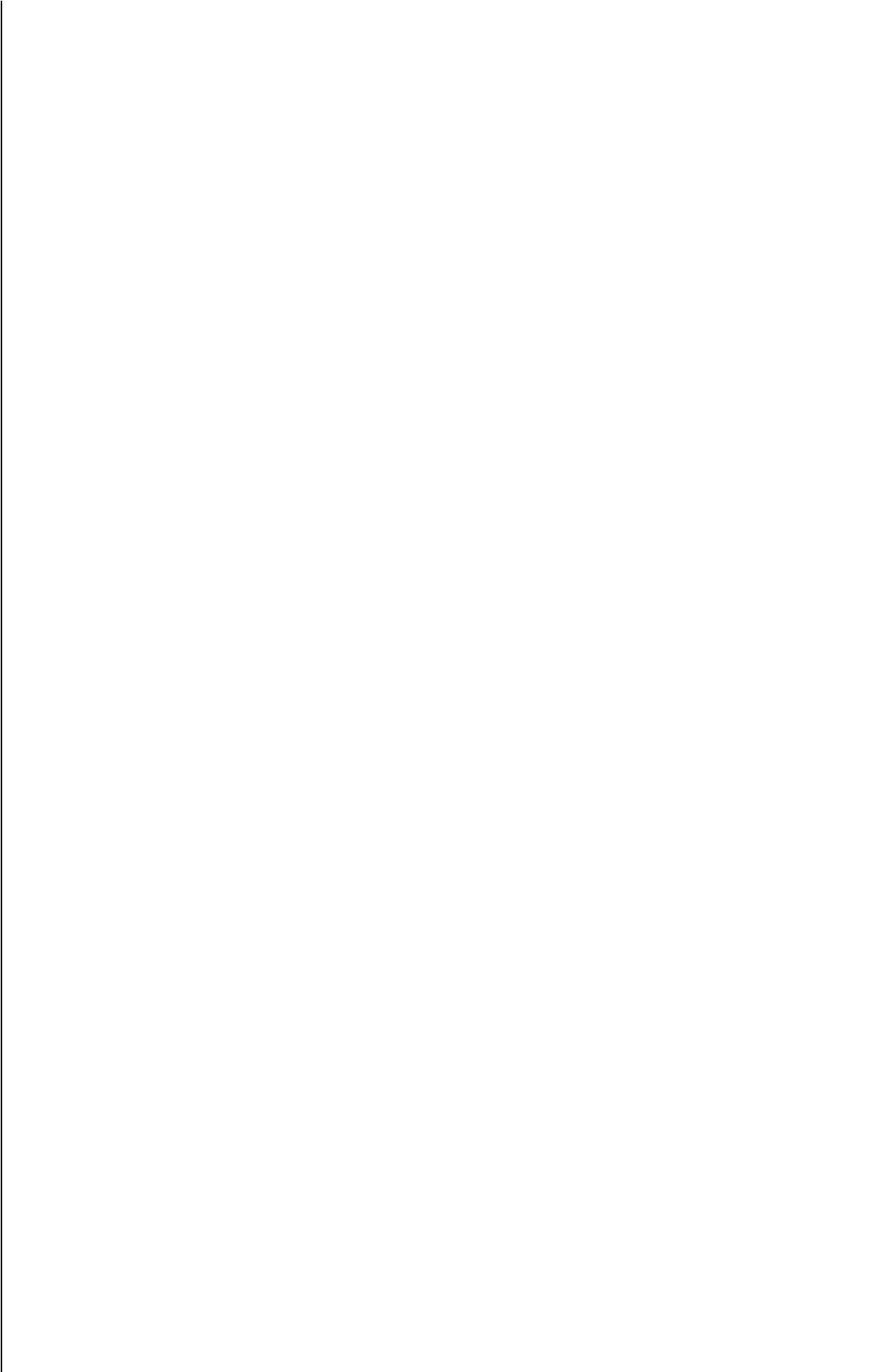


Part 10c

Development controls for land units and settlement areas

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10c.1 Introduction

This section sets out the development controls for activities for all land units and settlement areas. It also contains some controls applying to vegetation on legal roads. The development controls in this part relate to the scale, form and intensity of buildings and the resulting effects on the environment, as well as conservation and amenity issues. Those development controls which are readily quantified are summarised in [tables 10c.1 to 10c.6: Development controls](#) which must be read in conjunction with the relevant rule. Each of the rules in this part of the Plan is accompanied by a brief explanation of the rule's purpose and of the standards which are set. These statements outline the principal reasons for the rules and should not be regarded as comprehensive.

Unless otherwise stated, the development controls in this part apply to all land units and settlement areas. The development controls apply to all activities whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to the development controls will be considered as development control modifications under [clause 10c.3](#).

Note: In addition to the controls contained in this part, there are additional development controls for some land units and settlement areas in [part 10a – Land units: objectives, policies and activity tables](#) and [part 10b – Settlement areas: objectives, policies and activity tables](#). It is necessary to refer to these as well as this part of the Plan.

10c.2 Objectives

1. To recognise and provide for a broad and flexible range of development while protecting the amenity values of neighbouring properties and the character of the surrounding environment.
2. To ensure that buildings and activities which do not comply with the development controls are reasonably consistent with the intent of the controls that they infringe (as set out in the explanation accompanying the relevant development controls).
3. To provide for a broad and flexible range of development, while sustainably managing the effects of land use on the natural environment.

10c.3 Development control modifications

10c.3.1 Discretionary activities

Unless otherwise specified an application to infringe one or more of the development controls in this part, or in [part 10a – Land units: objectives, policies and activity tables](#) or [part 10b – Settlement areas: objectives, policies and activity tables](#) is a discretionary activity.

Assessment criteria

The council's assessment of an application for a development control modification under this rule will include consideration of the following matters:

1. Whether allowing the infringement is consistent with the objectives in [clause 10c.2](#).
2. Whether the infringement(s) will result in any adverse effects on amenity values of neighbouring properties, the character of the surrounding environment or the natural environment which cannot be avoided, remedied or mitigated.
3. Whether the development remains consistent with the intention of the development control(s) it infringes having regard to explanation given in the Plan for the particular control(s).
4. The extent to which there will be adverse cumulative effects where a development infringes two or more development controls.

10c.3.2 Notification requirements for restricted discretionary activities

In some instances this part of the Plan specifies that an infringement of a particular development control is a restricted discretionary activity. Within this part of the Plan, except as provided for by

section 94C(2) of the RMA, applications for a resource consent for restricted discretionary activities will be considered without public notification or the need to obtain written approval of or serve notice on affected persons (in accordance with section 94D(2) and (3) of the RMA).

10c.4 Controls on the bulk, location and colour of buildings

10c.4.1 Height

1. Any building must not exceed the height specified in [tables 10c.1 to 10c.6: Development controls](#) for the relevant land unit or settlement area.
2. **Methodology:** the height of a building is measured in accordance with the definition of height contained in [part 14 – Definitions](#).

Explanation

A maximum height limit for buildings is imposed to ensure that buildings are of a scale which avoids the effects of overshadowing, visual dominance, reduced privacy and diminished character. A range of height limits have been set to reflect the physical qualities, characteristics and aesthetic coherence of the relevant land units and settlement areas. In addition to height limits there are special controls relating to the location of buildings on or near significant ridgelines (see [clause 10c.4.7](#)).

10c.4.2 Height restrictions within the Claris and Okiwi airfield protection fans

The following is a prohibited activity:

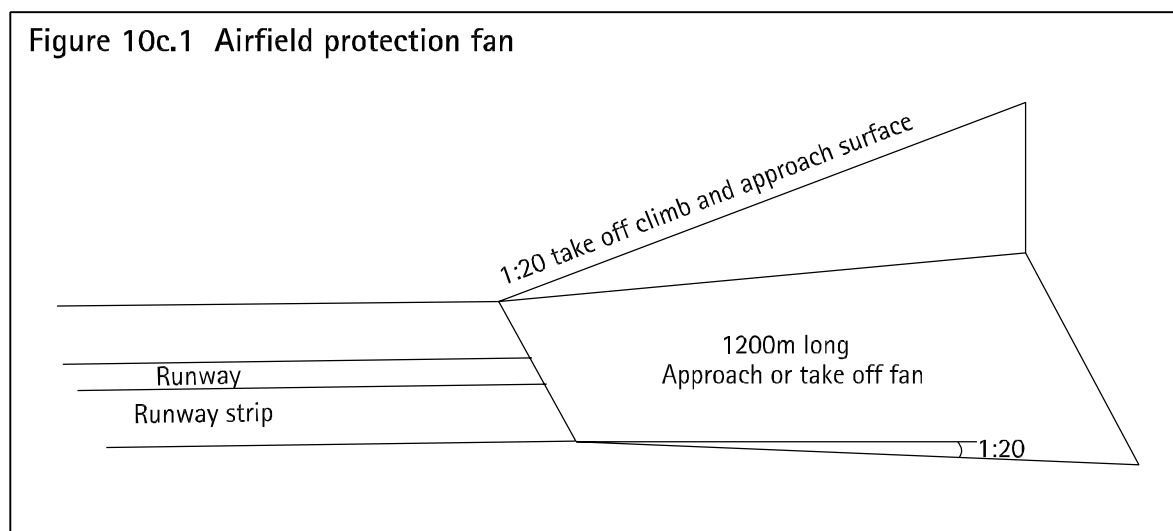
- Any building, structure, mast, pole, tree or other object which penetrates any of the takeoff climb and approach protection fans for Claris or Okiwi airfields.

The location of the protection fans is identified on the planning maps (map references 42-13 for Okiwi, and 54-15 for Claris) and is further detailed in [figure 10c.1: Airfield protection fan](#).

Explanation

The purpose of these restrictions is to provide for safe and unobstructed access to the runways at Claris and Okiwi airfields. The extent of the airfield protection fans is consistent with civil aviation regulations. The prohibited activity status is in recognition of the fact that the airfield protection fans should never be obstructed in any circumstances as this would compromise the safety and operation of the airfields.

Figure 10c.1 Airfield protection fan



10c.4.3 Building in relation to boundary

1. Any building must not exceed a height equal to the recession plane angle shown in [figure 10c.2: Recession plane cross section](#).
2. **Exceptions:** in addition to (1) above the building in relation to boundary control does not apply to:
 - a. Common boundaries in commercial 1, 2, 3 and 5.
 - b. The commercial 7 and Matiatia land units.
 - c. Common boundaries within the following parts of the settlement areas:
 - local retailing areas
 - Claris light industry area
 - Claris airport area
 - Medlands quarry area
 - visitor accommodation area.
3. **Methodology:**
 - a. This control is determined using the diagrams in [figure 10c.2: Recession plane cross section](#) and [figure 10c.3: Recession plane indicator](#) and is taken from a maximum height of 2m above the ground level at the boundary for all land units and settlement areas, with the exception of the land units and settlement areas noted in (2) above.
 - b. To determine the maximum building height in relation to boundaries on the site, the diagram in [figure 10c.3: Recession plane indicator](#) must be viewed within the site and oriented north.
 - c. The angle of inclination relative to a particular boundary is determined by the angle on the diagram in [figure 10c.2: Recession plane cross section](#) adjacent to that boundary.

Explanation

The building in relation to boundary rule is imposed principally to ensure that a reasonable degree of sunlight is admitted to adjacent sites. The admission of light to living and working areas is desirable for public health and people's sense of wellbeing. It also maintains an ability to use sunlight as a renewable energy source through solar receptacles and enables the creation of sunny outdoor spaces and provides a means for passive solar heating of buildings. The building in relation to boundary rule is also imposed to control the visual dominance of buildings, and to retain privacy on adjacent sites.

Figure 10c.2 Recession plane cross section

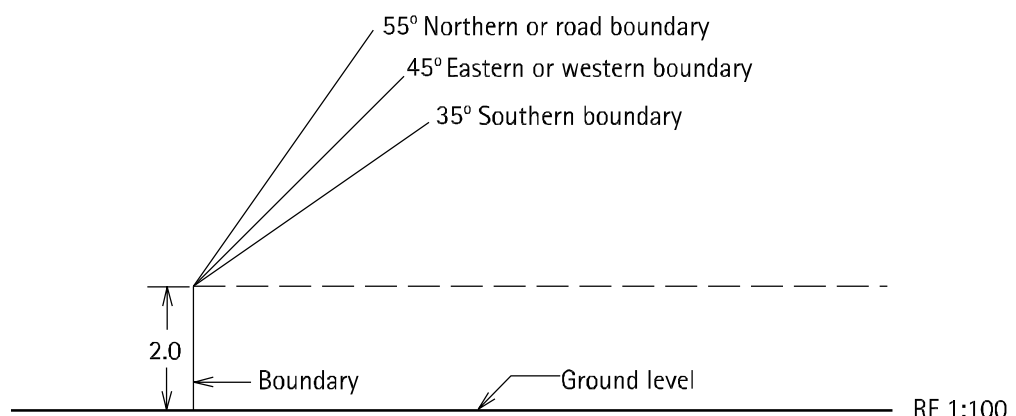
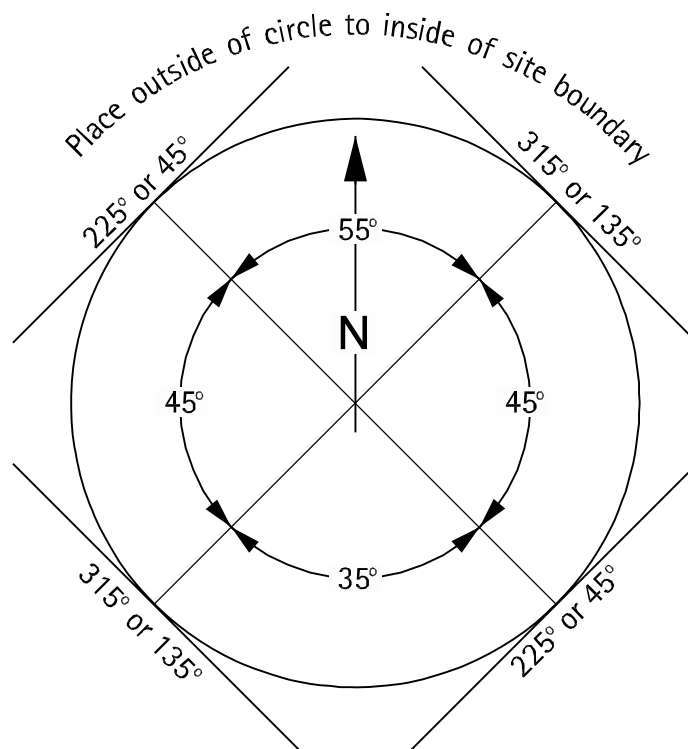


Figure 10c.3 Recession plane indicator



Note : North is true north
Bearings on the circle increase in a clockwise direction

10c.4.4 Yards

1. Any building or part of a building must not be located in the front, side or rear yard specified in [tables 10c.1 to 10c.6: Development controls](#) for the relevant land unit or settlement area.
2. **Methodology:** yards will be measured on the horizontal plane from the site boundaries.

Explanation

Side and rear yards are controlled principally to ensure that built development will not adversely impact upon the privacy and amenity values of adjacent sites, and the character of an area. Front yards principally ensure that streetscape amenity is maintained. Yards also provide space for landscaping and underground services.

10c.4.5 Building coverage

1. Any building on a site must not exceed the building coverage limits specified in [tables 10c.1 to 10c.6: Development controls](#) for the relevant land unit or settlement area.
2. **Methodology:** unless otherwise stated, building coverage is measured as a percentage of the net site area.

Explanation

The principal reason for controlling building coverage on a site is to limit the scale and intensity of development. Buildings which do not comply with the building coverage control can appear overly dominant, adversely affecting amenity values and reducing the character of an area. Building coverage controls also assist in maintaining an adequate area for on-site effluent disposal and in

conjunction with impervious surface controls ensure that the adverse environmental effects from stormwater runoff are avoided. Limiting building coverage also maintains an appropriate level of private open space and provides opportunities for the planting of vegetation around buildings.

10c.4.6 Building footprint

Any building on a site must not exceed the maximum building footprint specified in [tables 10c.1 to 10c.6: Development controls](#) for the relevant land unit or settlement area.

Explanation

In some land units and settlement areas, a limit has been placed on the maximum size of any building. The control applies in addition to the building coverage control. The principal reason for this control is keep individual buildings to a suitable scale. It prevents the permitted building coverage from being massed in one location to create one or several large buildings which do not integrate readily into the landscape.

10c.4.7 Ridgeline control

Any building within a significant ridgeline area identified on the planning maps must be constructed and located so that:

1. The building is below the significant ridgeline at that point; or
2. The building is below the top of protected vegetation (located on the same site as the building) that either screens the building or forms a backdrop against the ridgeline at that point.

Protected vegetation means any vegetation that is protected by:

- The indigenous vegetation protection rules in [clause 10c.5.1](#); or
- The exotic tree protection rules in [clause 10c.5.2](#); or
- A legal covenant with council under the Land Transfer Act 1952.

Explanation

Buildings that protrude above significant ridgelines can compromise the visual landscape qualities of the ridge and appear visually obtrusive giving rise to adverse visual effects. The location and height of buildings within 100m either side of a significant ridgeline is therefore controlled to manage the adverse visual impact that can occur when a building protrudes above the ridgeline.

10c.4.8 Colour of building materials in settlement areas

10c.4.8.1 Permitted activities

The following are permitted activities in all settlement areas:

1. The use of natural or stained timber as exterior building materials. Such materials are not subject to (2) below.
2. Exterior building materials which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, meet the following standards:
 - a. Where the materials are not used for a roof cladding, they are of a colour which has a reflectivity value of no more than:
 - i. 60 per cent for greyness groups A or B.
 - ii. 40 per cent for greyness group C.
 - b. Where the materials are used for a roof cladding, they are of a colour which has a reflectivity value of no more than 40 per cent for greyness groups A, B or C.

Provided that (2) does not apply to windows, window frames, bargeboards, stormwater guttering, downpipes or doors. These items may be of any colour.

10c.4.8.2 Restricted discretionary activities

The use of exterior building materials which do not comply with [clause 10c.4.8.1](#) is a restricted discretionary activity. This includes materials of a colour which is identified as being in greyness groups D or E.

Matters of discretion:

The council has restricted its discretion to considering the following matters in so far as they relate to the colour of exterior materials:

- The integration of the building with the natural features in the surrounding landscape.
- Any cumulative adverse effects having regard to other buildings in the vicinity.
- Whether the building is sufficiently screened when viewed from beyond the site boundary by existing vegetation, features or topography.
- Whether architectural elements such as eaves or building modulation are sufficient to mitigate reflective elements of the design.

Notification requirements

The notification requirements are set out in [clause 10c.3.2](#).

10c.4.8.3 Explanation for colour controls

The purpose of the permitted activity standard is to avoid dominance of individual or collective buildings in the settlement areas on the surrounding landscape. The British Standard 5252:1976 classifies colour by three criteria – hue, reflectivity and greyness. One of the main methods of achieving colours that integrate with the landscape is by a combination of higher levels of greyness and low reflectivity. A colour with low levels of greyness is perceived as bright, as is a colour that reflects lots of light. The use of such colours can make a building more dominant in a landscape.

The colour controls allow more flexibility in terms of reflectivity in the grey range, with more opportunity for expression of colour at the less grey end of the range. As a restricted discretionary activity there is the opportunity to use other colours outside of these ranges, where they meet certain criteria.

The rule allows specified building trim to be of any colour. This provides some flexibility and recognises that building trims are incidental and do not cover large areas of the building.

The exterior colour of buildings is of relevance in some land units but rather than being controlled by a permitted standard, it is assessed in particular land units as part of a restricted discretionary application for the construction (or relocation) of buildings, including alterations and additions.

10c.4.9 Impervious surface area

10c.4.9.1 Permitted activities

1. For all sites less than 2000m² in:
 - all land units, except commercial 1-3, 5, 7 and Matiatia
 - the residential amenity areas within the settlement areasthe following rules apply:
 - a. Where the slope of the land around buildings and other impervious surfaces is greater than 1 in 4 (14°), as determined by the method below, the total impervious surface must not exceed 20 per cent of the gross site area.
 - b. Where the slope of the land around buildings and impervious surfaces is less than or equal to 1 in 4 (14°), as determined by the method below, the total impervious surface must not exceed 30 per cent of the gross site area.
2. For all sites in:
 - commercial 1-3 and 5

- the Claris light industry area (of the Claris settlement area)
- the local retailing area within any settlement area

the following rules apply:

- a. The total amount of impervious surface on a site must not exceed 50 per cent of the gross site area or 1000m² whichever is the lesser area.
- b. Where a site in Oneroa is connected to the Owhanake wastewater treatment plant, the total amount of impervious surfaces on a site must not exceed 75 per cent of the gross site area or 1000m² whichever is the lesser area.
3. For any sites not covered by (1) and (2) above, there are no limits on impervious surface.
4. **Methodology:** the slope in (1) and (2) above will be measured beneath a horizontal straight line from the highest point at ground level at which an impervious surface occurs on the site, to the lowest point on the site on which impervious surfaces occur, as illustrated in [figure 10c.4: Determination of slope for impervious surface rule](#).

10c.4.9.2 Restricted discretionary activities

An infringement of the impervious surface area controls is a restricted discretionary activity.

Matters of discretion

The council has restricted its discretion to considering the following matters:

1. The extent to which the site can store, reuse or absorb all of the stormwater discharges from impervious surfaces on the site.
2. The potential for erosion, siltation and flooding of land and water bodies from stormwater discharges from impervious surfaces on the site.
3. Whether a low impact design approach has been used.

The Auckland Regional Council's Technical Publication 124 Low Impact Design Manual for the Auckland Region (2000) will be of assistance to applicants as it outlines stormwater management techniques that protect and incorporate natural site features into erosion and sediment control.
4. Any stormwater treatment.
5. The extent to which wastewater disposal areas are protected from stormwater discharged from impervious surfaces.
6. The slope of impervious surfaces.
7. The availability of land for the suitable disposal of wastewater and stormwater on the site.
8. The necessity for the impermeable surfaces.

Notification requirements

The notification requirements are set out in [clause 10c.3.2](#).

10c.4.9.3 Explanation for impervious surface controls

Stormwater is not reticulated in the islands and therefore must be disposed of on site. With the exception of parts of Oneroa village, wastewater must also be disposed of on site. Sufficient permeable surfaces must be available for every site to dispose of both the stormwater generated from impervious surfaces on the site, as well as the wastewater. The degree of vegetation cover and the slope of the land as well as soil type moderate absorption of stormwater. Soils on some of the islands such as Waiheke are typically derived from Waitemata sandstones and clay and in the absence of natural vegetation are easily waterlogged. Therefore it is necessary to control the amount of impervious surfaces on small sites to minimise the adverse effects stormwater may have when concentrated by impervious surfaces, including flooding, siltation, erosion and pollution of adjacent properties and streams.

Figure 10c.4 Determination of slope for impervious surface rule – diagram 1

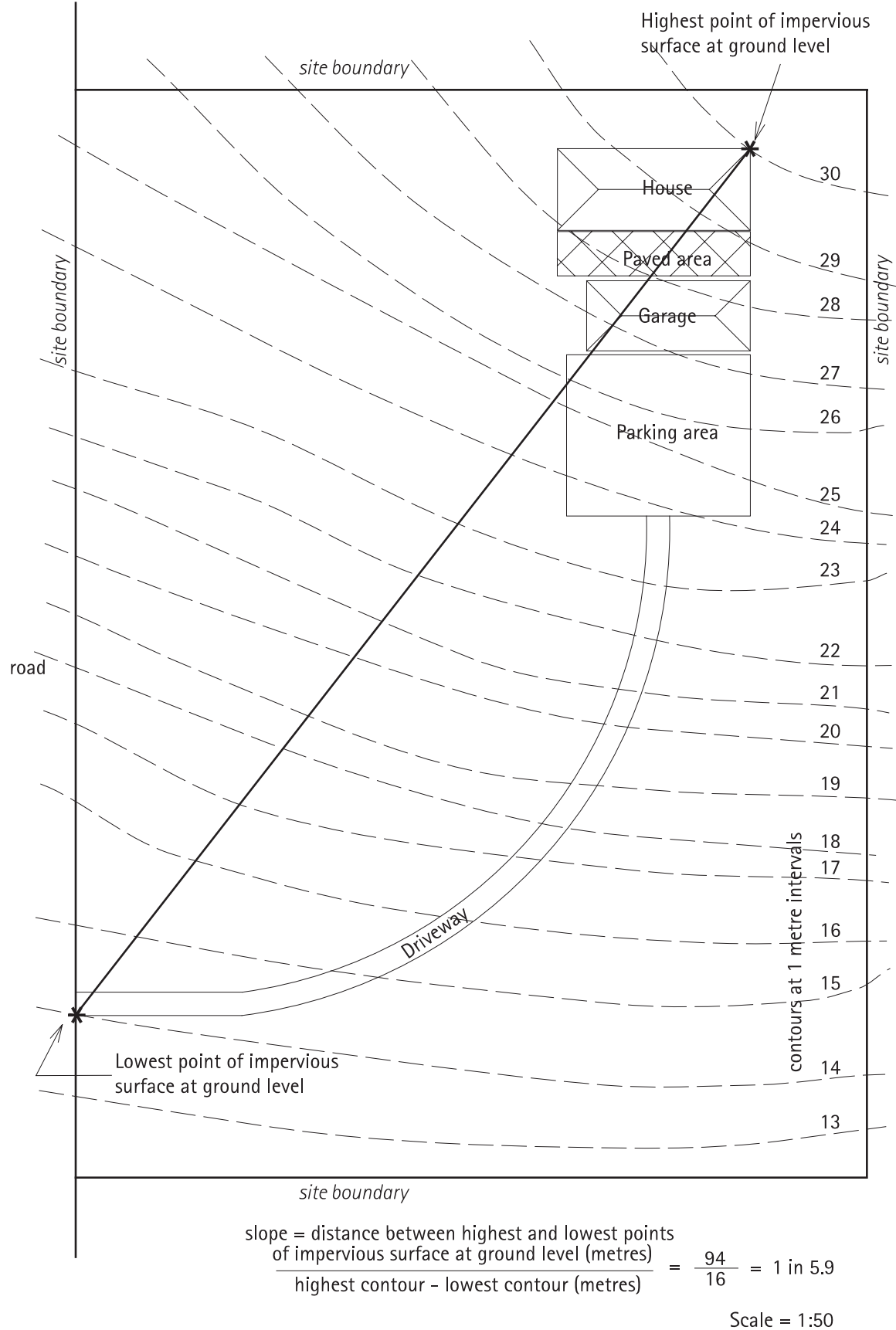


Figure 10c.4 Determination of slope for impervious surface rule – diagram 2

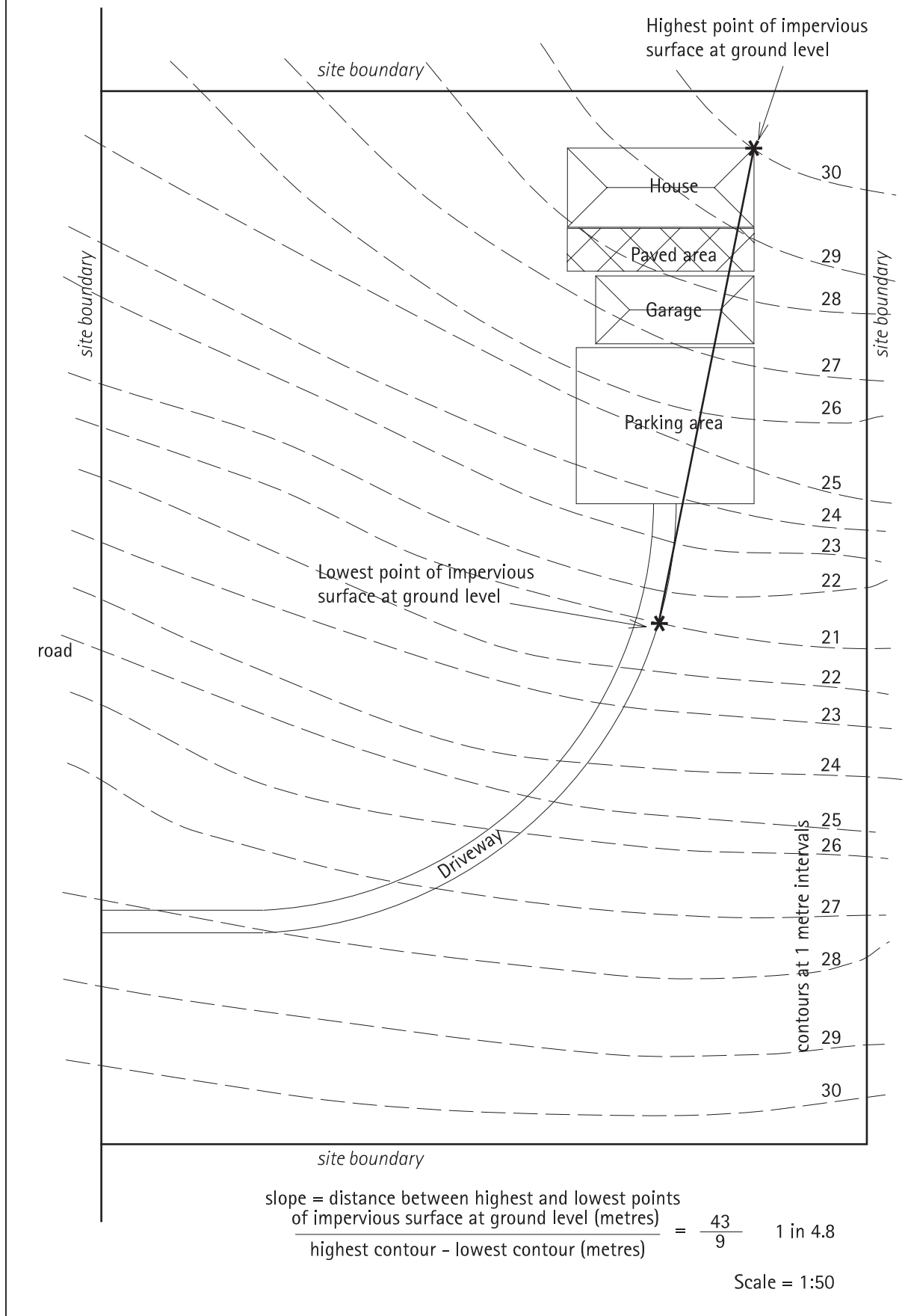
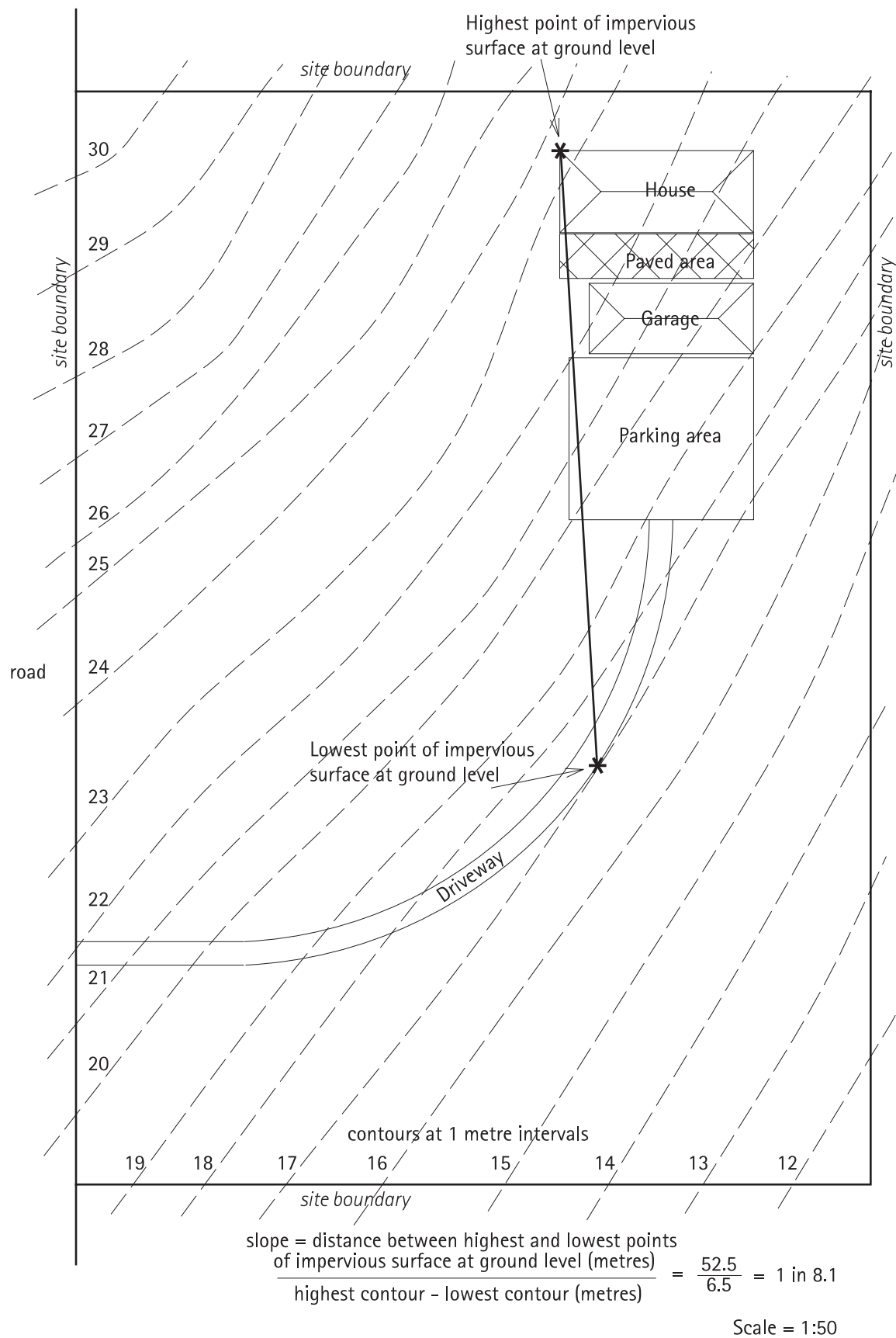


Figure 10c.4 Determination of slope for impervious surface rule – diagram 3



10c.5 Controls for conservation and amenity

10c.5.1 Indigenous vegetation protection

The following rule applies to all indigenous vegetation within the islands, with the exception of indigenous vegetation located within the legal road.

Note: Refer also to [clause 8.5.1](#) for additional vegetation rules related to natural hazards and to [part 7 – Heritage](#) for the rules applying to scheduled trees.

10c.5.1.1 Permitted activities

The following are permitted activities:

1. The pruning or removal of indigenous vegetation less than 3m in height, where the cumulative amount of indigenous vegetation removal, which is less than 3m in height, does not exceed that specified in [tables 10c.1 to 10c.6: Development controls](#) for the relevant land unit or settlement area.
2. The excavation, deposition of material, construction, work, emplacement of services, storage or other activity in, on, above or under, the dripline (branch spread) of indigenous vegetation less than 3m in height.
3. The maintenance or trimming of any indigenous vegetation greater than 3m in height with hand operated secateurs.
4. On Great Barrier only, the pruning, removal or works within the dripline of kanuka up to 6m in height.
5. The removal of vegetation or part of any indigenous vegetation greater than 3m in height that is dead or that is suffering from an untreatable disease which has caused, and will continue to cause, significant decline in its health.

10c.5.1.2 Restricted discretionary activities

The following are restricted discretionary activities:

1. The pruning or removal of indigenous vegetation greater than 3m in height (other than as provided for under (4) below).
2. The excavation, deposition of material, construction, work, emplacement of services, storage or other activity, in, on, above or under, the dripline (branch spread) of any indigenous vegetation greater than 3m in height (other than as provided for under (4) below).
3. The removal of a cumulative amount of indigenous vegetation, which is less than 3m in height, for any site which exceeds that specified in [tables 10c.1 to 10c.6: Development controls](#) for the relevant land unit or settlement area.
4. On Great Barrier only, the pruning, removal or works within the dripline of kanuka greater than 6m in height.
5. The destruction, removal or modification of the habitat of any rare, threatened or endemic species listed in [appendix 6 – List of threatened and unusual plant and animal species](#).

Matters of discretion

The council has restricted its discretion to considering the following matters:

- the applicants' need to obtain a practicable building site, access, parking area, or to install services to the land
- the quantity, quality and extent of the vegetation
- visual and amenity effects
- effects on the habitats of indigenous fauna
- the presence of species that are rare, threatened or endemic to the islands (refer [appendix 6 – List of threatened and unusual plant and animal species](#))

- effects on slope instability and erosion
- mitigation planting
- the consideration of alternatives.

Notification requirements

The notification requirements are set out in [clause 10c.3.2](#).

10c.5.1.3 Explanation for indigenous vegetation protection

The council has limited the removal of indigenous vegetation in order to protect the natural character and the landscape, ecological and amenity values of the islands. It includes limitations on both the cumulative (m²) extent of indigenous vegetation which may be cleared, below 3m in height, and on works within the dripline, modification and removal of indigenous vegetation above 3m in height.

The height restrictions are set in recognition of the relative maturity of trees and shrubs above those limits and the important contribution they make to the natural character and the landscape, ecological and amenity values of the islands. In some land units and settlement areas, indigenous vegetation below 3m in height, may only be cleared if a resource consent is obtained. This control recognises that vegetation is a key element which must be retained to protect the specific values of the land units and settlement areas.

10c.5.2 Exotic tree protection

The following rules apply to exotic trees on Waiheke, which are not located within the legal road. There are no exotic tree protection controls on any of the other islands. Waiheke is the only island where they apply.

Note: Refer also to [clause 8.5.1](#) for additional vegetation rules related to natural hazards and to [part 7 – Heritage](#) for the rules applying to scheduled trees.

10c.5.2.1 Permitted activities

The following are permitted activities:

1. The pruning or removal of exotic tree(s) less than 8m in height or with a girth (measured at 1.4m above ground) less than 800mm.
2. The excavation, deposition of material, construction, work, emplacement of services, storage or other activity, in, on, above or under, the dripline (branch spread) of any exotic tree(s) less than 8m in height or with a girth (measured at 1.4m above ground) less than 800mm.
3. Any maintenance or trimming of any exotic tree over 8m in height or with a girth (measured at 1.4m above ground) greater than 800mm with hand operated secateurs.
4. The removal of any exotic tree over 8m in height or with a girth (measured at 1.4m above ground) greater than 800mm that is dead or that is suffering from an untreatable disease which has caused, and will continue to cause, significant decline in its health.

Exception

The pruning, removal or works within the dripline of any of the following species is a permitted activity:

- all *Pinus* species
- all *Acacia* (wattle) species
- trees being used as shelter belts in landform 1-7 and rural 1-3.
- fruit trees
- any plant pest species listed in [appendix 14 – List of plant pest species](#).

Note: For the avoidance of doubt it is noted that *Araucaria heterophylla* (Norfolk Island pine) and *Cupressus macrocarpa* (macrocarpa) are subject to the exotic tree protection controls.

10c.5.2.2 Restricted discretionary activities

The following are restricted discretionary activities:

1. The pruning or removal of exotic tree(s) over 8m in height or with a girth (measured at 1.4m above ground) greater than 800mm.
2. The excavation, deposition of material, construction, work, emplacement of services, storage or other activity, in, on, above or under, the dripline (branch spread) of any exotic tree(s) over 8m in height or with a girth (measured at 1.4m above ground) greater than 800mm.

Matters of discretion

The council has restricted its discretion to considering the following matters:

- the applicants' need to obtain a practicable building site, access, a parking area, or to install services to the land
- visual and amenity effects
- effects on the habitats of indigenous fauna
- effects on slope instability and erosion issues
- mitigation planting
- the consideration of alternatives.

Notification requirements

The notification requirements are set out in [clause 10c.3.2](#).

10c.5.2.3 Explanation for exotic tree protection controls

The council has imposed limits on the removal of exotic trees over a particular height or girth principally in recognition of the contribution these larger exotic trees make to visual amenity values on Waiheke. It is also recognised that some exotic species can provide valuable food sources for native fauna, and are important for water and soil conservation.

10c.5.3 Exotic tree and indigenous vegetation protection on legal roads

The exotic tree protection controls on legal roads apply to Waiheke only.

Note: Refer to also to [part 5 – Network utility services](#) for tree modification or removal in relation to network utility services, [part 7 – Heritage](#) for rules applying to scheduled trees and to [clause 8.5.1](#) for additional vegetation controls related to natural hazards.

10c.5.3.1 Permitted activities

The following are permitted activities:

1. The pruning or removal of indigenous vegetation less than 3m in height.
2. The excavation, deposition of material, construction, work, emplacement of services, storage or other activity, in, on, above or under, the dripline (branch spread) of any indigenous vegetation less than 3m in height.
3. The maintenance or trimming of any indigenous vegetation greater than 3m in height with hand operated secateurs.
4. The pruning of indigenous vegetation greater than 3m in height where no more than 30 per cent of the foliage is removed in any one calendar year.
5. On Great Barrier only, the pruning, removal or works within the dripline of kanuka up to 6m in height.
6. The removal of vegetation or part of any indigenous vegetation greater than 3m in height that is dead or that is suffering from an untreatable disease which has caused, and will continue to cause, significant decline in its health.

7. The pruning or removal of exotic tree(s) less than 8m in height or with a girth (measured at 1.4m above ground) less than 800mm.
8. The excavation, deposition of material, construction, work, emplacement of services, storage or other activity, in, on, above or under, the dripline (branch spread) of any exotic tree(s) less than 8m in height or with a girth (measured at 1.4m above ground) less than 800mm.
9. Any maintenance or trimming of any exotic tree over 8m in height or with a girth (measured at 1.4m above ground) greater than 800mm with hand operated secateurs
10. The pruning of any exotic tree(s) greater than 8m in height or with a girth (measured at 1.4m above ground) greater than 800mm where no more than 30 per cent of the foliage is removed in any one calendar year.
11. The removal of any exotic tree over 8m in height or with a girth (measured at 1.4m above ground) greater than 800mm that is dead or that is suffering from an untreatable disease which has caused, and will continue to cause, significant decline in its health.

Note: Items 7-11 apply to Waiheke only.

Exception

The pruning, removal or works within the dripline of any of the following species within the legal road is a permitted activity:

- all *Pinus* species
- all *Acacia* (wattle) species
- trees being used as shelter belts
- fruit trees
- any plant pest species listed in [appendix 14 – List of plant pest species](#).

Note: For the avoidance of doubt it is noted that *Araucaria heterophylla* (Norfolk Island pines) and *Cupressus macrocarpa* (macrocarpa) are subject to the exotic tree protection controls for roads.

10c.5.3.2 Restricted discretionary activities

The following are restricted discretionary activities:

1. The removal of indigenous vegetation greater than 3m in height (other than as provided for under (4) below).
2. The excavation, deposition of material, construction, work, emplacement of services, storage or other activity in, on, above or under, the dripline (branch spread) of any indigenous vegetation greater than 3m in height (other than as provided for under (4) below).
3. The pruning of indigenous vegetation greater than 3m in height where more than 30 per cent of the foliage is removed in any one calendar year.
4. On Great Barrier only, the pruning, removal or works within the dripline of kanuka greater than 6m in height.
5. The destruction, removal or modification of the habitat of any rare, threatened or endemic species listed in [appendix 6 – List of threatened and unusual plant and animal species](#).
6. The removal of exotic tree(s) over 8m in height or with a girth (measured at 1.4m above ground) greater than 800mm.
7. The excavation, deposition of material, construction, work, emplacement of services, storage or other activity in, on, above or under, the dripline (branch spread) of any exotic tree(s) over 8m in height or with a girth (measured at 1.4m above ground) greater than 800mm.

8. The pruning of any exotic tree(s) greater than 8m in height or with a girth (measured at 1.4m above ground) greater than 800mm where more than 30 per cent of the foliage is removed in any one calendar year.

Note: Items 6–8 apply to Waiheke only.

Matters of discretion

The council has restricted its discretion to considering the following matters:

- the need to operate, maintain and upgrade the road
- the applicants' need to obtain access, a parking area, or to install services to the land
- visual and amenity effects
- the habitats of indigenous fauna
- effects on slope instability and erosion issues
- mitigation planting
- the consideration of alternatives.

Notification requirements

The notification requirements are set out in [clause 10c.3.2](#).

10c.5.3.3 Explanation for vegetation protection controls on legal roads

The Plan has imposed limits on the modification and removal of trees located on roads in recognition of their contribution to visual, ecological and amenity values in the islands. However, some exclusion is provided for the pruning of trees and vegetation located within the legal road so that management of these assets can be adequately provided for.

10c.5.4 Noise

1. With the exception of (2), (3), and (4) below, or where specific noise controls apply within a land unit or settlement area, the following noise standards apply to all activities.
 - a. Unless otherwise stated the L_{eq} noise level must not exceed the limits specified in [tables 10c.1 to 10c.6: Development controls](#) for the relevant land unit or settlement area.
 - b. The maximum noise level (L_{max}) at 'night' time must not exceed 75dBA.

Note: these noise levels apply on adjacent sites where residential activities occur.

2. All activities in commercial 5 which are adjacent to sites which are not used for residential purposes must meet a L_{eq} noise level of 70dBA. This must be measured at the boundary of the site. The noise standards in table 10c.1 will apply on adjacent sites where residential activities occur.

Note: Apart from the boundary noise standard above, no additional noise controls apply to dwellings located within commercial 5.

3. The L_{eq} noise level arising from the use of any generator (except a wind powered generator) used solely for the generation of electricity must not exceed the following limits:

Monday to Sunday 7.00am to 10.00pm:	55dBA
At all other times:	45dBA

4. The sound level from any wind turbine generator must not exceed the background sound level (L_{95}) by more than 5dBA, or a level of 40dBA L_{95} , whichever is the greater at wind speeds up to 15m/s.

Methodology: The sound level must be measured in accordance with section 4.5 and 5.2 of NZS 6808:1998 Acoustics – The Assessment and Measurement of Sound from Wind Turbine Generators except that measurements above 15m/s will not be necessary. When the sound

of a wind turbine generator has special audible characteristics a maximum penalty of +5dBA will be applied to the measured sound level.

Notes:

1. For rules (1), (2) and (3) above refer to [clause 4.7](#) which sets out the methodology for measuring noise.
2. For noise controls applying to helipads and airstrips in landform 1-7 on Great Barrier, refer to [clause 13.8.2](#).

Explanation

The purpose of imposing noise controls is to ensure that noise does not adversely affect amenity values and because excessive noise can be detrimental to public health. Quantitative noise limits have been prescribed in the Plan to maintain existing background noise levels and to maintain amenity. These general limits have been varied in a number of land units in recognition of the type of activity occurring and where a different level of environmental amenity is acceptable.

10c.5.5 Noise management at Claris and Okiwi airfields

If the following activities are listed as permitted in the applicable land unit or settlement area, but are proposed to be located between the Ldn (day / night level) 55 and 65dBA noise contours around Claris and Okiwi airfields (see note below), then they are restricted discretionary activities:

- the construction or relocation of dwellings
- alterations and additions to the exterior of existing dwellings
- educational facilities
- community facilities
- healthcare services.

Note: The locations of the Ldn 55 and 65dBA noise contours around Claris and Okiwi airfields are identified on the planning maps. These contours are also shown on [figure 10c.5: Claris airfield noise contour levels](#) and [figure 10c.6: Okiwi airfield noise contour levels](#).

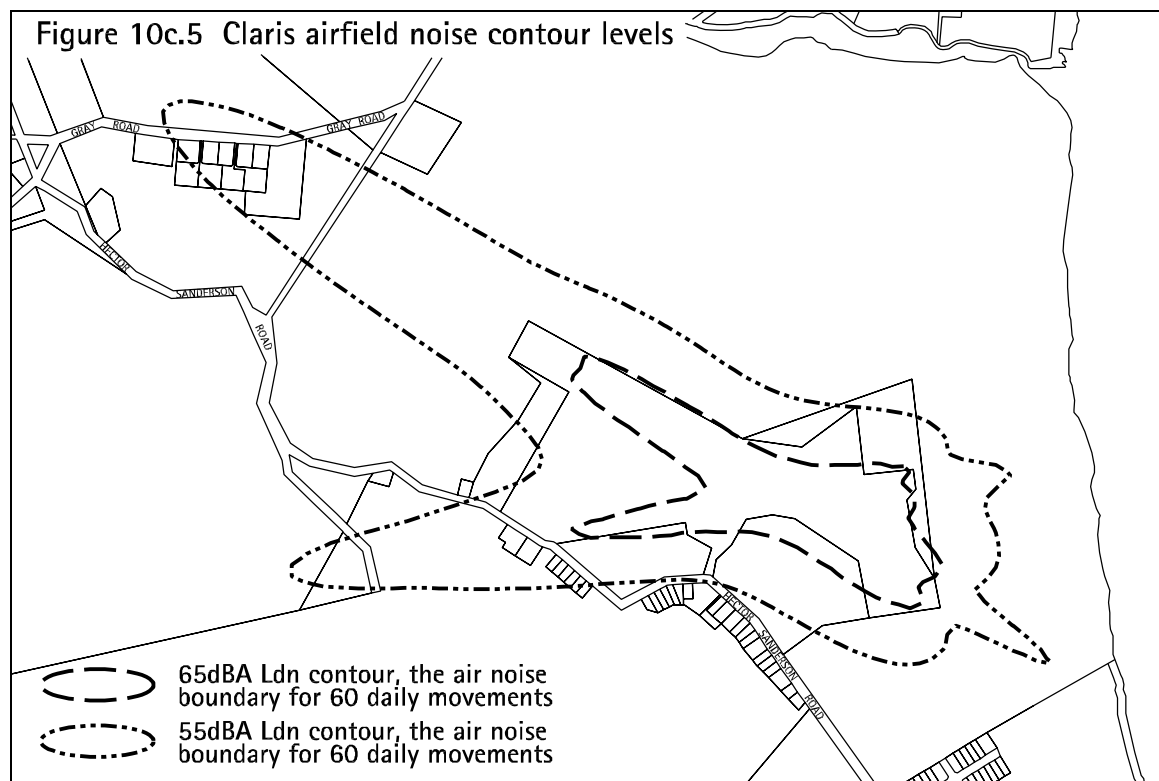
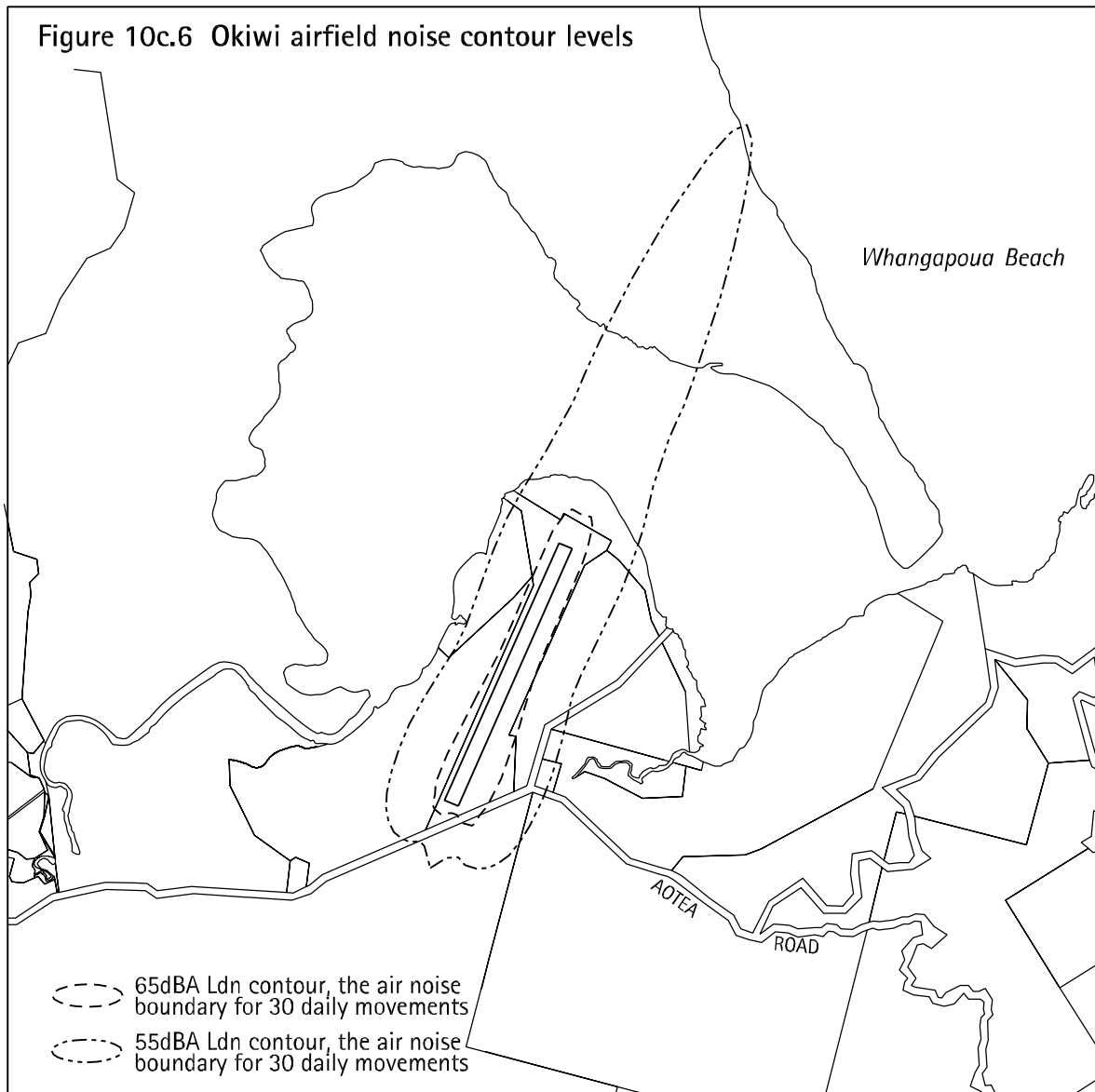


Figure 10c.6 Okiwi airfield noise contour levels



Matters of discretion

When considering an application for the activities listed above, the council has restricted its discretion to considering the following the matter:

- The extent to which the building can be designed or modified to reduce the noise from aircraft movements to a reasonable level, while meeting the ventilation requirements of the building code.

Notification requirements

The notification requirements are set out in [clause 10c.3.2](#).

Explanation

The purpose of the rule is to manage the location of sensitive activities in areas of high cumulative noise around Claris and Okiwi airfields. Where noise sensitive activities are proposed to locate between the Ldn 55 and 65dBa noise contours, the council will require consent to assess to how the building can be designed and modified so that adverse effects from aircraft noise can be remedied or mitigated. This is to ensure that reverse sensitivity matters are addressed so that the operation of the airfields is not put at risk.

10c.5.6 Earthworks

In addition to the rules set out below, more restrictive earthworks controls may also apply under other provisions of the Plan. Particular regard should be had to the following:

- [Part 7 – Heritage](#)
- [Part 8 – Natural hazards](#)
- [Clause 10c.5.7](#) coastal, wetland and water body protection yards.

The definition of earthworks in [part 14 – Definitions](#) does not include quarrying. Quarrying is provided for in commercial 6 and in the quarry area of the Medlands settlement area.

Methodology: For the purposes of the rules below, slope means the slope of the land surface measured by the nearest route from the bottom to the top of the area of land to be disturbed. It should have an accuracy no less than that achieved by a hand held inclinometer or abney level.

10c.5.6.1 Permitted activities

The following are permitted activities:

1. Subject to compliance with the standards set out in [clause 10c.5.6.2](#) below, earthworks where:
 - the land subject to earthworks has a slope of greater than 1 in 6; and
 - the contiguous extent of the earthworks measured in square metres does not exceed the limit specified in [tables 10c.1 to 10c.6: Development controls](#) for the relevant land unit or settlement area.
2. Subject to compliance with the standards set out in [clause 10c.5.6.2](#) below, earthworks where:
 - the land subject to earthworks has a slope of less than or equal to 1 in 6; and
 - the contiguous extent of the earthworks measured in square metres does not exceed the limit specified in table 10c.1 for the relevant land unit or settlement area.
3. With the exception of landform 1, 2 and 4, earthworks to dig trenches for network utility services or effluent disposal systems where all of the following are met:
 - a. The utility services include water, power, wastewater, drainage, telecommunications, or other in ground services of a similar character.
 - b. No more earth is removed than is absolutely necessary for the trench.
 - c. The trench does not remain open for more than 48 hours.
 - d. The reinstated disturbed land is revegetated or otherwise protected from soil erosion as soon as practicable after completion of the works.
 - e. The earthworks comply in all respects with the standards set out in [clause 10c.5.6.2](#) below.
4. Earthworks to construct farm tracks in landform 3 and 5 on Great Barrier where:
 - a. The tracks are required for farming activities; and
 - b. The earthworks comply in all respects with the standards set out in [clause 10c.5.6.2](#) below.
5. Earthworks to construct new farm drains in landform 3 and 5 on Great Barrier.
6. Earthworks associated with the cleaning and maintenance of existing farm drains.
7. Earthworks for the use, maintenance and upgrading of existing formed public roads as provided for in [part 5 – Network utility services](#).
8. Gardening for domestic purposes.
9. Cultivation associated with agriculture or horticulture.
10. The digging of holes for the erection of posts or poles.

10c.5.6.2 Standards for permitted activities

The permitted activities must comply in all respects with the following standards:

1. All earthworks are undertaken using erosion and sediment control measures to ensure that, in so far as is practicable, soil erosion is minimised and sediment does not enter into wetland or water bodies. For information on how to achieve this refer [appendix 16 – Erosion and sediment control guidelines for earthworks](#).
2. No material must be deposited on any public road. Means to avoid depositing material on the road are set out in appendix 16.
3. Any surplus excavated material which is not reused on site, must be disposed of in a legally authorised manner.
4. Where evidence of a burial site or any other archaeological site is found or exposed on an area where earthworks is occurring, all work must cease immediately and the council and the Historic Places Trust must be advised immediately.

Note: On receipt of such advice it is the council's practice to consult with the relevant authorities (Historic Places Trust, Department of Conservation, tangata whenua) and the owner of the property with regard to the appropriate treatment of the site.

10c.5.6.3 Restricted discretionary activities

The following are restricted discretionary activities:

1. Earthworks where:
 - the land subject to earthworks has a slope of greater than 1 in 6; and
 - the contiguous extent of the earthworks measured in square metres exceeds the limit specified in [tables 10c.1 to 10c.6: Development controls](#) for the relevant land unit or settlement area.
2. Earthworks where:
 - the land subject to earthworks has a slope of less than or equal to 1 in 6; and
 - the contiguous extent of the earthworks measured in square metres exceeds the limit specified in tables 10c.1 to 10c.6 for the relevant land unit or settlement area.

Matters of discretion

The council has restricted its discretion to considering the following matters:

- adverse effects from soil erosion and generation of sediments
- adverse effects on visual or other landscape qualities
- adverse effects on adjacent sites and public roads
- adverse effects on significant environmental features, water systems, scheduled heritage items, or sites of cultural significance.

Assessment criteria

The council's assessment of an application for earthworks under this clause will consider the matters set out in [clause 10c.5.6.5](#).

Notification requirements

The notification requirements are set out in [clause 10c.3.2](#).

10c.5.6.4 Discretionary activities

The following is a discretionary activity:

- Earthworks where more than 5000m³ of cleanfill is transported by public road to or from the area subject to earthworks. The 5000m³ is expressed as a solid measure.

The council's assessment of an application for earthworks under this clause will include consideration of the matters set out in [clause 10c.5.6.5](#).

10c.5.6.5 Assessment criteria

The following assessment criteria apply to applications under [clauses 10c.5.6.3](#) and [10c.5.6.4](#).

1. The extent to which the earthworks can be undertaken in a manner which minimises adverse effects arising from soil erosion and the generation of sediments, taking into account:
 - the steepness of the land (slope angle and horizontal length)
 - soil type and stability
 - existing vegetation cover
 - proximity to wetland and water systems
 - proposed sediment and erosion control measures
 - the time of year and the length of time soil is likely to be exposed
 - proposed disposal of surplus soil or requirements for importing cleanfill
 - proposed reinstatement and stabilisation including planting and drainage.
2. The extent to which the earthworks are likely to have adverse effects on visual or other landscape qualities which cannot be avoided, remedied or mitigated having regard to:
 - proposed planting or other landscaping
 - effects on the natural character of the coastal environment
 - visibility from public places such as roads and reserves, and from coastal waters
 - the extent and depth of cut and fill.
3. The extent to which measures can be taken to avoid, remedy or mitigate adverse effects on adjacent sites and on public roads taking into account:
 - the hours of operation and duration of the earthworks activities
 - provision for the maintenance of public roads giving access to the site
 - road safety
 - dust mitigation measures.
4. The extent to which protection and management measures can be undertaken to avoid, remedy or mitigate adverse effects on significant environmental features, water systems, scheduled heritage items, or sites of cultural significance.

10c.5.6.6 Bylaw and regional requirements

All works in flood plains and overland flow paths must comply with the relevant part of the council's bylaw which controls stormwater management.

Earthworks over 0.25ha in area; roading, tracking or trenching over 100m in length; works within floodplains or watercourses (including diversion); and cultivation of soil for commercial crop production may require resource consent from the Auckland Regional Council prior to the activity commencing. The ARC should be contacted to determine whether a consent is required and to discuss technical requirements.

10c.5.6.7 Explanation for earthworks controls

A major reason for controlling earthworks is to minimise the potential for erosion and sedimentation which can have adverse effects on water bodies, wetlands and coastal systems. Permitted activity standards require the implementation of erosion and sediment control measures for all earthworks activities to avoid the adverse effects from sediment runoff. The steepness of the land and the extent of the earthwork are the main factors which determine how much sediment leaves an area of earthworks. The earthworks controls therefore include limits based on slope and exposed surface area. Above the specified limits a resource consent is required.

A limit is also placed on the volume of cleanfill which can be transported by public road either to or from the site as a restricted discretionary activity. Larger proposals, involving more than 5000m³ of cleanfill being transported by public road, are discretionary activities.

Earthworks are not permitted as of right in landform 1, 2 and 4. This is in keeping with the objectives of these land units which emphasise the need to protect their natural character.

Earthworks can have an adverse visual impact due to the removal of vegetation and the alteration of landforms. Visual effects are most obvious during the construction phase but reduce over time if planting and other landscaping is established round the new building or driveway. Adverse visual effects are more likely to occur where earthworks occur on steeper landforms with a coastal location.

The requirement to cease earthworks if a burial site or any other archaeological features are exposed is included in recognition of the obligations under the Historic Places Act.

10c.5.7 Coastal, wetland and water body protection yards

1. No building must be located in, on or over the coastal, wetland or water body protection yards specified in [tables 10c.1 to 10c.6: Development controls](#) for the relevant land unit or settlement area.
2. No earthworks must be undertaken within the coastal, wetland or water body protection yards specified in [tables 10c.1 to 10c.6: Development controls](#) for the relevant land unit or settlement area.
3. **Methodology:** yards must be measured on the horizontal plane from either the line of mean high water springs, or the edge of any wetland or water body.
4. The requirements of these yards will replace any other yard requirement.

Explanation

Coastal, wetland and water body protection yards are imposed to help preserve the natural character of the coastal environment and the margins of wetlands and water bodies, to maintain and enhance water quality, and to preserve amenity values.

10c.5.8 Building restriction yard

There must be no buildings constructed within the area contained between any building restriction yard shown on the planning maps and a site boundary, or the line of mean high water springs.

Explanation

Controls on the construction of buildings are imposed where it is necessary to control amenity values in an area. In some cases it is necessary to ensure the visual quality of an area is maintained. Limits on buildings so that they cannot be located in places where the above outcomes are sought, are therefore necessary. The building restriction yards shown on the planning maps define these areas.

10c.5.9 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 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 10a – Land units: objectives, policies and activity tables](#)

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

[Part 12 – Subdivision](#)

[Part 13 – Connectivity and linkages](#)

Table 10c.1: Development controls – landforms 1–7, island residential 1 and 2

Land units	Landform 1 (coastal cliffs and slopes)	Landform 2 (dune systems and sand flats)		Landform 3 (alluvial flats)	Landform 4 (wetland systems)	Landform 5 (productive land)	Landform 6 (regenerating slopes)	Landform 7 (forest and bush)	Island residential 1 (traditional residential)	Island residential 2 (bush residential)
		Dune systems	Sand flats							
Bulk and location of buildings:										
Height	n/a	n/a	8m	8m	n/a	8m	8m	8m	8m	8m
Front yards	n/a	n/a	6m	6m	n/a	6m	6m	6m	4m	4m
Side and rear yards	n/a	n/a	1.5m	1.5m	n/a	1.5m	1.5m	1.5m	1.5m	1.5m
Building coverage	n/a	n/a	20% of net site area or 250m ² whichever is the lesser	20% of net site area or 250m ² whichever is the lesser	n/a	1000m ² (max. footprint of any one building is 300m ²)	500m ²	10% of net site area or 250m ² whichever is the lesser	15% of net site area	15% of net site area
Conservation and amenity:										
Indigenous vegetation removal (below 3m in height)	NC	NC	250m ²	500m ²	NC	unlimited	1000m ²	250m ²	300m ²	300m ²
Noise (L _{eq} levels): Monday to Saturday 7am to 10pm and Sunday 9am to 6pm All other times including public holidays (night time)	45dBA	45dBA	45dBA	50dBA	45dBA	50dBA	45dBA	45dBA	50dBA	50dBA
	35dBA	35dBA	40dBA	40dBA	35dBA	40dBA	40dBA	40dBA	40dBA	40dBA
Earthworks on land with a slope >1 in 6	NC	NC	50m ²	50m ²	NC	50m ²	50m ²	50m ²	50m ²	50m ²
Earthworks on land with a slope ≤1 in 6	NC	NC	50m ²	400m ²	NC	400m ²	400m ²	200m ²	400m ²	400m ²

Land units	Landform 1 (coastal cliffs and slopes)	Landform 2 (dune systems and sand flats)		Landform 3 (alluvial flats)	Landform 4 (wetland systems)	Landform 5 (productive land)	Landform 6 (regenerating slopes)	Landform 7 (forest and bush)	Island residential 1 (traditional residential)	Island residential 2 (bush residential)
		Dune systems	Sand flats							
Protection yards: - coastal (MHWS) - wetland and water bodies	n/a	n/a	40m	40m	n/a	40m	40m	40m	30m	30m
	n/a	n/a	20m	20m	n/a	20m	20m	20m	20m	20m

Key:

NC – Denotes a non-complying activity.

n/a – Denotes where buildings or activities are not provided for, or where the particular circumstances of the land unit mean that the development control does not apply. Therefore no development control has been attributed.

Note: This is a summary table and must be used in conjunction with the more detailed rules elsewhere in part 10c. There are also some development controls which are not displayed in this table ie building in relation to boundary, ridgeline control, impervious surface area, exotic tree protection (Waiheke only), and building restriction yards.

Table 10c.2: Development controls – commercial 1–7

Land units	Commercial 1 (Oneroa village)	Commercial 2 (Ostend village)	Commercial 3 (local shops)	Commercial 4 (visitor facilities)	Commercial 5 (industrial)	Commercial 6 (quarry)	Commercial 7 (wharf)
Bulk and location of buildings:							
Height	Refer land unit rules	8m	8m	8m	8m	8m	6m
Front yards	0m (Also refer to land unit rules)	Refer to land unit rules	0m (Also refer to land unit rules)	4m	Refer to land unit rules	Refer to land unit rules	0m
Side and rear yards	0m or 1.5m (where abutting another land unit)	0m or 1.5m (where abutting another land unit)	0m or 1.5m (where abutting another land unit)	1.5m	Refer to land unit rules	Refer to land unit rules	0m
Building coverage	40% of net site area ##	40% of net site area	40% of net site area	15% of net site area	40% of net site area	15% of net site area	200m ²
Conservation and amenity:							
Indigenous vegetation removal (below 3m in height)	300m ²	300m ²	300m ²	300m ²	300m ²	n/a	n/a
Noise (L_{eq} levels): Monday to Saturday 7am to 10pm and Sunday 9am to 6pm All other times including public holidays (night time)	55dBA	55dBA	55dBA	55dBA	55dBA	Refer to land unit rules	55dBA
	45dBA	45dBA	45dBA	45dBA	45dBA	Refer to land unit rules	45dBA
Earthworks on land with a slope >1 in 6	50m ²	50m ²	50m ²	50m ²	50m ²	n/a	50m ²
Earthworks on land with a slope ≤1 in 6	400m ²	400m ²	400m ²	400m ²	400m ²	n/a	400m ²
Protection yards: - coastal (MHWs) - wetland and water bodies	30m	30m	30m	30m	30m	30m	n/a
	20m	20m	20m	20m	20m	20m	n/a

Key:

NC – Denotes a non-complying activity.

n/a – Denotes where buildings or activities are not provided for, or where the particular circumstances of the land unit mean that the development control does not apply. Therefore no development control has been attributed.

'Refer to land unit rules' means see the specific rules for the particular land unit as contained in [part 10a – Land units: objectives, policies and activity tables](#).

Building coverage and / or impervious surface area for commercial 1 is 75% of net site area if the site is connected to the Owahanake wastewater treatment plant. (Refer to impervious surface area rules)

Note: This is a summary table and must be used in conjunction with the more detailed rules elsewhere in part 10c. There are also some development controls which are not displayed in this table ie building in relation to boundary, ridgeline control, impervious surface area, exotic tree protection (Waiheke only), and building restriction yards.

Table 10c.3: Development controls – Matiatia (mixed use)

Land unit	Matiatia		
	Transport area	Mixed use area	Wetland area
Bulk and location of buildings:			
Height	6m (area A), 8m (area B)	Refer to land unit rules	4m
Front yards	n/a	n/a	n/a
Side and rear yards	n/a	n/a	n/a
Building coverage	200m ² (area A), 500m ² (area B)	30%	5%
Conservation and amenity:			
Indigenous vegetation removal (below 3m in height)	1000m ²	300m ²	NC
Noise (L_{eq} levels): Monday to Saturday 7am to 10pm and Sunday 9am to 6pm All other times including public holidays (night time)	55dBA	55dBA	50dBA
	45dBA	45dBA	40dBA
Earthworks on land with a slope > 1 in 6	50m ²	50m ²	NC
Earthworks on land with a slope ≤ 1 in 6	400m ²	400m ²	NC
Protection yards: - coastal (MHWS) - wetland and water bodies	n/a	30m	n/a
	20m	10m	n/a

Key:

NC - Denotes a non-complying activity.

n/a - Denotes where buildings or activities are not provided for, or where the particular circumstances of the land unit mean that the development control does not apply. Therefore no development control has been attributed.

'Refer to land unit rules' means see the specific rules for the particular land unit as contained in [Part 10a - Land units: objectives, policies and activity tables](#).**Note:** This is a summary table and must be used in conjunction with the more detailed rules elsewhere in part 10c. There are also some development controls which are not displayed in this table ie building in relation to boundary, ridgeline control, impervious surface area, exotic tree protection (Waiheke only), and building restriction yards.

Table 10c.4: Development controls – recreation 1-3, rural 1-3, and conservation

Land units	Recreation 1 (local parks and esplanade reserves)	Recreation 2 (community facilities)	Recreation 3 (Rangihoua Park)	Rural 1 (rural amenity)	Rural 2 (western landscape)	Rural 3 (Rakino amenity)	Conservation
Bulk and location of buildings:							
Height	8m	8m	8m	8m	8m	8m	6.5m
Front yards	1.5m	1.5m	4m	6m	6m	6m	6m
Side and rear yards	1.5m	1.5m	1.5m	1.5m	1.5m	1.5m	1.5m
Building coverage	10% of net site area or 250m ² whichever is lesser	300m ²	2500m ² (max. footprint of any one building is 250m ²)	500m ² (max. footprint of any one building is 250m ²)	500m ² (max. footprint of any one building is 250m ²)	500m ² (max. footprint of any one building is 250m ²)	10% of net site area; or for Motutapu only – 1.5ha
Conservation and amenity:							
Indigenous vegetation removal (below 3m in height)	300m ²	300m ²	Refer to land unit rules	300m ²	300m ²	300m ²	200m ² Refer also to land unit rules
Noise (L _{eq} levels): Monday to Saturday 7am to 10pm and Sunday 9am to 6pm All other times including public holidays (night time)	45dBA 40dBA	55dBA 45dBA	55dBA 45dBA	0dBA 40dBA	50dBA 40dBA	50dBA 40dBA	45dBA 40dBA
Earthworks on land with a slope >1 in 6	50m ²	50m ²	50m ²	50m ²	50m ²	50m ²	50m ²
Earthworks on land with a slope ≤1 in 6	400m ²	400m ²	400m ²	400m ²	400m ²	400m ²	400m ²

Land units	Recreation 1 (local parks and esplanade reserves)	Recreation 2 (community facilities)	Recreation 3 (Rangihoua Park)	Rural 1 (rural amenity)	Rural 2 (western landscape)	Rural 3 (Rakino amenity)	Conservation
Protection yards: - coastal (MHWS) - wetland and water bodies	30m 20m	40m 20m	40m 20m	40m 20m	40m 20m	40m 20m	40m 20m

Key:

NC – Denotes a non-complying activity.

n/a – Denotes where buildings or activities are not provided for, or where the particular circumstances of the land unit mean that the development control does not apply. Therefore no development control has been attributed.

'Refer to land unit rules' means see the specific rules for the particular land unit as contained in [part 10a – Land units: objectives, policies and activity tables](#).

Note: This is a summary table and must be used in conjunction with the more detailed rules elsewhere in part 10c. There are also some development controls which are not displayed in this table ie building in relation to boundary, ridgeline control, impervious surface area, exotic tree protection (Waiheke only), and building restriction yards.

Table 10c.5: Development controls – Pakatoa and Rotoroa

Land units	Pakatoa			Rotoroa	
	Tourist complex area	Residential area	Landscape protection area	Conservation / residential area	Visitor accommodation area
Bulk and location of buildings:					
Height	8m	8m	n/a	6m	5m in visitor area A. 8m in visitor area B, and a max. of two storeys
Front yards	n/a	n/a	n/a	n/a	n/a
Side and rear yards	1.5m	1.5m	n/a	n/a	n/a
Building coverage	30%	10%	n/a	300m ² per dwelling and associated residential accessory buildings 250m ² for the visitor information centre	3000m ²
Conservation and amenity:					
Indigenous vegetation removal (below 3m in height)	1000m ²	200m ²	NC	300m ²	300m ²
Noise (L_{eq} levels): Monday to Saturday 7am to 10pm and Sunday 9am to 6pm All other times including public holidays (night time)	50dBA	50dBA	50dBA	50dBA	50dBA
	40dBA	40dBA	40dBA	40dBA	40dBA
Earthworks on land with a slope > 1 in 6	50m ²	50m ²	NC	50m ²	50m ²
Earthworks on land with a slope ≤ 1 in 6	400m ²	400m ²	NC	400m ²	400m ²

Land units	Pakatoa			Rotoroa	
	Tourist complex area	Residential area	Landscape protection area	Conservation / residential area	Visitor accommodation area
Protection yards: - coastal (MHS) - wetland and water bodies	40m	40m	n/a	40m	40m
	20m	20m	n/a	20m	20m

Key:

NC – Denotes a non-complying activity.

n/a – Denotes where buildings or activities are not provided for, or where the particular circumstances of the land unit mean that the development control does not apply. Therefore no development control has been attributed.

'Refer to land unit rules' means see the specific rules for the particular land unit as contained in [part 10a – Land units: objectives, policies and activity tables](#).

Note: This is a summary table and must be used in conjunction with the more detailed rules elsewhere in part 10c. There are also some development controls which are not displayed in this table ie building in relation to boundary, ridgeline control, impervious surface area, exotic tree protection (Waiheke only), and building restriction yards.

Table 10c.6: Development controls – settlement areas

Settlement areas	Residential amenity areas	Local retail areas	Headland protection area	Visitor accommodation area	Reserve, dune, coastal margin and wetland conservation areas	Claris light industry area	Claris airport area	Mulberry Grove School, and Okiwi School and Domain area	Medlands quarry area
Bulk and location of buildings:									
Height	8m	6.5m	8m	8m	8m	8m	6.5m	8m	8m
Front yards	4m	0m	4m	4m	4m	8m	0m	4m	4m
Side yards	1.5m	0m	1.5m	1.5	1.5m	3m	0m	4m	4m
Building coverage	15% of net site area (max. footprint of any one building is 200m ²)	45% of net site area	15% of net site area (max. footprint of any one building is 200m ²)	30% of net site area	10% of net site area (max. footprint of any one building is 200m ²)	15% of net site area	15% of net site area	30% of net site area	20% of net site area
Conservation and amenity:									
Indigenous vegetation removal (below 3m in height)	400m ²	1000m ²	50m ²	500m ²	NC	400m ²	1000m ²	200m ²	200m ²
Noise (L _{eq} levels): Monday to Saturday 7am to 10pm and Sunday 9am to 6pm All other times including public holidays (night time)	50dBA	55dBA	50dBA	55dBA	50dBA	55dBA	n/a	55dBA	Refer to settlement area rules
	40dBA	40dBA	40dBA	40dBA	40dBA	40dBA	n/a	40dBA	
Earthworks on land with a slope >1 in 6	50m ²	50m ²	50m ²	50m ²	NC	n/a	n/a	50m ²	n/a
Earthworks on land with a slope ≤1 in 6	400m ²	400m ²	400m ²	400m ²	NC	400m ²	400m ²	400m ²	n/a

Settlement areas	Residential amenity areas	Local retail areas	Headland protection area	Visitor accommodation area	Reserve, dune, coastal margin and wetland conservation areas	Claris light industry area	Claris airport area	Mulberry Grove School, and Okiwi School and Domain area	Medlands quarry area
Protection yards: – coastal (MHS) – wetland and water bodies	40m	40m	40m	40m	40m	n/a	40m	40m	n/a
	20m	20m	20m	20m	20m	40m	40m	20m	20m

Key:

NC – Denotes a non-complying activity.

n/a – Denotes where buildings or activities are not provided for, or where the particular circumstances of the land unit mean that the development control does not apply. Therefore no development control has been attributed.

'Refer to land unit rules' means see the specific rules for the particular land unit as contained in [part 10b – Settlement areas: objectives, policies and activity tables](#).**Note:** This is a summary table and must be used in conjunction with the more detailed rules elsewhere in part 10c. There are also some development controls which are not displayed in this table ie building in relation to boundary, ridgeline control, impervious surface area, exotic tree protection (Waiheke only), and building restriction yards.