panel beating • spraypainting • engine reconditioning.
Multiple dwellings	means more than one dwelling on a site.
Natural and physical resources	has the same meaning as in the RMA.
Natural hazard	has the same meaning as in the RMA.

Natural hazard area	<p>means land identified on the planning maps as being in any of the following:</p> <ul style="list-style-type: none"> • flood prone land - type A flood plain • flood prone land - type B flood risk area • soil warning area • soil register area • erosion risk zone.
Net site area	<p>means the net area of a site. It is calculated by deducting the area of the entrance strip (if any) from gross site area.</p> <p>Note: for front and corner sites, net site area is the same as gross site area.</p>
Network utility service	<p>means any activity relating to one or more of the following:</p> <ol style="list-style-type: none"> 1. Distribution or transmission by pipeline of natural or manufactured gas petroleum or geothermal energy. 2. Telecommunication or radiocommunication. 3. Transformation, transmission or distribution of electricity. 4. The transmission and distribution of water, (whether treated or untreated), for the supply including irrigation. 5. Stormwater drainage or sewerage reticulation systems. 6. Construction, operation and maintenance of railway lines, tramways and roads. 7. Construction, operation and maintenance of an airport as defined by the Airport Authorities Act 1966, including the provision of any approach control service within the meaning of the Civil Aviation Act 1990. 8. Lighthouse, navigation aids and beacons. 9. Meteorological services. 10. A project or work described as a 'network utility operation' by regulations made under the RMA. <p>'Network utility' or 'utility service' has a corresponding meaning.</p>

New organism

means:

1. A new organism is-
 - a. An organism belonging to a species that was not present in New Zealand immediately before 29 July 1998:
 - b. An organism belonging to a species, subspecies, infrasubspecies, variety, strain, or cultivar prescribed as a risk species, where that organism was not present in New Zealand at the time of promulgation of the relevant regulation:
 - c. An organism for which a containment approval has been given under this Act:
 - ca. an organism for which conditional release approval has been given:
 - cb. a qualifying organism approved for release with controls:
 - d. A genetically modified organism:
 - e. An organism that belongs to a species, subspecies, infrasubspecies, variety, strain, or cultivar that has been eradicated from New Zealand.
2. An organism is not a new organism if-
 - a. the organism is not a genetically modified organism and-
 - i. an approval is granted under section 38 to release an organism of the same taxonomic classification; or
 - ii. the organism is a qualifying organism and an approval has been granted under section 38I to release an organism of the same taxonomic classification without controls; or
 - iii. an organism of the same taxonomic classification has been prescribed as not a new organism; or
 - b. the organism is a genetically modified organism and-
 - i. an approval is granted under section 38 to release an organism of the same taxonomic classification with the same genetic modification; or
 - ii. the organism is a qualifying organism and an approval has been granted under section 38I to release an organism of the same taxonomic classification with the same genetic modification without controls; or
 - iii. an organism of the same taxonomic classification with the same genetic modification has been prescribed as not a new organism; or
 - c. the new organism was deemed to be a new organism under section 255 and other organisms of the same taxonomic classification were lawfully present in New Zealand before the commencement of that section and in a place that was not registered as a circus or zoo under the Zoological Gardens Regulations 1977.
- 2A. A new organism does not cease to be a new organism because-
 - a. it is subject to a conditional release approval; or
 - b. it is a qualifying organism approved for release with controls.
3. Despite the provisions of this section, an organism present in New Zealand before 29 July 1998 in contravention of the Animals Act 1967 or the Plants Act 1970 is a new organism.
4. Subsection (3) does not apply to the organism known as rabbit haemorrhagic disease virus, or rabbit calicivirus.'

This is the same definition as in the Hazardous Substances and New Organisms Act 1996.

Noise Sensitive Activity	Means any of the following activities that are sensitive to air transport noise: dwellings; educational facilities, care centres; healthcare services; accommodation for care; accommodation for retired, elderly or disabled people; boarding house or hostel, visitor facilities.
Non-complying activity	has the same meaning as in the RMA.
Notional boundary	means: 'The notional boundary is defined as a line 20 metres from any side of a dwelling or the legal boundary where this is closer to the dwelling.' This is the same meaning as NZS 9801:1999 Acoustics - Measurement of Sound. The term 'notional boundary' is used in the Plan in the context of measuring noise.
Offices	means land or buildings used for administration, consultation, or management of business transactions. It includes any of the following: <ol style="list-style-type: none"> 1. Administrative offices for managing the affairs of an organisation, whether or not trading takes place. 2. Commercial offices such as banks, insurance agents, or real estate agents where trade (other than the immediate exchange of money for physical goods) is transacted. 3. Professional offices such as the offices of accountants, solicitors, architects, engineers, surveyors, stockbrokers and consultants where a professional service is available and carried out. This does not include healthcare services.
Open air market	means an outdoor market which sells goods including bric a brac, produce, food and drink, art and cottage industry goods.
Outdoor adventure activities	means an adventure sport undertaken outdoors. It includes paintball, mountain biking and associated tracks, bungyjumping, kayaking, and other outdoor pursuits. It does not include motorised activities such as motorcross or go-karting.
Papakainga housing	means residential accommodation on any land classified as Maori land by the Maori Land Court.
Park and ride facilities	means all day carparking provided for commuters so that they can use passenger transport (ie bus) for all or part of their journey to and from work.
Pastoral farming	means the growing of grass and fodder crops on which stock are grazed. It includes the associated use of land and buildings. It does not include the grazing of deer or goats.
Permitted activity	has the same meaning as in the RMA.
Plan	means this District Plan (ie the proposed Hauraki Gulf Islands Section of the Auckland City District Plan).
Prohibited activity	has the same meaning as in the RMA.
Prospecting	means: 'any activity undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences; and includes - <ol style="list-style-type: none"> a. Geological, geochemical, and geophysical surveys; and b. The taking of samples by hand or hand held methods; and c. Aerial surveys, and 'to prospect' has a corresponding meaning.' This is the same definition as in the Crown Minerals Act 1991.

Protection yard	<p>means either of the following:</p> <ol style="list-style-type: none"> 1. A strip of land located between the coast (as defined by mean high water springs 'MHWS') and a line parallel to that coast; or 2. A strip of land located between the edge of a wetland or water body, and a line parallel to that edge. <p>The Plan rules specify the required width for any particular protection yard. The width must be measured in the horizontal plane.</p> <p>The protection yard must be:</p> <ol style="list-style-type: none"> 1. Kept clear and unobstructed by buildings (including eaves, roof, gutter or downpipes). This includes buildings both above and below ground; and 2. Kept clear of earthworks and any other activities as specified in the Plan. <p>The location of the protection yard may change over time due to changes in the location of MHWS, the wetland or water body.</p>
Quarrying	<p>means the extraction of sand, gravel or rock for the purposes of providing construction materials. It may include any of the following:</p> <ol style="list-style-type: none"> 1. Blasting. 2. Removal of overburden. 3. Processing to produce aggregates of sand, gravel and rock only. 4. Storage of this material. 5. Construction and maintenance of plant, machinery and buildings. 6. Other ancillary works connected with such operations.
[new text to be added]	
Refuse transfer station	<p>means a facility where waste collected from waste generators is compacted before being taken to a waste disposal site.</p>
Requiring authority	<p>has the same meaning as in the RMA.</p>
Residential accessory building	<p>means an accessory building which is either:</p> <ol style="list-style-type: none"> 1. Incidental to the use of a dwelling on a site; or 2. Incidental to the residential use of a site. <p>It may include a garage or carport, a shed, a workshop, an office, a building used for a home occupation, a recreation room, a spa pool or swimming pool.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • a sleepout or other buildings that generally form part of a dwelling • a building which contains a kitchen sink, cooking or dishwashing facility. <p>Note: The terms 'accessory building', 'building', 'dwelling', 'residential use' and 'sleepout' are defined elsewhere in this section.</p>
Residential uses	<p>means any use of land or buildings for a dwelling or for uses ancillary or incidental to a dwelling.</p>
Restaurant, cafe and other eating places	<p>means land or buildings where food is sold to the public for eating on the premises. It may include premises licensed under the Sale of Liquor Act 1989. Part of the trade of the premises may involve sale of food to be eaten off the premises ie takeaway food.</p>
Restricted discretionary activity	<p>has the same meaning as in the RMA.</p>



Retail premises	<p>means land or buildings where goods, merchandise, equipment or services are sold, displayed, hired or offered for sale or direct hire to the public.</p> <p>It includes any of the following:</p> <ul style="list-style-type: none"> • a shop • a takeaway food bar • a market • premises which have an off-license under the Sale of Liquor Act 1989. <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • a service station • motor vehicle sales • motor vehicle services • restaurant, cafe and other eating places • an internet cafe (where five or more computer terminals are available for hire and use on the premises for gaming and internet access.)
Ridgeline	means the line marking or following the crest of a ridge.
RMA - the RMA	means the Resource Management Act 1991 and includes any amendments to that Act. The RMA is also referred to as 'the Act'.
Road	<p>means:</p> <p>'the whole of land which is within the district, and which-</p> <ol style="list-style-type: none"> a. Immediately before the commencement of this Part of this Act was a road or street or public highway; or b. Immediately before the inclusion of any area in the district was a public highway within that area; or c. Is laid out by the council as a road or street after the commencement of this Part of this Act; or d. Is vested in the council for the purpose of a road as shown on a deposited survey plan; or e. Is vested in the council as a road or street pursuant to any other enactment;- <p>and includes-</p> <ol style="list-style-type: none"> f. Except where elsewhere provided in this Part of this Act, any access way or service lane which before the commencement of this Part of this Act was under the control of any council or is laid out or constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this part of this Act or is declared by the Minister of Lands as an access way or service lane on or after the 1st day of April 1988. g. Every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or limits thereof;- <p>But, except as provided in the Public Works Act 1981 or in any regulations under that Act, but does not include a motorway within the meaning of that Act.'</p> <p>This is the same definition as in section 315 of the Local Government Act 1974.</p>

Road network	<p>means a system of roads to allow the movement of pedestrian, cycles and vehicles. It includes any of the following:</p> <ol style="list-style-type: none"> 1. Underground infrastructure located at or below the existing ground surface. This includes any of the following: <ol style="list-style-type: none"> a. The construction (including earthworks), operation and maintenance of roads including associated footways, cycleways, footbridges, bridges, tunnels and retaining walls. b. Public transit systems. c. Road lighting, lighting in public places, lighting in private roads and private ways together with support structures as provided for by section 334A of the Local Government Act. d. Traffic and direction signs, information and naming signs permitted under the council's bylaw which controls signs. e. Traffic signals and support structures, cabinets and ancillary equipment associated with traffic signals. f. Transport shelters. g. Seats and rubbish bins. 2. Aboveground infrastructure located above the existing ground surface. This includes any of the following: <ol style="list-style-type: none"> a. The construction (including earthworks), operation and maintenance of roads including associated footways, cycleways, footbridges, bridges, tunnels and retaining walls. b. Public transit systems. c. Road lighting, lighting in public places, lighting in private roads and private ways together with support structures as provided for by Section 334A of the Local Government Act. d. Traffic and direction signs, information and naming signs permitted under the council's bylaw which controls signs. e. Traffic signals and support structures, cabinets and ancillary equipment associated with traffic signals. f. Parking meters. g. Refuse and recycling drop off points. h. Transport shelters. i. CCTV (closed circuit television) cameras. j. Seats and rubbish bins.
Rural property management plan	<p>means a long term management plan which comprehensively details all land use activities proposed to be undertaken on a site. It includes:</p> <ul style="list-style-type: none"> • the location of buildings and activities • the mitigation of effects proposed to manage adverse effects from those buildings and activities • methods for protecting and, where practicable, enhancing any parts of the site classified as landform 1, 2 or 4.
Sand quarrying	means 'quarrying' (as defined earlier) but for sand only.
Scheduled item	see definition in part 7 - Heritage .

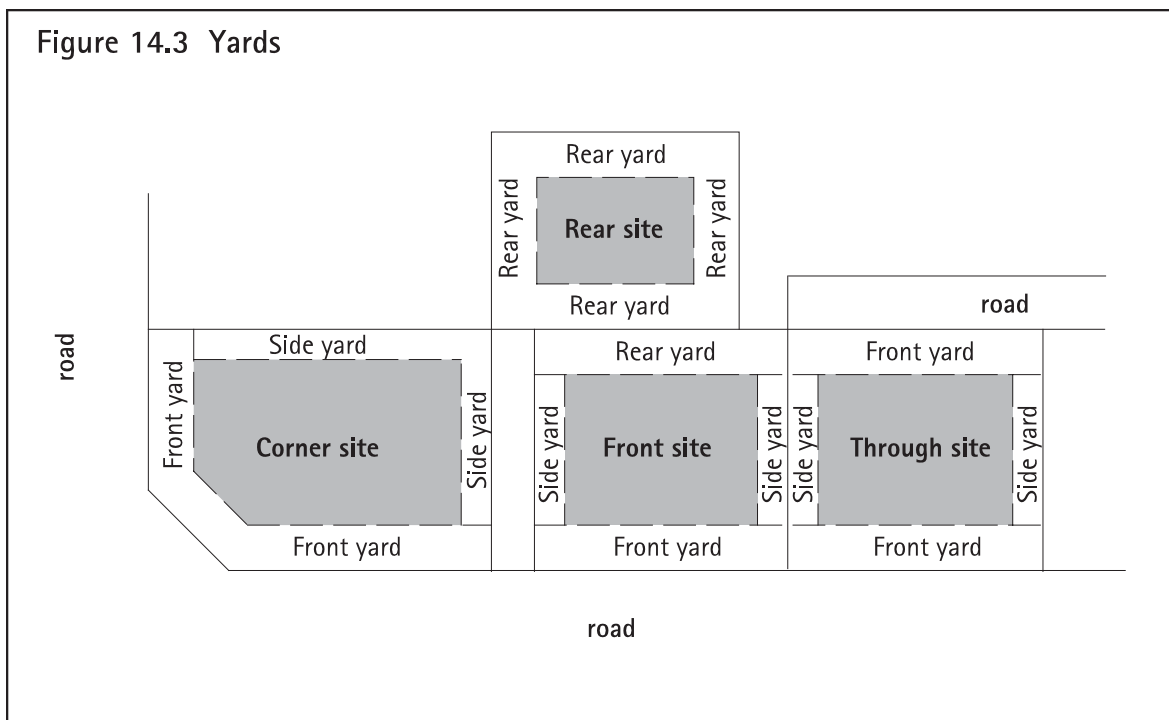
Service station	<p>means any land or buildings where the main activity is the retail sale of motor vehicle fuels (including petrol, LPG, CNG and diesel).</p> <p>It may also include one or more of the following:</p> <ol style="list-style-type: none"> 1. The sale of kerosene, alcohol based fuels, lubricating oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles. 2. A retail premises with a maximum gross floor area of 100m². 3. Mechanical repair and servicing of motor vehicles (including motor cycles, caravans, boat motors, trailers) and domestic gardening equipment. 4. Warrant of fitness testing. 5. Car wash facilities.
Settlement area	<p>means an area identified as such in figures 10b.1 to 8 and on the planning maps for the outer islands.</p>
Significant environmental feature	<p>means any of the following:</p> <ul style="list-style-type: none"> • The whole of any distinct natural feature, landform or landscape which makes a significant contribution to the quality of the local natural environment and amenity. • Any feature of archaeological, historical or cultural significance. <p>It may include one or more of the following:</p> <ul style="list-style-type: none"> • any site of ecological significance scheduled in the Plan • a water system • a habitat for indigenous species • an association of indigenous vegetation • a landform (including any significant ridgeline identified on the planning maps) • an ecological corridor • a visually significant area or group of areas • any item scheduled in the Plan for its archaeological, historical or cultural significance. <p>For the purposes of the Thumb Point Waiheke Island property, any site of ecological significance that is shown on the (Series 2) planning maps in the Plan is deemed to be a significant environmental feature (for the avoidance of doubt).</p>
Significant ridgeline area	<p>means an area surrounding a significant ridgeline as identified on the planning maps. The significant ridgeline area includes all land falling within 100m perpendicular to any point on the identified ridgeline.</p> <p>On the planning maps, the extent of the significant ridgeline area is shown by lighter dotted lines parallel to and on either side of a heavier dotted line which marks the location of the associated ridgeline.</p>

Site	<p>means either:</p> <ol style="list-style-type: none"> 1. An area of land which is: <ol style="list-style-type: none"> a. Contained in a single certificate of title; or b. Contained in a single lot on an approved survey plan or subdivision for which a separate certificate of title could be issued without further consent of the council; <p>being in any case the smaller land area of (a) or (b);or</p> 2. An area of land which is composed of two or more contiguous lots held in two or more certificates of title where such titles are: <ol style="list-style-type: none"> a. Subject to a condition imposed under section 75 of the Building Act 2004 (or previously bound by section 37 of the Building Act 1991 (repealed)); or b. Held together in such a way that they cannot be dealt with separately without the prior consent of the council, such as a covenant imposed under section 220(2)(a) and section 240 of the Resource Management Act 1991, or any covenant previously bound by section 643 (repealed) of the Local Government Act 1974. <p>Except that in the case of land subdivided under the Unit Titles Act 1972 or the cross lease system, 'site' will be considered to be the whole of the land subject to the unit development or cross lease.</p>
Sleepout	<p>means a building which contains a bedroom or bedrooms. It may include bathroom and toilet facilities. It does not contain a kitchen sink, cooking or dishwashing facility.</p> <p>A sleepout must be treated as a building forming part of a dwelling rather than as an accessory building.</p> <p>Note: The terms 'accessory building', 'building' and 'dwelling' are defined earlier in this section.</p>
Soil register area	<p>means land for which the council holds a geotechnical report on the condition of soils for all or part of the sites identified. These reports have usually been prepared in conjunction with an application for a building consent because:</p> <ul style="list-style-type: none"> • The land was within a soil warning area; or • Site inspections by an engineer with geotechnical expertise determined that the foundations for a building or structure on the site would need specific design due to soil conditions. <p>Land within a 'soil register area' is identified on the planning maps.</p>
Soil warning area	<p>means any of the following:</p> <ul style="list-style-type: none"> • areas of filled or weak ground (this may include former refuse tip sites) • areas that are unstable • areas where the ground is suspected to be liable to slip, slump, or become liquefied, or perform poorly if loads are imposed upon it. <p>Land within a 'soil warning area' is identified on the planning maps.</p>
Sustainable management	<p>has the same meaning as in the RMA.</p>
Tavern	<p>means land or buildings used primarily for the sale of liquor and other refreshments to the public for consumption on the premises. Liquor may also be sold for consumption off the premises.</p>

Telecommunication network	<p>means a system made up of telecommunication links to allow telecommunication. It includes any of the following:</p> <ol style="list-style-type: none"> 1. Underground infrastructure located at or below the existing ground surface. This includes cables (service connection and distribution lines including fibre optic), cabinets, conductors and Totally Underground Distribution Systems (TUDS). 2. Aboveground infrastructure located above the existing ground surface. This includes public telephone boxes, cabinets, junction pillars, cellphone antennas, cell site antennas, masts and metrolight poles. 3. Overhead cable infrastructure located above the existing ground surface and suspended by poles or support structures. This includes cables (service connection and distribution lines including fibre optic) and support poles, and any equipment or structure located on support poles.
Thumb Point Waiheke Island property	<p>Means any land that is (as at 17 October) contained within the following certificates of title NA23C/199. NA23C/200, NA26A/1073, NA26A/1074. NA26A/1075. NA47C/503. NA47C/889, NA173/117, NA195/118. NA758/233. NA758/234, NA758/235, NA970/265 and NA82C/468.</p>
Tourist complex	<p>means land or buildings which are used for the day to day accommodation of tourists and short-stay visitors away from their normal place of residence.</p> <p>It includes visitor accommodation in association with one or more of the following:</p> <ul style="list-style-type: none"> • function facilities • taverns • restaurants, cafe and other eating places • entertainment facilities <p>without limiting the use of such facilities to people staying in the complex.</p> <p>It may include premises licensed under the Sale of Liquor Act 1989.</p> <p>It does not include:</p> <ul style="list-style-type: none"> • camping facilities; or • boarding houses or hostels.
Type A flood plain	<p>means land that the council has identified as being likely to flood in a 1 in 100 year storm. Type A flood plains are identified on the planning maps. Type A flood plains are considered to be a reasonably accurate assessment of flooding in a 1 in 100 year storm.</p>
Type B flood risk area	<p>means land that the council has identified as being likely to flood in a 1 in 100 year storm. Type B flood risk areas are identified on the planning maps. Type B flood risk areas are based on less accurate information than type A flood plains.</p>

Visitor accommodation	<p>means land or buildings used for the day to day accommodation of tourists and short-stay visitors away from their normal place of residence.</p> <p>It may include shared or centralised services for the tourists or visitors such as kitchen and dining facilities, toilet and washing facilities, and recreational and bar facilities.</p> <p>It includes any of the following:</p> <ul style="list-style-type: none"> • motels and hotels • backpacker lodges • serviced rental accommodation for visitors that is offered at a daily tariff or with a pricing structure that is consistent with short stay accommodation • timeshare accommodation. <p>It may include premises licensed under the Sale of Liquor Act 1989.</p> <p>Where the visitor accommodation provides for more than 10 people, it may include on site accommodation for a manager and the manager's family.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • the letting of dwellings, including for holiday purposes • homestays • boarding houses and hostels • camping facilities • taverns • restaurants, cafes and other eating places except where these are limited to the use of people staying in the accommodation and their guests. <p>It may form part of a tourist complex.</p>
Wastewater network	<p>means a system made up of wastewater links to allow the reticulation of wastewater or sewage. It includes any of the following:</p> <ol style="list-style-type: none"> 1. Underground infrastructure located at or below the existing ground surface. This includes associated equipment, pipes and fittings, chambers and pits, meters, pumping stations, manholes and detention tanks. 2. Aboveground infrastructure located above the existing ground surface. This includes aerial pipe bridges, pumping stations, transformers, ventilation pipes, manholes, discharge outlets equipment, cabinets, emergency overflows, aerals, overflow screens and biofilters.
Water body	<p>means fresh or tidal water in a river, lake, stream, pond or modified natural water course.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • any artificial water course such as a drain or an irrigation canal • any ephemeral streams that do not support aquatic life • any water located below mean high water springs.
Water system	<p>means any part of a natural drainage system including ground water, aquifers, water bodies, and wetlands.</p>
Wetland	<p>includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.</p>

Winery	<p>means land or buildings used for the processing and, if required fermentation of grapes into wine or juice, and may include:</p> <ul style="list-style-type: none"> • the storage, blending, or mixing of a wine or wines • the bottling or otherwise packaging of wine • the labelling of wine • wine-tasting and ancillary wine retailing. <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • visitor accommodation • restaurants, cafes or other eating places • function facilities. <p>The storage, packaging (but not bottling), and labelling of wine is not exclusively limited to a winery and can occur as part of viticulture.</p>
Works within the dripline	<p>Means the excavation, deposition of material, construction, work, emplacement of services, storage or other activity in, on, above or under, the dripline (branch spread) of a tree or vegetation.</p>
Yard	<p>means a part of a site which is to be kept clear and unobstructed by buildings (including eaves, roof, gutter or downpipes) from the ground upwards.</p> <p>The Plan rules specify the required width for any particular yard. The width must be measured in the horizontal plane.</p> <p>Except as otherwise provided by this Plan:</p> <p>Front yard means a yard which:</p> <ul style="list-style-type: none"> • is located between the site boundary where it abuts the road and a line parallel to that; and • extends across the full width of the site. <p>Except that where any building line for road widening purposes is shown on the planning maps this line will be substituted for the site boundary.</p> <p>Rear yard means a yard which:</p> <ul style="list-style-type: none"> • is located between the rear boundary of a site (other than a corner site) and a line parallel to that; and • extends across the full width of the site. <p>For a rear site, all boundaries, other than the boundary fronting the road, will be treated as rear boundaries.</p> <p>Side yard means a yard which:</p> <ul style="list-style-type: none"> • is located between the side boundary of a site and a line parallel to that • extends across the full width of the site; and • excludes any part of the site which is a front or rear yard. <p>For a corner site, every boundary which does not abut the road, will be treated as a side boundary.</p> <p>The location of front, rear and side yards is shown on figure 14.3: Yards.</p> <p>Building restriction yard means a yard, the location of which is indicated on the planning maps. This replaces any other front yard requirements.</p> <p>Protection yard - this is defined under 'protection yard'</p>



14.4 Definitions from the Resource Management Act 1991

The Plan uses a number of terms which have particular meanings as defined the RMA. Those RMA terms which are likely to be of most relevance to a user of the Plan are set out below for information purposes only. However this list is by no means exhaustive.

The definitions below are correct at the time of notification of this Plan. However from time to time there may be further amendments to the RMA resulting in changes to defined terms. The council intends to update this list periodically to reflect any subsequent changes to the RMA. If any inconsistency arises between the most current RMA definition and this list, then the RMA definition takes precedence.

Allotment

Section 218 (2) states:

“In this Act, the term “allotment” means —

- a. Any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not —
 - i. The subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or
 - ii. A subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or
- b. Any parcel of land or building or part of a building that is shown or identified separately —
 - i. On a survey plan; or
 - ii. On a licence within the meaning of Part 7A of the Land Transfer Act 1952; or
- c. Any unit on a unit plan; or
- d. Any parcel of land not subject to the Land Transfer Act 1952.”

Amenity values	<p>Section 2 states:</p> <p>"Amenity values means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes."</p>
Coastal marine area	<p>Section 2 states:</p> <p>"Coastal marine area means the foreshore, seabed, and coastal water, and the air space above the water-</p> <ol style="list-style-type: none"> a. Of which the seaward boundary is the outer limits of the territorial sea: b. Of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of- <ol style="list-style-type: none"> i. One kilometre upstream from the mouth of the river; or ii. The point upstream that is calculated by multiplying the width of the river mouth by 5:"
Contaminant	<p>Section 2 states:</p> <p>"Contaminant includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat-</p> <ol style="list-style-type: none"> a. When discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or b. When discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged:"
Contaminated land	<p>Section 2 states:</p> <p>"contaminated land means land that has a hazardous substance in or on it that-</p> <ol style="list-style-type: none"> a. has significant adverse effects on the environment; or b. is reasonably likely to have significant adverse effects on the environment".
Controlled activity	<p>Section 87A(2) states:</p> <p>"If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a controlled activity, a resource consent is required for the activity and-</p> <ol style="list-style-type: none"> a. the consent authority must grant a resource consent (except if section 106 applies); and b. the consent authority's power to impose conditions on the resource consent is restricted to the matters over which control is reserved (whether in its plan or proposed plan, a national environmental standard, or otherwise); and c. the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan."
Designation	<p>Section 166 states:</p> <p>"Designation means a provision made in a district plan to give effect to a requirement made by a requiring authority under section 168 or section 168A or clause 4 of Schedule 1."</p>

Discretionary activity	<p>Section 87A(4) states:</p> <p>"If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a discretionary activity, a resource consent is required for the activity and-</p> <ul style="list-style-type: none">a. the consent authority may decline the consent or grant the consent with or without conditions; andb. if granted, the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan."
Effect	<p>Section 3 states:</p> <p>"In this Act, unless the context otherwise requires, the term "effect" includes —</p> <ul style="list-style-type: none">a. Any positive or adverse effect; andb. Any temporary or permanent effect; andc. Any past, present, or future effect; andd. Any cumulative effect which arises over time or in combination with other effects — <p>regardless of the scale, intensity, duration, or frequency of the effect, and also includes —</p> <ul style="list-style-type: none">e. Any potential effect of high probability; andf. Any potential effect of low probability which has a high potential impact."
Environment	<p>Section 2 states:</p> <p>"Environment includes —</p> <ul style="list-style-type: none">a. Ecosystems and their constituent parts, including people and communities; andb. All natural and physical resources; andc. Amenity values; andd. The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters."
Historic heritage	<p>Section 2 states:</p> <p>"Historic heritage -</p> <ul style="list-style-type: none">a. means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:<ul style="list-style-type: none">i. archaeological:ii. architectural:iii. cultural:iv. historic:v. scientific:vi. technological; andb. includes —<ul style="list-style-type: none">i. historic sites, structures, places, and areas; andii. archaeological sites; andiii. sites of significance to Maori, including wahi tapu; andiv. surroundings associated with the natural and physical resources."
Kaitiakitanga	<p>Section 2 states:</p> <p>"Kaitiakitanga means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship."</p>

Mana whenua	<p>Section 2 states:</p> <p>“Mana whenua means customary authority exercised by an iwi or hapu in an identified area.”</p>
Natural and physical resources	<p>Section 2 states:</p> <p>“Natural and physical resources includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.”</p>
Natural hazard	<p>Section 2 states:</p> <p>“Natural hazard means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslide, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.”</p>
Non-complying activity	<p>Section 87A(5) states:</p> <p>“If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a non-complying activity, a resource consent is required for the activity and-</p> <ol style="list-style-type: none"> a. decline the consent; or b. grant the consent, with or without conditions, but only if the consent authority is satisfied that the requirements of section 104D are met and the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan.”
Permitted activity	<p>Section 87A(1) states:</p> <p>“If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a permitted activity, a resource consent is not required for the activity if it complies with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan.”</p>
Prohibited activity	<p>Section 87A(6) states:</p> <p>“If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a prohibited activity, a resource consent is required for the activity and-</p> <ol style="list-style-type: none"> a. no application for a resource consent may be made for the activity; and b. the consent authority must not grant a consent for it.”
Requiring authority	<p>Section 166 states:</p> <p>“Requiring authority means -</p> <ol style="list-style-type: none"> a. A Minister of the Crown; or b. A local authority; or c. network utility operator approved as a requiring authority under section 167.”
Restricted discretionary activity	<p>Section 87A(3) states:</p> <p>“If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a restricted discretionary activity, a resource consent is required for the activity and-</p> <ol style="list-style-type: none"> a. grant a consent and to impose conditions on the consent, is restricted to the matters over which discretion is restricted (whether in its plan or proposed plan, a national environmental standard, or otherwise); and b. if granted, the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan.”

Sustainable management

Section 5 (2) states:

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

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