

# Part 10a

## Land units: objectives, policies and activity tables

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## 10a.1 Introduction

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

The land units have been grouped as follows:

Land unit grouping	Description
Landform 1-7	These land units apply to particular types of landform, ranging from coastal cliffs and slopes, to forest and bush. The landform land units apply on Waiheke, Great Barrier, Ponui, Pakihi, and Rakino (landform 1 only).
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 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.
Recreation 1-3	Recreation 1 and 2 provide for particular types of recreation activity - local parks and esplanade reserves, and community facilities and sports parks. Recreation 1 applies on Waiheke and Great Barrier. Recreation 2 applies on Waiheke, Great Barrier and Rakino. Recreation 3 (Rangihoua Park) focuses on a particular location 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 and 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 and slopes)

### 10a.2.1 Introduction

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

Coastal cliffs and slopes 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.
- Small pockets of grazed land, some of which is regenerating.
- Instability, exposure, and varying degrees of erosion.
- An absence of buildings or structures.

Overall, coastal cliffs and slopes has 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 and slopes from the adverse effects of activities and buildings.

### 10a.2.3 Objective

To protect the natural character and visual prominence of the coastal cliffs and slopes from the adverse effects of activities and buildings.

#### Policies

1. By protecting the coastal cliffs and slopes 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 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.

### 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 as provided for below)	NC
Ecosourced planting	P

#### Legend

P = Permitted

NC= Non-complying

**Notes:**

1. The relationship between buildings and other activities listed in the activity tables is explained 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.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 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 - Connectivity and linkages](#)

## **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**

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

#### **Policies**

1. By protecting the natural character, ecological and visual amenity value 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 natural character, ecological and visual amenity value 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 natural character, ecological and visual amenity value of the land unit.
4. By requiring new sites to be of a size and nature that avoids adverse effects on the natural character, ecological and visual amenity value 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.

### 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 as provided for below)	NC
Ecosourced planting	P

#### Legend

P = Permitted

NC= Non-complying

#### Notes:

1. The relationship between buildings and other activities listed in the activity tables is explained 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.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 <sup>1</sup>	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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	RD
Dwelling (one per site)	P
Home occupations	P
Homestay	P
Horticulture	P
Multiple dwellings	D
Pastoral farming	P
Residential accessory buildings	P
Rural property management plan	D

#### Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

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### Notes:

1. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further 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.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 the site were subdivided in accordance with the rules in [part 12 - Subdivision](#) applying to this land unit (with one dwelling per 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 - Connectivity and linkages**

## 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 productive 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 productive activities, such as pastoral farming and horticulture, to establish and operate within in the land unit.
2. How to recognise that productive activities may need to be complemented by non-productive activities to ensure that a reasonable economic return for the landowner is achieved.
3. How to control the potential adverse effects of non-productive 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 productive activities and a limited range of non-productive 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 productive 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 non-productive 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 productive 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

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

A limited range of non-productive 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 productive 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
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 <sup>2</sup>	D
Dwelling (one per site)	P
Forestry <sup>2</sup>	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	D

#### Legend

P = Permitted

D = Discretionary

#### Notes:

1. The relationship between buildings and other activities listed in activity tables is explained further in [clause 4.3](#).

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

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 (other than for commercial firewood harvesting and forestry) 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 the site were subdivided in accordance with the rules in [part 12 - Subdivision](#) applying to this land unit (with one dwelling per 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 - Connectivity and linkages](#)

## 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 Objective

To protect the natural character and the ecological and hydrological value of the wetland systems from the adverse effects of activities and buildings.

#### 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 value 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.

### 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 as provided for below)	NC
Ecosourced planting	P

#### Legend

P = Permitted

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

NC= Non-complying

### Notes:

1. The relationship between buildings and other activities listed in activity tables is explained in [clause 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 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 - Connectivity and linkages](#)

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

### 10a.6.1 Introduction

This land unit applies to land with pasture cover as the main vegetation type.

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 expansive nature, the open pattern and rural character of the landscape.

### 10a.6.3 Objective

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

#### 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 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 expansive nature, 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
Boarding kennels and catteries	D

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Commercial firewood harvesting <sup>2</sup>	D
Dwelling (one per site)	P
Forestry <sup>2</sup>	D
Home occupations	P
Homestay	P
Horticulture	P
Multiple dwellings	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	P
Visitor accommodation for more than 10 people	D
Winery	D

**Legend**

P = Permitted

D = Discretionary

**Notes:**

1. The relationship between buildings and other activities listed in activity tables is explained in [clause 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 (other than for commercial firewood harvesting and forestry) are treated as development controls and are therefore not listed in this table.

**10a.6.6 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 the site were subdivided in accordance with the rules in [part 12 - Subdivision](#) applying to this land unit (with one dwelling per 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.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**

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

**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](#)

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## **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 natural character, ecological and visual amenity value 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 natural character, ecological and visual amenity value of the land unit.
2. By ensuring that the scale, form, colour and location of new buildings does not have adverse effects on the natural character, ecological and visual amenity value 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 value 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 <sup>1</sup>	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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	RD
Dwelling (one per site)	P
Home occupations	P
Homestay	P
Horticulture	P
Multiple dwellings	D
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

#### Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

#### Notes:

1. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further 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.7.6 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 the site were subdivided in accordance with the rules in [part 12 - Subdivision](#) applying to this land unit (with one dwelling per 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.

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

Proposals which do not meet these standards 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

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.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 - Connectivity and linkages](#)

## 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 Objective

To protect the natural character and the conservation, ecological and visual amenity values of forest and bush areas 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 natural character and the conservation, ecological and visual amenity value 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 value of the land unit.
3. By requiring new sites to be of a size and nature that protects the natural character and the conservation, ecological and visual amenity value 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 <sup>1</sup>	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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	RD

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

Dwelling (one per site)	P
Home occupations	P
Homestay	P
Multiple dwellings	D
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

### Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

### Notes:

1. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further 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.8.6 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 the site were subdivided in accordance with the rules in [part 12 - Subdivision](#) applying to this land unit (with one dwelling per 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.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 - Connectivity and linkages](#)

## **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:

- Low intensity residential development (compared with the Auckland isthmus) containing stand alone dwellings.
- 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.

### 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 <sup>1</sup>	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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	RD
Accommodation for care	P
Accommodation for retired, elderly or disabled people	D
Art galleries	D
Boarding house or hostel	D
Care centre	D
Community facilities	D
Dairy	RD
Dwellings (one per site)	P
Educational facilities	D
Healthcare services	D
Home occupations	P
Homestay	P
Offices	D
Residential accessory buildings	P

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

### Notes:

1. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further 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.9.6 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.9.6.1 Planting of front yards

On sites other than rear sites, not less than 60 per cent of the 4m front yard must be planted (with ecosourced species where practicable).

#### 10a.9.6.2 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.

### 10a.9.7 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.9.8 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

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

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 - Connectivity and linkages**

## 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 control 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 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 <sup>1</sup>	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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	RD
Accommodation for care	P
Accommodation for retired, elderly or disabled people	D
Art galleries	D
Boarding house or hostel	D
Care centre	D
Community facilities	D
Dairy	RD
Dwellings (one per site)	P
Educational 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. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further 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 - development controls

Refer to [part 10c - Development controls for land units and settlement areas](#) for the

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

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.10.7 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.10.8 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 - Connectivity and linkages](#)

## 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 retail activities to locate on the ground floor to ensure an active and continuous retail 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.

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

### 10a.11.3.2 Objective

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

#### Policies

1. By recognising that the scale of development within Oneroa village is no longer constrained by wastewater disposal due to the Owhanake wastewater treatment plant.
2. By providing for a range of commercial and residential activity within the village.

### 10a.11.3.3 Objective

To ensure that any adverse environmental effect of business activity on other activities within the land unit or on adjoining island residential or recreation 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 recreation 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 <sup>1</sup>	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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	RD
Accommodation for care	D
Accommodation for retired, elderly or disabled people	D
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
Entertainment facilities	D
Function facilities	D



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Activities	Status
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. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further 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.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 the site were subdivided in accordance with the rules in [part 12 - Subdivision](#) applying to this land unit (with one dwelling per 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

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

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.11.7.1 Building location

Buildings on sites with frontage to 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.

### 10a.11.7.2 Retail frontage control

Within buildings on sites with frontage to Ocean View 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 will be considered as 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 Oneroa village is maintained.

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

### 10a.11.7.3 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.11.7.4 Noise control 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) classified as commercial 1 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 [clause 10c.5.4](#) 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.11.7.5 Height**

1. Buildings on the northern side of Ocean View Road:
  - a. Must not exceed a maximum height of 6.5m, where the building adjoins the Ocean View Road frontage.
  - b. 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.
2. All other buildings must not exceed a maximum height of 8m.

**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.11.7.6 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.11.7.7 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 recreation, such areas must be screened from the road or the island residential or recreation 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.11.8 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.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 - Connectivity and linkages](#)

## 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 1000m<sup>2</sup> 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 Tahi 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 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 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 <sup>1</sup>	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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	RD
Accommodation for care	D
Accommodation for retired, elderly or disabled people	D
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
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
Residential accessory buildings	P

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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. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further 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.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 the site were subdivided in accordance with the rules in [part 12 - Subdivision](#) applying to this land unit (with one dwelling per 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 [clause 10c.5.4](#) 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:
  - a. 0m; or
  - b. 2m
2. Other sites: 4m

No part of a parking or loading space can be located in a required front yard or in the landscaped area required under [clause 10a.12.7.5](#).

### Explanation

The purpose of the this rule is to ensure that buildings can be built up to the Belgium Street property frontage so that it reinforces Belgium Street as the main road for commercial activities in Ostend. Buildings set back from the Belgium Street frontage are required to provide a minimum 2m front yard 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 where the buildings are set back in accordance with [clause 10a.12.7.4\(1\)\(b\)](#) and (2):

1. Planting along the street frontage:
  - a. Where a building is located adjacent to or opposite an island residential site and is not built to the street frontage, at least one specimen tree (Pb95 at the time of planting) must be provided along the front boundary of the site for every 7m of site frontage.
  - 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 4m<sup>2</sup> for each tree.
2. Landscaped area:
  - a. Each site must have a total landscaped area of not less than the frontage length multiplied by 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 4m<sup>2</sup> 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 clause.

### 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

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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 recreation, such areas must be screened from the road or the island residential or recreation 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

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.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 - Connectivity and linkages](#)

## **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. Land at Beatty Parade which is currently used for a range of semi-industrial uses has been classified as commercial 3 to provide for a more appropriate range of uses in an area surrounded by residential activity.

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 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.

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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 recreation 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.12.5 Rules - activity table

Activities	Status
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) (except for sites identified as contaminated land within the Beatty Parade part of the land unit, refer <a href="#">clause 10a.13.6.5.</a> )	P
Educational facilities	P
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. The relationship between buildings and other activities listed in activity tables is explained in [clause 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 kerblines.

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 recreation, such areas must be screened from the road or the island residential or recreation 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.13.6.5 Contamination at Beatty Parade

Dwellings within the Beatty Parade part of the land unit, on sites identified as contaminated or potentially contaminated on the planning maps, are a non-complying activity and cannot be established until any existing soil contamination is appropriately remediated. Refer to [part 9 - Hazardous facilities and contaminated land](#).

#### 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 - Connectivity and linkages](#)

## **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 in 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 recreation 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 recreation 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

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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 <sup>1</sup>	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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	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. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further 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.14.6 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.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 - Connectivity and linkages**

## 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, 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 recreation 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 recreation land units.
2. By requiring the screening of yards and storage areas where these adjoin or face island residential or recreation 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 recreation land units.

#### 10a.15.5 Rules - activity table

Activities	Status
Boarding kennels and catteries	D
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

##### Note:

1. The relationship between buildings and other activities listed in activity tables is explained 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.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 recreation 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 recreation 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 recreation 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 recreation land unit, such areas must be screened from the road or the island residential or recreation 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 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.

##### 2. 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 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 - Connectivity and linkages](#)

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

### 10a.16.1 Introduction

This land unit is applied to a quarry on Waiheke 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.

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 two 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 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 a defined location in Waiheke and in 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. The relationship between buildings and other activities listed in activity tables is explained 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.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.

#### 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 levels of adjoining land.
4. Proposed use of land once quarrying activity has ceased.
5. Ultimate drainage of quarried lands.

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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 clauses 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 - Connectivity and linkages**



## 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, Okupu, 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.

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 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 and transport 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 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.

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
Boat launching ramps and jetties (including boat trailer parks)	P
Carparking areas	P
Marine fuelling services	P
Passenger transport (buses, taxi and other multiple occupancy vehicles)	P
Public toilets	P

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Wharf administration and freight handling activities	P
--	---

### Legend

P = Permitted

### Notes:

1. The relationship between buildings and other activities listed in activity tables is explained 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.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 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 - Connectivity and linkages](#)

## 10a 18 Land unit - Matiatia (mixed use)

### 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.
- 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. This land (including the wetland) is in the ownership of the council and it is intended that it 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.

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6. How to ensure that there will be open space and public areas included within any future development at Matiatia.

### 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 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

As the primary landowner, the council will determine the final form of development on the majority of land at Matiatia. 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

This area is divided into transport area A and transport area B. Transport area A 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.

Transport area B is located further up Ocean View Road on its northern side. This area provides for the storage and carparking activities existing on this site.

#### 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 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

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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 A
- transport area B
- mixed use area
- wetland area.

**10a.18.5.1 Transport area A**

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. The relationship between buildings and other activities listed in activity tables is explained 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.18.5.2 Transport area B**

Activity	Status
The construction and relocation of buildings, including buildings used for any of the other activities listed in this table <sup>1</sup>	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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	RD

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Activity	Status
Carparking (up to 70 spaces)	P
Storage	P

**Legend**

P = Permitted

RD= Restricted discretionary

**Notes:**

1. In transport area B, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables, is explained further 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.18.5.3 Mixed use area**

Activity	Status
The construction and relocation of buildings, including buildings used for any of the other activities listed in this table <sup>1</sup>	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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	RD
Art galleries and museums*	P
Artworks, monuments and sculptures	P
Boarding house or hostel*	P
Care centre*	P
Carparking required by <a href="#">clause 10a.18.6.9</a> below	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

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Activity	Status
Relocation of Ocean View Road (if road stopping procedures have been undertaken)	P
Restaurant, cafe and other eating places*	P
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. In this mixed use area, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables, is explained further in [clause 4.3](#).
2. Those activities marked with an asterisk (\*) are subject to the threshold controls in [clause 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.18.5.4 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. The relationship between buildings and other activities listed in activity tables, is explained 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.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 <a href="#">figure 10a.1: Matiatia</a>	8m
Buildings (with a horizontal roof) located to the south of the height line shown on <a href="#">figure 10a.1</a>	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 <a href="#">figure 10a.1</a>	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 4000m<sup>2</sup> 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**

Dwellings and visitor facilities must not comprise more than 50 per cent (in aggregate) of the ground floor of buildings adjoining areas identified as open space, as required by [clause 10a.18.6.2](#) above.

**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

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the open space by the public.

### 10a.18.6.4 Threshold controls

1. The aggregate gross floor area (gfa) of all threshold activities (ie those activities marked with an \* in the activity table at [clause 10a.18.5.3](#)) must not exceed 10,000m<sup>2</sup> as a permitted activity and 12,000m<sup>2</sup> as a discretionary activity.
2. The aggregate gross floor area (gfa) of all threshold activities (ie those activities marked with an \* in the activity table at [clause 10a.18.5.3](#)) must comply with the following:

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 <sup>2</sup>	1500m <sup>2</sup> for restaurants, cafes and other eating places.
Dwellings, visitor accommodation, function centres and tourist complex	7000m <sup>2</sup>	5000m <sup>2</sup> for dwellings.
All other activities	1500m <sup>2</sup>	n/a

3. In addition to the above, dwellings, visitor accommodation and tourist complexes must achieve a ratio of 4m<sup>2</sup> gross floor area to 1m<sup>2</sup> gross floor area of retail premises and/or restaurants, cafes and other eating places and/or all other activities.

Except that the control set out in (3) above does not apply to the first 3000m<sup>2</sup> of development or after 2000m<sup>2</sup> 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 1500m<sup>2</sup>) rather than the category limit for tourist complexes (ie 7000m<sup>2</sup>).

#### 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 500m<sup>2</sup>.

**Explanation**

The 500m<sup>2</sup> 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:

45m<sup>2</sup> for one bedroom dwellings

70m<sup>2</sup> for two bedroom dwellings

90m<sup>2</sup> 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<sub>eq</sub> 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 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<sub>eq</sub> noise levels and maximum level (L<sub>max</sub>), 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	Leq 60dBA
10pm - 7am	Leq 55dBA Lmax 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 Parking spaces required**

Every owner or occupier who constructs, substantially reconstructs or adds to any

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building or changes the use of any site must provide on-site parking in accordance with following table:

Activity	Parking spaces required
All other activities	1 space for every 100m <sup>2</sup> of gross floor area
Movie theatres	1 space for every 10 persons the premises are designed to have capacity for
Offices	1 space for every 50m <sup>2</sup> of gross floor area
Dwellings	1 space for each dwelling
Restaurants, cafes and other eating places	1 space for every 80m <sup>2</sup> of gross floor area
Retail premises	1 space for every 50m <sup>2</sup> of gross floor area
Taverns	1 space for every 80m <sup>2</sup> of gross floor area
Visitor accommodation, tourist complex and boarding house or hostel.	1 space for every 5 rooms or units

### Explanation

The above parking rules ensure that people can efficiently access the activities located in the mixed use area and that there will not be overspill of parking onto Ocean View Road. The above standards take account of the public transport services available at Matiatia and the fact that people using the mixed use development may also be using the ferry services and consequently parked in parking areas for ferry users.

**Note:** Rules for the provision of loading spaces and the formation of parking and loading spaces are contained in [part 13 - Connectivity and linkages](#).

### 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.

### 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 80m<sup>3</sup> 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:

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

- 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.
  - 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 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:

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

**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 12,000m<sup>2</sup> 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

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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 12,000m<sup>2</sup> 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 94C(2) 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 94D(2) and (3) 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.

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- 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.

#### 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 required 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 required 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.



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- 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.18.8.3 Buildings in transport area B

#### 1. Matters of discretion

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

- scale
- form (design)
- colour
- location
- vehicle access.

#### 2. Assessment criteria

Discretion over the matters identified in clause (1) above will be applied by considering the extent to which the building:

- a. Is of a scale, form, colour and location that is not visually prominent and will maintain the landscape character of Matiatia, particularly when viewed by those arriving at Matiatia by boat.
- b. Integrates with the mixed use development on the adjoining site.
- c. Uses colour which integrates the building with the surrounding landscape and buildings.
- d. Is constructed of materials which are not highly reflective.
- e. Has vehicle access which has clear site lines and avoids conflict with vehicles, cyclists and pedestrians.

### 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.

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6. Will compromise the ability for a mixed use development of 10,000m<sup>2</sup> 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 [clause 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 - Connectivity and linkages](#)

## 10a.19 Land unit - Rural 1 (rural 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.

Rural 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 wineries 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 farming and horticulture, to establish and operate within the land unit.
5. How to acknowledge that non-rural activities such as restaurants, wineries 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 Objective

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.

#### 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 rural character and on the general and visual amenity of the locality.

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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 visual amenity and rural character 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.

**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](#).

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**

<b>Activity</b>	<b>Status</b>
The construction and relocation of buildings, including buildings used for any of the other activities listed in this table <sup>1</sup>	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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	RD
Dwelling (one per site)	P
Entertainment facilities within the Onetangi Road area identified on <a href="#">figure 10a.2</a>	D
Function facilities within the Onetangi Road area identified on <a href="#">figure 10a.2</a>	D
Home occupations	P
Homestay	P
Horticulture	P
Multiple dwellings	P
Pastoral farming	P
Residential accessory buildings	P
Restaurant, cafe and other eating places within the Onetangi Road area identified on <a href="#">figure 10a.2</a>	D
Tourist complex within the Onetangi Road area identified on <a href="#">figure 10a.2</a>	D

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Activity	Status
Visitor accommodation for more than 10 people	D
Visitor accommodation for up to 10 people	P
Winery within the Onetangi Road area identified on <a href="#">figure 10a.2</a>	D

### Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

### Notes:

1. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further 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.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 the site were subdivided in accordance with the rules in [part 12 - Subdivision](#) applying to this land unit (with one dwelling per 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 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 - Connectivity and linkages](#)

## 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.

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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 and landscape 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 comprehensive development to occur at Thompsons Point.

**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, comprehensive development is provided for in this area. Comprehensive development will provide for a rural-residential style of living in the context of a landscape enhanced by regenerating vegetation. Refer to [part 12 - Subdivision](#) for the provisions relating to comprehensive development at Thompsons Point. The location of Thompsons Point is identified on [figure 12.1 Thompsons Point](#).

The general amenity of the land unit is protected by limiting the activities provided for to those of a residential or rural nature and thereby avoiding activities that might generate significant amounts of noise or traffic.

**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 <sup>1</sup>	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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	RD
Dwelling (one per site)	P
Home occupations	P
Homestay	P
Horticulture	P
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. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between



buildings and other activities listed in activity tables is explained further 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.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 - Connectivity and linkages](#)

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

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

### 10a.21.2 Resource management issues

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

1. How to provide for residential 'lifestyle' activity on larger blocks of land on Rakino in a manner which protects the character and coastal amenity of the island.
2. How to ensure the protection of existing indigenous vegetation and encourage the replanting of indigenous vegetation on sites in order to enhance the ecological and 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 encourage the replanting of indigenous vegetation on sites in order to enhance the ecological and 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 and ecological enhancement purposes.

### 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 within Rakino is particularly sensitive to the impact of development and this is recognised within 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 <sup>1</sup>	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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	RD
Dairy	D
Dwellings (one per site)	P
Home occupations	P
Homestay	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. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further 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.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](#).

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 front yards

On sites other than rear sites, not less than 60 per cent of the 6m front yard must be planted with indigenous species (ecosourced where practicable).

#### 10a.21.6.2 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 of 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 - Connectivity and linkages](#)

## 10a.22 Land unit - Recreation 1 (local parks and esplanade reserves)

### 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.

Deleted: Local parks and esplanade reserves

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.

### 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 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 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 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.

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.22.5 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 <b>part 14 - Definitions</b> <sup>1</sup>	RD
The construction and relocation of buildings where the footprint of the building is over 50m <sup>2</sup> , including buildings used for any of the other activities listed in this table <sup>1</sup>	RD
Artworks, monuments and sculptures	P
Boat launching ramps and jetties (including boat trailer parks)	D
Camping facilities	D
Carparking areas	P
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 <del>trails</del> , (bridle and bicycle)	P

Deleted: trails

**Legend**

P = Permitted

RD= Restricted discretionary

D = Discretionary

**Notes:**

1. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further 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.22.6 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.22.6.1 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.22.7 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.22.8 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 - Connectivity and linkages**

## 10a.23 Land unit - Recreation 2 (community facilities and sports parks)

### 10a.23.1 Introduction

This land unit is applied to sports parks and community facilities such as halls, Marae 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 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 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 <sup>2</sup> , including buildings used for any of the other activities listed in this table. <sup>1</sup>	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 <b>part 14 - Definitions</b> . <sup>1</sup>	RD



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Activity	Status
Artificial lighting over 150 lux	D
Artificial lighting under 150 lux	P
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
Marae	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 <del>trails</del> (bridle and bicycle)	P

Deleted: trails

**Legend**

P = Permitted

RD= Restricted discretionary

D = Discretionary

**Notes:**

1. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further 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.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.
- 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 - Connectivity and linkages**

## 10a.24 Land unit - Recreation 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 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 is Rangihoua Maunga which is a single cone volcano. 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 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 maintain and enhance the landscape values and open space character of the park associated with the Rangihoua Maunga, the bush, and the streams and wetland areas.

##### Policies

1. By controlling the scale, form, colour and location of buildings within the park to ensure that the dominance 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 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 within the park.
3. By controlling earthworks and vegetation clearance in order to limit sediment runoff into on-site streams 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 types of community use as appropriate throughout the different parts of the park.

### **Policies**

1. By providing for and directing 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 the park.

### **Policies**

1. By providing for public access at appropriate locations.
2. By recognising the importance of linking walkways and bridle trails in the park with the wider network of walkways and trails.

#### **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.

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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 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 <sup>2</sup> , including buildings used for any of the other activities listed in this table <sup>1</sup>	RD	NC	NC	RD	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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	RD	n/a	n/a	RD	RD
Artificial lighting over 150 lux	D	NC	NC	D	D
Artificial lighting under 150 lux	P	NC	NC	P	P
Toilets	P	NC	NC	P	P
Carparking areas and vehicle access roads	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
Golf course	P	n/a	NC	D	D
Information centres	P	NC	NC	P	D
Mountain biking and horse riding trails (on council approved mountain bike trails, bridle trails and the equestrian area)	P	D	NC	D	P
Museums	NC	NC	NC	P	NC
Observation areas, viewing platforms and related structures	P	NC	NC	P	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
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. In this land unit the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further in clause 4.3.
2. The Kaitiaki Management Committee, which includes tangata whenua representatives, has been set up to manage the Rangihoua Maunga. All activities within area C - Rangihoua Maunga require the approval of the tangata whenua through the Kaitiaki Management Committee. 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.

### 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.

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- Any consultation undertaken with tangata whenua.

### Notification requirements

Except as provided for by section 94C(2) 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 94D(2) and (3) 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 clause 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 - Connectivity and linkages**

## 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. 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(1) 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 establishment of walking tracks by DOC to be undertaken as permitted activities.

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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 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.
4. By protecting flora and fauna indigenous to the islands through strict controls on vegetation removal.
5. By recognising the need to protect 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, 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**

<b>Activity</b>	<b>Status</b>
The construction and relocation of buildings, excluding DOC tramping huts, but including buildings used for any of the other activities listed in this table <sup>1</sup>	RD
Alterations and additions to the exterior of existing buildings, excluding DOC tramping huts, 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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	RD
Camping facilities	P
Department of Conservation walking tracks including associated bridges and boardwalks	P
DOC tramping huts	P
Educational facilities on Motutapu for up to a maximum of: <ul style="list-style-type: none"> <li>• 250 persons for the Motutapu Outdoor Education Camp</li> <li>• 25 persons for state schools</li> </ul>	P
Educational facilities not provided for as a permitted activity	D
Function facilities	D
Home occupations	P
Homestay	P
Multiple dwellings where they are required to support conservation or education activities on a particular site or island	D
Offices associated with conservation activities	P
Pastoral farming	P
Residential accessory buildings	P
Retail premises	D
Visitor accommodation	D

**Legend**

P = Permitted

RD = Restricted discretionary

D = Discretionary

**Notes:**

1. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further 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.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 track and hut construction on land owned or managed by DOC**

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 construction of walking tracks and undertaken by DOC or DOC approved contractors.
2. Any earthworks or removal of indigenous vegetation required for DOC hut construction and undertaken by DOC or DOC 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 - Connectivity and linkages**

## 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:

- Relatively intense land use confined to the northern half of the island.
- An historical use as a tourist complex.
- Development consisting of small scale distinct visitor units, with a main hotel 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 islands.

Overall, the island provides for a mix of uses that support the potential for a small residential community combined with a tourist complex activity, 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 visual 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 and residential purposes, while limiting the visual impact 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 to the island and recreational opportunities on the island.
5. How to protect 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 environment accommodating a mix of visitor related activities (including public open space) that is consistent with existing development in this area.

#### Policies

1. By controlling the scale, form, colour and location of new buildings or modification of existing buildings in order to maintain or enhance visual amenity and character.

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2. By providing for a range of activities that support the visitor and residential activities located on the island.
3. By requiring landscape planting, including revegetation 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.

**10a.26.3.2 Objective - residential area**

To provide for limited residential and visitor activities that integrate with the island's landscape setting.

**Policies**

1. By controlling the scale, form, colour and location of new buildings or modification or additions to existing buildings in order to maintain or enhance visual amenity and character.
2. By enabling the clustering of buildings at specified densities at the northern end of the island, or the dispersal of buildings at lower densities across the island, as a means of reducing impact on the small island character.

**10a.26.3.3 Objective - landscape protection area**

To preserve the coastal margins and open rural landscape character of the island.

**Policies**

1. By protecting open space and natural areas on the island by restricting buildings, 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 for the island.

**10a.26.4 Resource management strategy**

The resource management strategy for Pakatoa is to provide for the continued use and development of the island for visitor and residential activities within a management framework which recognises the need to protect the visual character and amenity of the island. The strategy is to use specific rules that manage the density, location, design and appearance of buildings. Land use activities relate to those needed to support residential or visitor activities.

The strategy recognises that the existing scale and intensity of development is quite high. The strategy recognises this existing use by continuing to provide for a similar scale and intensity of activity. Pakatoa is managed through the use of an area plan which set out areas where different development or protection controls apply.

As noted above, these areas are:

- tourist complex area
- residential area
- landscape protection area.

**10a.26.5 Rules - activity table**

<b>Activities</b>	<b>Tourist complex area</b>	<b>Residential area</b>	<b>Landscape protection area</b>
The construction and relocation of buildings, including buildings used for any of the other activities listed in this table <sup>1</sup>	RD	RD	NC

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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 <a href="#">part 14 - Definitions</a> <sup>1</sup>	RD	RD	NC
Camping facilities	P	D	NC
Entertainment facilities	P	NC	NC
Function facilities	P	NC	NC
Home occupations	P	P	NC
Multiple dwellings	P	P	NC
Offices	P	NC	NC
Restaurant, cafe and other eating places	P	NC	NC
Retail premises	P	NC	NC
Tavern	D	NC	NC
Tourist complex	D	NC	NC
Visitor accommodation	P	P	NC

**Legend**

P = Permitted

RD= Restricted discretionary

D = Discretionary

NC= Non-complying

**Notes:**

1. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further 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.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 permitted on Pakatoa is 50 in total.



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2. Of the 50 dwellings and/or visitor accommodation units provided for in (1) above, the maximum number that can be located in the residential area of the land unit is either:
  - a. 30 - where the dwellings and/or visitor accommodation units are clustered to the northwest of line AB (refer [figure 10a.4: Pakatoa](#)); or
  - b. 15 - where the dwellings and/or visitor accommodation units are located in a dispersed pattern across the entire residential area.

### 10a.26.7 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.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 - Connectivity and linkages](#)

## 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 until 2005. Now that the rehabilitation centre has closed, it is intended that the majority of 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 public access around the island, particularly adjoining the coast.

### 10a.27.3 Objective

To provide for residential, conservation and visitor activities to occur while ensuring that the landscape character and natural features of the island are protected and enhanced.

#### Policies

1. By providing areas throughout the island for public access and recreation activities.
2. By ensuring that the scale, form, colour 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 concurrently with the construction of residential buildings so that the adverse effects of those buildings are mitigated and the natural character of the island enhanced.
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. This approach recognises 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 and public recreation activities.

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, revegetative planting will be undertaken, and buildings will be assessed to ensure that they are of an appropriate scale, form, colour and location.

#### 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 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
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 <a href="#">figure 10a.5: Rotoroa</a>	RD
One dwelling for use as a caretaker's residence	P
Park furniture (including seats, rubbish bins, lighting, signs, BBQs and picnic facilities)	P
Planted areas and artworks, monuments and sculptures	P
Playgrounds (including playground apparatus)	P
Stormwater retention ponds	P
Visitor information centre	RD
Walking trails, observation areas, viewing platforms and related structures	P

#### Legend

P = Permitted

RD= Restricted discretionary

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

### Notes:

1. The relationship between buildings and other activities listed in activity tables is explained further 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.27.5.2 Visitor areas A and B

Activities	Status
Integrated visitor development	D
One dwelling for use as a caretaker's residence	P
Park furniture (including seats, rubbish bins, lighting, signs, BBQs and picnic facilities)	P
Planted areas and artworks, monuments and sculptures	P
Playgrounds (including playground apparatus)	P
Walking trails, observation areas, viewing platforms and related structures	P
Wharf administration and freight handling activities	P

### Legend

P = Permitted

D = Discretionary

### Notes:

1. The relationship between buildings and other activities listed in activity tables is explained further 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.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.27.1 Matters of discretion

When considering an application for multiple dwellings and associated residential accessory buildings, or for a visitor information centre, the council has restricted its discretion to considering the following matters:

- scale
- form (design)
- colour
- 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 Assessment criteria for restricted discretionary activities**

1. The extent to which the proposed building(s) is integrated with the natural landscape by:
  - Being of a scale, form and location that are not visually prominent.
  - Having an external colour that is integrated with the surrounding natural landscape
  - 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 public or private views which are characterised by natural landscapes.
  - Being of a scale, form, colour and location that does not give rise to cumulative effects within the natural landscape.
2. The extent to which landscaping including revegetation will be undertaken to integrate built development and to enhance the natural landscape character of the island.
3. 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.
4. The extent to which existing buildings will be removed before or concurrently with the construction of the new building(s).
5. The extent to which public access will be provided for throughout the island.

#### **10a.27.7.3 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:

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.

### 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 - Connectivity and linkages**