

PART 6A

LAND UNITS





PART 6A - LAND UNITS

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LAND UNITS

6.0 GENERAL EXPLANATION

Each strategic management area has been separated into smaller land units based on common features of the physical and natural landscape for the purpose of resource management. Each land unit has a combination of predominant natural and environmental factors such as slope, vegetation, drainage patterns, water systems, aspect, geology, soils, propensity to erosion, or other natural hazards such that each land unit can clearly and visibly be recognised as being different from any other land unit.

Each strategic management area in the Hauraki Gulf Islands is comprised of a variety of land units. The combination of land units within each of the strategic management areas creates a different set of resource management issues and accordingly a different approach for each area. The relationship between land units in a strategic management area has, therefore, led to different objectives and policies at the strategic management area level in recognition of the interactions between the land units.

For the Outer Islands, 10 land units have been identified and the rules contained within the Plan relate specifically to the characteristics of those units, their key elements and the effects of land use activities that must be managed to achieve sustainable management outcomes. There are 23 land units applicable to the Inner Islands and rules are included in the Plan which relate explicitly to each of those land units.

Each land unit has a set of objectives and policies which, together with the relevant rules and assessment criteria for applications, provide the linkage to the strategic management area level as well as integration with the management of the adjoining land unit.

Each land unit is structured to include the following:

- A brief description of the land unit, its location and general information about its characteristics.
- Resource management issues are identified and a resource management strategy for the land unit outlined. These resource management issues and strategy are reflected in objectives and policies specific to each land unit. The objectives and policies provide the means and direction by which the resource management strategy for the land unit, as well as the resource management strategy for the strategic management areas and Hauraki Gulf Islands as a whole, will be achieved. The objectives and policies also structure and provide the basis for the relevant rules for each land unit.
- The rules for each land unit identify the basis upon which land use activities are permitted and establish a

range of standards and limits which permitted activities must comply with. The rules also contain explicit standards and criteria against which discretionary and controlled activity applications can be assessed and consents granted. Reference is made to the information needs, notification procedures and other requirements associated with applications for resource consents.

Delineation of land units 1 to 10 comprising the Outer Islands and the Eastern Waiheke strategic management area (S.M.A.19) is based on the prevalent environment factors which exist within a given area. Utilising a practical mapping scale has given rise to small pockets of land having physical characteristics which are different to those described for the land unit. Issues arising from this can be addressed through the resource consent process.

This part also outlines the various standards for the different classes of activity (permitted, controlled and discretionary) as well as information requirements and criteria for assessing applications for resource consent. The standards for permitted activities are set out in Part 6B and for discretionary activities are in Part 6C. The rules covering controlled activities, including assessment criteria and conditions are included within the rules for each land unit where controlled activities apply.

Notification and information requirements for resource consent applications are outlined in Part 6D.

Parts 6E and 6F set out assessment criteria for discretionary activities. These are divided into general assessment criteria (Part 6E) which apply to all applications for discretionary activities and particular assessment criteria for specified discretionary activities (Part 6F). Possible consent conditions are outlined in Part 6G.

The Council is required by law to enforce the observance of this Plan. Compliance with this Plan does not remove the need to comply with all other applicable acts, regulations, bylaws and rules of law. In addition, every person has a duty to avoid, remedy or mitigate any adverse effect on the environment arising from any activity carried on by, or on behalf of, that person, whether or not the activity is in accordance with a rule in this Plan, a resource consent or a lawful existing use.



6.0.1 GENERAL RULES

6.0.1.1 Roads

Where an existing , formed , designated road is not included within a land unit, such road shall be deemed to be within the adjacent land unit. Where the land units applying are different on either side of the same section of the road, the stricter land unit standard(s) shall apply to that section of road.

6.0.1.2 Pastoral Farming

Pastoral farming shall be regarded as a permitted activity where it conforms to the standards contained in Part 6B, except that goats are not allowed in any part of the Hauraki Gulf Islands section of the district and would require a non-complying activity resource consent application.



LAND UNIT 1 - COASTAL CLIFFS

6.1.0 DESCRIPTION

Land Unit 1 is mainly comprised of steep coastal cliffs which typify significant parts of the coastline of both the Inner and Outer Islands. Other features included within the land unit are offshore islets and stacks. The physical nature of the land unit is characterised by deeply indented rocky slopes with little soil cover. Vegetation within the land unit is comprised of cliff associations and unprotected remnant gully vegetation. This vegetation is generally sparse and has difficulty establishing because of exposure and soil conditions. Much of the land unit is subject to instability, exposure and in some cases severe erosion. The land unit has a physically rugged landscape and is also noteworthy for its high visual prominence and amenity value.

6.1.1 RESOURCE MANAGEMENT ISSUES

- Hazards including stability and erosion.
- Protection of high visual amenity values.
- Detrimental impacts of people and animals.
- Vegetation removal and revegetation.
- Coastal interface and natural environmental values.
- Land use activity capabilities limited to preservation and conservation.

6.1.2 RESOURCE MANAGEMENT STRATEGY

Land Unit 1 is visually and functionally important as it occupies an important part of the land/water interface area. In recognition of this, and the land's particular vulnerability to erosion and human induced impacts, the resource management strategy primarily involves the protection and enhancement of this land unit through the limitation of land use activities that might compromise its visual prominence or cause, or increase the potential for, erosion and instability. Furthermore, the revegetation and rehabilitation of this land unit is encouraged as a means of maintaining and improving visual importance and stability.

6.1.3 OBJECTIVE AND POLICIES

6.1.3.1 OBJECTIVE

To allow land use activities in land unit 1 only where they preserve and protect the natural features of the coastal environment:

Policies

- A. By encouraging the stabilisation and enhancement of the natural qualities and characteristics of the land unit through:
 - the revegetation and rehabilitation or retirement of land, and
 - the use of bonus provisions in the Plan tied to protection of the land unit.
- B. By only allowing earthworks, vegetation removal and buildings where they facilitate and protect the natural features of the coastal environment.
- C. By using subdivision rules that recognise the sensitivity of the land unit and encourage protection through the use of protective instruments such as covenants or reserves.
- D. By managing land use activities so that the intrinsic values of the coastal environment are protected and preserved.

6.1.4 LAND UNIT RULES

6.1.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) conforms with the standards and terms contained in Part 6B;



- (b) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

6.1.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where required for Policy Area 1 [Tryphena] [see Part 7].

6.1.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in Rule 6.1.4.3.B below or;
- (c) Where consent to a subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought

B. Listed Discretionary Activities

- (a) Rural Property Management Plans

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

C. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.1.4.3.A the Council will consider applications together, and;

- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.1.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to prior to making an application for any resource consent.

6.1.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.1.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan



LAND UNIT 2 - DUNE SYSTEMS AND SAND FLATS

6.2.0 DESCRIPTION

Land Unit 2 includes coastal sand dunes and sand flats. Together with Land Unit 1 it comprises a large part of the coastal environment. Because of the position and nature of land contained within the unit, there is a wide range of landscapes, many of which have high amenity value. The stability of the land in the unit varies from place to place in part according to the extent and nature of vegetation. On Great Barrier Island there are a number of open mobile dunes, areas with blowouts and encroaching sand moving on to better quality land in the adjoining land units, as well as stable sand flats with regenerating shrubs and invasive exotic species. Land Unit 2 also includes some areas of intensive settlement, with both dwellings and industrial buildings existing. The land unit is highly sensitive in terms of the natural environment and constitutes a key element in the coastal environment overall.

6.2.1 RESOURCE MANAGEMENT ISSUES

- Appropriate management of hazard prone and sensitive areas, eg. dunes, wetlands, wildlife, habitats, flood prone and erosion prone areas.
- Protection of significant ecosystems and wildlife habitats.
- Managing the effects of visitor and recreational activities.
- Vegetation removal, revegetation and vegetation management.
- The impacts and effects of access to key areas, such as dunes and wildlife habitats.
- The encroachment of sand onto potentially productive land.
- The scale, intensity and location of any land use activities and development including buildings.
- Management techniques to ensure that the natural functions of dune systems in the coastal environment are maintained and enhanced.

6.2.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy recognises the prominence of sand dune systems and sand flats within the coastal environment and the inherent sensitivity of this land unit. Land use activities that might interfere with, or be effected by, the land units natural processes will be strictly controlled. The resource management strategy recognises the attractiveness of the land unit for particular activities, e.g. recreation and provides for activities which are consistent with the natural functions of the sand dunes and sand flats. This land unit is characterised by its dynamic and variable nature. Accordingly, the Plan provides for the recognition of these characteristics at a localised level in terms of the assessment of potential land use activities.

6.2.3 OBJECTIVE AND POLICIES

6.2.3.1 OBJECTIVE

To recognise through appropriate rules the sensitivity, natural values and functions of coastal sand systems.

Policies

- A. By ensuring appropriate vegetation cover, consistent with the natural character and intrinsic values of the land unit through:
 - restrictions on vegetation removal and disturbance, and
 - encouraging indigenous vegetation planting and stabilisation
- B. By controlling access so that:
 - sensitive areas are not detrimentally affected;
 - appropriate public access to the coast is provided for;
 - wildlife habitats are not disturbed; and
 - the natural buffer functions of sand systems are not compromised.
- C. By limiting land use activities and buildings to particular locations and to a scale and intensity



compatible with the capability and capacity of the land unit.

- D. By recognising that sand systems (particularly dunes) are hazard prone areas and that land use activities and subdivision should be managed accordingly.
- E. By protecting the unique amenity values of sand systems through controls on the design and location of buildings.
- F. By protecting wildlife habitats through controls on land use activities and subdivision.
- G. By allowing subdivision in Land Unit 2 only where other land units are also contained within each lot in order to facilitate protection of the highly sensitive areas of the land unit.
- H. By carefully managing visitor and recreational activities in the land unit so that detrimental effects are mitigated or avoided.

6.2.4 LAND UNIT RULES

6.2.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of Rule 6.2.4.1B below;
- (c) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Only one dwelling shall be allowed on any lot.

6.2.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where required by the rules for Policy Area 1 (Tryphena), Policy Area 2 (Medlands) and Policy Area 3 (Clariss), (see Part 7).

6.2.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in Rule 6.1.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Particular Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) A dwelling comprising separate buildings which does not meet that part of the definition of dwelling which specifies buildings to be clustered and integral to each other in terms of location and layout.
- (b) Except as provided for by Section 95A(4) of the Act, any application made under (a) above shall be considered a non-notified restricted discretionary activity and the written approval of affected persons shall not be required where the proposal complies with the Standards in Part 6B for Permitted Activities or the Standards in Part 6C for Restricted Discretionary Activities;
- (c) Where an application complies with criterion (b), the Council shall restrict the exercise of its discretion to the following matters:
 - scale, form and location of buildings;
 - parking and vehicle access;
 - impact on local character and amenity.
- (d) In assessing resource consent applications in terms of the matters to which Council has restricted its discretion, the following assessment criteria shall be considered:
 - i) whether the proposal contributes to the character of the surrounding area and helps to maintain the cultural and social values of the community;



- ii) the scale, form and location of buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape;
 - iii) the form and location of any vehicle access or car parking areas on the site and, in particular, whether the location of any vehicle access or parking could allow the use of the building as a separate dwelling;
 - iv) that the proposal does not contribute to a potential, actual or cumulative increase in residential density which adversely impacts upon the visual, environmental, social or cultural characteristics of the local area or wider island environment.
- e) Conditions may be imposed in relation to any of the matters addressed in (c) or (d) above and, in particular, a condition may be imposed requiring that buildings be protected by an encumbrance or a similar mechanism registered against the certificate of title to ensure that they do not become a dwelling where that use is contrary to the District Plan provisions for residential density.
- f) If criterion (b) is not met, an application shall be assessed as an unrestricted discretionary activity, subject to the assessment criteria in Part 6E. Where the activity is a listed discretionary activity, the assessment criteria of Part 6F shall also be considered.

C. Listed Discretionary Activities

- (a) Camping Facilities
- (b) Commercial Airstrips
- (c) Rural Property Management Plan
- (d) Forestry
- (e) Visitor Facilities

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

D. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards

contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;

- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.2.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.2.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to, prior to making an application for any resource consent.

6.2.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.2.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 3 - ALLUVIAL FLATS

6.3.0 DESCRIPTION

Land Unit 3 covers relatively large areas of land and in many cases is found in association with dune systems (Land Unit 2) and wetlands (Land Unit 4). The land unit is characterised by low lying pastured land. As a consequence of its low-lying nature and also often associated high water tables, Land Unit 3 frequently contains significant man-made modifications to natural drainage systems. Such drainage systems often relate to flooding that is characteristic of the land unit. The land unit also includes alluvial deposits of a generally high productive capability. There are a reasonably wide range of soil types and capabilities and as a consequence land use capability within the unit for development will vary.

6.3.1 RESOURCE MANAGEMENT ISSUES

- The recognition of the propensity for flooding when managing land use activities.
- Recognition of sensitive ecosystems and habitats in the resource management rules for the land unit.
- Careful management of people and animal impacts, particularly in respect to their effects on water quality and natural water systems, including wetlands.
- Encouraging management practices for farming activities which minimise detrimental impacts on water and soil conservation functions and vegetation.
- Recognition in the resource management rules of the existing subdivision pattern so that sustainable management is achieved.
- Recognition of the significant environmental constraints of the land unit when managing stormwater and effluent disposal.
- The need to provide opportunities for a diverse range of land use activities but in accordance with the environmental capability of the land.
- Recognition of the visual amenity character of the land unit, particularly the rural landscape character elements.

6.3.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 3 involves maintaining the potential to maximise the efficient use of the potentially productive soils while recognising the limitations associated with flat land in the vicinity of streams and other water bodies. The high potential for productivity is a result of the historical deposition of higher quality soils, while the limitations result from high water tables and a high propensity for flooding. The resource management strategy provides for a minimum lot size for subdivision in keeping with the ability for productive land use activities while also relating subdivision to rural character and natural landscape patterns. District plan rules are designed to limit detrimental impacts arising from inappropriate location of buildings and other activities. Maintaining visual amenity and reducing on and off-site water related impacts are a priority in this strategy.

6.3.3 OBJECTIVES AND POLICIES

6.3.3.1 OBJECTIVE

To ensure that the productive potential of the alluvial flats is not reduced by inappropriate land use activities or subdivision.

Policies

- By encouraging land use activities based on the productive capabilities of the land.
- By encouraging farming activities which achieve sustainable use of resources.
- By maintaining the amenity value of a predominantly rural character through scale and location controls on land use activities.
- By controlling, the effects of intensive land use activities on the natural environment, particularly stormwater, effluent disposal impacts and potential impacts on adjoining land units, e.g wetlands.
- By recognising the susceptibility of the alluvial flats to flooding through appropriate rules to minimise impacts on land use activities.



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- F. By allowing subdivision to create small lots of a size range that is compatible with and recognises the potential productivity of the land unit and preserves that potential in perpetuity.
- G. By using rules that protect ecosystems and wildlife habitats as a means of preserving the overall productive potential of the land unit.
- H. By protecting and preserving the high visual amenity values of the land unit through controls on buildings and land use activities.

6.3.4 LAND UNIT RULES

6.3.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of Rule 6.3.4.1B below;
- (c) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Only one dwelling shall be allowed on any lot.

6.3.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where required by the rules for Policy Area 1 (Tryphena), Policy Area 2 (Medlands) and Policy Area 4 (Port Fitzroy), (see part 7).

6.3.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where any activity is listed in rule 6.3.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Particular Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) A dwelling comprising separate buildings which does not meet that part of the definition of dwelling which specifies buildings to be clustered and integral to each other in terms of location and layout.
- (b) Except as provided for by Section 95A(4) of the Act, any application made under (a) above shall be considered a non-notified restricted discretionary activity and the written approval of affected persons shall not be required where the proposal complies with the Standards in Part 6B for Permitted Activities or the Standards in Part 6C for Restricted Discretionary Activities;
- (c) Where an application complies with criterion (b), the Council shall restrict the exercise of its discretion to the following matters:
 - scale, form and location of buildings;
 - parking and vehicle access;
 - impact on local character and amenity.
- (d) In assessing resource consent applications in terms of the matters to which Council has restricted its discretion, the following assessment criteria shall be considered:
 - i) whether the proposal contributes to the character of the surrounding area and helps to maintain the cultural and social values of the community;
 - ii) the scale, form and location of buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape;
 - iii) the form and location of any vehicle access or car parking areas on the site and, in particular, whether the location of any vehicle access or parking could



allow the use of the building as a separate dwelling;

- iv) that the proposal does not contribute to a potential, actual or cumulative increase in residential density which adversely impacts upon the visual, environmental, social or cultural characteristics of the local area or wider island environment.
- e) Conditions may be imposed in relation to any of the matters addressed in (c) or (d) above and, in particular, a condition may be imposed requiring that buildings be protected by an encumbrance or a similar mechanism registered against the certificate of title to ensure that they do not become a dwelling where that use is contrary to the District Plan provisions for residential density.
- f) If criterion (b) is not met, an application shall be assessed as an unrestricted discretionary activity, subject to the assessment criteria in Part 6E. Where the activity is a listed discretionary activity, the assessment criteria of Part 6F shall also be considered.

C. Listed Discretionary Activities

- (a) Camping Facilities
- (b) Commercial Airstrips
- (c) Community Facilities
- (d) Rural Property Management Plans
- (e) Forestry
- (f) Helipads or Farm Airstrips
- (g) Multiple Dwellings
- (h) Rural Industries
- (i) Visitor Facilities

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

D. Consideration of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the

provisions of Rule 6.3.4.3.A the Council will consider applications together, and;

- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.3.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to prior to making an application for any resource consent.

6.3.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.3.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 4 - WETLAND SYSTEMS

6.4.0 DESCRIPTION

Land Unit 4 is comprised of fresh water wetlands, draining to rivers, streams or estuaries. The land unit comprises those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The unit includes a number of expansive wildlife habitats, many of which are relatively unmodified. A number of smaller wetland systems which are severely degraded due to adjacent management practices are also included. In some cases the land unit has been modified significantly through alterations to natural drainage patterns and systems and through grazing by animals or other forms of disturbance. The land unit has a high environmental significance in the Gulf Islands as a whole. In terms of catchment management systems the land unit fulfils a significant function in a hydrological sense, in particular in terms of flood mitigation and sedimentation control. The natural functions of the land unit are such that their conservation is necessary in order to achieve effective catchment management.

6.4.1 RESOURCE MANAGEMENT ISSUES

- Management of land use activities so as to avoid detrimental impacts upon wetland systems.
- Maintenance of water quality and the establishment of appropriate monitoring systems to ensure wetlands are operating effectively as ecological systems.
- Restricting land use activities in and around the land unit to those which are compatible with securing the preservation and enhancement of the land unit.
- Recognition through objectives, policies, and rules, of the significant natural functions of wetlands and the management processes which are necessary to maintain these functions.
- Protection of wetlands and associated water systems for the purposes of protecting wildlife habitats and ecological systems.
- Managing the drainage of land in and around the land unit so that wetlands and natural water systems are not detrimentally affected.

6.4.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 4 is to secure the maintenance of wetlands in their natural and proper state. This recognises the importance of wetlands in terms of water storage and flow regulation, water purification; transfer and conversion of nutrients; as habitats for plants and animals (including breeding grounds for many ecologically significant fish species and rare and endangered species) and for recreation and education. The implementation of this strategy involves recognising the links between land use activities and wetland systems and implementing appropriate land use activity controls to maintain and enhance wetland systems. In addition, severe restrictions on any direct modification to wetlands are a necessary part of the strategy.

6.4.3 OBJECTIVES AND POLICIES

6.4.3.1 OBJECTIVE

To limit land use activities within Land Unit 4 to those which preserve and protect the natural character and functions of wetlands.

Policies

- A. By recognising the importance of wetlands as productive, ecological management systems and valuable wildlife habitat through:
 - encouraging the retirement and rehabilitation of the land, and
 - ensuring no detrimental impacts from surrounding land use activities occur.
- B. By maintaining the flood mitigation role and stormwater control functions of wetlands through their protection.
- C. By limiting land use activities including drainage of low-lying areas to those that do not detrimentally affect the natural functions of wetlands.



- D. By only allowing the subdivision of land in Land Unit 4 where the subdivision proposal includes other land units within each lot and where wetland systems are protected and preserved through the use of protective instruments such as covenants, reserve status or other means.

6.4.4 LAND UNIT RULES

6.4.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) conforms to the standards and terms contained in Part 6B;
- (b) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

6.4.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where required by the rules for Policy Area 2 (Medlands), [or Policy Area 8 (Rangihoua Park)]. (See Part 7).*19.4.00*

6.4.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in Rule 6.4.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Listed Discretionary Activities

- (a) Rural Property Management Plans

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

C. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.4.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.4.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to prior to making an application for any resource consent.

6.4.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.4.7 HERITAGE

The rules relating to heritage protection are found in Part 10 of the Plan.



LAND UNIT 5 - FOOTHILLS AND LOWER SLOPES

6.5.0 DESCRIPTION

Land Unit 5 is comprised of rolling and moderately contoured, pastured slopes. The land unit reflects to a degree ongoing pastoral farming activities. Topographical characteristics of the land unit create the opportunity for a wide range of activities subject to land capability. The land unit applies in locations with a range of aspects and soils and accordingly a range of pasture quality and productive capability. In some cases the land unit includes smaller unprotected wetlands systems and water systems. In some areas medium density settlement is found on coastal slopes and valleys.

6.5.1 RESOURCE MANAGEMENT ISSUES

- Providing for opportunities in the Plan so that the productive potential of the land unit is encouraged.
- Encouraging management practices for farming activities which minimise detrimental impacts on water and soil conservation functions and vegetation.
- Managing land use activities so that water quality is maintained or enhanced and natural water systems are not adversely affected.
- Establishing limitations to land use activities, in particular to the construction of buildings so as to maintain the open rural character of the land unit.
- Limiting earthworks and bush removal so as to minimise detrimental effects on the natural environment.
- The establishment of appropriate rules controlling density of settlement and subdivision.
- Providing for a direct linkage in the subdivision rules to the physical constraints of the land unit.

6.5.2 RESOURCE MANAGEMENT STRATEGY

Apart from Land Unit 3 (Alluvial Flats), Land Unit 5 has the greatest potential for productive land use activities. The resource management strategy therefore involves fostering more intensive use of this land relative to other land units providing appropriate carrying capacities for land areas are not exceeded and provided the predominantly open rural

landscape associated with this land unit is not visually compromised. Land Unit 5 is strategically important. It occupies an important area in terms of being dependent upon the upper catchment area (for a constant flow of water) to realise its productivity potential. It is also located such that any land use activities within the land unit, can have a potentially detrimental impact on downstream areas. The resource management strategy therefore provides for flexibility of land use activity within this land unit related to the potential for productivity, and subject to controls relating to amenity and to the reduction of adverse impacts.

6.5.3 OBJECTIVES AND POLICIES

6.5.3.1 OBJECTIVE

To provide for a range of compatible land use activities which benefit from the productive potential, aspect, location and rural character of the land unit.

Policies

- A. By imposing controls on the density, scale, form and location of buildings.
- B. By imposing controls on modifications to the natural landform and vegetation.
- C. By ensuring that the subdivision rules recognise the range of productive opportunities found within the land unit, while at the same time recognising that there are areas of high environmental sensitivity and amenity value.
- D. By permitting intensive land use activity where the productive use, visual amenity, and protection of the natural environment will be enhanced.
- E. By encouraging farming activities which achieve sustainable use of resources.
- F. By establishing appropriate rules managing the intensity of land use activity in the land unit.



6.5.4 LAND UNIT RULES

6.5.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of Rule 6.5.4.1B below;
- (c) except where it has been otherwise provided for in the land unit rules as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Only one dwelling shall be allowed on any lot.

6.5.4.2 CONTROLLED ACTIVITY

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where required by the rules for Policy Area 1 (Tryphena) and Policy Area 4 (Port Fitzroy), (see Part 7).

6.5.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity listed in Rule 6.5.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Particular Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) A dwelling comprising separate buildings which does not meet that part of the definition

of dwelling which specifies buildings to be clustered and integral to each other in terms of location and layout.

- (b) Except as provided for by Section 95A(4) of the Act, any application made under (a) above shall be considered a non-notified restricted discretionary activity and the written approval of affected persons shall not be required where the proposal complies with the Standards in Part 6B for Permitted Activities or the Standards in Part 6C for Restricted Discretionary Activities;
- (c) Where an application complies with criterion (b), the Council shall restrict the exercise of its discretion to the following matters:
 - scale, form and location of buildings;
 - parking and vehicle access;
 - impact on local character and amenity.
- (d) In assessing resource consent applications in terms of the matters to which Council has restricted its discretion, the following assessment criteria shall be considered:
 - i) whether the proposal contributes to the character of the surrounding area and helps to maintain the cultural and social values of the community;
 - ii) the scale, form and location of buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape;
 - iii) the form and location of any vehicle access or car parking areas on the site and, in particular, whether the location of any vehicle access or parking could allow the use of the building as a separate dwelling;
 - iv) that the proposal does not contribute to a potential, actual or cumulative increase in residential density which adversely impacts upon the visual, environmental, social or cultural characteristics of the local area or wider island environment.
- e) Conditions may be imposed in relation to any of the matters addressed in (c) or (d) above and, in particular, a condition may be imposed requiring that buildings be protected by an encumbrance or a similar mechanism registered against the certificate of title to ensure that they do not become a dwelling



where that use is contrary to the District Plan provisions for residential density.

- f) If criterion (b) is not met, an application shall be assessed as an unrestricted discretionary activity, subject to the assessment criteria in Part 6E. Where the activity is a listed discretionary activity, the assessment criteria of Part 6F shall also be considered.

C. Listed Discretionary Activities

- (a) Camping Facilities
- (b) Commercial Firewood Harvesting
- (c) Community Facilities
- (d) Rural Property Management Plans
- (e) Educational Facilities
- (f) Forestry
- (g) Helipads or Farm Airstrips
- (h) Multiple Dwellings
- (i) Rural Industries
- (j) Visitor Facilities

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects

D. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.5.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.5.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to, prior to making an application for any resource consent.

6.5.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.5.7 HERITAGE

The rules relating to heritage protection are found in Part 10 of the Plan.



LAND UNIT 6 - STEEP PASTURED SLOPES

6.6.0 DESCRIPTION

Land Unit 6 is characterised by its high visual prominence as well as by a dominance of pasture cover as the main vegetation. Such areas are generally exposed to the east and contain complex drainage systems which generally drain directly to the coast. The land unit is mostly comprised of areas which are steep, pastured and in close proximity to the coast, although more isolated flatter areas exist. The land unit is, in places, prone to erosion and requires reinstatement of vegetation and sound management techniques in these areas. Present grazing activity in the land unit has in some areas a direct negative impact upon downstream water quality as a consequence of the loss of vegetative cover.

6.6.1 RESOURCE MANAGEMENT ISSUES

- Recognition of the sensitivity of the land unit in the Plan's rules and the consequential need for controlling any disturbance to the physical landscape including earthworks and vegetation removal.
- Recognition of the need to control land use activities and limit them in order to reduce or minimise the potential for erosion and instability.
- Encouraging management practices for farming activities which minimise detrimental impacts on water and soil conservation functions and vegetation.
- Providing appropriate land use controls on the erection of buildings so that the visual amenity values of the area are maintained and enhanced.
- Recognising the limited subdivision opportunities in terms of the characteristics of the land unit.
- Ensuring that land use activities in the land unit do not detrimentally impact upon wetlands and water systems in adjoining areas.
- Encouraging revegetation through the retirement of land from pastoral farming activities.

6.6.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 6 recognises the sensitivity of the land unit in terms of its thin soils, steep

topography and its visual prominence. It also recognises the historical land use activity that has taken place over an extended period of time resulting in a significant degree of erosion. On this basis the present pastoral farming regime is unsustainable in some areas. There are however areas of less sensitive land in terms of slope and potential for erosion and within these areas appropriate land use activities, such as pastoral farming will be permitted provided all impacts are appropriately managed.

6.6.3 OBJECTIVES AND POLICIES

6.6.3.1 OBJECTIVE

To ensure that management of this land unit recognises and accords with the intrinsic sensitivity and high amenity value of the land.

Policies

- By encouraging the retirement of land with little productive potential where inherent or potential instability exists.
- By encouraging retirement and rehabilitation of steep upper slopes.
- By encouraging appropriate stock control and management of vegetation cover.
- By encouraging farming activities which achieve the sustainable use of resources.
- By protecting any riparian or wetland areas.
- By controlling earthworks and vegetation removal and limiting buildings and land use activities to those with no detrimental impact on the environment.
- By establishing a minimum area for subdivision in the land unit in order to ensure appropriate land use and management, while providing flexibility and opportunity to create smaller sized lots where particular assessment criteria are satisfied.



6.6.4 LAND UNIT RULES

6.6.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of Rule 6.6.4.1B below;
- (c) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Only one dwelling shall be allowed on any lot.

6.6.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where required by the rules for Policy Area 4 (Port Fitzroy), (see Part 7).

6.6.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in Rule 6.6.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Particular Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) A dwelling comprising separate buildings which does not meet that part of the definition of dwelling which specifies buildings to be clustered and integral to each other in terms of location and layout.
- (b) Except as provided for by Section 95A(4) of the Act, any application made under (a) above shall be considered a non-notified restricted discretionary activity and the written approval of affected persons shall not be required where the proposal complies with the Standards in Part 6B for Permitted Activities or the Standards in Part 6C for Restricted Discretionary Activities;
- (c) Where an application complies with criterion (b), the Council shall restrict the exercise of its discretion to the following matters:
 - scale, form and location of buildings;
 - parking and vehicle access;
 - impact on local character and amenity.
- (d) In assessing resource consent applications in terms of the matters to which Council has restricted its discretion, the following assessment criteria shall be considered:
 - i) whether the proposal contributes to the character of the surrounding area and helps to maintain the cultural and social values of the community;
 - ii) the scale, form and location of buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape;
 - iii) the form and location of any vehicle access or car parking areas on the site and, in particular, whether the location of any vehicle access or parking could allow the use of the building as a separate dwelling;
 - iv) that the proposal does not contribute to a potential, actual or cumulative increase in residential density which adversely impacts upon the visual, environmental, social or cultural characteristics of the local area or wider island environment.



- e) Conditions may be imposed in relation to any of the matters addressed in (c) or (d) above and, in particular, a condition may be imposed requiring that buildings be protected by an encumbrance or a similar mechanism registered against the certificate of title to ensure that they do not become a dwelling where that use is contrary to the District Plan provisions for residential density.
- f) If criterion (b) is not met, an application shall be assessed as an unrestricted discretionary activity, subject to the assessment criteria in Part 6E. Where the activity is a listed discretionary activity, the assessment criteria of Part 6F shall also be considered.

C. Listed Discretionary Activities

- (a) Rural Property Management Plans
- (b) Multiple Dwellings
- (c) Helipads and Farm Airstrips
- [(d) Forestry – where such activity cannot be undertaken in conformity to the standards and terms contained in Part 6B.] *30/4/97*

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

Any standard specified in Part 6F (Assessment criteria for listed discretionary activities) shall prevail over a parallel standard in Part 6C.

D. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.6.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

The information and requirements outlined in Parts 6B-6G herein must be referred to prior to making an application for any resource consent.

6.6.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.6.7 HERITAGE

The rules relating to heritage . protection are contained in Part 10 of the Plan.

6.6.5 OTHER REQUIREMENTS AND INFORMATION



LAND UNIT 7 - STEEP INFERTILE COASTAL SLOPES

6.7.0 DESCRIPTION

Land Unit 7 contains areas of exposed coastal slopes and valleys with little soil cover and as a consequence, low fertility. The land unit is in the early stages of regeneration with vegetation growth uniformly slow as a result of low soil quality. Due to the topography, aspect and coastal influences on the areas, there is a potential throughout the land unit for erosion. Topography and coastal location make the land unit visually significant as an amenity resource.

6.7.1 RESOURCE MANAGEMENT ISSUES

- Recognition of the land unit's limitations by restricting human and where possible animal activity.
- Protection of vegetation in order to control instability and erosion.
- Protection of the natural environment to maintain and enhance visual amenity values.
- Limitation on buildings to preserve the rural coastal character.

6.7.2 RESOURCE MANAGEMENT STRATEGY

The fragile nature of this land unit and its strategic location requires that the resource management strategy is principally that of facilitating the regeneration of manuka, kanuka and other indigenous vegetation. As the primary characteristic of the land unit is thin soils that are particularly susceptible to strong winds resultant inability for vegetation to recover from land clearance at any reasonable rate, it is necessary to strictly limit land use activities. This strategy is particularly important given the important water and soil functions of the land unit in relation to mid and lower catchment areas.

6.7.3 OBJECTIVES AND POLICIES

6.7.3.1 OBJECTIVE

To recognise the sensitivity of the land unit by restricting land uses and activities to those which encourage the preservation and protection of the land unit.

Policies

- By encouraging the retirement of land from farming activities and the regeneration of vegetation within the land unit.
- By controlling earthworks and vegetation removal and limiting buildings (other than dwellings) to those associated with or complimentary to the preservation and conservation of the natural environment.
- By recognising the limited land use opportunities within the land unit, as well as the need to enhance the physical and natural environment through the use of subdivision and land use activity rules securing protection of the land unit, by covenants, reserves or other means.
- By maintaining and enhancing the visual amenity values of the land unit through appropriate rules and resource consent conditions.

6.7.4 LAND UNIT RULES

6.7.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be regarded as a permitted activity where it:

- Conforms to the standards and terms contained in Part 6B, and
- Meets the requirements of Rule 6.7.4.1B below;



- (c) except where it has been otherwise provided for in the rules for this land unit as controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Only one dwelling shall be allowed on any lot.

6.7.4.2 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in Rule 6.7.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Particular Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) A dwelling comprising separate buildings which does not meet that part of the definition of dwelling which specifies buildings to be clustered and integral to each other in terms of location and layout.
- (b) Except as provided for by Section 95A(4) of the Act, any application made under (a) above shall be considered a non-notified restricted discretionary activity and the written approval of affected persons shall not be required where the proposal complies with the Standards in Part 6B for Permitted Activities or the Standards in Part 6C for Restricted Discretionary Activities;
- (c) Where an application complies with criterion (b), the Council shall restrict the exercise of its discretion to the following matters:
- scale, form and location of buildings;
 - parking and vehicle access;
 - impact on local character and amenity.
- (d) In assessing resource consent applications in terms of the matters to which Council has restricted its discretion, the following assessment criteria shall be considered:

- i) whether the proposal contributes to the character of the surrounding area and helps to maintain the cultural and social values of the community;
- ii) the scale, form and location of buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape;
- iii) the form and location of any vehicle access or car parking areas on the site and, in particular, whether the location of any vehicle access or parking could allow the use of the building as a separate dwelling;
- iv) that the proposal does not contribute to a potential, actual or cumulative increase in residential density which adversely impacts upon the visual, environmental, social or cultural characteristics of the local area or wider island environment.

- e) Conditions may be imposed in relation to any of the matters addressed in (c) or (d) above and, in particular, a condition may be imposed requiring that buildings be protected by an encumbrance or a similar mechanism registered against the certificate of title to ensure that they do not become a dwelling where that use is contrary to the District Plan provisions for residential density.
- f) If criterion (b) is not met, an application shall be assessed as an unrestricted discretionary activity, subject to the assessment criteria in Part 6E. Where the activity is a listed discretionary activity, the assessment criteria of Part 6F shall also be considered.

C. Listed Discretionary Activities

- (a) Rural Property Management Plans
- [(b) Forestry – where such activity cannot be undertaken in conformity to the standards and terms contained in Part 6B.] *3/4/97*

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

D. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;



PART 6A - LAND UNITS

- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.7.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.7.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to, prior to making an application for any resource consent.

6.7.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.7.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 8 - REGENERATING SLOPES

6.8.0 DESCRIPTION

Land Unit 8 comprises extensive regenerating areas of varying slope with vegetation predominantly comprising manuka and kanuka. This is the most extensive land unit in the Outer Islands and includes significant areas of the Inner Islands. Natural rates of regeneration of vegetation vary with soils, aspect and other factors. Erosion is a potential problem in steeper areas. The land unit contains small areas of exotic vegetation, mainly pines and some areas of noxious weeds, as well as localised areas of more advanced regeneration within moist valley systems. The land unit includes areas of pastoral farming. The land unit also includes a number of areas of significant wildlife habitats and ecological value. In those parts where the land unit is found in a coastal location, visual prominence and significance is a key characteristic determining the amenity value of the land unit.

6.8.1 RESOURCE MANAGEMENT ISSUES

- Recognition of Department of Conservation and Maori ownership.
- Maintaining visual and rural coastal amenity values of the land unit,
- Recognising erosion, and the potential instability of the land unit in steeper areas.
- Encouraging management practices for farming activities which minimise detrimental impacts on water and soil conservation functions and vegetation.
- Limitations on vegetation removal and commercial firewood harvesting.
- Methods of management of the land unit in coastal locations.
- Need for limits on modification of natural and physical environment.

6.8.2 RESOURCE MANAGEMENT STRATEGY

Land Unit 8 plays a significant role in terms of supporting and maintaining the land use carrying capacity of the Hauraki Gulf Islands. It provides a vital supporting role both in sustaining extensive areas of indigenous vegetation throughout both the Inner and Outer islands and in maintaining the potential for sustainable land use activities, such as horticulture and pastoral farming in downstream catchment areas. The resource management strategy for this land unit seeks the maintenance of the principle life supporting functions through controls which seek to promote sustainable land uses while limiting activities (eg vegetation removal, earthworks) likely, if unchecked, to undermine those functions.

Another characteristic of the land unit is its variety, in terms of containing localised areas more prone to erosion and alternatively, areas of higher productive capacity. The resource management strategy recognises the variety of areas within the land unit and provides for appropriate activities accordingly.

The land unit is important visually. In recognition of the visual importance whether on the ridgeline or near the coastline, controls are used to limit the visual impacts of land use activities particularly buildings, by ensuring they are located in accordance with the existing natural landscape patterns. Similarly, the subdivision provisions contained within the Plan are designed to recognise the environmental importance of this land unit and to recognise both the type of land use activities that may take place following subdivision and the underlying landscape patterns involved.

6.8.3 OBJECTIVES AND POLICIES

6.8.3.1 OBJECTIVE

To provide for a range of small scale land use activities, consistent with the land unit's role in the protection of the natural environment and its inherent character.



PART 6A - LAND UNITS

Policies

- A. By providing for productive land use activities, including farming activities, which are not detrimental to the:
- natural environment,
 - visual amenity,
 - water and soil conservation functions.
- B. By recognising the importance of the land unit for water and soil conservation functions by maintaining appropriate vegetation cover in steeper areas, riparian areas, around streams, wetlands and coastal margins and within areas of potential erosion.
- C. By protecting the visual amenity of the land unit through:
- limitations on earthworks,
 - controls on the location and design of buildings,
 - limitations on vegetation removal.
- D. By recognising the importance of the land unit as an existing or potential wildlife and ecological corridor and habitat.
- E. By recognising the limited land use opportunities the land unit, as well as the need to enhance the physical and natural environment through subdivision rules based upon the capacity for productive land use activities and natural landscape patterns.
- F. By recognising the sensitivity of the land unit in terms of its potential for erosion.
- G. By ensuring any land use activity in the land unit is compatible with the natural environmental values of the coastal environment.
- H. By recognising the importance of facilitating the establishment of species rich indigenous forest communities.

6.8.4 LAND UNIT RULES

6.8.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and

- (b) Meets the requirements of Rule 6.8.4.1B below;
- (c) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Only one dwelling shall be allowed on any lot.

6.8.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where required by the rules for Policy Area 1 (Tryphena), Policy Area 2 (Medlands) and Policy Area 4 (Port Fitzroy), (see Part 7).

6.8.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in rule 6.8.4.2.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Particular Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) A dwelling comprising separate buildings which does not meet that part of the definition of dwelling which specifies buildings to be clustered and integral to each other in terms of location and layout.
- (b) Except as provided for by Section 95A(4) of the Act, any application made under (a) above shall be considered a non-notified restricted discretionary activity and the written approval of affected persons shall not be required where



the proposal complies with the Standards in Part 6B for Permitted Activities or the Standards in Part 6C for Restricted Discretionary Activities;

- (c) Where an application complies with criterion (b), the Council shall restrict the exercise of its discretion to the following matters:
- scale, form and location of buildings;
 - parking and vehicle access;
 - impact on local character and amenity.
- (d) In assessing resource consent applications in terms of the matters to which Council has restricted its discretion, the following assessment criteria shall be considered:
- i) whether the proposal contributes to the character of the surrounding area and helps to maintain the cultural and social values of the community;
 - ii) the scale, form and location of buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape;
 - iii) the form and location of any vehicle access or car parking areas on the site and, in particular, whether the location of any vehicle access or parking could allow the use of the building as a separate dwelling;
 - iv) that the proposal does not contribute to a potential, actual or cumulative increase in residential density which adversely impacts upon the visual, environmental, social or cultural characteristics of the local area or wider island environment.
- e) Conditions may be imposed in relation to any of the matters addressed in (c) or (d) above and, in particular, a condition may be imposed requiring that buildings be protected by an encumbrance or a similar mechanism registered against the certificate of title to ensure that they do not become a dwelling where that use is contrary to the District Plan provisions for residential density.
- f) If criterion (b) is not met, an application shall be assessed as an unrestricted discretionary activity, subject to the assessment criteria in Part 6E. Where the activity is a listed discretionary activity, the assessment criteria of Part 6F shall also be considered.

C. Listed Discretionary Activities

- (a) Commercial Firewood Harvesting
- (b) Rural Property Management Plans
- (c) Educational Facilities
- (d) Forestry
- (e) Helipads or Farm Strips
- (f) Multiple Dwellings
- (g) Visitor Facilities

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

D. Consideration Of Application

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.8.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.8.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to, prior to making an application for any resource consent.

6.8.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.8.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 9 - LOW FERTILITY HILLS

6.9.0 DESCRIPTION

Land Unit 9 is comprised of low fertility hills of moderate slope with variable vegetation cover and severe erosion scars predominantly on north-facing slopes. Natural revegetation of eroded areas is hindered by continued exposure to wind, and water erosion and the consequent lack of soil cover. Existing vegetation however is relatively stable, despite the potential to be influenced by those areas of existing erosion.

6.9.1 RESOURCE MANAGEMENT ISSUES

- Facilitating land use practices to minimise erosion.
- Encouraging the rehabilitation of degraded areas.
- Protecting the high visual amenity values of the land unit.
- Facilitating rehabilitation of the natural landscape by managing vegetation removal and encouraging re-vegetation of appropriate species.

6.9.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 9 is to principally facilitate the revegetation of those areas which are subject to severe erosion. Land use activities will be allowed in those other areas which are not subject to environmental stress provided they in turn do not lead to on-going or cumulative environmental problems. This strategy recognises the variable nature of the land unit and provides for appropriate land use activities which are sensitive to the carrying capacity of the land unit. The Plan contains controls on vegetation removal, earthworks and provisions for the location and scale of buildings, as well as subdivision constraints particular to this land unit.

6.9.3 OBJECTIVES AND POLICIES

6.9.3.1 OBJECTIVE

To encourage revegetation and stabilisation of the land unit and to prevent further degradation.

Policies

- A. By recognising the existing instability and potential for erosion within the land unit through:
 - Controls on vegetation removal
 - Restrictions on earthworks
 - Controls on the location of buildings and land use activities
- B. By limiting subdivision to larger sized lots in recognition of the environmental sensitivity of the land unit and encouraging revegetation and rehabilitation of the land unit through subdivision mechanisms which provide for conservation covenants, reserves, stock control or other protective measures.
- C. By recognising the visual prominence of the land unit through the control of the location and design of buildings and land use activities.

6.9.4 LAND UNIT

6.9.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of Rule 6.9.4.1B below;
- (c) except where it has been otherwise provided for in the rules for this land unit as controlled, discretionary or prohibited activity.



B. Particular Rules

- (a) Only one dwelling shall be allowed on any lot.

6.9.4.2 DISCRETIONARY ACTIVITIES**A. General Rules**

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in Rule 6.9.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Particular Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) A dwelling comprising separate buildings which does not meet that part of the definition of dwelling which specifies buildings to be clustered and integral to each other in terms of location and layout.
- (b) Except as provided for by Section 95A(4) of the Act, any application made under (a) above shall be considered a non-notified restricted discretionary activity and the written approval of affected persons shall not be required where the proposal complies with the Standards in Part 6B for Permitted Activities or the Standards in Part 6C for Restricted Discretionary Activities;
- (c) Where an application complies with criterion (b), the Council shall restrict the exercise of its discretion to the following matters:
- scale, form and location of buildings;
 - parking and vehicle access;
 - impact on local character and amenity.
- (d) In assessing resource consent applications in terms of the matters to which Council has restricted its discretion, the following assessment criteria shall be considered:
- i) whether the proposal contributes to the character of the surrounding area and

helps to maintain the cultural and social values of the community;

- ii) the scale, form and location of buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape;
- iii) the form and location of any vehicle access or car parking areas on the site and, in particular, whether the location of any vehicle access or parking could allow the use of the building as a separate dwelling;
- iv) that the proposal does not contribute to a potential, actual or cumulative increase in residential density which adversely impacts upon the visual, environmental, social or cultural characteristics of the local area or wider island environment.

- e) Conditions may be imposed in relation to any of the matters addressed in (c) or (d) above and, in particular, a condition may be imposed requiring that buildings be protected by an encumbrance or a similar mechanism registered against the certificate of title to ensure that they do not become a dwelling where that use is contrary to the District Plan provisions for residential density.
- f) If criterion (b) is not met, an application shall be assessed as an unrestricted discretionary activity, subject to the assessment criteria in Part 6E. Where the activity is a listed discretionary activity, the assessment criteria of Part 6F shall also be considered.

C. Listed Discretionary Activities

Refer to Part 6F for the relevant assessment criteria.

- (a) Rural Property Management Plans
- [(b) Forestry - where such activity cannot be undertaken in conformity to the standards and terms contained in Part 6B] **30/4/97**

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

D. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;



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- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.9.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.9.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to prior to making an application for any resource consent.

6.9.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of this Plan.

6.9.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 10 - FOREST AND BUSH AREAS

6.10.0 DESCRIPTION

Land Unit 10 comprises mainly extensive podocarp and broadleaf forest areas with areas of second growth regenerating forest as well as isolated subdominant areas of manuka and kanuka. Land unit 10 comprises mostly steep upper slopes and moist valley systems with some gently sloping areas. This land unit contains much of the Department of Conservation Protected Areas on Great Barrier although significant areas in private ownership are found in the Cape Barrier/Rosalie Bay areas. Smaller pockets of Land Unit 10 are found on Waiheke Island, mostly in private ownership. Generally the land unit fulfils a critical hydrological role in terms of water and soil management as well as having particularly high ecological, recreational, scientific and scenic values.

6.10.1 RESOURCE MANAGEMENT ISSUES

- The critical hydrological role of the land unit necessitating water and soil protection measures.
- Recognition of the possible effects of developing the lower coastal slopes of the land unit.
- Providing the opportunity to enjoy recreational, scenic and amenity values of area without detrimentally impacting on the natural environment.
- Achieving protection of wildlife habitats in the land unit.
- Limiting modification of the natural and physical environment land unit to ensure the particular qualities of the land unit are maintained.
- Encouraging management practices for farming activities which minimise detrimental impacts on water and soil conservation functions and vegetation.
- Limiting subdivision opportunity so that areas of ecological value are protected.
- Maintaining the high visual amenity value of the land unit.

6.10.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 10 is the maintenance of the land units importance in terms of its water and soil functions, its recreational and scenic values, its habitat functions and its essential role in providing a sustainable ecological base for the Islands. The resource management strategy recognises the importance of large contiguous areas of advanced regenerating vegetation by providing strict controls on vegetation removal and earthworks. The plan provides for small scale development within the land unit, consistent with the protection of its visual amenity and the abovementioned land unit functions. The Plan provides for subdivision within the land unit at a scale consistent with the carrying capacity of the land unit. In particular the Plan also provides incentives for the conservation and protection of significant areas of the land unit through the subdivision process.

6.10.3 OBJECTIVES AND POLICIES

6.10.3.1 OBJECTIVE

To maintain the intrinsic value of the land unit for the protection of ecosystems and the natural environment.

Policies

- By securing the conservation and preservation of indigenous vegetation and wildlife as the major function within the land unit through:
 - limiting clearance of vegetation, to that which is reasonably necessary, eg. for the provision of dwellings and domestic gardens, and concentrating, where possible, any clearance on those areas which do not comprise mature podocarp forest.
 - recognising the value of diversity of flora within the land unit,
 - recognising the importance of the land unit for wildlife habitat and for the maintenance of wildlife.
- By maintaining water and soil conservation functions of the land unit through:



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- limiting clearance of vegetation,
 - preventing disturbance of the landscape which may lead to any increased instability or erosion,
 - controlling feral animals and encouraging stock control, in particular adjacent to waterways.
- C. By protecting the visual amenity of the land unit through:
- strictly limiting earthworks,
 - controlling design, location and appearance of any buildings,
 - limiting clearance of vegetation.
- D. By recognising the local, regional and national significance of the land unit, in particular its environmental and visual amenity values and managing subdivision accordingly by restricting minimum lot areas and using subdivision rules to secure protection of the land unit, including the exclusion of stock, through covenants, reserves or other means.
- E. By encouraging farming activities which achieve sustainable use of resources.
- F. By providing for the conservation and enhancement of the natural resources of the land unit through techniques such as rating incentives, covenants, protective schedules, and development control rules.
- G. By providing for small scale, low impact dwellings, visitor facilities, lifestyle living, recreation facilities and other activities consistent with the preservation and conservation role of the land unit.

6.10.4 LAND UNIT RULES

6.10.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of Rule 6.10.4.1B below;
- (c) except where it has been otherwise provided for in the rules for this land unit as a

controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Only one dwelling shall be allowed on any lot.

6.10.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where required by the rules for Policy Area 1 (Tryphena) and Policy Area 4 (Port Fitzroy), see Part 7).

6.10.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in Rule 6.10.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Particular Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) A dwelling comprising separate buildings which does not meet that part of the definition of dwelling which specifies buildings to be clustered and integral to each other in terms of location and layout.
- (b) Except as provided for by Section 95A(4) of the Act, any application made under (a) above shall be considered a non-notified restricted discretionary activity and the written approval of affected persons shall not be required where the proposal complies with the Standards in Part 6B for Permitted Activities or the Standards in Part 6C for Restricted Discretionary Activities;



- (c) Where an application complies with criterion (b), the Council shall restrict the exercise of its discretion to the following matters:
- scale, form and location of buildings;
 - parking and vehicle access;
 - impact on local character and amenity.
- (d) In assessing resource consent applications in terms of the matters to which Council has restricted its discretion, the following assessment criteria shall be considered:
- i) whether the proposal contributes to the character of the surrounding area and helps to maintain the cultural and social values of the community;
 - ii) the scale, form and location of buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape;
 - iii) the form and location of any vehicle access or car parking areas on the site and, in particular, whether the location of any vehicle access or parking could allow the use of the building as a separate dwelling;
 - iv) that the proposal does not contribute to a potential, actual or cumulative increase in residential density which adversely impacts upon the visual, environmental, social or cultural characteristics of the local area or wider island environment.
- e) Conditions may be imposed in relation to any of the matters addressed in (c) or (d) above and, in particular, a condition may be imposed requiring that buildings be protected by an encumbrance or a similar mechanism registered against the certificate of title to ensure that they do not become a dwelling where that use is contrary to the District Plan provisions for residential density.
- f) If criterion (b) is not met, an application shall be assessed as an unrestricted discretionary activity, subject to the assessment criteria in Part 6E. Where the activity is a listed discretionary activity, the assessment criteria of Part 6F shall also be considered.

C. Listed Discretionary Activities

- (a) Rural Property Management Plans
- (b) Educational Facilities

- (c) Multiple Dwellings
- (d) Helipads and Farm Airstrips
- (e) Visitor Facilities

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

D. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.10.4.3A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.10.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G herein must be referred to prior to making an application for any resource consent.

6.10.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.10.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 11 - TRADITIONAL RESIDENTIAL

6.11.0 DESCRIPTION

This land unit comprises the area of most intensive residential development located in the Western Waiheke SMA where there has been the greatest modification of the natural environment. The natural contour of the land unit is moderate and the density of housing is low. While there is relatively little indigenous vegetation cover the land unit is well planted and is characterised by an open landscape.

The land unit also encompasses coastal terraces adjacent to the more accessible and heavily used beaches on Waiheke Island. These beaches are heavily used in the summer months and are subject to pressure for development by a variety of commercial land uses seeking proximity to beaches.

6.11.1 RESOURCE MANAGEMENT ISSUES

- The need to provide for a range of residential opportunities, while maintaining amenity, landscape, and environmental protection values.
- Ensuring that future development is at a scale and level of intensity that can be sustained while retaining an open residential landscape.
- Recognising the need to maintain relatively low residential densities in order to protect and enhance the existing landscape and amenity values.
- The need to ensure that on-site effluent disposal systems do not lead to degradation of water quality.
- Ensuring that non-residential activities do not adversely impact on the amenity of residential areas.

6.11.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 11 is to provide not only for the continuation of the existing predominantly residential uses in the land unit, but to recognise the need to more carefully manage the environmental and visual impacts of such activities.

Provision is made for the establishment of a range of non-residential activities within the land unit where these complement or service the surrounding residential area and also enhance the amenity of the neighbourhood. The non-

residential activities will be subject to evaluation and control to ensure that they do not adversely impact on the amenities of adjoining residential sites and the surrounding neighbourhood.

The beach front areas within the land unit are especially sensitive to the effects of future development. Development of the coastal margin of the land unit will therefore be closely controlled. To this end, a coastal amenity area has been defined on the planning maps. All buildings located within this area are controlled activities and subject to assessment criteria. While there is some opportunity for the location of small scale commercial activities, that may enhance the recreational function of the beaches these must also be of a scale and character that will not detract from the overall amenity of the locality.

The Plan's rules specifically relate to the need to protect the coastal environment and the strategy is to ensure coastal margins are not detrimentally affected. Compared to Land Unit 12 the key thrust of the strategy for Land Unit 11 is to enhance and restore environments affected by the existing scale and intensity of development.

6.11.3 OBJECTIVES AND POLICIES

6.11.3.1 OBJECTIVE

To provide for residential development which maintains neighbourhood amenities and the qualities of the local environment.

Policies

- By controlling the density of development in the land unit so as to preserve amenity and retain a predominantly open landscape.
- By allowing opportunity for a range of housing which does not increase the overall density of dwellings in the land unit.

6.11.3.2 OBJECTIVE

To facilitate the establishment of non-residential activities which are compatible with a predominantly residential area.



Policies

- A. By allowing for activities which have functions which are complementary to residential activities.
- B. By ensuring that character, intensity, use of buildings and hours of operation of all non-residential activities are compatible with the amenities and character of the surrounding residential area.

6.11.3.3 OBJECTIVE

To maintain the amenity and landscape qualities of beach front locations.

Policies

- A. By subjecting all buildings in beach front localities to assessment in order to ensure that they do not compromise the coastal landscape or amenities.
- B. By only allowing non-residential activities to locate adjacent to beaches where the activities enhance the amenity of the beaches and do not compromise residential amenities or coastal environmental qualities.

6.11.3.4 OBJECTIVE

To ensure that the quality of natural water bodies and potable water sources are not compromised by development.

Policies

- A. By ensuring that development will not lead to siltation or degradation of natural watercourses and wetlands or the coastal marine area.
- B. By requiring that all development be capable of disposing of all effluent, safely and effectively without compromising environmental values.

6.11.4 LAND UNIT RULES**6.11.4.1 PERMITTED ACTIVITIES****A. General Rules**

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and

- (b) Meets the requirements of Rule 6.11.4.1B below;
- (c) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Only one dwelling shall be allowed on any lot.
- (b) The use of any land and buildings within a lot shall be for residential purposes only.

6.11.4.2 CONTROLLED ACTIVITIES**A. General Rules**

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where it is proposed to erect, alter or add to any building(s) in the coastal amenity area defined on the planning maps.
- (b) Where required by the rules for Policy Area 5 (Oneroa) and Policy Area 7 (Okahuiti-Ostend-Tahi), (see Part 7).

B. Particular Rules

- (a) Any buildings shall meet all those standards and terms contained in Part 6B.

C. Controlled Activity Criteria For Buildings

The Council shall give consideration to the following criteria in assessing an application for a controlled activity seeking consent to erect, alter or add to a building in the coastal amenity area;

- (a) The visual amenity of the locality shall be retained and sufficient landscape planting shall be provided where it is necessary to ensure that buildings blend with the existing natural character of the surrounding coastal landscape.
- (b) Any earthworks necessary for the creation of building platforms or access shall be such that they create minimum disturbance to the landform and character of the site.
- (c) Any driveway, parking and turning areas shall be constructed in a manner which requires minimal disturbance to existing landform or vegetation. Generally, any driveway should have a gradient of less than 1 in 6.
- (d) The scale, form, finish and location of buildings shall not visually dominate and shall



be complementary to natural and physical elements of the coastal landscape in the locality.

Note: Reference will be made to the document Colour for Structures in the Landscape, Heath, T. for the interpretation of this criterion, (available at Auckland City Council Offices).

- (e) The scale, form, and finish of buildings shall be such that they are integrated with existing development in the vicinity. Consideration shall be given to the visual relationship between existing development in the locality.
- (f) Development adjacent to public open spaces shall not reduce the amenity of those open spaces.
- (g) Development proposals shall ensure that any runoff or stormwater resulting from the development does not lead to a reduction in water quality in the coastal marine area.
- (h) Any extension or alteration to an existing building shall:
 - (i) comply with (d) and (e) above,
 - (ii) be sympathetic to the design and external appearance of the existing building.

D. Controlled Activity Conditions For Buildings

In granting consent to a controlled activity to erect a building in the coastal amenity area in Land Unit 11 the Council may impose conditions relating to any or all of the following matters:

- (a) Removal or retention of vegetation.
- (b) Landscaping.
- (c) Drainage and effluent disposal.
- (d) Visual screening of buildings or yards.
- (e) Orientation, cladding, scale, form and colour of buildings.
- (f) Location of buildings on a site.
- (g) The height of buildings.
- (h) Location and construction of vehicle entry, egress, manoeuvring and parking.

6.11.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in rule 6.11.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Particular Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) A dwelling comprising separate buildings which does not meet that part of the definition of dwelling which specifies buildings to be clustered and integral to each other in terms of location and layout.
- (b) Except as provided for by Section 95A(4) of the Act, any application made under (a) above shall be considered a non-notified restricted discretionary activity and the written approval of affected persons shall not be required where the proposal complies with the Standards in Part 6B for Permitted Activities or the Standards in Part 6C for Restricted Discretionary Activities;
- (c) Where an application complies with criterion (b), the Council shall restrict the exercise of its discretion to the following matters:
 - scale, form and location of buildings;
 - parking and vehicle access;
 - impact on local character and amenity.
- (d) In assessing resource consent applications in terms of the matters to which Council has restricted its discretion, the following assessment criteria shall be considered:
 - i) whether the proposal contributes to the character of the surrounding area and helps to maintain the cultural and social values of the community;
 - ii) the scale, form and location of buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape;



- iii) the form and location of any vehicle access or car parking areas on the site and, in particular, whether the location of any vehicle access or parking could allow the use of the building as a separate dwelling;
 - iv) that the proposal does not contribute to a potential, actual or cumulative increase in residential density which adversely impacts upon the visual, environmental, social or cultural characteristics of the local area or wider island environment.
- e) Conditions may be imposed in relation to any of the matters addressed in (c) or (d) above and, in particular, a condition may be imposed requiring that buildings be protected by an encumbrance or a similar mechanism registered against the certificate of title to ensure that they do not become a dwelling where that use is contrary to the District Plan provisions for residential density.
- f) If criterion (b) is not met, an application shall be assessed as an unrestricted discretionary activity, subject to the assessment criteria in Part 6E. Where the activity is a listed discretionary activity, the assessment criteria of Part 6F shall also be considered.

C. Listed Discretionary Activities

- (a) Community Facilities
- (b) Educational Facilities
- (c) Multiple Dwellings
- (d) Restaurants
- (e) Visitor Facilities
- (f) Retail Premises

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

D. Consideration of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the

provisions of Rule 6.11.4.3.A the Council will consider applications together, and;

- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.11.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to prior to making an application for any resource consent.

6.11.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.11.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 12 - BUSH RESIDENTIAL

6.12.0 DESCRIPTION

This land unit encompasses the relatively steep, bush clad slopes within the residential portion of Western Waiheke. The landscape is dominated by the natural relief and vegetation. The vegetative cover is predominantly native species and significant parts of the land unit are covered in regenerating native bush at varying stages of maturity. Dwellings are a secondary component of the landscape. Housing densities are low and dwellings tend to be discretely scattered within the landscape. As is the general case on Waiheke, septic tanks provide the principal means of effluent disposal. Aside from dwellings there is a small range of other low intensity activities located within the land unit. These tend to be similar in scale to dwelling houses and in overall impact on the landscape and amenities. There are also several small retail premises, providing a service function for the surrounding residential area at widely dispersed locations within the land unit.

6.12.1 RESOURCE MANAGEMENT ISSUES

- The need to ensure that buildings complement the predominant elements of the natural landscape including vegetation and topography.
- Conservation of native bush to maintain habitat values and the visual amenity of the land unit.
- Recognition of the need to minimise the likelihood of slope instability, erosion and the siltation of natural watercourses and wetlands which may lead to a reduction in water quality.
- Ensuring that on-site effluent disposal does not lead to degradation of water quality.
- The need to provide for a range of housing opportunities while maintaining amenity, landscape and environmental protection values.
- Ensuring that non-residential activities do not adversely impact on the amenity of residential areas.

6.12.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 12 is to foster the maintenance of a high amenity, predominantly residential area. To secure amenity values, the strategy is to use plan rules which control bush removal, earthworks, design, appearance and location of buildings.

The strategy allows some non-residential activities, but only where compatible in scale and effects to residential uses. These activities will be subject to evaluation and control to ensure that they do not adversely impact on the amenities of adjoining residential sites and the surrounding neighbourhood.

The provisions of the Plan relating to this land unit recognise the dominance of the natural landscape and its sensitivity to impact from development. These provisions focus on the need to ensure that future development in the land unit is at a scale and level of intensity that can be sustained within the context of the dominant natural landscape and will not compromise the life supporting capacity of natural systems.

6.12.3 OBJECTIVES AND POLICIES

6.12.3.1 OBJECTIVE

To only allow residential development and other complementary small-scale development which is in sympathy with the dominant natural environment.

Policies

- By controlling the density of development in the land unit so as to retain a predominant open and natural landscape and preserve amenity.
- By allowing activities which have functions which are complementary to residential activities where these can be accommodated on a site in a manner which does not compromise the amenity of the surrounding neighbourhood.
- By ensuring that the design, appearance, scale and location of buildings complement the dominant elements of the natural landscape and residential amenities.



6.12.3.2 OBJECTIVE

To ensure the retention of native bush cover and encourage regeneration where practicable.

Policies

- A. By requiring that the maximum amount of native bush cover is retained and enhanced.
- B. By requiring the planting of appropriate native species as part of any landscaping requirement for development proposals.

6.12.3.3 OBJECTIVE

To ensure minimal disturbance to existing landforms, including ridgelines and skylines.

Policies

- A. By ensuring that development will not detract from natural landforms or intrude into identified ridgelines.
- B. By requiring assessment of the design, appearance and landscaping of all buildings in terms of criteria which ensure that they are compatible with the surrounding natural landscape.
- C. By ensuring that development does not lead to soil instability or erosion.

6.12.3.4 OBJECTIVE

To ensure that the quality of natural water bodies and potable water sources are not compromised by development.

Policies

- A. By ensuring that development will not lead to siltation or degradation of natural watercourses and wetlands.
- B. By requiring that all effluent is safely and effectively disposed of without compromising environmental values.

6.12.4 LAND UNIT RULES**6.12.4.1 PERMITTED ACTIVITIES****A. General Rules**

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of Rule 6.12.4.1. below;
- (c) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Only one dwelling shall be allowed on any lot.
- (b) The use of any land and buildings within a lot shall be for residential purposes only.

6.12.4.2 CONTROLLED ACTIVITIES**A. General Rules**

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where it is proposed to erect, alter or add to any building(s).

B. Particular Rules

- (a) Any buildings shall meet all those standards and terms contained in Part 6B.

C. Controlled Activity Criteria For Buildings

The Council shall give consideration to the following criteria in assessing an application for a controlled activity to erect, alter or add to a building;

- (a) All existing native bush, or other vegetation which contributes to visual amenity shall be retained, except where it is necessary to remove vegetation to create a building platform, or where sufficient landscape planting of appropriate species is provided to ensure that buildings are integrated with the existing natural character of the surrounding landscape.



- (b) Any earthworks necessary for the creation of building platforms or access shall be such that they create minimum disturbance to the landform and character of the site.
- (c) Any driveway, parking and turning areas shall be constructed in a manner which requires minimal disturbance to existing landform or vegetation. Generally, any driveway should have a gradient of less than 1 in 6.
- (d) The exterior finish of proposed buildings shall be complementary to those which are found in the surrounding natural landscape.

Note: Reference will be made to the document Colour for Structures in the Landscape, Heath, T. for the interpretation of this criterion, (available at Auckland City Council Offices).

- (e) The scale and form of proposed buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape.
- (f) Development proposals shall ensure that any runoff or stormwater resulting from the establishment of the activity does not lead to siltation or sedimentation or a reduction in water quality of natural watercourses.
- (g) Any extension or alteration to an existing building shall:
 - (i) comply with (d) and (e) above,
 - (ii) be sympathetic to the design and external appearance of the existing building.

D. Controlled Activity Conditions

In granting consent to a controlled activity to erect a building in Land Unit 12 the Council may impose conditions relating to any or all of the following matters:

- (a) The removal, retention or planting of vegetation.
- (b) Landscaping.
- (c) Drainage and effluent disposal.
- (d) The visual screening of buildings or yards.
- (e) The orientation, cladding, scale, form and colour of buildings.
- (f) The location of buildings on a site.
- (g) The height of buildings.
- (h) The location and construction of vehicle entry, egress, manoeuvring and parking.

- (i) Earthworks.

6.12.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in Rule 6.12.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Particular Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) A dwelling comprising separate buildings which does not meet that part of the definition of dwelling which specifies buildings to be clustered and integral to each other in terms of location and layout.
- (b) Except as provided for by Section 95A(4) of the Act, any application made under (a) above shall be considered a non-notified restricted discretionary activity and the written approval of affected persons shall not be required where the proposal complies with the Standards in Part 6B for Permitted Activities or the Standards in Part 6C for Restricted Discretionary Activities;
- (c) Where an application complies with criterion (b), the Council shall restrict the exercise of its discretion to the following matters:
 - scale, form and location of buildings;
 - parking and vehicle access;
 - impact on local character and amenity.
- (d) In assessing resource consent applications in terms of the matters to which Council has restricted its discretion, the following assessment criteria shall be considered:
 - i) whether the proposal contributes to the character of the surrounding area and helps to maintain the cultural and social values of the community;



- ii) the scale, form and location of buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape;
 - iii) the form and location of any vehicle access or car parking areas on the site and, in particular, whether the location of any vehicle access or parking could allow the use of the building as a separate dwelling;
 - iv) that the proposal does not contribute to a potential, actual or cumulative increase in residential density which adversely impacts upon the visual, environmental, social or cultural characteristics of the local area or wider island environment.
- e) Conditions may be imposed in relation to any of the matters addressed in (c) or (d) above and, in particular, a condition may be imposed requiring that buildings be protected by an encumbrance or a similar mechanism registered against the certificate of title to ensure that they do not become a dwelling where that use is contrary to the District Plan provisions for residential density.
- f) If criterion (b) is not met, an application shall be assessed as an unrestricted discretionary activity, subject to the assessment criteria in Part 6E. Where the activity is a listed discretionary activity, the assessment criteria of Part 6F shall also be considered.

C. Listed Discretionary Activities

- (a) Community Facilities
- (b) Educational Facilities
- (c) Multiple Dwellings
- (d) Restaurants
- (e) Retail Premises
- (f) Visitor Facilities

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

D. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;

- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.12.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.12.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to prior to making an application for any resource consent.

6.12.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.12.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 13 - RETAILING

6.13.0 DESCRIPTION

This land unit recognises the principal areas of commercial and retail development in Western Waiheke as well as those areas where such development could expand in the future. In general, the areas covered by the provisions of this land unit are well-established and are located within relatively large local communities that depend on the facilities of the land unit for retailing, business, and community activities and opportunities.

The provisions of this land unit apply to the established retailing areas at Oneroa, Ostend, Onetangi and Surfdale. Oneroa is a major centre of commercial and business activity serving Western Waiheke with both Onetangi and the node at Surfdale also being important centres within their own local communities. Ostend continues to be seen as the administrative centre of the Western Waiheke SMA and is further evolving a range of commercial and community functions which indicate the emergence of a significant activity centre for all of Western Waiheke.

The land unit provides for activities involving retailing, commercial services and community activities. Residential activities, including those within or associated with commercial buildings or activities are also provided for. The range of activities provided for acknowledges the needs of both small local neighbourhoods and their wider surrounding areas.

6.13.1 RESOURCE MANAGEMENT ISSUES

- The management of the environmental impacts of commercial and community activities within the land unit.
- The scale and intensity of activities and buildings within the land unit.
- The retention and enhancement of environmental qualities compatible with sustainable business activity.
- Providing for a diverse range of activities compatible with adjoining residential uses and the creation of an enjoyable physical environment.
- Recognition of the present nature and limitations of existing development.
- Recognition that the activities of the land unit provide for local as well as Island-wide needs.

- Recognition of the need to use the policy area technique as a means of enabling development outcomes that create an economic and cultural environment complementary to the needs of the community.

6.13.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 13 is to allow a diverse range of retailing and commercial activities that are sympathetic to the amenity values of the land unit, particularly in terms of design, scale and form. The strategy is to allow for activities within a flexible framework, where the key elements of control relate to the effects of traffic, parking needs, infrastructure needs and amenity factors.

The provisions of the land unit seek to ensure the retention of high standards of environmental quality and amenity. In this regard, critical factors which have guided the Council in formulating the provisions for this land unit include, the physical limitations to development, the proximity of residential development and the nature of the landscape. Accordingly, the recognisable and measurable effects of commercial and community activities are subject to rules which are intended to retain high standards of environmental quality and amenity. In this regard, the Council will give particular attention to pedestrian areas, landscaping and other amenities for pedestrians, orientation and disposition of buildings, general and service vehicle access, parking and manoeuvring, visual impact and views, noise and effluent disposal.

Further, the provisions of the land unit provide for a mix of commercial, residential and community activities which seeks to offer benefits, in respect to resource use and provide compact yet functionally varied centres of business and community activities. By allowing the parallel development of traditional retailing and business services in conjunction with community and residential oriented activities, the land unit provisions offer the potential for the development of centres of wide appeal with a broad range of activities.

In the cases of Oneroa and Ostend, activities will be subject to specific rules designed to protect and conserve local amenity. The Oneroa centre has a unique site on the ridge overlooking Oneroa Bay and, because of the landform and the amenity it offers, the Council has formulated development provisions designed to protect the steep slopes and to retain and enhance amenity. Effluent disposal and visual amenity are matters of prime concern. Ostend is sited within a significant residential locality and, therefore, the



provisions of the land unit recognise the proximity of substantial areas of residential development.

The Oneroa and Ostend areas are also subject to the policy area provisions of the Plan. These provisions are applied to facilitate the integration of individual lot development so that the development of the land unit as a whole produces a built environment with high amenity value and environmental quality.

6.13.3 OBJECTIVES AND POLICIES

6.13.3.1 OBJECTIVE

To consolidate business activity and community facilities within the existing settlements.

Policies

- A. By permitting a wide range of business and community activities throughout the land unit.
- B. By allowing the complementary establishment of retailing, office, commercial, residential and community activities.
- C. By identifying Policy Areas within the land unit and preparing specific resource management provisions for these.

6.13.3.2 OBJECTIVE

To secure a safe, convenient and congenial environment for business and community activities.

Policies

- A. By segregating, wherever possible, pedestrian and vehicular traffic.
- B. By requiring the provision of verandahs.
- C. By requiring the provision of pedestrian areas.
- D. By imposing noise standards on all activities within the land unit.
- E. By adopting parking and traffic controls that seek to avoid congestion and parking problems within the land unit.
- F. By allowing the development of the Surfdale beachfront area in accordance with the provisions for this land unit as a complementary and integral activity area to the recreational and community use of the adjacent land.

- G. By allowing the continuation of the present residential activities within the land unit.

6.13.3.3 OBJECTIVE

To ensure the retention and enhancement of landscape qualities and general local amenity values.

Policies

- A. By requiring that the design, appearance and location of buildings do not compromise the natural and physical landscape.
- B. By requiring that all development is capable of disposing of all effluent safely and effectively without compromising environmental values.
- C. By imposing controls that limit the intensity and scale of development to a level commensurate with the environmental capacity of the land unit.
- D. By protecting coastal views in particular those to Oneroa Bay.

6.13.4 LAND UNIT RULES

6.13.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of Rule 6.13.4.1B below;
- (c) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Any dwelling shall not have a gross dwelling area exceeding 10% of the lot area.

The gross site area multiplied by the floor area ratio equals the permitted gross dwelling area. The floor area ratio shall be 0.8, provided that the gross dwelling area of any building, all or part of which is used as a dwelling or for residential purposes, and employing an on-site effluent disposal yard shall not exceed 10% of the total lot area.



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- (b) Verandahs.

Each lot on Ocean View Road shall provide a verandah along the full extent of its frontage when a building is erected or where an existing building is reconstructed or altered in any way. The verandah shall provide continuous pedestrian cover to adjoining buildings and shall meet all Council by-law requirements.

- (c) Screening of yards, service and storage areas.

Any yard, service or storage area located within the land unit and which adjoins or is visible from any residential or recreation land unit, or land designated for proposed reserve or civic purposes, or any public place shall be screened by the erection of a wall or fence and appropriate landscaping.

- (d) Outlook court.

The windows and/or doors which provide the living room of a residential building with its main source of daylight shall face on to either:

- (i) a square outlook court contained within the boundaries of the lot having sides of not less than 3m screened to the satisfaction of the Council to provide adequate privacy; or
- (ii) an outlook court of 9m² having a least dimension of 2m screened to the satisfaction of the Council to provide adequate privacy.

6.13.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where required by the rules for Policy Area 5 (Oneroa) and Policy Area 7 (Okahuiti-Ostend-Tahi), (see Part 7).

6.13.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in Rule 6.13.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.
- (d) Where it is proposed to vary any of the standards in Rule 6.13.4.1B.
- [(e) Where required by the rules for Policy Area 5 (Oneroa), see Part 7.] **29/3/99**

B. Listed Discretionary Activities

- (a) Community Facilities
- (b) Education Centres
- (c) Service Stations
- (d) Visitor Facilities

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

C. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.13.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.13.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to prior to making an application for any resource consent.



6.13.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.13.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 14 - VISITOR FACILITIES

6.14.0 DESCRIPTION

The provisions of the land unit affect properties at Onetangi Beach, Palm Beach and Orapiu. A range of activities are currently undertaken at these locations, aimed at visitors to the district, providing accommodation, eating and drinking, shopping and general recreation.

At Onetangi the land unit provisions affect two discrete areas. These areas are some distance apart and lie at either end of Onetangi Beach. In the first instance, the land unit affects a particular development known as McGinty's and in the second encompasses the area conventionally known as Onetangi and includes the site of the Onetangi Hotel. For the purposes of the Plan, these locations are referred to as Onetangi West and Onetangi East, respectively.

The third location which is subject to the provisions of this land unit is at Palm Beach and is also the site of a particular development. This development comprises an existing visitor facility offering accommodation, dining, conference and recreation facilities.

The final area subject to the land unit is at Orapiu where an existing development offers opportunities for the development of a significant visitor facility.

6.14.1 RESOURCE MANAGEMENT ISSUES

- The need to provide for a range of visitor facilities of a nature and scale consistent with the character and environmental quality of surrounding areas, including the coastal environment.
- Maintenance of high standards of amenity and landscape quality.
- Recognition of the need to avoid or mitigate any adverse effects on surrounding residential and recreational land units.
- The need to ensure that on-site efficient disposal systems do not lead to degradation of water quality.

6.14.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 14 is to facilitate and provide for commercial and visitor related activities, while ensuring that adjoining residential uses are not detrimentally impacted. For that reason, rules control the height, maximum size and gross dwelling area of buildings, as well as noise and traffic. An integral part of the strategy for the land unit is the recognition of the need to ensure that activities in the land unit do not lead to a reduction of the amenity of surrounding areas.

In recognition of the particular environment at Onetangi East, this area is subject to the Policy Area provisions in this Plan. These provisions seek to secure continuing amenity for the activities within the immediate vicinity.

6.14.3 OBJECTIVES AND POLICIES

6.14.3.1 OBJECTIVE

To allow for the establishment of visitor facilities in a manner that does not compromise existing standards of amenity.

Policies

- A. By carefully controlling buildings in terms of design, bulk and location.
- B. By requiring controls on stormwater and effluent disposal systems.
- C. By permitting a range of activities within the land unit while retaining the landscape characteristics of the area.
- D. By imposing noise standards on all activities within the land unit.

6.14.3.2 OBJECTIVE

To require the enhancement of local amenity in conjunction with further visitor facility development.

Policies

- A. By initiating consultation with developers and other interested parties in regard to individual developments.



- B. By ensuring that all future development preserves the amenity of surrounding residential and recreational areas.

6.14.4 LAND UNIT RULES

6.14.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of Rule 6.14.4.1B below;

except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

(a) Height

- (i) Maximum Building Height - Part Lot 1 DP 17037, Part Lot 2 DP 17037, Lots 3, 4, 5 and 6 DP 17037 and Lots 199-202 and Lots 205-312 DP 11377 (Onetangi Beach eastern end)"

No part of any building shall infringe the height limitation imposed by a line drawn at an angle of eight (8) degrees from the horizontal and originating at every point 2m above the common boundary between the lots affected and The Strand and extending landward for a horizontal distance of fifty (50) metres at which point the angle shall be reduced to two (2) degrees from the horizontal across the balance of the affected land.

- (ii) Maximum Building Height - Lots 24, 25, 26, 30, 31 and 107, DP 11377 (Onetangi Beach western end):

No part of any building or shall infringe the height limit imposed by a line drawn at twelve (12) degrees from the centre line of the road and originating from and drawn at right angles to Mean High Water Spring Tide Mark and extending landwards across the affected land.

(refer to guidelines in Table 14.2 below).

TABLE 14.2: PERMITTED HEIGHT - ONETANGI BEACH WEST

Lots 24, 25, 26, 30, 31 and 107, DP 11377

Horizontal Distance From Point of Origin (metres)	Maximum Permitted Height (metres)
10	2.1
20	4.2
30	6.4
40	8.5
50	10.6
60	12.7
70	14.9
80	17.0
90	19.1
100	21.2

- (iii) Maximum Building Height - Lots 1 and 2 DP 148657 and Lot 3 DP102953 (Palm Beach): 8 metres

- (iv) Maximum Building Height - All other sites within Land Unit 14: 8 metres.

(b) Lot Coverage

Maximum lot coverage is:

- (i) in the case of any development of Part Lot 1 DP 17037, Part Lot 2 DP 17037, Lots 3, 4, 5 and 6 DP 17037 and Lots 199-202 and Lots 205-213 DP 11377 (Onetangi Beach eastern end) 45% of lot area; or
- (ii) in the case of any development of Lots 24, 25, 26, 30, 31 and 107 DP 11377 (Onetangi Beach western end), 15% of lot area; or
- (iii) in the case of any development of Lots 1 and 2 DP 148657 and Lot 3 DP102953 (Palm Beach), 15% of lot area, or
- (iv) in the case of any development of Lot 2 DP 53866 and Flats 1 to 24, DP 88506, Block X, Waiheke SD (Blue Heron Lodge), 15% of lot area.
- (v) in the case of all other lots, 15% of total lot area.



- (c) Building Separation Space
- Lots 24, 25, 26, 30, 31 and 107 DP 11377 (Onetangi Beach western end) and Lots 1 and 2 DP 148657 and Lot 3 DP102953 (Palm Beach). All buildings (excepting decks, pergolas, conservatories and pools) located within the above lots shall be separated from the nearest adjacent building by a separation space of not less than 3.5m.

Interpretation

Such separation space shall not be occupied by any structure which impedes views between the buildings but may be occupied by buildings having an open or transparent character such as decks, conservatories or pergolas.

- (d) Gross Floor Area (g.f.a.)
- Lots 1 and 2 DP 148657 and Lot 3 DP102953 (Palm Beach). The gross floor area of each building located within the above lots and containing accommodation shall not exceed 100m². Any other building on these lots may have a gross floor area not exceeding 300m².

- (e) Noise
- (i) Lots 1 and 2 DP 148657 and Lot 3 DP102953 (Palm Beach). The following noise standards apply to all permitted activities. The L₁₀ noise level and maximum RMS level (L_{max}), measured at or within the boundary of any adjacent lot or at 20m from any adjacent dwelling whichever is the closer to the dwelling shall not exceed the following limits:
- Monday to Friday 7.00am to 10.00pm and Saturdays 7.00am to 12.00 noon:
- (L₁₀) 45dBA
- at all other times including public holidays:
- (L₁₀) 40dBA; (L_{max}) 75dBA or the background noise level plus 30dBA, whichever is the lower.
- (ii) For all other areas within Land Unit 14 the following noise standards shall apply to all permitted activities.
- The corrected noise level (L₁₀) and maximum level (L_{max}), measured at 20m from any adjacent dwelling (in another lot) or at or within the legal boundary when this is closer to the

dwelling shall not exceed the following limits:

Monday to Saturday 7.00am to 10.00pm and Sundays and Public Holidays 9.00am to 6.00pm (L₁₀) 50dBA:

at all other times:

(L₁₀) 40dBA; (L_{max})75dBA or the background noise level plus 30dBA, whichever is the lower.

6.14.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where required by policy area rules in Part 7 of this Plan when the land unit is contained within Policy Area 6.

6.14.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in Rule 6.14.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.
- (d) Where it is proposed to vary any of those standards in Rule 6.14.4.1B. Any standard for a permitted activity in Rule 6.14.4.1B may be varied up to a maximum of 15% except where otherwise provided for in Part 6C or in Table 2 or 3 (standards for discretionary activities).

B. Listed Discretionary Activities

- (a) Community Facilities
- (b) Entertainment Facilities

Provided that on Lots 1 and 2 DP 148657 and Lot 3 DP102953 (Palm Beach) any proposal must comply with the following standards:



- (i) No more than 100 persons shall be accommodated within the building or part of a building devoted to such an activity;
 - (ii) There shall be a minimum separation distance of 50m between any such facility and the nearest adjoining residential boundary;
 - (iii) There shall be the ability to provide suitable off-street parking on the allotment(s) for one vehicle for every four persons the restaurant is designed to accommodate.
 - (iv) Any facility shall be designed so that the amenity of surrounding residential areas is not detrimentally affected.
- (c) Helipads
- (d) Restaurants

Provided that on Lots 1 and 2 DP 148657 and Lot 3 DP102953 (Palm Beach) any proposal must comply with the following standards:

- (i) No more than 100 persons shall be accommodated within the building or part of a building devoted to such an activity;
- (ii) There shall be a minimum separation distance of 50m between any such facility and the nearest adjoining residential boundary;
- (iii) There shall be the ability to provide suitable off-street parking on the lots for one vehicle for every four persons the restaurant is designed to accommodate.

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

C. Consideration of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.14.4.3.A the Council will consider applications together, and;

- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.14.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to prior to making an application for any resource consent.

6.14.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.14.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 15 - INDUSTRIAL

6.15.0 DESCRIPTION

This land unit recognises the areas of general industrial and service activities within the Western Waiheke SMA as well as those areas where such activities could develop in the future. Approximately 16ha of land are subject to the provisions of this land unit with approximately 50% of the land not yet developed.

The location of the areas subject to the land unit provisions are Beatty Parade, Surfdale and Totara Road and Tahi Road, Onetangi. Beatty Parade and Totara Road are limited in physical extent being of 0.9ha and 1.5ha respectively. On the other hand, Tahi Road has an area of 13.4ha and is the principal area of industrial and service activity within the Western Waiheke SMA.

The present pattern of industrial and service activities within the Western Waiheke SMA is one of low-density, light industrial and service industry. Development is random and there is a degree of intermingling of activities with little functional specialisation.

The significant feature of this land unit is its proximity to areas of residential development. The land unit adjoins, is surrounded by or overlooks areas of residential activity. Access to it is often through residential streets. Further, the Tahi Road area is located on the floor and one side of a small valley and is adjacent to an important wetland. As a consequence there is a need to ensure that activities within the land unit do adversely impact on either the amenities or qualities of the surrounding neighbourhoods or the special features of the natural environment.

6.15.1 RESOURCE MANAGEMENT ISSUES

- Provision for a range of industrial and service activities.
- Recognising the need to ensure that industrial and service activities within the land unit do not adversely impact on the amenity and environmental quality of surrounding areas.
- Recognising the need to avoid or minimise any adverse effects of activities on environmental health and quality, particularly from any hazardous facilities.

- The need to ensure appropriate servicing of developments within the land unit.
- The need to ensure appropriate treatment of any wastes, and that on-site effluent disposal systems do not lead to degradation of water quality.
- The maintenance and, where possible, the enhancement of amenity and environmental quality within the land unit.

6.15.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 15 is to provide for medium intensity business activity, including light industrial and servicing uses within a built environment where amenity values are maintained or enhanced through appropriate controls on landscaping and design and appearance of buildings. Bulk and location controls determine the size and location of buildings on lots and further controls relate to traffic and vehicle access. In addition the strategy seeks to achieve protection of the natural environment through performance standards controlling noise, vibration, air pollution, the use, handling and storage of hazardous materials and substances, glare and vibration.

An integral component of the strategy is to ensure that the amenity of surrounding residential activities is not only protected but where practicable, enhanced. In that regard appropriate buffer separations between activities in the land unit and surrounding land uses are provided.

The land unit provides for the continuation of a range of industrial and service activities, generally of a light industrial nature, although there is opportunity through the provisions for an extensive range of activities to become established. Some activities with significant environmental impacts may be located within the land unit subject to the specific provisions.

Some of the land within the land unit is not yet fully provided with utility services. The Plan's provisions require that adequate proposals to service lots be incorporated into any development proposals before an activity commences operation or a building consent is issued.

The overall thrust of this strategy is to either avoid or mitigate the adverse impacts of activities within the land unit by either limiting scale, effects and intensity of use, or as and where appropriate through distance separation from surrounding land uses.



6.15.3 OBJECTIVES AND POLICIES

6.15.3.1 OBJECTIVE

To provide for low to medium intensity business activity within a good quality environment.

Policies:

- A. By requiring the provision of yards.
- B. By limiting the height of buildings.
- C. By requiring the provision of landscaping as an element of site development.

6.15.3.2 OBJECTIVE

To ensure that any adverse effect of business activity on the environment of the land unit or on adjoining residential lots is avoided or reduced to an acceptable level.

Policies:

- A. By requiring that all development is capable of disposing of all effluent safely.
- B. By imposing noise and vibration standards on all activities within the land unit.
- C. By imposing air pollution standards on all activities within the land unit.
- D. By requiring off-street parking and loading facilities to reduce pressure on access roads.
- E. By imposing controls on handling, use and storage of hazardous materials and substances.
- F. By requiring the provision of screening of yards and storage areas where these face residential areas.
- G. By controlling glare and vibration.

6.15.4 LAND UNIT RULES

6.15.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of Rule 6.15.4.1B below;

except where it has been otherwise provided for in the rules, for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Lot Yards.

Front yards shall be 7.5m in width, provided that for a corner site only one front yard is required on the longer street frontage with a special front yard of 4.5m on the shorter street frontage.

Rear yards shall be 10m in width, provided that a rear yard shall only be required in respect of a yard which adjoins a residential or recreational land unit, and in which case a landscaped strip of 3m within the yard adjoining and parallel to the rear boundary of the industrial lot shall be required upon completion of any development and/or use of the land for any permitted activity.

Side yards shall be 4m in width, provided that a side yard shall only be required in respect of a boundary which adjoins a residential or recreational land unit, and in which case a landscaped strip of 2m within the yard adjoining and parallel to the rear boundary of the industrial lot shall be required upon completion of any development and/or use of the land for any permitted activity.

Note: where any yard is affected by a building line restriction for amenity purposes that which has the greater dimension shall apply.

- (b) Lighting and Glare.

Requirements to reduce the impact of lighting and glare shall be as provided for in the Auckland City Council Consolidated Bylaw.

- (c) Screening of yards, service and storage areas.

Any yard, service or storage area located within any lot within land unit 15, and which adjoins or is visible from any residential or recreation land unit, or land designated for proposed reserve or civic purposes, or any public place shall be screened by the erection of a wall or fence and appropriate landscaping.



6.15.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where required by the rules for Policy Area 7 (Okahuiti-Ostend-Tahi), (see Part 7).

6.15.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in rule 6.15.4.3.B below or
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.
- (d) Where it is proposed to vary any of the standards in Rule 6.15.4.1B.

B. Listed Discretionary Activities

- (a) Community Facilities
- (b) Entertainment Facilities
- (c) Service Stations
- (d) Helipads

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

Any standard specified in Part 6F (Assessment criteria for listed discretionary activities) shall prevail over a parallel standard in Part 6C.

C. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;

- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.15.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.15.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G herein must be referred to prior to making an application for any resource consent.

6.15.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.15.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan



LAND UNIT 16 - QUARRYING

6.16.0 DESCRIPTION

Quarrying is an activity which occurs at limited locations within the district and this land unit is applied to one long-established area of quarrying operations within the Western Waiheke Strategic Management Area and to an individual island. The Council operates a quarry at Onetangi which supplies the needs of Waiheke Island in respect of base course metal for roading and accessways and general construction purposes. Karamuramu Island is a regionally-significant source of red metal.

The provisions of the Land Unit are designed to provide for the continuation of quarrying and associated uses in defined areas subject to strict environmental controls on the operation of the quarry and the ultimate use of the lot.

Where appropriate, further areas may be included in Land Unit 16 through the Plan Change process.

Elsewhere, quarries are provided for (as are prospecting and exploration) where they meet the standards for earthworks as permitted activities

Where those standards are to be exceeded, an application is needed to obtain consent as a discretionary activity.

6.16.1 RESOURCE MANAGEMENT ISSUES

- Avoidance and mitigation of any adverse effects of quarrying.
- The need to control the effects of particular activities associated with quarrying, such as blasting, vibration and noise.
- The need to ensure that the environmental impacts and effects on amenity due to quarrying operations are minimised.
- The need to provide for site restoration and preparation for subsequent activities.
- Recognition of the need to minimise any adverse effects on water quality.

6.16.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for land unit 16 is to provide for quarrying within clearly defined management guidelines so that visual amenity and natural environmental values are appropriately managed. The strategy for the Land Unit is to ensure that quarried areas are reinstated with vegetation so that the amenities of surrounding areas are enhanced. Specific controls need to be placed on those aspects of quarry operations which are likely to lead to detrimental effects. An important aspect of the strategy is to ensure that any quarry operations do not result in the lowering of water quality of either natural water systems on the land, including wetlands or surrounding coastal waters. The main outcome sought by the strategy is to ensure that quarrying has minimal impact on surrounding areas.

The provisions of this land unit include a comprehensive set of rules for quarrying. The purpose of these rules is to ensure that, during the course of quarrying operations, environmental impacts and threats to amenity are minimised and that site restoration and final levels are properly planned and co-ordinated. Such planning is required through the preparation of Quarry Management Plans.

Quarry Management Plans are required to show and describe a number of operational and managerial aspects of a quarrying operation. These include the area to be quarried, the location of buildings and plant, areas for the stockpiling of over-burden and existing and final contour levels.

Quarrying is a temporary activity and restoration of a quarry is required to prepare the land for the establishment of subsequent activities. In this regard, the Quarry Management Plans are required to show the proposals for restoration of quarried areas.

6.16.3 OBJECTIVES AND POLICIES

6.16.3.1 OBJECTIVE

To provide for the careful management and extraction of aggregate resources and the rehabilitation of exhausted quarries.



Policies:

- A. By implementing a comprehensive set of rules for quarrying.
- B. By requiring a Quarry Management Plan for all land within the land unit and which outlines operational matters and which gives an indication of the proposed end-state of the land once quarrying has ceased.
- C. By requiring all new quarry operations to indicate the potential alternative end-uses of the land before operations commence.

6.16.3.2 OBJECTIVE

To impose controls which protect the environmental quality and amenity of neighbouring properties.

Policies:

- A. To impose amenity controls at site boundaries.
- B. To restrict hours during which explosives may be used in quarry operations
- C. To adopt controls designed to prevent or reduce vibration, dust, noise, and soil and water contamination.
- D. To require the establishment and maintenance of buffer areas between quarry operations and adjacent activities.

6.16.4 LAND UNIT RULES

6.16.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of rule 6.16.4.1B below;
- (c) except where it has been otherwise provided for in the land unit rules as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Height of buildings.

No part of any building shall exceed a height equal to 3 metres plus the shortest horizontal

distance between that part of the building and the nearest site boundary provided that:

No building shall exceed a maximum height of 10.5 metres.

(b) Yards.

(i) Quarrying Uses

Except with the permission of the Council's Area Manager, no quarrying shall be carried out within 30 metres of each site boundary. Such distance is to be measured at right angles to the boundary or boundaries to where the quarry is worked on the site except that excavation may be undertaken in this yard where:

- final levels will coincide with existing levels or proposed final levels on adjoining sites; and
- the site will be graded or batters formed which will ensure the stability of the land and that on adjoining sites for such purposes to which it may be subsequently put.

(ii) Uses Other Than Quarrying

The following yards are required for uses other than quarrying.

Front yard - 30 metres provided that: in the case of any residential, recreational or canteen building the minimum front yard requirement shall be 12 metres.

Side yard - 15 metres

Rear yard - 15 metres

Notes:

1. Where any yard is affected by a building restriction yard, that which has the greater dimension will apply.
2. Quarrying operations on Karamuramu Island are exempt from the requirements of Rules 16.4.2 b (i) (ii) above.

(c) Lot coverage.

Lot coverage shall not exceed 30% of lot area.

(d) Quarry Management Plan.

The operators and owners of each quarry shall furnish a Quarry Management Plan to the Council for its retention provided that in the



case of existing quarries where a quarry plan has been submitted under any provision of an earlier requirement no further plan shall be required except where quarrying is proposed to be extended outside the area shown on that plan, and the Council's consent to such an extension is necessary.

Where the Plan requires the Council's consent to quarrying operations the Council may grant or refuse its consent or require any changes to be made to the Quarry Management Plan or impose other conditions as it sees fit.

All quarrying and restoration shall be carried out in accordance with the Quarry Management Plan which shall include the following information in plan form and in explanatory material:

- (i) demarcation of the area to be quarried;
- (ii) existing contours;
- (iii) final contours and floor levels including the proposals for the coordination of final levels of adjoining land;
- (iv) ultimate drainage of quarried lands;
- (v) an indication of the period over which quarrying will continue, and of staged development;
- (vi) location of buildings and plant;
- (vii) provision for the disposal and/or stockpiling of overburden, waste and quarried material, including the areas to be used for stockpiling;
- (viii) areas for stockpiling topsoil (where applicable);
- (ix) provision for screening unsightly features from public view and fencing dangerous or potentially dangerous features;
- (x) description of methods to be employed to prevent contamination of air or natural water and to comply with the Noise and Vibration provisions of these rules;
- (xi) an indication of the route by which quarried material is to be removed from the lot; and
- (xii) provision for the progressive restoration of the lot such that the land will be left in such condition as the Council considers suitable for the

establishment of those uses to which the land may subsequently be put.

(e) Noise

The L10 noise level as measured at 20 metres from any adjacent dwelling or at or within the legal boundary, when this is closer to the dwelling shall not exceed the following limits:

Monday to Friday between the hours of 0700 - 1800 and Saturday between the hours of 0700 - 1600.

50 dBA.

At all other times including Sundays and Public Holidays: 38 dBA

The noise levels shall be measured and assessed in accordance with the requirements of the New Zealand Standards NZS 6801:1991 Measurement of Sound and NZS 6802:1991 Assessment of Environmental Noise.

The noise shall be measured with a sound level meter complying with the International Standard IEC 651 (1979): Sound Level Meters Type 1.

(f) Vibration & Blasting.

(i) The noise created by the use of explosives measured at the boundary of the site shall either not exceed a peak overall sound pressure of 128dB or alternatively a peak sound level of 122dBC.

(ii) All blastings shall be restricted to between 9.00 a.m. and 5.00 p.m. Monday to Friday except where necessary because of safety reasons.

(iii) Blasting shall be confined to two occasions per day.

(iv) Where because of the irregular or infrequent nature of blasting startling of neighbouring tenants is likely then adequate public notification shall be given to those affected by this.

(v) 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, shall not exceed the limits of Table 1 of DIN Standard 4150 Part 3 (1986). Peak particle velocity means the maximum particle velocity in any



of three mutually perpendicular directions. The units are millimetres per second (mm/s).

- (vi) Every blast shall be recorded and monitored by reliable and appropriate methods (e.g. Clause 3.4, 4.2 and 5.2 of DIN 4150) to ensure these limits are not exceeded. These records shall be made available to the Council on request.

- (g) Dust.

Quarry owners and operators must ensure that adequate measures are taken to control the emission of dust from all parts of the site.

- (h) Waste Disposal and Water and Soil Pollution.

All tailings, overburden, waste and liquid and gaseous effluent shall be disposed of so as to minimise damage to property or disfigurement of the landscape, and to prevent pollution of any watercourse, drain, stream, creek, foreshore or underground water source.

- (i) Removal of Topsoil.

No topsoil shall be disposed of by sale or otherwise permanently removed from the quarry lot except as may be specified in the Quarry Management Plan and thereby approved by the Council.

- (j) Earthworks

The volume of earthworks carried out on any site shall not exceed that specified in any approved Quarry Management Plan .

6.16.4.2 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in rule 6.16.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.
- (d) Any standard for a permitted activity (except noise) in Rule 6.16.4.1B may be varied up to a

maximum of 15%. except where otherwise provided for in Part 6C or in Table 2 or 3 (standards for discretionary activities).

B. Listed Discretionary Activities

- (a) Helipads

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

C. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.16.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.16.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G herein must be referred to prior to making an application for any resource consent.

6.16.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan. No subdivision is provided for in Land Unit 16 and as a result requires an application as a non-complying activity.

6.16.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 17 - LANDSCAPE AMENITY

6.17.0 DESCRIPTION

Land Unit 17 applies to reserves for passive recreation and protection of the natural environment. These reserve areas form a substantial and important community asset.

6.17.1 RESOURCE MANAGEMENT ISSUES

- Protection of public open space for amenity and recreational values.
- Protection of coastal edge and habitats, ecological systems and flora and fauna therein.
- Maintaining and expanding passive recreation areas in proximity to urban development.
- Reduction of visual impacts from buildings and land use activity.
- Protecting heritage values and ensuring adequate access to the land unit, where appropriate, to enjoy such values.
- Securing an integrated network of reserves, walkways and accessways to create wider opportunities for enjoyment by the public of the coastal environment.
- Provision for appropriate public access such as bridlepaths and cycleways and associated signage.

6.17.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 17 is to ensure the protection of the natural characteristics of land within the land unit in order to protect coastal edges and the natural environment. The emphasis of the strategy is based upon a recognition of the community importance of areas of natural landscape and the main outcome sought through the strategy is the preservation of natural areas, achieved through limiting use opportunities. In addition the opportunities for any buildings to be erected or works to be carried out within the land unit that may conflict with the strategy are limited by rules specific to the land unit.

6.17.3 OBJECTIVES AND POLICIES

6.17.3.1 OBJECTIVE

[To provide for the management and protection of public open space for passive recreation.]

Policies:

- A. By limiting the use and development of the land unit.
- B. By protecting and conserving all native trees, and bush, wetlands, habitats, **heritage sites** and other natural features.
- C. By protecting those landforms contained within the land unit.
- D. By seeking to maintain and expand public access to the coastline.] **19.4.00**

6.17.3.2 OBJECTIVE

To limit buildings and land use activities within the land unit.

Policies:

- A. By controlling the number and location of buildings.
- B. By controlling the design and appearance of buildings.
- C. By limiting land use activities to those allied to the protection and enjoyment of the natural environment.

6.17.4 LAND UNIT RULES

6.17.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B,



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- (b) except where it has been otherwise provided for in the rules for this land as a controlled, discretionary or prohibited activity.
- (c) Meets the requirements of Rule 6.17.4.1B below.

B. Particular Rules

- (a) Any use of land or buildings must be consistent with any operative management plan pursuant to the Reserves Act 1977, the Conservation Act 1987 and the Local Government Act 1974.

6.17.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where it is proposed to erect, alter or add to any building(s).
- (b) Where required by the rules for Policy Area 5 (Oneroa), Policy Area 6 (Onetangi), [or Policy Area 8 (Rangihoua Park)]. (See Part 7). *19.4.00*

B. Particular Rules

- (a) Any building shall meet all those standards and terms contained in Part 6B.

C. Controlled Activity Criteria.

The Council shall give consideration to the following criteria in assessing an application for a controlled activity:

- (a) All existing native bush, or other vegetation which contributes to visual amenity shall be retained, except where it is necessary to remove vegetation to create a building platform, or where sufficient landscape planting of appropriate species is provided to ensure that buildings are integrated with the existing natural character of the surrounding landscape.
- (b) Any earthworks necessary for the creation of building platforms or access shall be such that they create minimum disturbance to the landform and character of the area.
- (c) Any driveway, parking and turning areas shall be constructed in a manner which requires minimal disturbance to existing landform or vegetation. Generally, any driveway should have a gradient of less than 1 in 6.

- (d) The exterior finish of proposed buildings shall be complementary to those which are found in the surrounding natural landscape.

Note: Reference will be made to the document *Colour for Structures in the Landscape*: Author Heath, T. for the interpretation of this criterion, (available at Auckland City Council Offices).

- (e) The scale and form of proposed buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape.
- (f) Development proposals shall ensure that any runoff or stormwater resulting from the development does not lead to siltation or sedimentation or a reduction in water quality in natural watercourses.
- (g) Any extension or alteration to an existing building shall:
 - (i) comply with (d) and (e) above,
 - (ii) be sympathetic to the design and external appearance of the existing building.

D. Controlled Activity Conditions

In granting consent to a controlled activity the Council may impose conditions relating to any or all of the following matters:

- (a) The removal or retention of vegetation.
- (b) Landscaping.
- (c) Drainage and effluent disposal.
- (d) The screening of buildings, yards or vehicle parking and manoeuvring areas.
- (e) The orientation, cladding, scale, form and colour of buildings.
- (f) Location of buildings on a site.
- (g) The height of buildings.
- (h) The location and construction of vehicle entry, egress, manoeuvring and parking.
- (i) The orientation of pedestrian areas.

6.17.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:



- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in Rule 6.17.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.
- (d) Any use of land or buildings where there is no operative management plan pursuant to the Reserves Act 1977 the Conservation Act 1987 and the Local Government Act 1974.

B. Listed Discretionary Activities

- (a) Community Facilities
The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

C. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.17.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.17.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to prior to making an application for any resource consent.

6.17.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.17.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 18 - OUTDOOR ACTIVITIES

6.18.0 DESCRIPTION

This land unit applies to large reserve areas throughout the Western Waiheke SMA. These reserve areas are generally of even local relief and generally support sports fields providing facilities for a range of outdoor recreational activities. Such activities are often conducted in association with buildings used as clubrooms.

6.18.1 RESOURCE MANAGEMENT ISSUES

- Need to provide adequate active recreational space.
- Need to ensure a diverse range of recreational activities are provided for within the land unit.
- Need for community involvement in the development of recreational facilities.
- Need to reduce impacts of buildings on the visual amenity values of the land unit.
- Need to maximise use opportunities on existing reserves and to secure additional reserves on the basis of need.
- Need to place recreational planning within a wider strategic framework such as the Annual Plan.

6.18.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 18 is to use appropriate rules in order to ensure land is available for active recreation purposes. Also buildings of an appropriate size and location shall be permitted where they meet necessary design, appearance and landscape criteria, in order that the function of the land unit to provide for a diverse range of community activities is realised. In that regard the strategy is also that the Plan's rules should be complementary to and integrate with the provisions of the Reserves Act 1977. For that reason, the Plan's rules for Land Unit 18 specifically refer to Reserve Management Plans under the Reserves Act, as a standard which must be met by permitted activities. The main thrust of the resource management strategy is therefore to ensure equitable and efficient use of land within the land unit for community and recreation purposes.

6.18.3 OBJECTIVES AND POLICIES

6.18.3.1 OBJECTIVE

To provide for a variety of active recreational uses compatible with the environmental capacity of the land.

Policies:

- A. By requiring that any buildings or erected provide for multiple use recreation activities where possible.
- B. By implementing the provisions of the Reserve Management Plan 1984 and any amendments.

6.18.3.2 OBJECTIVE

To conserve those natural features which are significant to the amenities of the reserve.

Policies:

- A. By identifying and protecting those native trees, bush, landscape features or features of scientific, wildlife, botanical, historic or scenic value.
- B. By using such features as an integral part of and reserve management plans.

6.18.4 LAND UNIT RULES

6.18.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B,
- (b) Meets the requirements of Rule 6.18.4.1B below:
- (c) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.



B. Particular Rules

- (a) Any use of land or buildings must be consistent with any operative management plan pursuant to the Reserves Act 1977 or the Conservation Act 1987.

6.18.4.2 CONTROLLED ACTIVITIES**A. General Rules**

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where it is proposed to erect, alter or add to any building(s).
- (b) Where required by the rules for Policy Area 6 (Onetangi), Policy Area 7 (Okahuiti-Ostend-Tahi), [or Policy Area 8 (Rangihoua Park)]. (See Part 7). **19.4.00**

B. Particular Rules

- (a) Any building shall meet all those standards in Part 6B.

C. Controlled Activity Criteria.

The Council shall give consideration to the following criteria in assessing an application for a controlled activity:

- (a) All existing native bush, or other vegetation which contributes to visual amenity shall be retained, except where it is necessary to remove vegetation to create a building platform, or where sufficient landscape planting of appropriate species is provided to ensure that buildings are integrated with the existing natural character of the surrounding landscape.
- (b) Any earthworks necessary for the creation of building platforms or access shall be such that they create minimum disturbance to the landscape and character of the site.
- (c) Any driveway, parking and turning areas shall be constructed in a manner which requires minimal disturbance to existing landform or vegetation. Generally, any driveway should have a gradient of less than 1 in 6.
- (d) The exterior finish of proposed buildings shall be complementary to those which are found in the surrounding natural landscape.
- (e) Note: Reference will be made to the document Colour for Structures in the Landscape, Heath,

T, for the interpretation of this criterion, (available at Auckland City Council Offices).

- (f) The scale and form of proposed buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape.
- (g) Development proposals shall ensure that any runoff or stormwater resulting from the development, does not lead to siltation or sedimentation or a reduction in water quality in natural watercourses.
- (h) Any extension or alteration to an existing building shall:
- (i) comply with (d) and (e) above,
- (ii) be sympathetic to the design and external appearance of the existing building.

D. Controlled Activity Conditions

In granting consent to a controlled activity the Council may impose conditions relating to any or all of the following matters:

- (a) The removal or retention of vegetation.
- (b) Landscaping.
- (c) Drainage.
- (d) The screening of buildings, yards or vehicle parking and manoeuvring areas.
- (e) The orientation, cladding, scale, form and colour of buildings.
- (f) Location of buildings on a site.
- (g) The height of buildings.
- (h) The location and construction of vehicle entry, egress, manoeuvring and parking.

6.18.4.3 DISCRETIONARY ACTIVITIES**A. General Rules**

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in rule 6.18.4.3.B below or;



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- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.
- (d) Any use of land or buildings where there is no operative management plan pursuant to the Reserves Act 1977 or Conservation Act 1987.
- (e) [Buildings and structures over a certain scale which contribute to the sports and recreation use and enjoyment of the Recreation Amenity Area of Rangihoua Park Policy Area, are restricted discretionary activities. Refer to Policy Area 8 Rules.] **19.4.00**

B. Listed Discretionary Activities

- (a) Entertainment Facilities
- (b) Retail Premises
- (c) Helipads

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

C. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.18.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.18.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.

6.18.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G herein must be referred to prior to making an application for any resource consent.

6.18.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.



LAND UNIT 19 - COMMUNITY ACTIVITIES

6.19.0 DESCRIPTION

[The Land Unit 19 applies to a number of local reserve areas throughout the Western Waiheke SMA in such locations as Blackpool, Ostend, Onetangi and Palm Beach. The areas are generally of moderate size and are generally developed for community and neighbourhood purposes.] *19.4.00*

6.19.1 RESOURCE MANAGEMENT ISSUES

- Ensure use opportunities for community and neighbourhood based activities are maximised.
- Maintenance of a balance between open space and buildings to ensure retention of the character of the land unit.
- Continuation of historical uses of buildings and land.
- Provision for a diverse range of general recreational pursuits.

6.19.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 19 is to use rules to facilitate and maximise neighbourhood and community use of land within the land unit in order to foster community and cultural activities. Buildings are permitted but only through controlled activity rules so that their design, appearance and size are compatible with the surrounding residential uses and that activities undertaken within buildings and on the land must not detract from the amenities of residential areas. The strategy seeks through the Plan's rules to ensure that a diverse range on non-active recreational activities can be carried out within the land unit. Small scale, community based land use activities are seen as being appropriate for the land unit.

6.19.3 OBJECTIVES

6.19.3.1 OBJECTIVE

To provide for a balanced range of community activities for the cultural needs of the community.

Policies

- A. By providing for buildings and for community needs.
- B. By providing for informal recreation activities.

6.19.4 LAND UNIT RULES

6.19.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of Rule 6.19.4.1B below;
- (c) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Any use of land or buildings must be consistent with any operative management plan pursuant to the Reserves Act 1977 or the Conservation Act 1987.

6.19.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where it is proposed to erect, alter or add to any building(s).



PART 6A - LAND UNITS

- (b) Where required by the rules for Policy Area 7 (Okahuiti-Ostend-Tahi), [or Policy Area 8 (Rangihoua Park)] (see Part 7). **19.4.00**

B. Particular Rules

- (a) Any building shall meet all those standards in Part 6B or Policy Area 8 (Rangihoua Park). (See Part 7).

C. Controlled Activity Criteria.

The Council shall give consideration to the following criteria in assessing an application for a controlled activity:

- (a) All existing native bush, or other vegetation which contributes to visual amenity shall be retained, except where it is necessary to remove vegetation to create a building platform, or where sufficient landscape planting of appropriate species is provided to ensure that buildings are integrated with the existing natural character of the surrounding landscape.
- (b) Any earthworks necessary for the creation of building platforms or access shall be such that they create minimum disturbance to the landscape and character of the site.
- (c) Any driveway, parking and turning areas shall be constructed in a manner which requires minimal disturbance to existing landform or vegetation. Generally, any driveway should have a gradient of less than 1 in 6.
- (d) The exterior finish of proposed buildings shall be complementary to those which are found in the surrounding natural landscape.
- Note: Reference will be made to the document Colour for Structures in the Landscape, Heath, T. for the interpretation of this criterion, (available at Auckland City Council Offices).
- (e) The scale and form of proposed buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape.
- (f) Development proposals shall ensure that any runoff or stormwater resulting from the development does not lead to siltation or sedimentation or a reduction in water quality in natural watercourses.
- (g) Any extension or alteration to an existing building shall:
- (i) comply with (d) and (e) above,

- (ii) be sympathetic to the design and external appearance of the existing building.

D. Controlled Activity Conditions

In granting consent to a controlled activity the Council may impose conditions relating to any or all of the following matters:

- (a) The removal or retention of vegetation.
- (b) Landscaping.
- (c) Drainage.
- (d) The screening of buildings, yards or vehicle parking and manoeuvring areas.
- (e) The orientation, cladding, scale, form and colour of buildings.
- (f) Location of buildings on a site.
- (g) The height of buildings.
- (h) The location and construction of vehicle entry, egress, manoeuvring and parking.

6.19.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in rule 6.19.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Listed Discretionary Activities

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

C. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;



- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.19.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.19.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to, prior to making an application for any resource consent.

6.19.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.19.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 20 - LANDSCAPE PROTECTION

6.20.0 DESCRIPTION

Land Unit 20 covers a limited area of land encompassing some 332 ha lying between and adjacent to the main residential areas on Waiheke Island, as well as most of Rakino Island. It is intended that the predominantly rural character of this land unit be preserved in order to maintain a buffer of open countryside between the villages on Waiheke Island and to preserve the rural landscape of Rakino Island. The general purpose of the land unit's rules are to give the ability to pursue a diversity of rural lifestyles and to allow for greater flexibility in the use of rural land, while encouraging the optimum use of productive soils where they exist. The pattern of smaller lots surrounding the existing residential areas is recognised and provides suitable areas for a range of uses, which would be compatible with and benefit from a location in a rural setting without creating a demand for further urban services. On Rakino Island small rural lots dominate and enclose the existing residential subdivisions on the central ridges. Preservation of the coastal environment can be achieved by providing for a range of rural activities, that maintain landscape character and are compatible with the environmental capacity of the area.

A single dwelling is permitted as a controlled activity on all lots, as Council considers that the likelihood of land being used effectively is greater if the owner is able to live on his or her land. Some land use activities are subject to rules to protect the character of the rural environment and prevent development which would compromise the amenities of a rural area. Subdivision rules in the land unit recognise the existing pattern of many small lots of approximately 4 ha and aim to facilitate boundary adjustments and amalgamations which will result in a pattern which facilitates the use of land for productive rural activities.

Land Unit 20 is characterised by a mixture of pastoral farming activities on flat to rolling land, pockets of native bush, intensive horticultural uses, horse grazing activities and lifestyle residential activities. There are some wetlands and streams within the land unit. Some of the better soils of the Inner Islands are found within this land unit.

6.20.1 RESOURCE MANAGEMENT ISSUES

Land Unit 20 has a particular strategic significance on Waiheke Island and there are a number of identifiable resource management issues which need be addressed through the Plan. These issues include the:

- Necessity to protect productive or potentially productive soils where they exist.
- Need to preserve the significant environmental and amenity functions which the land unit carries out, in terms of securing a green belt buffer between and around urban areas on Waiheke Islands in particular.
- Need to relate subdivision rules to the goal of preserving rural character and amenity.
- Need to provide flexible options for land use activities within the land unit, to facilitate the best use of the land.
- Recognition of sensitive areas including wetlands, habitats and areas of native bush in the Plan rules.
- Need to manage the scale, density, location and appearance of buildings so as to minimise visual impacts and preserve rural character.
- Need to relate land use activities to the use potentials of the land unit, as well as to environmental capacities.
- Need to encourage management practices for farming activities which ensure no detrimental impacts on water and soil conservation functions and vegetation.

6.20.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Use 20 is to ensure the continuation of rural open space and rural land use activities within the land unit, as a means of providing visual and physical buffers between urban areas. The land unit fulfils an essential function in securing the maintenance of the rural character of land between urban areas so that sustainable management of the Western Strategic Management Area can be achieved.

The strategy, as reflected in the district plan rules, also promotes the retention of higher quality land for productive purposes, where it exists, in conjunction with facilitating opportunities for a diverse range of land use activities. The visual quality and character of the land unit is recognised, to the extent that the control and management of buildings is



achieved through the controlled activity framework in the Plan, in order to ensure that the scale, design and appearance and location of buildings is sympathetic to and maintains the rural open space character of the land unit.

Land Unit 20 has high strategic significance. in terms of its role in facilitating an integrated strategy of land unit management, so that sustainable management of the natural and physical environment results. Land Unit 20 also fulfils a strategic function in terms of maintaining a direct visual perception of life style opportunities, reflecting the cultural character of the Hauraki Gulf Islands.

6.20.3 OBJECTIVES AND POLICIES

6.20.3.1 OBJECTIVE

To provide for a diverse range of land use activities compatible with maintaining the special environmental amenity and open rural landscape of Land Unit 20, in order to secure its long term protection as a rural buffer area with potentially productive rural land use capability in some parts.

Policies

- A. By ensuring that land with a high, actual or potential value for the production of food is not compromised by inappropriate buildings or land use activities.
- B. By encouraging farming activities which are not detrimental to the natural environment.
- C. By providing for non-rural land use activities where their character, scale and intensity are compatible with the rural landscape and the environmental capacity of the land unit.
- D. By protecting wetlands and other water systems, native bush areas and other environmentally sensitive areas.
- E. By using subdivision rules which provide for the creation of lots within a size range compatible with and in recognition of the productive potential of the land unit, as well as rural amenity value.
- F. By limiting land use activities and subdivision in the land unit to the opportunities provided for by the Plan's rules.
- G. By ensuring on Waiheke Island that the land unit is maintained as a green belt buffer between and around residential settlements.
- H. By managing the land unit on Rakino Island so that the rural character is typified by an open landscape,

with relatively few buildings and rural land use activities predominating.

6.20.4. LAND UNIT RULES

6.20.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of Rule 6.20.4.1B below:
- (c) Except where it has been otherwise provided for in the rules, for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Only one dwelling shall be allowed on any lot.

6.20.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where it is proposed to erect, alter or add to any building(s).

B. Particular Rules

- (a) Any building shall meet the standards and terms contained in Part 6B.

C. Controlled Activity Criteria

The Council shall give consideration to the following criteria in assessing an application for a controlled activity:

- (a) All existing native bush, or other vegetation which contributes to visual amenity shall be retained, except where it is necessary to remove vegetation to create a building platform, or where sufficient landscape planting of appropriate species is provided to ensure that buildings are integrated with the existing natural character of the surrounding landscape.



- (b) Any earthworks necessary for the creation of building platforms or access shall be such that they create minimum disturbance to the landform and character of the site.
- (c) Any driveway, parking and turning areas shall be constructed in a manner which requires minimal disturbance to existing landform or vegetation. Generally, any driveway should have a gradient of less than 1 in 6.
- (d) The exterior finish of proposed buildings shall be complementary to those which are found in the surrounding natural landscape.

Note: Reference will be made to the document Colour for Structures in the Landscape, Heath, T. for the interpretation of this criterion, (available at Auckland City Council Offices).

- (e) The form of proposed buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape.
- (f) Development proposals ensure that any runoff or stormwater resulting from the establishment of the activity, does not lead to siltation or sedimentation or a reduction in water quality in natural watercourses.
- (g) Any extension or alteration to an existing building shall:
 - (i) comply with (d) and (e) above,
 - (ii) be sympathetic to the design and external appearance of the existing building.

D. Controlled Activity Conditions

In granting consent to a controlled activity in Land Unit 20 the Council may impose conditions relating to any or all of the following matters:

- (a) Removal or retention of vegetation.
- (b) Landscaping.
- (c) Drainage.
- (d) Visual screening of buildings.
- (e) Orientation, cladding, form and colour of buildings.
- (f) Location of buildings on a site.
- (g) Location and construction of vehicle entry, egress, manoeuvring and parking.

6.20.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in Rule 6.20.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Particular Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) A dwelling comprising separate buildings which does not meet that part of the definition of dwelling which specifies buildings to be clustered and integral to each other in terms of location and layout.
- (b) Except as provided for by Section 95A(4) of the Act, any application made under (a) above shall be considered a non-notified restricted discretionary activity and the written approval of affected persons shall not be required where the proposal complies with the Standards in Part 6B for Permitted Activities or the Standards in Part 6C for Restricted Discretionary Activities;
- (c) Where an application complies with criterion (b), the Council shall restrict the exercise of its discretion to the following matters:
 - scale, form and location of buildings;
 - parking and vehicle access;
 - impact on local character and amenity.
- (d) In assessing resource consent applications in terms of the matters to which Council has restricted its discretion, the following assessment criteria shall be considered:
 - i) whether the proposal contributes to the character of the surrounding area and helps to maintain the cultural and social values of the community;



- ii) the scale, form and location of buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape;
 - iii) the form and location of any vehicle access or car parking areas on the site and, in particular, whether the location of any vehicle access or parking could allow the use of the building as a separate dwelling;
 - iv) that the proposal does not contribute to a potential, actual or cumulative increase in residential density which adversely impacts upon the visual, environmental, social or cultural characteristics of the local area or wider island environment.
- e) Conditions may be imposed in relation to any of the matters addressed in (c) or (d) above and, in particular, a condition may be imposed requiring that buildings be protected by an encumbrance or a similar mechanism registered against the certificate of title to ensure that they do not become a dwelling where that use is contrary to the District Plan provisions for residential density.
- f) If criterion (b) is not met, an application shall be assessed as an unrestricted discretionary activity, subject to the assessment criteria in Part 6E. Where the activity is a listed discretionary activity, the assessment criteria of Part 6F shall also be considered.

C. Listed Discretionary Activities

- (a) Camping Facilities
- (b) Commercial Airstrips
- (c) Commercial Firewood Harvesting
- (d) Community Facilities
- (e) Educational Facilities
- (f) Entertainment Facilities providing;
- (g) the gross dwelling area of the building does not exceed 100 m², and
- (h) the activity is only for the sampling and sale of wines or other produce produced on the site.
- (i) forestry
- (j) Multiple Dwellings
- (k) Rural Industries
- (l) Visitor Facilities

- (m) Farm Airstrips or Helipads
- (n) Rural Property Management Plans

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

D. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.20.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.20.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in parts 6B-6G must be referred to, prior to making an application for any resource consent.

6.20.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.20.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 21 - TE WHAU PENINSULA

6.21.0 DESCRIPTION

Land Unit 21 covers a relatively small area (some 220 ha) of land located at the southern side of Waiheke Island and is known as Te Whau Peninsula. The land contains many areas of high amenity and environmental value within the coastal environment. Prior to this Plan the land was zoned under the Operative 1991 Transitional Waiheke District Plan to provide for lower density residential lifestyles in a rural environment. The rules provided for in Land Unit 21 continue to provide those same opportunities. Special subdivision rules particular to Te Whau Peninsula are contained within the rules in this Plan and seek to create a pattern of subdivision which is sympathetic to and protective of the intrinsic values of the natural environment.

Because of its topography, relationship to the waters of the Gulf, soil characteristics and capabilities and the existence of large areas of high environmental significance (such as native bush, wetlands and ecosystems), land use activities are limited by the Plan rules. Those rules are intended to facilitate appropriate coastal management and the preservation, protection and conservation of the natural environment together with the maintenance of the rural character of the land unit. In that regard the subdivision rules for Land Unit 21 specifically seek to limit the number of lots on Te Whau Peninsula. Permitted activities are restricted to those most likely to have a minimal impact upon the natural environment.

The topography of the land unit is such that building adjacent to, or in some places on, ridgelines is likely. In order to ensure that any effects of building on a ridgeline are no more than minor the land unit rules provide for the assessment of buildings as a controlled activity with specific ridgeline building assessment criteria.

6.21.1 RESOURCE MANAGEMENT ISSUES

Land Unit 21 contains land having a high visual prominence, as well as sites of ecological and wildlife significance. Recognising that fact, in addition to coastal environment matters, a number of resource management issues have been identified. These issues include:

- The necessity to protect and preserve the rural character of Te Whau Peninsula.
- The need to preserve the land unit's significant environmental and amenity functions.

- The need to recognise that Te Whau Peninsula is contained within a coastal environment and requires particular and specific resource management techniques in order to achieve the requirements of the Act.
- Recognition of the detrimental impact that inappropriately located buildings can have on the visual amenity values of Te Whau Peninsula, coupled with recognition of the necessity to limit the density and disposition of such buildings.
- Recognition that there are a number of significant habitats and ecosystems on or around Te Whau Peninsula requiring protection and preservation through particular resource management techniques including the utilisation of protective instruments such as covenants.
- The need to ensure that as a consequence of subdivision or any other resource consent, access to and around the coastline is facilitated.

6.21.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 21 is to ensure the protection of a particularly significant landscape (Te Whau Peninsula) and the coastal environment associated with it by way of providing opportunity for subdivision, primarily to provide for dwellings at a low density as a means of securing long term sustainable land use. The main thrust of the strategy therefore is to provide specific rules which secure a low density of dwellings in order to preserve the natural landscape by protecting in perpetuity a variety of environmental features, such as native bush, landforms, wetlands, habitats and other similar features. The land unit also fulfils an important role in creating a visual amenity buffer comprising an open rural landscape between existing urban areas.



6.21.3 OBJECTIVES AND POLICIES

6.21.3.1 OBJECTIVE

To protect, preserve and enhance the special character of the natural environment of Land Unit 21 particularly the coastal environment, whilst providing opportunities for land use activities including residential uses, subject to appropriate control of density, disposition and appearance of buildings.

Policies

- A. By ensuring buildings and access roads are sited so that they do not detract from important visual features such as prominent skylines and ridgelines, cliff tops, coastal headlands, beaches and areas of native bush.
- B. By ensuring that the design and external appearance of buildings is harmonious with the natural landscape.
- C. By seeking the provision of public access to the coastline and the creation of suitable foreshore reserves at the time of subdivision, in order to enhance public recreation opportunities.
- D. By using a variety of resource management techniques to preserve, protect and enhance native bush, prominent headlands, cliffs, coastal edges, wildlife habitats and ecological corridors.
- E. By providing for only one dwelling house per lot.
- F. **Refer to**  By using specific subdivision rules including a median lot size of 3 ha and a maximum number of lots so that an inappropriate intensity of development is prevented.
- G. By using Plan rules to minimise disturbance to land forms, trees, bush, streams, other water systems, including wetlands and the foreshore and coastal environment.
- H. By controlling the removal of native bush and the nature and extent of earthworks.

6.21.4 LAND UNIT RULES

6.21.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of Rule 6.21.4.1B below;
- (c) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Only one dwelling shall be allowed on any lot.

6.21.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where it is proposed to erect, alter or add to any building(s).

B. Particular Rules

- (a) Any building shall meet the standards and terms contained in Part 6B, except for Rule 6B.1.2.6 (location of buildings)

C. Controlled Activity Criteria

The Council shall give consideration to the following criteria in assessing an application for a controlled activity:

- (a) All existing native bush, or other vegetation which contributes to visual amenity is retained, except where it is necessary to remove vegetation to create a building platform or avoid obtrusive ridgeline locations, or where sufficient landscape planting of appropriate indigenous species is provided to ensure that buildings are integrated with the existing natural character of the surrounding landscape.



- (b) Where building are proposed on ridgelines, the extent to which their location would detract from the form and quality of the landscape in the vicinity, the detrimental environmental effects of locating the building elsewhere on the site, and any mitigation measures proposed (including measures in relation to design, earthworks, vegetative screening or other techniques which minimise intrusiveness and visual impact).

Note: Ridgelines for the purpose of Rule 6.21.4.2 are deemed to be those defined on the planning maps.

- (c) Any earthworks necessary for the creation of building platforms or access shall be such that they create minimum disturbance to the landform and character of the site.
- (d) Any driveway, parking and turning areas shall be constructed in a manner which requires minimal disturbance to existing landform or vegetation. Generally, any driveway should have a gradient of less than 1 in 6.
- (e) The exterior finish of proposed buildings shall be complementary to those which are found in the surrounding natural landscape.

Note: Reference will be made to the document Colour for Structures in the Landscape, Heath, T. for the interpretation of this criterion, (available at Auckland City Council Offices)

- (f) The scale and form of proposed buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape.
- (g) Development proposals shall ensure that any runoff or stormwater resulting from the establishment of the activity does not lead to siltation or sedimentation or a reduction in water quality in natural watercourses.
- (h) Any extension or alteration to an existing building shall:
- (i) comply with (b), (e) and (f) above,
 - (ii) be sympathetic to the design and external appearance of the existing building.

D. Controlled Activity Conditions

In granting consent to a controlled activity in Land Unit 21 the Council may impose conditions relating to any or all of the following matters:

- (a) Removal or retention of vegetation.
- (b) Landscaping/Planting of vegetation

- (c) Drainage/Stormwater management.
- (d) Visual screening of buildings, or yards.
- (e) Orientation, cladding, form and colour of buildings.
- (f) Location of buildings on a lot.
- (g) The height of buildings.
- (h) Location and construction of vehicle access, driveways, manoeuvring and parking
- (i) Extent and nature of earthworks.

6.21.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in part 6B or;
- (b) Where an activity is listed in rule 6.21.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Particular Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) A dwelling comprising separate buildings which does not meet that part of the definition of dwelling which specifies buildings to be clustered and integral to each other in terms of location and layout.
- (b) Except as provided for by Section 95A(4) of the Act, any application made under (a) above shall be considered a non-notified restricted discretionary activity and the written approval of affected persons shall not be required where the proposal complies with the Standards in Part 6B for Permitted Activities or the Standards in Part 6C for Restricted Discretionary Activities;
- (c) Where an application complies with criterion (b), the Council shall restrict the exercise of its discretion to the following matters:
 - scale, form and location of buildings;
 - parking and vehicle access;



- impact on local character and amenity.
- (d) In assessing resource consent applications in terms of the matters to which Council has restricted its discretion, the following assessment criteria shall be considered:
- i) whether the proposal contributes to the character of the surrounding area and helps to maintain the cultural and social values of the community;
 - ii) the scale, form and location of buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape;
 - iii) the form and location of any vehicle access or car parking areas on the site and, in particular, whether the location of any vehicle access or parking could allow the use of the building as a separate dwelling;
 - iv) that the proposal does not contribute to a potential, actual or cumulative increase in residential density which adversely impacts upon the visual, environmental, social or cultural characteristics of the local area or wider island environment.
- e) Conditions may be imposed in relation to any of the matters addressed in (c) or (d) above and, in particular, a condition may be imposed requiring that buildings be protected by an encumbrance or a similar mechanism registered against the certificate of title to ensure that they do not become a dwelling where that use is contrary to the District Plan provisions for residential density.
- f) If criterion (b) is not met, an application shall be assessed as an unrestricted discretionary activity, subject to the assessment criteria in Part 6E. Where the activity is a listed discretionary activity, the assessment criteria of Part 6F shall also be considered.

C. Listed Discretionary Activities

- (a) Community Facilities
 - (i) The facility shall provide primarily for the activities of those persons resident on properties in the land unit.

- (b) Helipads

The above activities are automatically discretionary activities as they need particular

assessment in this land unit because of potential effects.

D. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.21.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.21.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to prior to making an application for any resource consent.

6.21.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.21.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 22 - WESTERN LANDSCAPE

6.22.0 DESCRIPTION

This land unit is located at the western end of Waiheke Island. The land is predominantly in pasture with some horticulture and forestry on Hakaimango Point. There are scattered pockets of remnant native bush and extensive areas of shrubland in the southern portion of the area. The land unit has an extensive, indented coastline made up of small, sheltered bays and steep cliffs. Much of the land unit provides the first significant impression to visitors of the rural landscape character of Waiheke.

This land unit allows opportunity to develop limited residential and/or visitor facilities where landscape, environmental, and/or amenity values are secured. The general purpose of the land unit is to encourage the continued management of the land for rural and conservation purposes while permitting comprehensive developments, involving the provision of low density accommodation. This land unit provides an additional choice as part of a range of living environments on Waiheke Island, whilst maintaining and enhancing the landscape qualities and amenities of the Island.

Before providing accommodation over and above a single dwelling house a Comprehensive Rural Development Plan must be submitted by way of a discretionary activity application.

6.22.1 RESOURCE MANAGEMENT ISSUES

Land Unit 22 comprises a visually significant rural/coastal landscape and encloses Matiatia Bay, the main entry port for Waiheke Island. A number of particular resource management issues are identifiable which must be addressed in the Plan. These issues include the:

- Need to maintain the rural character of the land unit by controlling the number, design, location and density of buildings.
- Need to protect the existing indigenous vegetation of the land unit.
- Need to encourage revegetation of steeper slopes to improve stability, reduce erosion and enhance visual amenity and environmental values.

- Necessity to protect sensitive coastal areas and the natural environment.
- Importance of providing public access to and around the coastline.
- Need to foster the continued use of the land unit for productive rural purposes.
- Need to maintain the visual quality of the land unit, so that the special character of Matiatia Bay as an entrance to the Island is preserved.

6.22.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 22 is to secure the continuation of the predominantly open rural landscape character in recognition of the important visual and cultural role the land unit plays in terms of an appreciation of Waiheke Island. The strategy recognises that Matiatia is the major gateway to Waiheke Island and that a dramatic change in character of the land to the north and south of Matiatia (contained within the land unit) particularly a change to a predominantly urban form would be incompatible with the overall resource management strategy for the Hauraki Gulf Islands. Accordingly, the Plan's rules provide for limitations on density of buildings in the rural landscape, as well as specific rules to manage the distribution, location and design and appearance of buildings. An integral part of the strategy is to link subdivision opportunities to land use activities through a comprehensive resource management application process in order to ensure sustainable land management eventuates. The rules also provide the opportunity for recognising the protection of significant environmental features by allowing for a limited but higher density of buildings in the landscape as and where appropriate. The rules for this land unit provide, as a discretionary activity, for Comprehensive Rural Development but only when a joint application for the associated subdivision is made.



6.22.3 OBJECTIVES AND POLICIES

6.22.3.1 OBJECTIVE

To foster the continued use of the land for rural activities in conjunction with residential uses or visitor facilities in appropriate locations.

Policies

- A. By ensuring that land with high, actual or potential value for economic productive rural activities, is not compromised by the inappropriate location of buildings or other development.
- B. By securing suitable public access to the coastline, when subdivision takes place, through appropriate reserve contributions or other arrangements.
- C. By permitting low intensity residential development, and visitor facilities which do not compromise the resource management strategy for the Western Waiheke SMA.

6.22.3.2 OBJECTIVE

To control subdivision and the erection of dwellings and other buildings so that the rural character of the land unit is maintained.

Policies

- A. By controlling the density, location and design of buildings, in order to minimise their impact on the natural environment, to maintain and enhance landscape and environmental qualities.
- B. By relating subdivision rules to potential impact of buildings so as to minimise visual impact on the rural landscape.

6.22.3.3 OBJECTIVE

To ensure that development leads to enhanced land management practices and continued rural use which fosters and enhances landscape and environmental values.

Policies

- A. By securing the protection and retention of the coastline, watercourses, wetlands and areas of mature

and regenerating native bush through the acquisition of reserves, covenanting or other appropriate techniques.

- B. By ensuring that land with potential for economic productive rural land uses is preserved.
- C. By ensuring land use activities facilitate sustainable land use and maintain and enhance rural landscape qualities.

6.22.4 LAND UNIT RULES

6.22.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of Rule 6.22.4.1B below;
- (c) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Only one dwelling shall be allowed on any lot.

6.22.4.2 CONTROLLED ACTIVITIES

A. General Rules

Applications must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where it is proposed to erect, alter or add to any building(s) other than those provided for by Rule 6.22.4.3.

B. Particular Rules

- (a) Any building shall meet the standards and terms contained in Part 6B.

C. Controlled Activity Criteria

- (a) All existing native bush, or other vegetation which contributes to visual amenity shall be retained, except where it is necessary to remove vegetation to create a building platform, or where sufficient landscape



planting of appropriate species is provided to ensure that buildings are integrated with the existing natural character of the surrounding landscape.

- (b) Any earthworks necessary for the creation of building platforms or access shall be such that they create minimum disturbance to the landform and character of the site.
- (c) Any driveway, parking and turning areas shall be constructed in a manner which requires minor disturbance to existing landform or vegetation and complies with Rule 6B.1.3.6. Generally, any driveway should have a gradient of less than 1 in 6.
- (d) The exterior finish of proposed buildings shall be complementary to those which are found in the surrounding natural landscape.

Note: Reference will be made to the document Colour for Structures in the Landscape, Heath, T. for the interpretation of this criterion, (available at Auckland City Council Offices).

- (e) The scale and form of buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape.
- (f) Development proposals shall ensure that any runoff or stormwater resulting from the establishment of the activity does not lead to siltation or sedimentation or a reduction in water quality in natural watercourses.
- (g) Any extension or alteration to an existing building shall:
 - (i) comply with (d) and (e) above,
 - (ii) be sympathetic to the design and external appearance of the existing building.

D. Controlled Activity Conditions

In granting consent to a controlled activity in Land Unit 22 the Council may impose conditions relating to any or all of the following matters:

- (a) Removal or retention of vegetation.
- (b) Landscaping.
- (c) Drainage.
- (d) Visual screening of buildings, or yards.
- (e) Orientation, cladding, form and colour of buildings.
- (f) Location of buildings on a site.
- (g) The height of buildings.

- (h) Location and construction of vehicle entry, egress, manoeuvring and parking.

6.22.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in rule 6.22.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Particular Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) A dwelling comprising separate buildings which does not meet that part of the definition of dwelling which specifies buildings to be clustered and integral to each other in terms of location and layout.
- (b) Except as provided for by Section 95A(4) of the Act, any application made under (a) above shall be considered a non-notified restricted discretionary activity and the written approval of affected persons shall not be required where the proposal complies with the Standards in Part 6B for Permitted Activities or the Standards in Part 6C for Restricted Discretionary Activities;
- (c) Where an application complies with criterion (b), the Council shall restrict the exercise of its discretion to the following matters:
 - scale, form and location of buildings;
 - parking and vehicle access;
 - impact on local character and amenity.
- (d) In assessing resource consent applications in terms of the matters to which Council has restricted its discretion, the following assessment criteria shall be considered:
 - i) whether the proposal contributes to the character of the surrounding area and



helps to maintain the cultural and social values of the community;

- ii) the scale, form and location of buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape;
 - iii) the form and location of any vehicle access or car parking areas on the site and, in particular, whether the location of any vehicle access or parking could allow the use of the building as a separate dwelling;
 - iv) that the proposal does not contribute to a potential, actual or cumulative increase in residential density which adversely impacts upon the visual, environmental, social or cultural characteristics of the local area or wider island environment.
- e) Conditions may be imposed in relation to any of the matters addressed in (c) or (d) above and, in particular, a condition may be imposed requiring that buildings be protected by an encumbrance or a similar mechanism registered against the certificate of title to ensure that they do not become a dwelling where that use is contrary to the District Plan provisions for residential density.
- f) If criterion (b) is not met, an application shall be assessed as an unrestricted discretionary activity, subject to the assessment criteria in Part 6E. Where the activity is a listed discretionary activity, the assessment criteria of Part 6F shall also be considered.

C. Listed Discretionary Activities

- (a) Camping Facilities
- (b) Commercial Firewood Harvesting
- (c) Comprehensive Rural Developments
 - (i) Any application under this rule will only be considered in conjunction with a discretionary application under subdivision Rule 8.5.4.6.
 - (ii) Maximum lot coverage for a site subject to an application shall be limited to an area arrived at by multiplying the number of approved dwellings by the lot coverage limit specified for the land unit in Table 3. Where separate titles are created, the

standard in Table 3 shall apply to each lot.

- (iii) All buildings proposed as part of an application under this rule must comply with the following standards:

- All existing native bush, or other vegetation which contributes to visual amenity shall be retained, except where it is necessary to remove vegetation to create a building platform for a dwelling and associated ancillary buildings, or where sufficient landscape planting of appropriate species is provided to ensure that buildings blend with the existing natural character of the surrounding landscape.
- Any earthworks necessary for the creation of building platforms or access shall be such that they create minor disturbance to the landform and character of the site and in compliance with Rule 6B.1.3.6.
- Any driveway achieves a gradient of less than 1 in 6 and, together with parking and turning areas are constructed in a manner which requires minimal disturbance to existing landform or vegetation.
- The exterior finish of proposed buildings shall be complementary to those which are found in the surrounding natural landscape.

Note: Reference will be made to the document Colour for Structures in the Landscape, Heath, T. for the interpretation of this criterion, (available at Auckland City Council Offices).

- The scale and form of proposed buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape.
- Development proposals shall ensure that any runoff or stormwater resulting from the



establishment of the activity does not lead to siltation, sedimentation or a reduction in water quality in natural watercourses.

- Council shall discourage the location of buildings on soils of high actual or potential economic productivity or where the proposed use is likely to permanently or significantly affect soils of high actual or potential productivity. Generally this will be taken as applying to land falling within groups I, II, or III of the Ministry of Works Land Resources Inventory.
- Council shall assess each development proposal on its merits but in principal favours the concept of buildings in discreetly located clusters rather than a widely dispersed pattern.
- Council will ensure any proposal which incorporates the location of groups of dwellings or other buildings will be sympathetically designed to complement the character of the coastal landscape and environment or any special environmental feature.

(d) Helipads or Farm Airstrips

(e) Multiple Dwellings

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

D. Consideration Of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.22.4.3.A the Council will consider applications together, and;

- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.22.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to prior to making an application for any resource consent.

6.22.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.22.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 23 - CONSERVATION ISLANDS

6.23.0 DESCRIPTION

Land Unit 23 comprises a number of islands which can generally be called conservation islands. These islands fall within both the Outer SMA and the Other Islands SMA and include Rotor, Rangitoto, Little Barrier, the Mokohinau Islands, Motutapu, Motuihe, Browns Island, parts of Rakino Island, Crusoe Island (Papakohatu), Frenchmans Cap, Gannet Rock (Horuhoru), David Rocks, D'Urville Rocks, Koi Island, Maria Island (Ruapuki), Motukaha Island, Motuhoropapa Island, Nani Island, Otata Island, Orarapa Island, Papakohatu Island, Sandy Bay Island, Tarahiki Island, and the Three Sisters group. Apart from the existing uses on Motutapu, Motuihe and Rakino Islands, these islands generally fall within what was previously part of the Hauraki Gulf Maritime Park or have some other form of protection or reserve status and have limited land use activities occurring on them. Large areas of these islands are now administered by Department of Conservation and are subject to the Hauraki Gulf Maritime Park Management Plan operative under the Conservation Act 1987. Because of the special value of the islands in a regional and national sense they have been identified as having particular needs in relationship to resource management such that special rules under the Plan should be established. Any island or islet not specifically mentioned in any other part of the Plan falls within Land Unit 23 in terms of Plan rules.

6.23.1 RESOURCE MANAGEMENT ISSUES

There are a number of key resource management issues related to Land Unit 23 and these are as follows:

- The need to conserve, protect and enhance the natural environment of the islands.
- The need to carefully manage potential tourism and recreation impacts on the islands.
- The need to ensure that the Plan recognises the regional and national significance of these islands.
- The need to carefully manage existing uses on the islands in order to ensure that they are compatible with conservation goals and objectives.

- The need to ensure the Plan is consistent with the requirements of Department of Conservation's Hauraki Gulf Maritime Park Management Plan as it affects these islands.
- The need to have special regard to the intrinsic environmental values of the islands, and particularly those related to flora and fauna and to manage land use activities and development accordingly.
- The need to provide for limited facilities and infrastructure in order to minimise or avoid any detrimental impacts arising from visitor and recreational activities.

6.23.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 23 is to ensure the protection and conservation of islands within the land unit. The strategy recognises that much of the land is owned and administered by Department of Conservation but, in order to achieve integrated resource management it is considered appropriate that the Plan uses rules which carefully and appropriately limit the erection, design and appearance of buildings to activities associated with recreation and conservation. The Plan's rules also recognise significant heritage values of the land unit by limiting the opportunities for recreation and visitor activities. The strategy for Land Unit 23 is also to ensure that the diverse environmental values found in the land unit are conserved and enhanced where appropriate so that a resource for the people of the City and Region is preserved in perpetuity. The outcome of this strategy is to secure a comprehensive and diverse range of protected areas within the land unit.

6.23.3 OBJECTIVES AND POLICIES

6.23.3.1 OBJECTIVE

To ensure that Land Unit 23 is appropriately managed so that the conservation and preservation and enhancement of the natural environment occurs and that sustainable land management is facilitated in tandem with limited, appropriate visitor and recreational activities.



Policies

- A. By carefully managing and limiting visitor and recreational activities to a scale and intensity appropriate to the capacity of the islands.
- B. By carefully managing and controlling existing uses so that any alteration or expansion is appropriately assessed through Plan rules.
- C. By specifically protecting the coastal environment through District Plan rules.
- D. By limiting the number, location and design of buildings in order to preserve visual amenity and character.
- E. By protecting flora and fauna indigenous to the islands.
- F. By facilitating integrated resource management under Department of Conservation's Hauraki Gulf Maritime Park Management Plan and the Plan.
- G. By ensuring that any potential impacts arising from recreational activities around the islands do not detrimentally impact upon or affect the intrinsic natural and environmental values of the islands.
- H. By limiting the opportunities for visitor and recreational activities to those parts of the islands where the impacts of such activities can be mitigated or avoided.

6.23.4 LAND UNIT RULES

6.23.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, and
- (b) Meets the requirements of Rule 6.23.4.1B below;
- (c) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) Any use of land or buildings must be consistent with any operative management plan pursuant to the Reserves Act 1977 or the Conservation Act 1987.

6.23.4.2 CONTROLLED ACTIVITIES

A. General Rules

Applications must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where it is proposed to erect, alter or add to any building(s).
- (b) Where it is proposed to establish any of those particular activities listed in Rule 6.23.4.2B(b) and(c).

B. Particular Rules

- (a) Any building shall meet the standards and terms contained in Part 6B.
- (b) Educational Facilities (on Motutapu Island only).
 - (i) Limited to provision for up to a maximum of 250 persons for the Motutapu Outdoor Education Camp, and
 - (ii) Limited to provision for a maximum of 25 persons for State schools.

C. Controlled Activity Criteria

The Council shall give consideration to the following criteria in assessing an application for a controlled activity:

- (a) All existing native bush, or other vegetation which contributes to visual amenity shall be retained, except where it is necessary to remove vegetation to create a building platform, or where sufficient landscape planting of appropriate species is provided to ensure that buildings are integrated with the existing natural character of the surrounding landscape.
- (b) Any earthworks necessary for the creation of building platforms or access shall be such that they create minimum disturbance to the landform and character of the site.
- (c) Any driveway, parking and turning areas shall be constructed in a manner which requires minimal disturbance to existing landform or vegetation. Generally, any driveway should have a gradient of less than 1 in 6.
- (d) The exterior finish of buildings shall be complementary to those which are found in the surrounding natural landscape.

Note: Reference will be made to the document Colour for Structures in the Landscape, Heath,



T. for the interpretation of this criterion, (available at Auckland City Council Offices).

- (e) The scale and form of buildings shall be such that they are integrated with and complementary to forms in the surrounding natural landscape.
- (f) Development proposals shall ensure that any runoff or stormwater resulting from the establishment of the activity does not lead to siltation, sedimentation or a reduction in water quality in natural watercourses.
- (g) Any extension or alteration to an existing building shall:
 - (i) comply with (d) and (e) above,
 - (ii) be sympathetic to the design and external appearance of the existing building.

D. Controlled Activity Conditions

In granting consent to a controlled activity in Land Unit 23 the Council may impose conditions relating to any or all of the following matters:

- (a) Removal or retention of vegetation.
- (b) Landscaping.
- (c) Drainage.
- (d) Visual screening of buildings, or yards.
- (e) Orientation, cladding, form and colour of buildings.
- (f) Location of buildings on a site.
- (g) The height of buildings.
- (h) Location and construction of vehicle entry, egress, manoeuvring and parking.

6.23.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in Rule 6.23.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Listed Discretionary Activities

- (a) Camping Facilities
- (b) Educational Facilities (on Motutapu Island only).
 - (i) Limited to provision for up to a maximum of 300 persons for the Motutapu Outdoor Education Camp, and
 - (ii) Limited to provision for a maximum of 35 persons for State schools.
- (c) Retail Premises
- (d) Visitor Facilities
- (e) Helipads

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

C. Consideration of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.23.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.



6.23.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to prior to making an application for any resource consent.

6.23.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.23.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 24 - PAKATOA

6.24.0 DESCRIPTION

This land unit is specific to Pakatoa Island which is a small island in private ownership located at the eastern end of Waiheke Island. The island has been managed for a number of years as a self-contained visitor facility with facilities and buildings designed to cater for both day or overnight visitors.

The landscape of Pakatoa has been modified through the establishment of these facilities with several substantial buildings providing facilities for visitors clustered at the northern end of the island, adjacent to a wharf. A number of small chalets for guests are scattered over the northern half of the island while the southern half of the island has been landscaped to form a small golf course.

The perimeter of the island is characterised by sandy beaches separated by rocky outcrops and backed by bush covered cliffs. At several locations on the southern portion of the island there are small bushed gullies which extend landward from the coastline.

6.24.1 RESOURCE MANAGEMENT ISSUES

The encouragement of the development, operation and management of Pakatoa Island for visitor related activities whilst ensuring:

- Protection of natural character of the island and coastline in particular.
- Minimisation of visual impacts of buildings.
- Achieving a balance between open space and buildings to preserve the visual character of the land unit.
- Limitation of scale, location and form of buildings to achieve sustainable land management.

6.24.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 24 is to provide for the continued use and development of Pakatoa Island for facilities associated with visitor activities within a management framework which recognises the need to protect the visual character and amenity of the island. The approach fostered by the strategy is to use specific rules that manage the density, disposition, design and appearance of

buildings. The controlled activity framework is used to manage buildings so that they are compatible with the visual qualities of the islands. Land use activities shall provide goods or services for residents or visitors to the Island. The strategy also recognises Pakatoa Island as a relatively developed area in contrast to other parts of the Inner Islands. In that regard the permitted scale and intensity of development on Pakatoa Island is greater than that generally provided for elsewhere in the Inner Islands (except for Waiheke and Rakino Islands).

6.24.3 OBJECTIVES AND POLICIES

6.24.3.1 OBJECTIVE

To allow for the future development of visitor facilities which are in keeping with the landscape and environmental qualities of the island.

Policies

- A. By requiring that all buildings are located and designed in sympathy with the existing landscape of the island.
- B. 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.

6.24.3.2 OBJECTIVE

To secure the amenity and environmental values of the coastal environment.

Policies

- A. By ensuring that development on the island does not compromise environmental values in the coastal marine area and on the coastline.
- B. By requiring a suitable buffer of undeveloped land around the coastline in order maintain the amenity, landscape and environmental values of the coastline.



6.24.4 LAND UNIT RULE

6.24.4.1 PERMITTED ACTIVITIES

A. General Rules

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B, (except for Rules 6B.1.1.2, 6B.1.1.3, 6B.1.1.4, 6b.1.1.5., 6b.1.2.2 which do not apply to LU 24)
- (b) Meets the requirements of Rule 6.24.4.1B below;
- (c) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

- (a) All permitted activities located within Land Unit 24 shall:
 - (i) Provide goods or services for residents and visitors to the Island.
 - (ii) Protect, enhance or conserve environmental values.
 - (iii) Be located outside the coastal protection yard defined on the planning map for the land unit.

6.24.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where it is proposed to erect, alter or add to any building(s).

B. Particular Rules

- (a) Any building shall meet the standards and terms contained in Part 6B.

C. Controlled Activity Criteria For Buildings

The Council shall give consideration to the following criteria in assessing an application for a controlled activity to erect, alter or add to a building:

- (a) Location of buildings.

Buildings shall be located so as to complement and enhance the natural landforms within the land unit. Buildings shall be located so that they neither form an obtrusive element in the coastal landscape nor compromise the appearance of the coastal edge when viewed from a seaward perspective.

The disposition of buildings on Pakatoa Island shall maintain separation space between buildings so as to provide an open landscape unless clustering reduces visual impacts when viewed from a seaward perspective while still preserving an open landscape.

- (b) Design and external appearance.

The Council shall encourage design proposals that recognise the important characteristics of the surrounding coastal environment, including vegetation and topography. External materials and colours must complement those existing in the surrounding natural landscape. Large areas of reflective material or strongly contrasting colours should not be used.

Note: Reference will be made to the document Colour for Structures in the Landscape, Heath, T. for the interpretation of this criterion, (available at Auckland City Council Offices).

- (c) Scale and form of buildings.

The scale and form of buildings shall be in sympathy with and complement the scale and form of the landforms of the island. The Council shall not permit development where the bulk, unrelieved mass or repetitive nature of the buildings will form an obtrusive element in coastal landscapes or impede views.

- (d) Any extension or alteration to an existing building shall:

- (i) comply with (a) - (c) above,
- (ii) be sympathetic to the design and external appearance of the existing building.

- (e) Landscaping.

Any development proposal shall include appropriate landscaping to enhance amenities. The Council shall encourage landscaping which complements the appearance of buildings and aids privacy between buildings. Landscaping proposals must be sympathetic to the existing coastal landscape, incorporate species appropriate to a coastal location and



should recognise existing species of significance in the locality. A landscape implementation plan must be submitted to the Council as part of any application for a controlled activity and shall include consideration of any ongoing maintenance necessary to ensure the survival of any planted species.

(f) Service areas.

Any service area must be suitably designed and screened so as to enhance any proposed development by reducing visual impact to minimise detracting from amenities and the appearance of the coastal landscape. Suitable material for paving and fencing and suitable planting must be established to create a safe and harmonious environment in keeping with the objectives and policies for the land unit.

D. Controlled Activity Conditions

In granting consent to a controlled activity in Land Unit 24 the Council may impose conditions relating to any or all of the following matters:

- (a) Removal or retention of vegetation.
- (b) Landscaping.
- (c) Drainage.
- (d) Visual screening of buildings, or yards.
- (e) Orientation, cladding, scale, form and colour of buildings.
- (f) Location of buildings on a site.

6.24.4.3 DISCRETIONARY ACTIVITIES

A. General Rules

Application must be made for a resource consent for a discretionary activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in rule 6.24.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.

B. Listed Discretionary Activities

- (a) Visitor Facilities

- (i) Only land based disposal of wastes including sewage shall be permitted, and no reduction of water quality shall arise from any such activity

- (ii) No activity shall be permitted within the coastal protection yard defined on the planning map for land unit 24.

(b) Camping Facilities

- (i) Only land based disposal of wastes including sewage shall be permitted and no reduction of water quality shall arise from any such activity

- (ii) No activity shall be permitted within the coastal protection yard defined on the planning map for the land unit.

(c) Helipads

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

C. Consideration of Applications

- (a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;
- (b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;
- (c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.24.4.3.A the Council will consider applications together, and;
- (d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.24.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to, prior to making an application for any resource consent.



6.24.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.24.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 25 - WHARF

6.25.0 DESCRIPTION

The Hauraki Gulf Islands rely primarily upon water transport for both passenger and freight movements. Two areas adjacent to the existing wharfs at Rakino and Kennedy's Point have been included as the wharf land unit, to take into account the future planning needs for wharf related activities.

Kennedy's Point is the second largest wharf facility on Waiheke Island and is served by regular ferry sailings. In addition, there are more limited services provided to wharfs on Rakino and Pakatoa Islands. There are other wharfs and jetties on the Inner Islands which, in the main, operate outside the formal transport network, which fulfil a role for recreational boating activities.

As the termini for regular vehicular and passenger ferry sailings the wharf at Kennedy's Point requires an area of adjacent land to be properly identified to accommodate activities associated with the wharf operation, such as parking, visitor accommodation, freight and other ancillary services. There is also demand for appropriate areas at sheltered coastal locations to be set aside for recreational boating facilities.

6.25.1 RESOURCE MANAGEMENT ISSUES

- Future needs for parking, passenger and freight movements, accommodation, recreation and associated wharf related activities.
- Recognition of the need to allow for the efficient operation of infrastructure and services to facilitate the movement of passengers, vehicles and freight.
- Ensuring the protection of the quality and natural character of the coastal environment.
- Ensuring the protection of the quality of water in the adjacent coastal marine area.
- Recognition of the need to protect the quality of the coastal landscape and amenity of coastal areas.
- Maintenance of public access to the coastline.

6.25.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Land Unit 25 is to specifically limit activities within the land unit to those directly associated with sea transport termini. The strategy reflects the location of such facilities and activities within the coastal environment. The Plan's rules seek to ensure the protection of significant features of the coastal environment as well as maintenance of adequate water quality. Buildings and activities are therefore limited to those that have a direct linkage to maritime transport services and the Plan's rules seek to facilitate the creation of a man-made environment, sympathetic to and compatible with the natural environment and in particular its visual qualities.

6.25.3 OBJECTIVES AND POLICIES

6.25.3.1 OBJECTIVE

To provide for development which facilitates the efficient integration of water and associated land-based activities in a manner which caters for the needs of both residents and visitors.

Policies

- A. By limiting commercial activities to those which provide a service to or have a direct link with maritime transport services.
- B. By facilitating the provision of efficient and economic transport services for wharf users.
- C. By ensuring that development proposals do not compromise the efficient movement of traffic, passengers and freight.
- D. By allowing for the location of recreation facilities appropriate to a wharf or coastal location.

6.25.3.2 OBJECTIVE

To ensure that future development within Land Unit 25 does not dominate or detract from the natural character or environmental quality of the coastline.



Policies

- A. By directing future development so that it does not dominate or detract from the natural character of the coastal landscape especially the coastal edge.
- B. By protecting and enhancing the natural and physical amenities of the area by carefully controlling the design, bulk and location of buildings.
- C. By protecting adjoining coastal waters from degradation from stormwater, foulwater, effluent or impacts from development.

6.25.4 LAND UNIT RULES

6.25.4.1 PERMITTED ACTIVITIES

A. General Rules

All permitted activities located within Land Unit 25 shall:

- (a) Be associated with the provision of goods or services which facilitate the movement or accommodation of people and/or freight within or through the area, and
- (b) Maintain public access to the coastline, and
- (c) Any activity shall be a permitted activity where it:
 - (i) Conforms to the standards and terms contained in Part 6B, and
 - (ii) Meets the requirements of Rule 6.25.4.1B below;
 - (iii) except where it has been otherwise provided for in the rules for this land unit as a controlled, discretionary or prohibited activity.

B. Particular Rules

All permitted activities within Land Unit 25 must conform to the standards, and terms detailed below.

- (a) Height of Buildings.
Maximum building height is 9m.
- (b) Lot Coverage.
Lot coverage shall be 25% or 1000m², whichever is the lesser.

- (c) Conservation and Amenity.

All permitted activities within Land Unit 25 must conform to the conservation and amenity standards specified in Part 6B.

- (d) Hazardous Substances.

All permitted activities within Land Unit 25 must conform to the hazardous substances standards contained in Part 6B.

6.25.4.2 CONTROLLED ACTIVITIES

A. General Rules

Application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) Where it is proposed to erect, alter or add to any building(s).

B. Particular Rules

- (a) Any buildings shall meet the standards and terms contained in Part 6B.

C. Controlled Activity Criteria For Buildings

The Council shall give consideration to the following criteria in assessing an application for a controlled activity to erect, alter or add to a building:

- (a) Location of buildings.

Buildings shall be located so as to complement and enhance the natural landforms within and surrounding the land unit. Buildings shall be so located that they neither form an obtrusive element in the coastal landscape nor compromise the appearance of the coastal edge when viewed from a seaward perspective.

- (b) Design and external appearance.

The Council shall encourage design proposals which recognise the important characteristics of the surrounding coastal environment including vegetation, topography and existing buildings within and adjacent to the land unit. External materials and finish must complement those existing in the surrounding natural and built landscape. Large areas of reflective material or strongly contrasting colours should not be used.

Note: Reference will be made to the document Colour of Structures in the Landscape, Heath, T. for the interpretation of this criterion, (available at Auckland City Council Offices).



(c) Scale and form of buildings.

The scale and form of buildings shall be in sympathy with the landforms of the land unit and surrounding area, and complement the scale and form of existing buildings in the vicinity. The Council shall not permit development where the bulk, unrelieved mass or repetitive nature of the buildings will form an obtrusive element in coastal landscapes or impede views.

(d) Any extension or alteration to an existing building shall:

- (i) comply with (a) - (c) above,
- (ii) be sympathetic to the design and external appearance of the existing building.

(e) Landscaping.

Any development proposal shall include appropriate landscaping to enhance amenities. The Council shall encourage landscaping which complements the appearance of buildings and aids privacy between buildings. Landscaping proposals must be sympathetic to the existing coastal landscape and incorporate species appropriate to a coastal location and should recognise existing species of significance in the locality. A landscape implementation plan must be submitted to the Council as part of any application for a controlled activity and shall include consideration of any ongoing maintenance necessary to ensure the survival of any planted species.

(f) Parking and service areas.

Any carparking or service area must be suitably designed and screened so as to enhance any proposed development, by reducing visual impact to minimise detracting from amenities and the appearance of the coastal landscape, particularly the coastal edge. Suitable material for paving and fencing, and suitable planting must be established to create a safe and harmonious environment in keeping with the objectives and policies for the land unit. All development must acknowledge and give priority to the movement of people and freight to and from the wharf. The location and design of vehicle parking areas for all uses in the land unit must ensure safe and efficient pedestrian and vehicular access for wharf users.

D. Controlled Activity Conditions

In granting consent to a controlled activity in Land Unit 25 the Council may impose conditions relating to any or all of the following matters:

- (a) Removal or retention of vegetation.
- (b) Landscaping.
- (c) Drainage.
- (d) Visual screening of buildings, or yards.
- (e) Orientation, cladding, form and colour of buildings.
- (f) Location of buildings on a site.
- (g) The height of buildings.
- (h) Location and construction of vehicle entry, egress, manoeuvring and parking.

6.25.4.3 DISCRETIONARY ACTIVITIES**A. General Rules**

Application must be made for a resource consent for a discretionary activity consent under the following circumstances:

- (a) Where it is proposed to vary any of the standards or terms for permitted activities contained in Part 6B or;
- (b) Where an activity is listed in rule 6.25.4.3.B below or;
- (c) Where consent to subdivide land to create a lot pursuant to the rules contained in Part 8 of this Plan is sought.
- (d) Where it is proposed to vary any of the bulk and location standards for permitted activities contained in Rule 6.25.4.1B. An application for a discretionary activity consent may only be granted to vary those standards by an additional 10% above the standards specified in Rule 6.25.4.1B.

B. Listed Discretionary Activities

- (a) Marine Industry
 - (i) No wastes, whether solid or liquid, shall be stored and disposed of so that water quality is detrimentally affected.
 - (ii) No activity shall affect or impede the efficiency of vehicle or pedestrian movement in the area.



(iii) No activity shall directly or indirectly impede or constrain the movement of passengers and freight to and within the land unit.

(iv) No activity shall impede or reduce public access to and across the foreshore area.

(b) Community Facilities

(i) Any community facility shall be directly related to recreational use of the Hauraki Gulf and;

(ii) Any community facility shall specifically require to be located in the land unit by virtue of characteristics of the activity.

(c) Helipads

The above activities are automatically discretionary activities as they need particular assessment in this land unit because of potential effects.

Any standard specified in Part 6F (Assessment criteria for listed discretionary activities) shall prevail over a parallel standard in Part 6C.

C. Consideration Of Applications

(a) An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and in the case of a listed discretionary activity, in terms of Part 6F as well, and;

(b) An application for a discretionary activity may only be granted to vary the standards contained in Part 6C unless otherwise provided for elsewhere in the Plan, and;

(c) Where consent for a discretionary activity is sought in terms of more than one of the provisions of Rule 6.25.4.3.A the Council will consider applications together, and;

(d) Any standard or term in Part 6F shall prevail over a parallel standard or term in Part 6C.

6.25.6 SUBDIVISION

The rules for subdivision are contained in Part 8 of the Plan.

6.25.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.

6.25.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Parts 6B-6G must be referred to prior to making an application for any resource consent.



LAND UNIT 26 - ROTOROA ISLAND

6.26.0 DESCRIPTION

This land unit is specific to Rotoroa Island. This is a relatively small (82.5 ha) island located to the east of Waiheke and between Pakatoa and Ponui islands. This island has been owned by the Salvation Army since 1907 and it has been developed and managed as a centre for the treatment and rehabilitation of people suffering from addiction problems.

The original natural vegetation was largely destroyed in the 1850's and the land converted to arable farming although some remnants of native bush remain. The original farm house (and a later tearooms) have been modified and additional buildings constructed for the treatment and rehabilitation centre and staff housing. The island has been used for farming, horticulture and woodlots ancillary to its principal purpose. However the beaches, cliffs and land within close proximity of the sea are relatively undisturbed.

Access to the island by the general public is restricted under the Trespass Act (1980) in order to protect the privacy and security of those under treatment and rehabilitation. A jetty provides boat access for the operations of the centre.

6.26.1 RESOURCE MANAGEMENT ISSUES

The major issue is to encourage the continued development, operation and management of Rotoroa Island for social and community services, whilst ensuring:

- Conservation of the natural character of the island and, in particular, its coastline;
- Protection of archaeological sites;
- Achieving a balance between open space and buildings to preserve the visual character of the land units as seen from the sea;
- Limiting the visual impact of buildings and other structures when seen from the sea and other islands in proximity to Rotoroa Island;
- On-going management of the island and its developed assets to meet the foreseeable social and community needs of future generations
- Protection of wildlife habitats and indigenous flora and fauna.

6.26.2 RESOURCE MANAGEMENT STRATEGY

The resource management strategy for Rotoroa Island is to provide for the continued use and development of the land unit for social and community purposes, and particularly the addiction treatment and rehabilitation programme undertaken by the Salvation Army. Whilst providing for these activities, recognition is also given to the need to protect the coastline, indigenous flora and fauna, and the visual character and amenity of the island. The method used to achieve this strategy is to adopt specific rules which manage the range of activities, their intensity, and the bulk and location of buildings. The strategy recognises that Rotoroa Island is unique amongst the other islands of the Inner Gulf in that it is the only island that is privately owned by a single entity whose purpose it is to provide social and community services in a private and secure environment to a particular section of the wider community. The treatment and rehabilitation centre is a Gazetted Institution under the Drug Addiction Act: 1966.

6.26.3 OBJECTIVES AND POLICIES

6.26.3.1 OBJECTIVE

To provide for the existing and future development of treatment and rehabilitation based facilities on the island in a manner which preserves the natural environment of Rotoroa Island.

Policies

- By requiring all buildings and structures to be designed and located so as not to adversely affect the heritage, landscape and natural character values of the Island.
- By requiring indigenous revegetation and landscape planting:
 - To reduce the visual effect of buildings from the sea and other islands in proximity to Rotoroa Island.
 - To provide for indigenous revegetation where necessary as part of the overall development.



6.26.3.2 OBJECTIVE

To protect and enhance the amenity and environment values of the coastal environment and native vegetation of Rotoroa Island.

Policies

- A. By ensuring that development on the Island does not compromise the landscape and natural environment of the coastal marine area, adjacent coastline and native vegetation and indigenous fauna.
- B. By requiring the landward perimeter of Rotoroa Island to be undeveloped in order to maintain the amenity, landscape and environmental values of the coastline.
- C. By ensuring that development on the Island is designed and located to avoid the need for hazard protection works.
- D. By ensuring further development is clustered around the existing development at Home Bay, to reduce any potential adverse effects on the heritage, landscape and natural character on the Island.

6.26.4 LAND UNIT RULE

6.26.4.1 PERMITTED ACTIVITIES

Any activity shall be a permitted activity where it:

- (a) Conforms to the standards and terms contained in Part 6B except for Rules 6B.1.0.1, 6B.1.1.2, 6B.1.1.4, 6B.1.1.5, 6B.1.2.2, 6B 1.2.3, which do not apply to LU 26) and
- (b) Provides for a maximum of 160 people (staff and clients) to reside on the Island,
- (c) Is subject to Part 10 Heritage controls,
- (d) Is consistent with any Rural Property Management Plan for the Island, and
- (e) Contributes to the treatment and rehabilitation work undertaken on the Island.

6.26.4.2 CONTROLLED ACTIVITIES

A. General Rules

An application is required for a resource consent for a controlled activity under the following circumstances:

- (a) Where it is proposed to vary any of the standards for permitted activities contained in Part 6B (except lot coverage which is a restricted discretionary activity).

Assessment Criteria

The Council shall consider the following criteria in assessing an application for a controlled activity for development in Land Unit 26:

- (a) The effect of granting consent on the natural and cultural environment of the island, in particular the coast;
- (b) The effect on landscape values;
- (c) The effect of granting consent on the visual appearance of development when seen from the sea;
- (d) The degree by which any adverse effects can be mitigated by indigenous revegetation and landscaping;
- (e) The extent to which the location, scale and form of buildings are integrated with and complementary to the surrounding natural landscape to avoid visual dominance;
- (f) The extent to which buildings will be constructed in a manner which is complementary with the surrounding natural landscape; Note: Reference will be made to the document Colour for Structures in the Landscape, Heath, T. for the interpretation of this criterion, (available at Auckland City Council Offices).
- (g) The extent to which any extension or alteration to an existing building is designed to be sympathetic with the external appearance of any existing building;
- (h) Whether the location is likely to result in a hazard, in particular along the coast;
- (i) The extent to which development mitigates any disturbance to wildlife of isolated coastal areas;
- (j) The effect of granting the consent on items identified in Part 10 Heritage controls.

B. Controlled Activity Conditions

In granting consent to a controlled activity in Land Unit 26 the Council may impose conditions relating to any or all of the following matters:

- (a) Removal or retention of vegetation including pest and weed management;
- (b) The protection of wildlife along coastal areas;



- (c) The location of development and structures in order to avoid creating a hazard or the need for coastal protection works;
- (d) The protection of coastal water quality;
- (e) Landscaping with indigenous vegetation (eco-sourced where appropriate);
- (f) Visual screening of buildings, structures, yards or outdoor activities;
- (g) The exterior finish of buildings;
- (h) The location, scale and form of buildings;
- (i) Limiting the extent or location of earthworks.

6.26.4.3 RESTRICTED DISCRETIONARY ACTIVITIES

An application where the lot coverage is between 1.5% to 3% is required for a resource consent for a restricted discretionary activity.

Council may grant or refuse consent, and (if granted) may impose conditions under Section 108 of the RMA in respect of the following matters over which it has restricted the exercise of its discretion:

- i) The protection, enhancement or conservation of environmental and heritage values,
- ii) The location of activities and buildings are such that they create minimum disturbance to wildlife of isolated coastal areas,
- iii) The location of activities and buildings are such that existing stormwater and effluent disposal infrastructure are utilised,
- iv) The retention and enhancement of the visual amenity through indigenous landscape planting (eco-sourced where appropriate),
- v) Minimising the disturbance to the landforms and character of the Island,
- vi) Ensuring any runoff, including discharge to land or stormwater, resulting from the activity or development does not lead to reduced water quality in the coastal marine area,
- vii) The cumulative effects of additional development considered together with existing development,
- viii) The design, scale, location and exterior finish of buildings are complementary to, and provide for better integration between the built environment and the surrounding landscape,

Note: reference to the document 'Colour for structures in the landscape'.

Non-Notification of Restricted Discretionary Activities

Except as provided for by section 95A(4) of the Act, restricted discretionary activities will be considered without notification or the need to obtain the written approval of affected persons. The Council will restrict the exercise of its discretion to the matters specified in the Plan.

6.26.4.4 DISCRETIONARY ACTIVITIES

A. General Rule

An application is required for a resource consent for a discretionary activity under the following circumstances:

- (a) Where activities do not contribute to the treatment and rehabilitation work undertaken on the island;
- (b) Helipads;
- (c) Where the number of people (staff and clients) residing on the Island is more than 160 but less than 200.

B. Consideration of Application

An application for a discretionary activity will be assessed in terms of the criteria contained in Part 6E and, in the case of activities, in terms of Part 6F,

6.26.5 OTHER REQUIREMENTS AND INFORMATION

The information requirements outlined in Parts 6B - 6G shall be referred to prior to making an application for any resource consent.

6.26.6 SUBDIVISION

Subdivision is a non-complying activity in Land Unit 26.

6.26.7 HERITAGE

The rules relating to heritage protection are contained in Part 10 of the Plan.



LAND UNIT 27 - MATIATIA

6.27.0 DESCRIPTION

The provisions of Land Unit 27 aim to facilitate the development of Matiatia to reflect its important status as the primary entry point for Waiheke Island and its role as the main transport centre. Land Unit 27 also contains a wetland area which currently provides a wastewater treatment function in conjunction with the adjacent Owhanake Treatment Plant.

Matiatia is the focus of high numbers of people associated with the use of the ferries and the wharf. As the main Waiheke transport terminal for regular passenger ferry sailings, the wharf at Matiatia requires areas of adjacent land to be properly managed and used to accommodate, amongst other things, activities associated with wharf operations, such as car parking, freight handling, pedestrian movements and other related services and infrastructure. In addition, the Land Unit provides for retail activities, visitor facilities, accommodation, education, entertainment and other commercial activities consistent with the visitor and residents' "gateway" function.

In order to create an effective "gateway" to the Island, Land Unit 27 seeks to integrate and manage the development of the transportation network (roading, carparking, ferry and pedestrian linkages), the public infrastructure and the mixed use development on the valley floor, with a resulting built environment that meets the needs of the increasing number of residents and visitors using Matiatia, while reflecting the unique characteristics of its location.

6.27.1 RESOURCE MANAGEMENT ISSUES

- The development of the transportation network (roading, carparking and pedestrian access) to provide for the increasing needs of residents and visitors to the Island.
- The protection of the landscape values and the quality of the natural character of Matiatia.
- Facilitating the development of land within the Land Unit to create a mixed use development with a built environment that reflects the unique character and identity of Waiheke Island.
- Integration of the mixed use development with the adjoining public infrastructure.

- Increasing public access to the coastline and important wetland areas.
- Protection of the important wetland area.
- Providing for the design, maintenance and management of defined areas of open space within the Land Unit so as to maintain the visual amenity of the area and to encourage public use and enjoyment of both the mixed use development and the open space.

6.27.2 RESOURCE MANAGEMENT STRATEGY

The strategic importance of Matiatia to Waiheke; and its key transportation function warrants a specific planning response through these Land Unit provisions (Land Unit 27). Matiatia is a varied environment with key natural, transport and development areas.

The primary resource management strategy for Land Unit 27 is to divide the Land Unit into "Precincts". Each of the precincts has a specific function or focus, which is a mechanism for achieving different outcomes in different parts of the Land Unit. The objectives and policies for the Land Unit integrate each of these different outcomes to provide for the comprehensive development of Matiatia.

Some of the precincts within the Land Unit enable the development of the ferry terminal, roading network and carparking areas to provide for the various needs of residents and visitors to the island.

Other precincts focus on enabling this land to be developed with a range and mix of uses to create an attractive compact "gateway" style development. The mix of uses includes accommodation, retail, restaurants, commercial, conference, education, recreation, visitor and entertainment facilities that will provide for both residents and visitors to Waiheke Island. Development controls (including floor area and activity mix controls) have been put in place to manage the amount, location and scale of the development in order to ensure that a human scale and form is achieved and that the natural characteristics of Matiatia are protected.

Development activity will be complemented by the provision of open space areas for public use that will also be available for public and private events. These areas will incorporate pedestrian linkages within the Land Unit. The adjoining wetland area will also form part of this open space network.

The need to facilitate the development of the public infrastructure alongside the concentrated, mixed use



development has required that a different resource management strategy, including the use of Precincts, be adopted as compared to other land units within the Plan.

The primary strategy for each Precinct is as follows:

- Precinct 1 To provide a high quality built environment, that expresses a co-ordinated and locally relevant architecture accommodating a mix of activities (including carparking), open spaces and pedestrian linkages.
- Precinct 2 To provide for a similar mix of activities and visual qualities to Precinct 1 but with greater levels of development control. The activities and buildings in this Precinct should have particular regard to the character of the adjoining wetland area.
- Precinct 3 To enable further development of carparking and other activities in the Land Unit to meet the existing and future demands of the users of the Land Unit.
- The precinct has been divided into three areas; Precincts 3A, 3B and 3C. In the future, Council may consider stopping the road in Precinct 3A and providing for a wider range of activities in this area.
- Precinct 4 To enable the further development of the roading network and transport related facilities adjoining the wharf to meet the needs of residents and visitors to the Island.
- Precinct 5 To protect and enhance the ecologically valuable wetland area within the Matiatia valley.

Specific assessment criteria for building and environmental design are included in the Land Unit rules as an important part of the resource management strategy for Land Unit 27. The building design criteria seek to ensure that the future built environment of the Land Unit is of a high quality and design in order to create a built form that reflects the character and identity of Matiatia and which preserves the natural coastal character of Matiatia Bay. The environmental design criteria apply in recognition of the future intensity of development that is expected to occur in the Land Unit and put in place effective mechanisms for mitigating any potential adverse effects from this development.

6.27.3 OBJECTIVES AND POLICIES

6.27.3.1 OBJECTIVE

To enable Matiatia to function as an effective "gateway" to Waiheke Island by providing for a built environment with a mix of land use activities and defined open spaces available for public use and enjoyment while protecting the natural character of the wetland area and the coastal environment as well as enhancing public access to the open space and esplanade reserve areas.

Policies

- A. By utilising a precinct approach which limits the mix, scale and form of activities to the appropriate areas of the Land Unit.
- B. By providing for a range of recreational, retail, commercial, conference, educational and service related activities that provide for the changing needs of the Island's residents and visitors.
- C. By enabling recreation and visitor facilities (including accommodation) appropriate to the Island's "gateway" location.
- D. By identifying the wetland area (Precinct 5) and by limiting development within this precinct to activities which will not detract from the natural characteristics of the wetland area.
- E. By ensuring that the visual form and character of Matiatia is protected by applying development controls and building design criteria which will achieve a co-ordinated and locally relevant built form.
- F. By applying development controls which limit the amount and type of activity that can occur within the Land Unit to a level which can be serviced in a sustainable manner, particularly with regard to water and wastewater.
- G. By increasing the amount of open space in the Land Unit and requiring the formation of the necessary pedestrian and vehicular linkages to integrate all the Precincts.
- H. By integrating the open space area that adjoins the esplanade reserve and designing that area to be attractive and inviting for use by the public.
- I. By providing for the protection of the natural environment of Matiatia Bay by applying



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environmental design assessment criteria which seek to avoid and mitigate any adverse effects on the natural wetland and coastal environment and require landscaping and appropriate planting to be implemented.

- J. By protecting the views across Precinct 3A, including the restriction on above ground car park structures in Precinct 3A.
- K. By providing the opportunity for a flexible range and mix of uses to be established within Precincts 1 and 2.
- L. By creating a precinct (Precinct 5) to protect the wetland area and by limiting development in Precinct 5 to passive recreational activities which will not detract from the natural characteristics of this area.

6.27.3.2 OBJECTIVE

To recognise the importance of the area as a transport interchange by promoting the development of transport infrastructure to meet the increasing needs of residents and visitors to Waiheke.

Policies

- A. By facilitating the development of the transportation network including roads, carparking and pedestrian access.
- B. By ensuring that land use activities do not compromise the efficient movement of traffic, people and goods.
- C. By securing sufficient carparking for future needs in a manner which enhances traffic management as well as maintaining visual amenity values.
- D. By utilising any approved Matiatia Transportation Plan as a guiding document for ensuring that all transportation issues within Matiatia are identified and adequately addressed.

6.27.4 LAND UNIT RULES

The following rules set out below replace the provisions of Part 6B and 6C - Standards for Permitted and Discretionary Activities set out in the Plan except as specified below.

6.27.4.1 ACTIVITY TABLE

The following table specifies the status of activities within Land Unit 27. The Precincts referred to are indicated on the Structure Plan attached as Figure '9'.

Where an activity is not specified in the Activity Table, or otherwise provided for within the Land Unit, the activity requires consent as a discretionary activity and shall be assessed against the assessment criteria contained in 6.27.4.5.B.

P = Permitted Activity

C = Controlled Activity

D = Discretionary Activity

RD = Restricted Discretionary Activity

NC = Non-Complying Activity

N/A = Not applicable

Activity Table * Denotes Threshold Activities (see 6.27.4.2B (f) and 6.27.10)					
	1	2	3	4	5
Activities reliant on re-use of wastewater	RD	RD	RD	RD	NC
Advertising Signs	P	P	P	P	NC
All new buildings and alterations to existing buildings (including accessory buildings but excluding advertising signs)	RD	RD	RD	RD	NC
Any activity not specified in this table or otherwise provided for in the provisions of Land Unit 27 (*may be a threshold activity if it meets the definition in 6.27.10)	D	D	D	D	NC
Care Centre*	P	P	D	NC	NC
Carparking which is above ground, in buildings, on roof tops (except carparking structures above ground in Precinct 3A) and any other parking areas not otherwise provided for or specified in this table.	RD	RD	RD	RD	NC
Carparking (not required pursuant to the relevant parking standard, Rule 6.27.4.2B(h)) where the number of such spaces provided within both Precincts 1 and 2 exceeds 50 spaces.	D	D	N/A	N/A	N/A
Carparking at ground level (open air) (except where carparking at ground level (open air) is within Precinct 1 is located within 100m of MHWS) and basement parking facilities (where the carpark is below finished ground level)	C	C	C	C	NC



Activity Table * Denotes Threshold Activities (see 6.27.4.2B (f) and 6.27.10)					
	1	2	3	4	5
Carparking structures above ground, in buildings, on roof tops located in Precinct 3A			NC		
Carparking at ground level (open air) within Precinct 1 and located within 100m of MHWS	NC				
Community Facilities*	P	P	D	D	NC
Conference and Events Facilities*	P	P	D	NC	NC
Commercial Facilities*	P	P	D	NC	NC
Earthworks	See Rules 6.27.4.2B(i), 6.27.4.3B(b) and 6.27.4.4B(b)				
Earthworks for installation of water and wastewater tanks	C	C	C		
Education Facilities*	P	P	D	NC	NC
Entertainment Facilities*	C	C	D	NC	NC
Healthcare Facilities where the gross floor area does not exceed 500m ² *	P	P	D	NC	NC
Public amenity facilities including public toilets, observation and viewing areas and associated structures, footpaths, boardwalks, covered walkways, bridges, fencing, seating, street furniture, lighting equipment and sculptures	P	P	P	P	C
Recreational Facilities*	C	C	C	C	NC
Removal of any vegetation (excluding indigenous vegetation over 3m in height and/or greater than 600mm in diameter, as measured 1m off the ground)	P	P	P	P	RD
Removal, trimming or works within the drip line of any indigenous vegetation provided that the indigenous vegetation is over 3m in height and/or greater than 600mm in diameter, as measured 1m off the ground	RD	RD	RD	RD	RD
Residential Unit*	P	P	D	NC	NC
Restaurants / Bars / Taverns where the gross floor area open to the public (including outdoor seating) does not exceed 500m ² *	P	RD	D	NC	NC

Activity Table * Denotes Threshold Activities (see 6.27.4.2B (f) and 6.27.10)					
	1	2	3	4	5
Restaurants / Bars / Taverns where the gross floor area open to the public (including outdoor seating) exceeds 500m ² *	RD	RD	D	NC	NC
Retail Premises where the gross floor area open to the public does not exceed 500m ² *	P	RD	RD	D	NC
Retail Premises where the gross floor area open to the public exceeds 500m ² *	D	D	D	NC	NC
Utility Services excluding stormwater management facilities and wastewater treatment and supply facilities.	P	P	P	P	P
Visitor Centre*	P	RD	D	RD	NC
Visitor Facilities*	P	P	D	NC	NC
Stormwater management facilities and wastewater treatment facilities where Auckland Regional Council consent is held or is not required.	P	P	P	P	P
Stormwater management and wastewater treatment facilities where an Auckland Regional Council consent is required but is not held.	RD	RD	RD	RD	RD

6.27.4.2 PERMITTED ACTIVITIES

A. General Rules

An activity shall be a permitted activity where it:

- Is provided for as a permitted activity in the Activity Table 6.27.4.1; and
- Conforms to the rules outlined in 6.27.4.2.B below; and
- Conforms to the following rules contained in Part 6B:
 - [6B.1.1.5 - Roading](#)
 - [6B.1.1.6 - Aircraft](#)
 - [6B.1.3.1 - Protected Items](#)
 - [6B.1.3.2 - Protection of Sites of Ecological Significance](#)
 - [6B.1.3.4 - Hazard Areas](#)
 - [6B.1.3.10- Artificial Lighting](#)
 - [6B.1.4.1 - Hazardous Facilities](#)



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B. Particular Rules

(a) Building Location

No new buildings (excluding temporary buildings and public amenity facilities as specified in the Activity Table 6.27.4.1) or additions or alterations to existing buildings shall be located within the areas set aside as open space under Rule 6.27.4.2 B(e) below.

The construction of any new buildings, roads or car parks shall not occur within 10 metres of any wetland area, except for the upgrading of the existing bridge required to provide access to the southern area of Precinct 2.

(b) Building Coverage and Landscaped Permeable Surface

	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5
Building Coverage	<30%	<40%	<50%	<10%	<5%
Landscaped Permeable Surface	>45%	>40%	>5%	>5%	>80%

For the purposes of this Rule, when assessing the extent of Building Coverage or Landscaped Permeable Surface within any one of the three areas of Precinct 3, no account shall be taken of the Building Coverage or Landscape Permeable Surface in either of the other two Precinct 3 areas.

(c) Activities Abutting Open Space

Within Precinct 1, Residential Units and Visitor Facilities shall not comprise more than 50% (in aggregate) of the ground floor of buildings that are located north of the height line (as shown on the Structure Plan), where such activities would abut areas identified as open space under 6.27.4.2B (e) below.

(d) Maximum Height

	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5
Height	8m	8m	6m	5m	5m*

* Only applies in Precinct 5 to public amenity facilities provided for in the Activity Table.

The definition of height, as set out in Part 11 of the Plan, shall apply provided that the following are excluded:

- Lift overruns/towers where they are designed to be consistent, where practicable, with the building design assessment criteria (6.27.4.4 C) and do not exceed the minimum dimensions to meet public health and safety standards
- Aerials and antenna which do not exceed 4m above the maximum Permitted or Restricted Discretionary height

limit (as the case may be) and which do not exceed 150mm in diameter.

(e) Open Spaces

- A minimum of 35% of Precinct 1 shall be set aside and developed as open space.
- At least 4000m² of the 35% shall be located adjoining the esplanade reserve.

(f) Threshold Activities

All activities in Precinct 1 and 2 identified in the Activity Table (6.27.4.1) as Threshold Activities shall comply with the following controls:

- The aggregate gross floor area of all Threshold Activities shall not exceed 10,000m²;
- For retail, restaurant, bar or tavern activities the aggregate gross floor area shall not exceed 3,500m² and within that limit, the aggregate gross floor area of restaurant, bar or tavern activities shall not exceed 1,500m²;
- For residential activities and visitor facilities, conference and events, the aggregate gross floor area shall not exceed 7,000m² and within that limit, the aggregate gross floor area of residential facilities shall not exceed 5,000m²;
- For non-retail activities, the aggregate gross floor area of all non-retail activities shall not exceed 1,500m² provided that the aggregate gross floor area of non-retail activities in Precinct 2 shall not exceed 1,200m²;
- Shall achieve a ratio of activities so that for every 4m² of gross floor area of permanent residential or visitor facility activity, 1m² of retail, restaurant, bar or tavern or non-retail activity must have been or will be established at the same time.

Except that the control in paragraph (v) above will not apply:

- To the first 3,000m² of development or
- After 2,000 m² of aggregate retail, restaurant, bar or tavern or non-retail activity has been established.

Note: For the avoidance of doubt no portion of gross floor area shall have more than one Threshold Activity control attributed to it in determining the aggregate gross floor areas under Rules 6.27.4.2.B(f), 6.27.4.5.B(c) and 6.27.4.5.A (c), and where more than one definition could apply to an activity any definition contained in Rule 6.27.10 shall be the definition applied.

For the purposes of this rule "non-retail" activities means all threshold activities other than visitor facilities, conference and events, residential, retail, restaurant, bar and tavern activities.



Explanation

The threshold controls have two functions:

- To ensure that the overall amount of threshold activities that can establish on the Development Land will not generate adverse effects in terms of the Matiatia landscape and transport environment or with respect to water supply and wastewater disposal.
- To establish a 'gateway' to Waiheke Island 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 that can be used by the Island's residents (e.g. retail, offices and restaurant and bar activities) and activities that can be used by visitors (e.g. visitor accommodation and conference and events). A mixed-use development will also create a built environment which is vibrant, safe and interesting and is therefore appropriate as a 'gateway' to Waiheke Island.

(g) Noise Standards

The permitted noise level for any given activity (excluding temporary activities) is:

1. Noise Affecting Properties within Land Unit 27:

(i) Noise Outside Buildings:

The A-weighted L₁₀ noise level, the L₁₀ noise levels at 63Hz and 125Hz respectively, and the maximum noise level (L_{max}) arising from any activity within Land Unit 27 shall not exceed the following levels (as measured 1 metre from the facade of the nearest adjacent occupied building):

- When used for residential / visitor facility or accommodation purposes:

7:00am to 11:00pm	L ₁₀ 65dBA
11.00pm to 7.00am	L ₁₀ 55dBA L ₁₀ 65dB @ 63Hz L ₁₀ 60dB @ 125Hz L _{max} 75dBA

- When used for any purpose other than residential / visitor facility or accommodation purposes:

7:00am to 11:00pm	L ₁₀ 65dBA
11.00pm to 7.00am	L ₁₀ 60dBA L ₁₀ 70dB @ 63Hz L ₁₀ 65dB @ 125Hz L _{max} 75dBA

The above noise levels shall be measured in accordance with the requirements of NZS

6801:1991 "Measurement of Sound" and during the daytime shall be assessed in accordance with NZS 6802:1991 "Assessment of Environmental Sound". At night time (between 11:00pm and 7:00am) noise shall be assessed in accordance with NZS 6802:1991 "Assessment of Environmental Sound" except clause 4.4 shall not be used. The noise shall be measured with a sound level meter complying at least with the International Standard IEC651 (1979) Sound Level Meters, Type 1.

(ii) Noise Within Buildings (except Residential, Visitor Facilities and Accommodation Buildings):

In situations where common building elements such as floors or walls are shared by two titles under different ownership, the noise level arising from any activity measured in an occupied room of an adjacent use (which is not a residential, visitor facility or accommodation use) within the land unit should not exceed the following levels:

7:00am to 11:00pm	L ₁₀ 55dBA
11.00pm to 7.00am	L ₁₀ 45dBA L ₁₀ 55dB @ 63Hz L ₁₀ 50dB @ 125Hz L _{max} 60dBA

(iii) Noise Within Buildings (Residential, Visitor Facilities and Accommodation Buildings)

New buildings and alterations and additions to existing buildings to be used for residential, accommodation or visitor facilities shall be so designed and constructed as to meet the following standard:

The noise received in all bedrooms shall not exceed 35dBA L₁₀ and in all other habitable rooms shall not exceed 45dBA with ventilating windows open, assuming that the outside noise level measured 1m from the facade of the building is 55dBA L₁₀, 65dB L₁₀@63Hz, and 60dB L₁₀@125Hz.

- Where an internal noise level for a habitable room can only be met with doors and/or windows closed, then an alternative means of ventilation must be provided which meets the requirements of the Building Regulations 1992 (clause G4 of the Building Code).
- An Acoustic Design Report shall be obtained from a suitably qualified Acoustic Engineer confirming that the building will be constructed to meet the above requirement.



PART 6A - LAND UNITS

2. Noise Affecting Properties outside Land Unit 27:

Within the notional boundary (see definition in Part 6B.1.3.5) of any dwelling on an adjacent Land Unit, the following noise standards shall apply:

7:00am to 10:00pm	L ₁₀ 55dBA
10.00pm to 7.00am	L ₁₀ 40dBA L ₁₀ 55dB @ 63Hz L ₁₀ 50dB @ 125hz L _{max} 60dBA

3. Construction / Earthworks Noise:

Noise resulting from earthworks or construction activities shall comply with Table 2 of NZS 6803:1999 when measured 1m from the façade of any residential use within the Land Unit, or within 1m of any dwelling in an adjacent Land Unit, and assessed in accordance with NZS 6803:1999 Acoustics - Construction Noise. Refer to Section 7.2.1 of NZS6803:1999 for the definition of short term, typical duration and long term construction work and Section 3 of this standard for the definition of construction work.

(h) Parking, Loading and Access Standards

The following Tables set out the permitted parking and loading standards:

1. Parking Standards

Activity	Parking Standard
Retail activities	1 space per 50m ² gfa
Restaurants, Taverns and Bars	1 space per 80m ² gfa
Residential Units	1 space per unit
Offices	1 space per 50m ² gfa
Movie theatres	1 space per 10 people the building is designed to accommodate
Visitor Facilities and any other Non-Permanent Accommodation	1 space per 5 units
All other activities (excluding carparking activities)	1 space per 100m ² gfa

Note: The required parking need not be provided within the same precinct as the activity to which it relates.

2. Loading Standards

General Goods Handling (Retail)	
Up to 5,000m ² of aggregate gross floor area	1 space
5,000m ² to 10,000m ² of aggregate gross floor area	2 spaces
In excess of 10,000m ² of aggregate gross floor area	3 spaces plus 1 space per 7,500m ² above 10,000m ²
Non Goods Handling (Commercial Facilities and Residential)	
Up to 20,000m ² of aggregate gross floor area	1 space

3. Vehicular Access within Precincts

Where vehicular access is provided for within any precinct (except where the access is adjacent to Precincts 2 or 5), appropriate design and traffic calming techniques (including paving) shall be used to ensure that pedestrian usage is given priority.

(i) Earthworks (excluding earthworks for water and wastewater tanks)

The following Table sets out the level of permitted earthworks (excluding earthworks for water and wastewater tanks) within each precinct where the volume is to be calculated by measuring the total contiguous extent of earthworks proposed at any one time:

	Precincts 1, 2 & 3	Precinct 4	Precinct 5
Earthworks	<250m ³	<50m ³	<10m ³

All earthworks provided for as a permitted activity shall be carried out in accordance with the provisions of the Auckland Regional Council Technical Publication 90 and 124 and any other relevant erosion and sediment control guidelines contained in the Plan.

Note: Auckland Regional Council consents for earthworks may also be required.

(j) Signage

Signage shall not:

Advertise services or goods or products that are not directly related to a primary use or activity occurring in Precincts 1-5 (ie no billboards); and

When freestanding (other than for interpretative / directional signs) such signs shall:

- (i) not exceed 3m in height and 2m in width;



- (ii) not be located within 20 metres of another freestanding sign;
- (iii) be located on the Development Land;
- (iv) not, when added to the number of other freestanding signs on the Development Land, result in more than 4 freestanding signs on the Development Land; and

When located or placed on a building (other than for interpretative / directional signs), the following shall apply:

- (a) the cumulative area of all signs on a tenancy or premise shall not exceed more than 20% of a ground floor window/wall or 10% of the window/wall on any upper floor, on which they are located; and
- (b) where under a verandah, the sign shall be:
 - perpendicular to the front fascia of the verandah;
 - no closer than 2.5m to the footpath below;
 - set back at least 500mm from the kerb line of the road;
 - at least 3m away from any adjacent sign under the same verandah;
 - limited to one sign per 5m of shop front or part thereof.
- (c) where on the fascia of a verandah, the sign shall:
 - be not more than 600mm high;
 - not protrude below the verandah;
 - be set back not less than 500mm from any road;
 - not protrude more than 200mm above the verandah fascia.
- (d) when located on the upper storey, the sign (if mounted) shall:
 - be perpendicular to the wall, not be greater than 4m² in area or closer than 10m from any other perpendicular sign;
 - be against the wall, not greater than 8m² or closer than 5m from any other sign mounted on that storey;
 - be against the wall, not protrude more than 250mm from that wall.
- (e) when located on the roof of a building, the sign shall:
 - be on the surface of the roof; and

- may only be for identification purposes (e.g. bank branch identification signs).

When illuminated, signs shall:

- not be flashing; and
- not exceed an illumination of 100 candela per m² for a sign of less than 10m²; 400 candela per m² for a sign of greater than or equal to 10m², when measured at night-time from the perimeter of the Land Unit.

Note: Any sign which is not permitted will be assessed as a restricted discretionary activity. The Auckland City Consolidated Bylaw Part 27 - Signs, and Part 27.9 shall not apply.

(k) Minimum Residential Unit Size

For residential units the minimum gross floor area shall be:

45m² for one bedroom units

70m² for two bedroom units

90m² for three bedroom units

(l) Potable Water Systems

Any new buildings or additions or alterations to existing buildings with potable water systems shall use full water reduction fixtures on all water outlets incorporating devices such as those identified in Table 3.1.1 of Appendix J, Auckland Regional Council Technical Publication TP58, 3rd edition, 2004 or any subsequent version.

(m) Wastewater, Stormwater and Groundwater

For all activities, provision shall be made for the satisfactory treatment and disposal of all wastewater and stormwater, either anywhere within Land Unit 27 or to an approved site outside Land Unit 27, in accordance with the requirements of the relevant City bylaw and the rules and standards included in the provisions of any Regional Plan or Auckland Regional Council Technical Publication. The following also applies:

- (i) No new buildings in Precincts 1 and 2 that require wastewater connections to the Owhanake Treatment Plant shall be constructed prior to conditions 4 and 5 of the Discharge Permit being satisfied, except where the wastewater generated by the activities in those buildings (in combination with all other wastewater received by the Owhanake Treatment Plant) would not exceed 80m³/day. This rule ceases to apply upon conditions 4 and 5 of the Discharge Permit being satisfied.
- (ii) No building or activity that intends to draw from ground water supply or contribute wastewater to the Owhanake Treatment Plant



shall be constructed on the Development Land unless the Water and Wastewater Management Plan incorporates the proposed activity or building and the site on which the building or activity is to be located. This Plan shall be prepared by the Groundwater Consent Holder, in consultation with Auckland City Council and Auckland Regional Council, and shall be approved by Auckland City Council (in consultation with Auckland Regional Council). This Plan shall be made available to the Auckland City Council or Auckland Regional Council on request, provided that the commercial information which this Plan summarises remains confidential. This Plan shall include operational policies, as well as advice and recommendations of an educational nature, which are intended to achieve a high level of water conservation and demand management.

- (iii) Only those laundry facilities ancillary to a permitted activity (as specified in the Activity Table) shall discharge wastewater to the Owhanake Treatment Plant and be incorporated in the Water and Wastewater Management Plan.

(n) Bulk Water Supply

Any new buildings on the Development Land shall have access to bulk water supply tanks in accordance with the following table:

Total area of threshold activities on the Development Land. (GFA)	Volume of water supply tanks
5,000 - 7,000m ²	2,000m ³
7,001 - 10,000m ²	3,000m ³

6.27.4.3 CONTROLLED ACTIVITIES

A. General Rules

An application must be made for a resource consent for a controlled activity under the following circumstances:

- (a) The activity is provided for as a controlled activity in the Activity Table in 6.27.4.1;
- (b) It is proposed to vary any of the rules for earthworks, building coverage or landscaped permeable surfaces contained in 6.27.4.2 (Permitted Activities) to the extent provided for in 6.27.4.3.B (a) & (b) below.

Council's discretion under Section 104A(b) is limited to the matters set out in 6.27.4.3.C below.

B. Particular Rules

All controlled activities shall meet the rules for permitted activities contained in 6.27.4.2.A(c) and 6.27.4.2.B other than as set out in 6.27.4.3.A(b) above and within the parameters contained in 6.27.4.3.B(a) and (b) below.

(a) Building Coverage and Landscaped Permeable Surfaces

	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5
Building Coverage	30-35%	40-45%	50-60%	10-20%	5-10%
Landscaped Permeable Surface	35-45%	30-40%	0-5%	0-5%	70-80%

For the purpose of this Rule, when assessing the extent of Building Coverage or Landscaped Permeable Surface within any one of the three areas of Precinct 3, no account shall be taken of the Building Coverage or Landscape Permeable Surface in either of the other two Precinct 3 areas.

(b) Earthworks (except earthworks for installation of water and wastewater tanks)

The following table sets out the level of controlled earthworks (except earthworks for installation of water and wastewater tanks) allowed within each precinct where the volume is to be calculated by measuring the total contiguous extent of earthworks proposed at any one time:

	Precincts 1, 2 & 3	Precinct 4	Precinct 5
Earthworks	250m ³ - 1,500m ³	50m ³ - 100m ³	10m ³ - 50m ³

All earthworks provided for as a controlled activity shall be carried out in accordance with the provisions of the Auckland Regional Council Technical Publication 90 and 124 and any other relevant erosion and sediment control guidelines contained in the Plan.

Note: Auckland Regional Council consents for earthworks may also be required.

C. General Criteria For Assessing Applications For Controlled Activities

Applications for a controlled activity shall be assessed in terms of the criteria set out in 6.27.5 and the following particular matters:

(a) Building Coverage and Landscaped Permeable Surfaces

The extent to which the proposed building coverage and extent of landscaped permeable surface results in:



- Increased stormwater runoff from the site and the effectiveness of any mitigation measures proposed.
- Adverse effects on the visual amenity of the area, particularly when viewed from areas of open space and the effectiveness of any mitigation measures proposed e.g. landscaping.
- Adverse effects on the functioning and effectiveness of the open spaces and pedestrian linkages within the Land Unit.
- The extent to which the proposed building coverage and extent of landscaped permeable surface is consistent, where relevant, with the building design and environmental assessment criteria, as detailed in 6.27.4.4 (C).

(b) Traffic Management Plan

The extent to which all construction and earthworks activities will be managed and coordinated so as to avoid adverse effects on the adjoining parking and roading network with particular regard to the safe and efficient functioning of traffic flows and parking associated with the wharf activity.

(c) Earthworks

The extent to which the earthworks activities are consistent with the relevant environmental design assessment criteria (6.27.4.4C) and the provisions of and outcomes set out in Auckland Regional Council Technical Publications 90 and 124 and any other relevant erosion and sediment control guidelines contained in the Plan.

D. Additional Criteria For Specific Controlled Activities

(a) Entertainment Facilities / Recreational Facilities

- The extent to which the operating characteristics of the activity may adversely affect the aural privacy and general amenity of the adjoining and surrounding activities and any mitigation measures proposed.
- The extent to which the expected traffic generation of the activity may have an adverse effect on the capacity of the road network at Matiatia, including any private roads.

(b) Public Amenity Facilities in Precinct 5

The extent to which proposed facilities are consistent with the environmental design assessment criteria for applications within Precinct 5, as detailed in 6.27.4.4 (C) (d).

(c) Carparking at Ground or Basement Level

The extent to which carparking at ground level or basement parking facilities are consistent, where relevant, with the building design assessment criteria for car park area applications, as detailed in 6.27.4.4 (C) (f).

E. Controlled Activity Conditions

In granting consent for a controlled activity, Council may impose conditions on any or all of the following matters:

- Drainage and stormwater storage and disposal
- Earthworks and construction management
- The location and construction of vehicle entry, egress, manoeuvring, parking and servicing facilities (including traffic calming measures).
- The operating characteristics of an activity including hours of operation.
- The management of traffic effects from construction activities.
- Water and wastewater management, including controls on the use of recycled wastewater.

F. Controlled Activity Notification

Pursuant to Section 95B(2) of the Act, an application for resource consent for a controlled activity is not required to be served on adversely affected persons and written approvals are not required.

6.27.4.4 RESTRICTED DISCRETIONARY ACTIVITIES

A. General Rules

An application must be made for a resource consent for a restricted discretionary activity under the following circumstances:

- The activity is provided for as a restricted discretionary activity in the Activity Table in 6.27.4.1 and
- It is proposed to vary any of the rules for permitted or controlled activities in respect of the following:
 - activities abutting open space (6.27.4.2 B (c))
 - permitted height (6.27.4.2.B (d))
 - earthworks as a controlled activity (6.27.4.3 B (b))
 - noise standards (6.27.4.2 B (g))
 - parking and loading standards (6.27.4.2 B (h))
 - wastewater, stormwater and groundwater (6.27.4.2.B (m))
 - signage (6.27.4.2 B (j))

The relevant rules and matters that Council limits its discretion to are set out in 6.27.4.4.C below.



B. Particular Rules

All restricted discretionary activities shall meet the rules for permitted or controlled activities contained in 6.27.4.2.A(c), 6.27.4.2.B, 6.27.4.3.B(a) and (b), other than as set out within the parameters contained in 6.27.4.4.B(a) to (c) below.

(a) Height

	Precinct 1#	Precinct 2	Precinct 3	Precinct 4	Precinct 5*
Height	8 - 13m	8 - 10m	6 - 8m	5 - 7m	5 - 7m

* Only applies in Precinct 5 to public amenity facilities as provided for in the Activity Table

In Precinct 1 any parts of buildings (other than those already exempted in the definition of height) with a height between 10m and 13m shall be located in the southern portion of that precinct as illustrated by the height control line on the Structure Plan and:

- shall have a sloping and varied roof form; and
- shall not cover more than 10% of the Precinct area and;
- shall not contain more than three storeys.

The definition of height set out in Part 11 of the Plan shall apply, provided that the following are excluded:

- lift overruns / towers where they are designed to be consistent, where practicable, with the building design assessment criteria (6.27.4.4 C) and do not exceed the minimum dimensions to meet public health and safety standards
- aerials and antenna which do not exceed 4m above the maximum restricted discretionary height limit (as the case may be) and which do not exceed 150mm in diameter.

(b) Earthworks (except earthworks required for the installation of water and wastewater tanks)

Earthworks (except earthworks required for the installation of water and wastewater tanks) between 1,500m³ and 10,000m³ in Precincts 1, 2 and 3 are a restricted discretionary activity. The volume is to be calculated by measuring the total contiguous extent of earthworks proposed at any one time. All earthworks provided for as a restricted discretionary activity shall be carried out in accordance with the provisions of the Auckland Regional Council Technical Publications 90 and 124 and any other relevant erosion and sediment control guidelines contained in the Plan.

Note: Auckland Regional Council consents for earthworks may also be required.

C. General Criteria For Assessing Applications For Restricted Discretionary, Discretionary and Non Complying Activities

All applications for restricted discretionary, discretionary and non complying activities shall be assessed in terms of the building design and environmental design assessment criteria set out below. Additional assessment criteria, detailed in 6.27.4.4 D, for specific activities are also to be considered in this assessment.

1. Building Design Criteria

All proposals shall achieve a high standard of visual amenity and a co-ordinated built environment that reflects the character and identity of Matiatia. To assist in the assessment of the building design criteria all proposals shall include a detailed urban design assessment carried out by an appropriately qualified professional and the Council shall obtain a peer review of the urban design assessment.

For the purpose of satisfying the requirements of peer review, the Council may request that the proposal be considered by the Council's Urban Design Panel or its equivalent for the Hauraki Gulf Islands section of the District, or any future entity which the Council may have established that provides a similar function to the Urban Design Panel. In such an event, the applicant shall be requested to present the proposal to the Panel or similar entity.

Applications shall give effect to the following building design criteria:

(a) Form

- Individual buildings within the Land Unit shall be visually connected through the use of consistent forms, materials and colours, in a manner that promotes a cohesive, attractive and integrated built environment.
- All buildings shall be designed to create an intimate human scale.
- Buildings shall maximise roof area for the purpose of water collection for potable water supply.
- Building form, design and details shall be appropriate for Waiheke's climatic conditions and shall promote energy efficiency.
- Pedestrian connectivity between buildings shall be provided for.
- All storage and service areas that are visible from any other building, road, pedestrian area or open space shall be screened appropriately.



- External lighting of buildings shall not result in significant adverse effects (including light spill and glare), on adjoining properties.

(b) External Materials and Finishes

- All external materials shall generally be robust and of a high quality, suitable for a maritime environment and appropriate for Waiheke.
- A consistent mix of materials shall be used throughout the Land Unit with a prevalence of natural materials including timber, corrugated steel (colour coated), concrete and glass. Reflective materials are to be avoided.
- In particular, where buildings front Precinct 5, materials shall be predominantly timber, concrete, or other natural materials that will complement the wetland natural environment.
- Landscaping shall be carried out as an integral part of all development.

(c) Buildings for Residential Use and Buildings Adjoining Residential Uses

- Buildings containing residential activities shall be designed and constructed so as to provide a good level of amenity for both the occupants of the residential unit and for any adjacent residential development (primarily in terms of private open space / outlook). Methods to achieve this include (but are not limited to) dwelling layout and spatial separation.
- The extent to which any building adjoins a residential building or residential use ensures the admission of adequate daylight to residential units. As a guide, new buildings or alterations and additions to an existing building shall be separated from the adjoining residential building or residential use by a distance of 6 metres and shall not be more than 12m in height unless they are separated by a distance in excess of 6 metres.

(d) Relationship Between Buildings and the Waterfront

- All buildings that front the waterfront shall provide a high standard of pedestrian shelter. This may be by means of conservatories, verandahs, colonnades, pergolas, canopies or similar.
- Ground floor frontage of all buildings adjacent to the waterfront and Precinct 1 open

space shall maximize openings to encourage indoor/outdoor interconnection.

- The upper floor frontages of buildings adjacent to the waterfront shall maximize the inclusion of balconies, pergolas, verandahs or similar in order to activate this frontage; to promote public safety and surveillance; to provide visual interest; and to enhance the overall visual connection between buildings and the waterfront/harbour.

(e) Open Space, Pedestrian and Vehicular Links

Open space shall be formed and developed concurrently with the construction of adjoining buildings and shall be maintained to a high standard. Open space shall be designed to:

- Be free of buildings and structures except for public amenity facilities.
- Provide a unique sense of place and character appropriate to the coastal location and adjacent esplanade reserve; be open to the public at all times; and be accessible where possible to the disabled.
- Maximise public safety and crime prevention by providing pedestrian friendly surfaces; fixed seating and lighting; and shall provide adequate shelter from wind, rain and summer sun where appropriate.
- Ensure views of the harbour and to other natural landscape features are maintained and enhanced.

Pedestrian Linkages shall be formed concurrently with the buildings that they are intended to serve and shall be designed to:

- Be a minimum width of 4m, increasing to at least 5m wide where the linkage is considered to provide a primary linkage function.
- Form a legible, connected and integrated pedestrian network.

Vehicular Linkages shall:

- Be designed to be safely used by drivers, cyclists and pedestrians, with the inclusion of appropriate traffic calming measures and paving differentiation.
- Include on-road short-term car parking where appropriate.
- Be landscaped in a manner which ensures a high level of visual amenity and integrates the internal road network with adjoining open spaces and buildings.



(f) Car Parking Buildings

All car park buildings shall be designed with reference to the following requirements:

- The location and design of car parking buildings and transport terminals shall ensure safe and efficient pedestrian and vehicular access to the wharf and adjoining precincts.
- Entry and exit points to car parking buildings shall be designed with regard to existing intersections and to avoid adverse effects on the pedestrian and vehicle network.
- Provision of adequate manoeuvring and circulation within the building.
- Access from parking areas/buildings to adjoining residences should be relatively direct and safe for residents, day and night.
- Loading spaces are to be provided for the efficient loading and unloading of service and delivery vehicles.
- Car parking areas/buildings should be lit at night while avoiding adverse effects on the visual privacy of adjacent land users.
- Car parking buildings should be well ventilated if enclosed or underground.
- Service vehicle, short stay, drop off and visitor parking should be clearly defined.
- Car parking buildings shall not dominate the streetscape or open spaces, particularly at the coastal edge.
- Car parking areas/buildings shall be designed to maximise public safety and minimise crime.
- Car park design should facilitate safe and efficient internal circulation within car parking areas.
- Car park areas and buildings should be landscaped with trees when on ground level.
- Car park areas and buildings in Precinct 3 adjacent to Precinct 5 shall be designed in such a manner that Precinct 5 remains visually open to Ocean View Road.
- The design and construction of roof top parking and above ground car parking buildings shall ensure that they are not visually obtrusive and shall enhance and maintain the natural character of Matiatia.
- Car park areas within Precinct 3A shall make provision for safe, convenient and attractive pedestrian circulation connecting to Precinct

1 and Precinct 4, including covered walkways and other pedestrian amenities.

(g) Traffic Management

All construction and earthworks activities shall be managed and coordinated so as to avoid adverse effects on the adjoining parking and roading network with particular regard to the safe and efficient functioning of traffic flows and parking associated with the wharf activity. A "Traffic Management Plan" which details how these activities are to be managed shall be submitted with any resource consent application for earthworks or the construction of a new building.

2. Environmental Design Criteria

Applications shall give effect to the following environmental design criteria:

(a) Stormwater

Proposals shall be hydrologically neutral in regard to potential effects on water systems. Stormwater management systems shall comply with Auckland Regional Council Technical Publication TP10 requirements.

The preferred options for stormwater management in Land Unit 27 include the following. Equally effective alternatives may be considered where supported with detailed design.

- Constructing stormwater quality treatment ponds in areas other than wetlands or watercourses. The bottom of the ponds should be covered with a layer of densely compacted impermeable clay or similar material if it is understood that seepage problems are likely to occur.
- Extensive planting of the banks of any open channel with New Zealand native plants.
- Installation of weirs and pipes with energy dissipation mechanisms.
- Installation of biodegradable matt, Bio Mac (or similar material), on the open channel banks to facilitate and encourage revegetation.
- Use of sand filters to treat the runoff from car parks and paved areas prior to discharging into ponds.
- Sand filters designed in accordance with TP10 may be used to achieve a stormwater sediment removal efficiency of 75%. Other acceptable solutions include 'Rain Gardens' and 'Infiltration Trenches'.



In support of integrated stormwater management principles and methods the extent of Landscaped Permeable Surfaces shall be maximised. Where an application seeks to reduce the percentage of such areas (in any Precinct), alternative methods shall be used to give effect to the hydrological principles set out above.

(b) Water and Wastewater Management

Whether sufficient potable water and wastewater disposal capacity is available to sustain the additional gross floor area proposed, taking into account:

- Existing and proposed activities
- Any relevant consents and the proportion of potable water supply/wastewater disposal capacity already allocated
- The need for the proposed overall gross roof area of development in the Land Unit to be at least 75% of the associated gross floor area
- Proposed water conserving devices

Applications shall be assessed with regard to the Water and Wastewater Management Plan. Where a proposal requires consent from the Auckland Regional Council, all applications will be processed concurrently. Any comments received from the Auckland Regional Council shall be taken into consideration in the assessment of such applications.

(c) Earthworks

To ensure that all earthworks are undertaken in a manner which protects the surrounding natural environment, the following matters shall be considered in assessing proposed earthworks activities:

- All earthworks shall be undertaken in accordance with the requirements of Auckland Regional Council Technical Publications TP 90 and TP 124 and be consistent with Annexure 1 of the Plan - Erosion and Sediment Control Measures-Guidelines for Earthworks.
- Where appropriate a detailed geotechnical report shall be submitted prior to any earthworks activity commencing on the site, taking into account the steepness of the land (slope angle and horizontal length) as well as soil type, stability and existing vegetation cover.
- An earthworks and erosion/sediment control plan shall be submitted as part of the

application, taking into account the time of year and the length of time the soil is likely to be exposed and having regard to the proximity of the site to wetland or water systems.

- All earthworks related to the construction of stormwater ponding shall be constructed to meet engineering design principles and such work shall be supervised by a suitably qualified engineer.

(d) Precinct 5 / Ecological Areas

Applications within Precinct 5 (Natural Precinct) shall be accompanied by a comprehensive stormwater management plan. Development of Precinct 5 shall be consistent with the intent of the Royal Forest & Bird Protection Society Atawhai Whenua Reserve Management Plan, March 2001 (held at Council offices), with the following matters being considered:

- The use of part of the wetland as a secondary polishing medium for treated wastewater.
- The creation of pedestrian links and walkways
- Enhancement of the natural character of the Precinct.
- The use of signage and interpretative material to foster stewardship of the Precinct.
- The use of eco-sourced plantings in the Precinct.
- Construction of an eco-path along the open channel in Precinct 5, to allow secure access to most of the native planting area and the pond for educational purposes.

(e) Landscape Design

Applications shall give effect to the following landscape design criteria:

- Plants shall be predominantly eco-sourced indigenous species, except that specimen trees/plants of non-indigenous species may be used within Precinct 1.
- The use of a mix of soft/hard materials to reflect a maritime environment and to achieve integration between buildings and open space.
- Walkways to be provided as an integral part of the development and management of Precinct 5. Specifically, provision shall be made for a public walkway connection between the esplanade reserve and Ocean



View Road at the eastern end of the Land Unit.

- Where practicable, existing indigenous vegetation is to be retained.
- The creation of an urban buffer within Precinct 2 between the 'wetland' and the more intensive development in Precinct 1.
- The provision of detailed landscape plans prior to the commencement of work within Precinct 2. These plans shall seek to promote the establishment of a clearly defined connection between the northern and southern parts of Precinct 2; and shall seek to create a backdrop to Precinct 1 when viewed from the harbour and Esplanade Reserve areas.
- Minimal use of planting within Precinct 4 in order to acknowledge the 'maritime' focus of the esplanade margin. Within Precinct 4 sculptural elements are encouraged to reinforce the gateway function and maritime theme.
- A planting and natural environment enhancement management plan shall be prepared for proposed landscape works within Precinct 5. This plan shall take into consideration the total area contained within the Precinct but shall have particular regard to the intent of the Royal Forest & Bird Protection Society Atawhai Whenua Reserve Management Plan, March 2001 (held at Council offices).

D. Additional Criteria For Specific Restricted Discretionary Activities

(a) Noise Standards

Consideration shall be given to the following matters where the permitted noise standards are exceeded:

- The extent to which the level and duration of noise will have an adverse effect on the amenity of surrounding activities (including residential activities)
- The proposed hours of operation and duration of the activity.
- The extent to which the adverse effects of the noise will be mitigated by measures such as noise attenuation, setback, landscaping and hours of operation.

(b) Car Parking

In addition to the matters to be considered in the general assessment criteria for restricted discretionary activities (Rule 6.27.4.4.C above), the following matters are to be

considered in relation to car parking applications where parking is above ground, in buildings or on roof tops:

- Consistency with any approved operative Matiatia Transportation Plan.
- The extent to which any application for a parking shortfall will result in significant adverse effects: on the capacity and safety of the road network; the character and amenity of the area; and the ability to meet the parking requirements of the users of the Land Unit; having regard the nature and operating characteristics of the activity.

Whether an assessment has been carried out by a qualified traffic engineer.

(c) Building Height

Consideration shall be given to the following matters:

- Whether the additional building height promotes a building form that is consistent with the building design criteria above.
- Whether the scale and design of the proposed building compliments others in the immediate vicinity and precinct.
- Whether the additional building height assists to define the spatial structure of the precinct.
- Whether the additional height facilitates a varied and interesting roof design.

(d) Removal, Trimming or Work within the Drip Line of Indigenous Vegetation

- The extent to which the tree(s) contribute to the amenity of the locality, both visually and physically, including as a habitat for birds and other animals (other than vermin and pests).
- The extent of the trimming of the tree(s), the method(s) to be employed and the potential adverse effects of such works on the health of the tree.
- Whether the tree(s) can be relocated.
- Whether the proposed activities within the root zone are likely to damage the tree(s) or endanger its/their health.
- Any function that the tree(s) might have in the conservation of water or soil.
- Whether proposed landscaping or re-vegetation can compensate for the proposed works.
- Whether there are any realistic or practical alternative methods which could be used by the applicant to reduce the extent of trimming required or removal of the tree.



(e) Re-use of Treated Wastewater

It shall be demonstrated that the treatment plant is capable of producing treated wastewater for re-use to the quantity and quality required to meet the anticipated demand on a consistent basis without posing a public health risk and subject to obtaining:

- Receipt of approval from the Auckland Regional Council in accordance with condition 46 of ARC Discharge Permit 27473
- Written confirmation from the owner and operator of the Owhanake Treatment Plant that the Plant can receive and manage the nitrogen and phosphorous levels in the effluent generated by the proposed recycling without breaching the terms and conditions of the Discharge permit for the Plant.
- Written approval from the Medical Officer of health, Auckland Regional Public Health Service.

Toilets shall be reticulated to enable toilet flushing with recycled treated effluent. In order to minimise the use of potable water for irrigation, the following sources of water shall be used for irrigation, in order of priority:

- stormwater (other than from roof water)
- treated effluent
- potable water

Prior to irrigating any recycled treated effluent, all necessary discharge permits shall first be obtained from Auckland Regional Council.

E. Restricted Discretionary Notification

Pursuant to section 95A(3) of the Act, notification of an application for resource consent for a restricted discretionary activity is not required. An application for resource consent for a restricted discretionary activity is not required to be served on adversely affected persons and written approvals are not required.

6.27.4.5 DISCRETIONARY ACTIVITIES**A. General Rules**

An application must be made for a resource consent for a discretionary activity under the following circumstances:

- The activity is provided for as a discretionary activity in the Activity Table in 6.27.4.1; and/or
- It is proposed to vary the permitted activity rules in 6.27.4.2.A(c) or 6.27.4.2.B and which are not provided for in 6.27.4.3 (Controlled Activities) or 6.27.4.4 (Restricted Discretionary Activities); and/or
- All activities in Precincts 1 and 2 identified in the Activity Table (6.27.4.1) as Threshold Activities*

where the aggregate gross floor area of all Threshold Activities is greater than 10,000m² but does not exceed 12,000m²; and/or

- It is proposed to vary the permitted activity rules (Threshold Activities) in 6.27.4.2.B(f) (ii) - (v).

B. General Criteria For Assessing Applications For Discretionary Activities

Applications for a discretionary activity shall be assessed in terms of (but not limited to) the assessment criteria contained in 6.27.5; 6.27.4.4.C; Part 6E (except for 6E.1.1.7); and meet the following particular matters:

(a) Building Location

The extent to which buildings and structures located in areas of open space have been designed to avoid significant adverse effects on the adjoining public spaces including overshadowing, dominance, impeding pedestrian flows and detracting from views and the open character of the locality.

(b) Building Height

- Whether the additional height is appropriately located within the precinct to contribute to its spatial structure.
- Whether the extent of the additional height is limited to that necessary to provide a visual focal point and variety of building form within the precinct.
- Additional building height should not unduly dominate areas of open space or the surrounding landscape context.

(c) Threshold Activities

Where the gross floor area is in excess of 10,000m² (6.27.4.2B(f)(i)) and/or where the gross floor area provided for in Rule 6.27.4.2B(f)(ii)-(iv) is not met, consideration shall be given to the following matters:

The extent to which the proposed gross floor area and associated activities/buildings:

- Will contribute to providing a mix of activities on the development land which will meet the needs of both residents and visitor using Matiatia.
- Will compromise the ability for a mixed-use development that contains at least three types of threshold activities to establish on the development land.
- Will create a vibrant, safe and interesting gateway to Waiheke.
- 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).
- Will have adverse effects on the landscape character and



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visual amenity of Matiatia.

- 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.
- Will result in a scale and intensity of activity that will have adverse effects on the character and amenity of Matiatia.
- 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.
- Is consistent with the Council's adopted growth strategies for Waiheke (if the proposal is for residential activities)

Where the gross floor area is in excess of that provided for individual categories (6.27.4.2B(f)(ii)-(iv)) only, consideration shall be given to the following matters:

The extent to which:

- The proposed gross floor area and associated activities will compromise the ability for at least three categories of threshold activities to establish on the Development Land.
- The proposed gross floor area and associated activities will create a vibrant, safe and interesting gateway to Waiheke Island.
- The proposed gross floor area and associated activities will meet the needs of both residents and visitors using Matiatia.

Residential Activities

In assessing a proposal for residential activity which exceeds the Threshold Control of 5,000m² set out in Rule 6.27.4.2.B(f)(iii) or where none of the activities listed in 6.27.4.2.B(f)(iii) have been established or are to be established at the same time, the following matters shall be considered:

- The consistency of any proposal with the Council's adopted growth strategies for Waiheke Island; and
- Whether the proposal promotes the development of a mix of activities within Land Unit 27.

(d) Carparking within Precincts 1 and 2 Exceeding 50 Spaces

- The extent to which the proposed carparking spaces will generate adverse effects in terms of the traffic safety and congestion on Ocean View Road in the vicinity of the wharf area and the Development Land.

- The extent to which the proposed carparking spaces will generate adverse effects on the efficient operation of public transport and multiple occupancy vehicles.
- The extent which the proposed carpark is of a size, layout, design and location that compromises the ability for a mixed-use development of 10,000m² gfa to establish on the Development Land.
- The extent to which the proposed carpark is of a size, layout, design and location which has adverse effects on the landscape character and visual amenity of Matiatia, particularly when viewed from the sea.

(e) Any Activity Not Specified or Otherwise Provided For

The nature, size and scale of activities (gfa) established in the Land Unit shall be limited so as to;

- Maintain a consistent size and scale of activities within the Land Unit.
- Ensure that the human scale and form of buildings and activities is maintained.
- Ensure that the car parking and transportation demands of activities are appropriate for the Land Unit given the parking available and the existing road network.
- Avoid adverse effects of activities on adjoining natural landscape and character areas such as the wetland and coast.
- Ensure that the primary objectives of each Precinct and the Land Unit can be achieved e.g. within Precincts 3 and 4 the ability of these Precincts to achieve the primary objectives of parking and transportation should not be compromised by other activities of an inappropriate size and scale.

(f) Artificial Lighting

Where any proposal includes the use of artificial lighting on a site producing a luminance in excess of 150 lux at ground level, the following criteria shall apply:

- An application shall demonstrate that significant adverse effects including light spill and glare on the visual privacy of adjoining sites can be reduced, avoided or mitigated. The use of measures such as screening, dense planting of buffer/separation areas may be required where these may lessen impact.
- Particular consideration will be given to the placement, design and screening of light fittings and whether their size and luminance is appropriate to the size of the subject site and to the general lighting levels of the surrounding area.
- Where the use of artificial lighting will extend the duration of activities on a site beyond normal daytime hours, the Council may impose conditions on noise



levels and hours of operation so as to protect sites from unreasonable noise.

- Artificial lighting masts or poles will generally be required to comply with permitted height limits. An increase in height may be acceptable if it can be demonstrated that it will not adversely affect adjoining sites, and it will result in decreased light spill. In such instances, conditions relating to the colour of light fittings and poles may be imposed in order to reduce the visual impact of the lighting pole and fittings.
- Proposals shall demonstrate that inappropriate or detrimental changes to the night sky viewing conditions of the surrounding area will not occur.

(g) Waste Discharges

Industrial activities (including Laundromats providing services for activities located outside Land Unit 27), shall demonstrate that they will not compromise the ability of activities within the Land Unit to undertake activities ancillary to, or associated with, permitted activities in terms of the Water and Wastewater Management Plan, and that the proposed water use can be accommodated, and shall;

- Provide written confirmation from the owner and operator of the Owhanake Treatment Plant that the Plant can receive and manage the chemical levels (and specifically, phosphorous levels) from the additional wastewater discharge without breaching the terms and conditions of the Discharge Permit for the Plant; and
- Undertake consultation with the Auckland Regional Council and provide written advice of any matters raised by the Auckland Regional Council, and confirm that these can, and will, be addressed.

6.27.4.6 NON-COMPLYING ACTIVITIES

Applications for a non-complying activity shall be assessed in terms of (but not limited to) the assessment criteria contained in 6.27.4.4 C (Restricted Discretionary Assessment Criteria).

A. General Rules

An application must be made for resource consent for a non-complying activity under the following circumstances:

- Where it is specified as a non-complying activity in the Activity Table 6.27.4.1; and/or
- Where the aggregate gross floor area of all Threshold Activities in Precincts 1 and 2 exceeds 12,000m².

6.27.5 OTHER REQUIREMENTS AND INFORMATION

The information and requirements outlined in Part 6D of the Plan must be provided as part of any application for a resource consent.

In addition to the requirements set out in Part 6D, all applications for new buildings and alterations and additions to existing buildings in Land Unit 27 shall demonstrate the manner in which buildings will be integrated with and served by adequate public spaces, pedestrian links and landscaping. The required information and associated landscape plan shall be prepared in accordance with the Rule 6.27.4.4 C.

Any application for resource consent for which building coverage and landscaped permeable surface applies under Rule 6.27.4.3.B(a) shall provide sufficient information to demonstrate how the proposed activity will meet the relevant building coverage and landscaped permeable surface standards.

A Traffic Management Plan which details how activities are to be managed may be required as a condition of any resource consent application for earthworks or the construction of a new building.

6.27.6 SUBDIVISION

A. General Rules

The following subdivision rules apply in Land Unit 27. They are in addition to the objectives, policies and general rules in Part 8 of the Plan. Where any conflict exists between Part 8, and this part, the provisions of Rule 6.27.6 - Subdivision take precedence. All subdivisions shall be assessed in accordance with the relevant criteria set out in this Rule 6.27.6.B and C.

(a) Controlled Activities

An application must be made for a resource consent for a controlled activity under the following circumstances:

- The creation of lots to provide for utility services (such as conduits, underground storage and supply tanks);
- Boundary relocations;
- Unit titling to create separate retail tenancies, separate non-retail tenancies, residential units, visitor facility / accommodation units, common service areas and common facilities and access areas within any individual building.



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(b) Restricted Discretionary Activities

An application must be made for a resource consent for a restricted discretionary activity in the following alternative circumstances:

- A single application for the creation of up to 3 lots of not less than 10000m² each in Precincts 1 and 2 combined provided that the lots are to be created around existing buildings and any associated special purpose lots for uses such as access (pedestrian and vehicular), public carparking, open space, reserves and areas to be provided in lieu of financial contributions; or
- A single application for the comprehensive subdivision of Precincts 1 and 2 combined to create up to 6 lots of not less than 2000m² each and any associated special purpose lots for uses such as access (pedestrian and vehicular), public carparking, open space, reserves and areas to be provided in lieu of financial contributions.

The lots provided for above are in addition to those provided for in 6.27.6.A(a) above.

An application for comprehensive subdivision shall contain the following:

- Indicative building platforms on each lot (except in respect of special purpose lots).
- Indicative building heights and form.
- Indicative parking areas for proposed buildings
- Roading patterns
- Expected pedestrian linkages.
- Areas of open space and landscaping.
- The location of special purpose lots, including lots of public carparking

(c) Discretionary Activities

An application must be made for a resource consent for a discretionary activity where the subdivision is not provided for as a controlled, restricted discretionary or non-complying activity.

(d) Non- Complying Activities

An application must be made for a resource consent for a non-complying activity under the following circumstances:

- Any application for subdivision within Precincts 4 & 5
- The subdivision of a site which was created through an application for a restricted discretionary consent under 6.27.6A(b) above (except that this shall not apply to subdivision provided for in 6.27.6.A(a) above);

Criteria For Assessing Subdivision Applications For Controlled Activities

Subdivision applications for a controlled activity shall be assessed in terms of the following criteria:

- Consistency with the Structure Plan (Figure 9).
- Provision of adequate access, parking, and service areas.
- Compliance of buildings with all other statutory requirements including fire and safety regulations.
- Where there are common lots, provision for appropriate mechanisms to ensure that all management and maintenance requirements are effective and enforceable for the required duration.

C. Criteria For Assessing Subdivision Applications For Restricted Discretionary and Discretionary Activities

Subdivision applications for a restricted discretionary or discretionary activity shall be assessed in terms of the following relevant criteria and the criteria set out in Part 6E of the Plan:

- Consistency with the Structure Plan (Figure 9).
- Where lots having an area of 2,000m² or greater are proposed, such lots shall be of dimensions that are in accordance with the policies and objectives of the individual precinct as set out in the general strategies for each Precinct.
- Compliance of buildings with all other statutory requirements including fire and safety regulations.
- Where there are common lots, provision for appropriate mechanisms to ensure that all management and maintenance requirements are effective and enforceable for the required duration.
- For lots providing for residential activities, adequate provision for outlook and privacy for each separate residential unit.
- Provision of adequate access, parking, and service areas. In general, any proposal should comply with the parking and access controls for Land Unit 27 unless it is not appropriate to do so because of inherent site considerations and extraordinary vehicle or pedestrian movements and/or particular characteristics of the proposed activities and local circumstances.

The following additional criteria apply in respect of a comprehensive subdivision plan:

- The extent to which the site design and layout promotes a coherent and integrated layout of built development in Precincts 1 and 2.



- The extent to which the site design and layout provides for open space that is accessible to the public and maintains views of Matiatia Bay.
- The extent to which the site design creates a safe and efficient transportation network through the mixed-use development.
- The extent to which the site design and layout provides for safe and convenient pedestrian linkages from parking and transport areas to the wharf precinct and the mixed use development.
- The extent to which the site design and layout ensures that carparking areas and buildings are screened when viewed from the wharf area and coastal edge.
- The extent to which the proposed site layout and design is consistent with the building design assessment criteria in 6.27.4.4.C (a)-(g).

D. Controlled Subdivision Notification

Pursuant to section 95B(2) of the Act, an application for a controlled activity subdivision consent is not required to be served on adversely affected persons and written approvals are not required.

E. Restricted Discretionary Subdivision Notification

Pursuant to section 95A(3)(a) of the Act, notification of an application for a restricted discretionary activity subdivision consent is not required. Pursuant to section 95B(2) of the Act an application for a restricted discretionary activity subdivision consent is not required to be served on adversely affected persons and written approvals are not required.

6.27.7 TEMPORARY ACTIVITIES

A. Permitted Temporary Activities

The following temporary activities are permitted activities in Precincts 1 - 4:

- (a) Offices, storage sheds, scaffolding and falsework, storage yards, builders workshops or uses of a similar character where such buildings or uses are:
 - (i) Required for a building construction project; and
 - (ii) Limited to the duration of the project or for a period not exceeding 18 months (whichever is the lesser).
- (b) Public performances, concerts, open air fairs and markets, entertainment, meetings, parades, filming, weddings, festivals and activities of a similar nature provided that:

- (i) Such activities and structures for these activities (inclusive of the time required for establishing and removing all structures and activities associated with the use) do not occupy any venue for more than a total of 8 days at Easter (provided that the event does not exceed 4 days); or 5 days at any other time (provided that the event does not exceed 3 days); and
- (ii) All activities and structures shall meet 6.27.4.2B(d) (Maximum Height) and 6.27.4.2B(m) (Wastewater, Stormwater and Groundwater); and
- (iii) Signs shall meet the permitted signage standards 6.27.4.2.B(j)(i) and (iii); and
- (iv) The cumulative duration of the activity shall not exceed 12 hours per day; and
- (v) All associated amplified entertainment shall start no earlier than 10.00am and shall finish no later than 10:00pm Sunday to Thursday inclusive or 11:00pm Fridays and Saturdays or 1:00am on New Year's eve; and
- (vi) Sound testing and balancing of all sound systems including vocal checks by performers shall cumulatively not exceed 4 hours and shall not commence before 10:00am on any day and shall be completed by 7:00pm on the day of the activity; and
- (vii) The noise levels of the temporary activity meet the permitted activity noise limits for Land Unit 27 or the standards for noise events outlined below; and
- (viii) There shall be no more than 8 noise events in any 12 month period; and
- (ix) If the event is a private function (ie: is not open to the public by tickets or otherwise), any structures shall:
 - not occupy more than 600m² of the open space adjoining the esplanade reserve; and
 - not be within 10m of any primary pedestrian link.
- (c) A noise event occurs when the temporary activity generates noise levels in excess of that provided for as a permitted activity within Land Unit 27. All noise events shall meet the following rules:
 - (i) The maximum noise levels arising from the noise event measured 1m from the façade of the nearest building within the Land Unit with a residential use shall not exceed 75dBA L₁₀ and 85dBA L₁; and



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- (ii) Subject to (i) above the cumulative time of any period when the noise level exceeds those provided for as a permitted activity shall not exceed 6 hours in a total 24 hour period; and
- (iii) The maximum noise levels arising from a noise event measured within the notional boundary (see definition in Part 6B.1.3.5) of any dwelling on an adjacent Land Unit shall not exceed:

7:00am to 10:00pm	L ₁₀ 55dBA
10.00pm to 7.00am	L ₁₀ 45dBA L _{max} 70dBA L ₁₀ 60dB @ 63Hz L ₁₀ 55dB @ 125Hz

- (d) Any temporary activity that is not provided for as a permitted activity shall require consent as a restricted discretionary activity other than in respect of a noise event or an activity which will not comply with Rules 6.27.7.A(b)(iii) to (vii) which shall be assessed as a discretionary activity.

B. Criteria For Assessing Temporary Applications For Restricted Discretionary Activities

The following criteria shall be taken into account when considering restricted discretionary applications for Temporary Activities:

- The proposed hours of operation and duration of the activity.
- The extent to which the activity may give rise to adverse effects including noise on residentially used buildings within and surrounding the Land Unit.
- The extent to which the activity may give rise to adverse effects related to the activities of vehicles using the road network and the carparking facilities and the extent to which those effects are avoided, remedied or mitigated.
- The extent to which the activity may give rise to adverse effects related to the activities of people using the wastewater disposal system and the extent to which those effects are avoided, remedied or mitigated.

6.27.8 HERITAGE

The rules relating to heritage protection as contained in Part 10 of the Plan shall apply.

6.27.9 FINANCIAL CONTRIBUTIONS

For the purpose of meeting all required financial contributions for all and any subdivision and/or land use and/or development activities up to an aggregate of 12,000m² in Precincts 1, 2, 3A, 3C and 4, the following shall apply:

- Precinct 5 shall be retained in Council ownership and be available for passive recreational use by the public.
- The area marked on Figure 10 shall be subject to a covenant.

6.27.10 DEFINITIONS

The following definitions apply to Land Unit 27 and take precedence over any alternative definitions contained in Part 11 - Definitions. In all other cases the definitions of Part 11 apply.

Bar / Tavern means any premises used or intended to be used in the course of business principally for the provision to the public of liquor and other refreshments; and which is licensed as such under the Sale of Liquor Act.

Building Coverage means the same as **lot coverage** (contained in Part 11), except that all references to "lot" are to be read as referring to the relevant Precinct of Land Unit 27 within which the proposed development is to occur, and shall also exclude:

- Open air and underground car parks.
- Balconies and decks.
- Paved areas.
- Boardwalks.

Commercial Facilities means offices, showrooms, training premises, employment and business bureaus and centres (but does not include retail activities or stand alone laundromats).

Conference and Events Facilities means non-retail activities catering for conferences, functions, meetings, education forums and including events such as trade and cultural shows and exhibitions (but does not include visitor accommodation).



Development Land	means Precincts 1, 2 and 3C.
Discharge Permit	means that Auckland Regional Council discharge permit for the Owhanake Treatment Plant, reference number 27473.
Gross Floor Area (GFA)	<p>is the sum of the gross area of the several floors of all buildings on a site, measured from the exterior faces of the exterior walls, or from the centre lines of walls separating two buildings or, in the absence of walls, from the exterior edge of the floor. In particular, gross floor area includes:</p> <ul style="list-style-type: none"> (a) Voids except as otherwise provided, where vertical distance between storey levels exceeds 6.0m, the gfa of the building or part of the building affected shall be taken as the volume of that airspace in cubic metres divided by 3.6; (b) Basement space except as specifically excluded by this definition; (c) Elevator shafts, stairwells and lobbies at each floor unless specifically excluded by this definition; (d) Interior roof space providing headroom of 2.0 metres or more whether or not a floor has been laid; (e) Floor spaces in interior balconies and mezzanines; (f) Floor space in terraces (open or roofed), external balconies, breezeways, porches if more than 50% of the perimeter of these spaces is enclosed, except that a parapet not higher than 1.2m or a railing not less than 50% open and not higher than 1.4m shall not constitute an enclosure; (g) All other floor space not specifically excluded.

The gross floor area of a building shall not include:

- (a) Uncovered steps;
- (b) Interior roof space having less than 2.0m headroom except that: where an interior roof space of more than 2.0m but less than 4.0m headroom has been created as a result of a sloping roof form required to meet relevant assessment criteria, this roof space shall not be included in the gfa calculation provided that this area shall not be used for any other purpose than for building services such as electrical ducting but does not include ablutions;
- (c) Floor space in terraces (open or roofed), external balconies or porches where not more than 50% of the perimeter of these spaces is enclosed and provided that a parapet not higher than 1.2m or a railing not less than 50% open and not higher than 1.4m, shall not constitute an enclosure;
- (d) Pedestrian circulation space;
- (e) Basement space for stairs, escalators and elevators required for servicing a floor primarily for carparking and/or loading;
- (f) Required off-street parking and/or loading spaces;
- (g) Carparking in basement space or underground parking areas (including manoeuvring areas, access aisles and access ramps);
- (h) Non-habitable floor space in rooftop structures;
- (i) Any entrance foyer/lobby or part of it including the void forming an integral part of it (being a primary means of access to a building), which is open to the public, is accessed directly from a public place and has an overhead clearance of not less than 6.0m.

Gross Roof Area

means the sum of roof areas (either buildings or walkways) from which rainfall is captured for potable water supply purposes.



Groundwater Consent Holder	means the holder of Auckland Regional Council Permit 28671 water take permit, or any replacement consent.
Habitable Room	means a habitable space as defined by the Building Code.
Healthcare Facilities	means land and buildings: <ul style="list-style-type: none"> (a) Used by one or more healthcare providers for the purpose of carrying out his/her professions; or (b) Used as a medical laboratory or clinic; or (c) Used as a veterinary clinic.
Landscaped Permeable Surface	in relation to any Precinct means any part of that Precinct which is grassed or planted in trees or shrubs, and is capable of absorbing water. It does not include any area which: <ul style="list-style-type: none"> (a) falls within the definition of building coverage; (b) is a paved impermeable surface; (c) is used for parking, manoeuvring or loading of motor vehicles.
Recreational Facilities	means buildings providing for active and passive sports activities, playgrounds, gymnasiums and health centres.
Residential Unit	means a building, a room or group of rooms, used, designed or intended to be used exclusively by one or more persons as a single, independent or separate household.
Threshold Activities	means residential units and activities denoted with an asterisk in the Activity Table 6.27.4.1, and all other activities which operate within buildings as a commercial or business activity including visitor facilities and visitor centres but excluding carparking activities.
Utility Services	means essential infrastructure that is required to support the activities located in each of the precincts identified in the Structure Plan and the wharf, including electricity transformers, pump stations, communication cables and structures, piping and includes any earthworks necessary for such activities, but excludes wastewater and stormwater treatment.

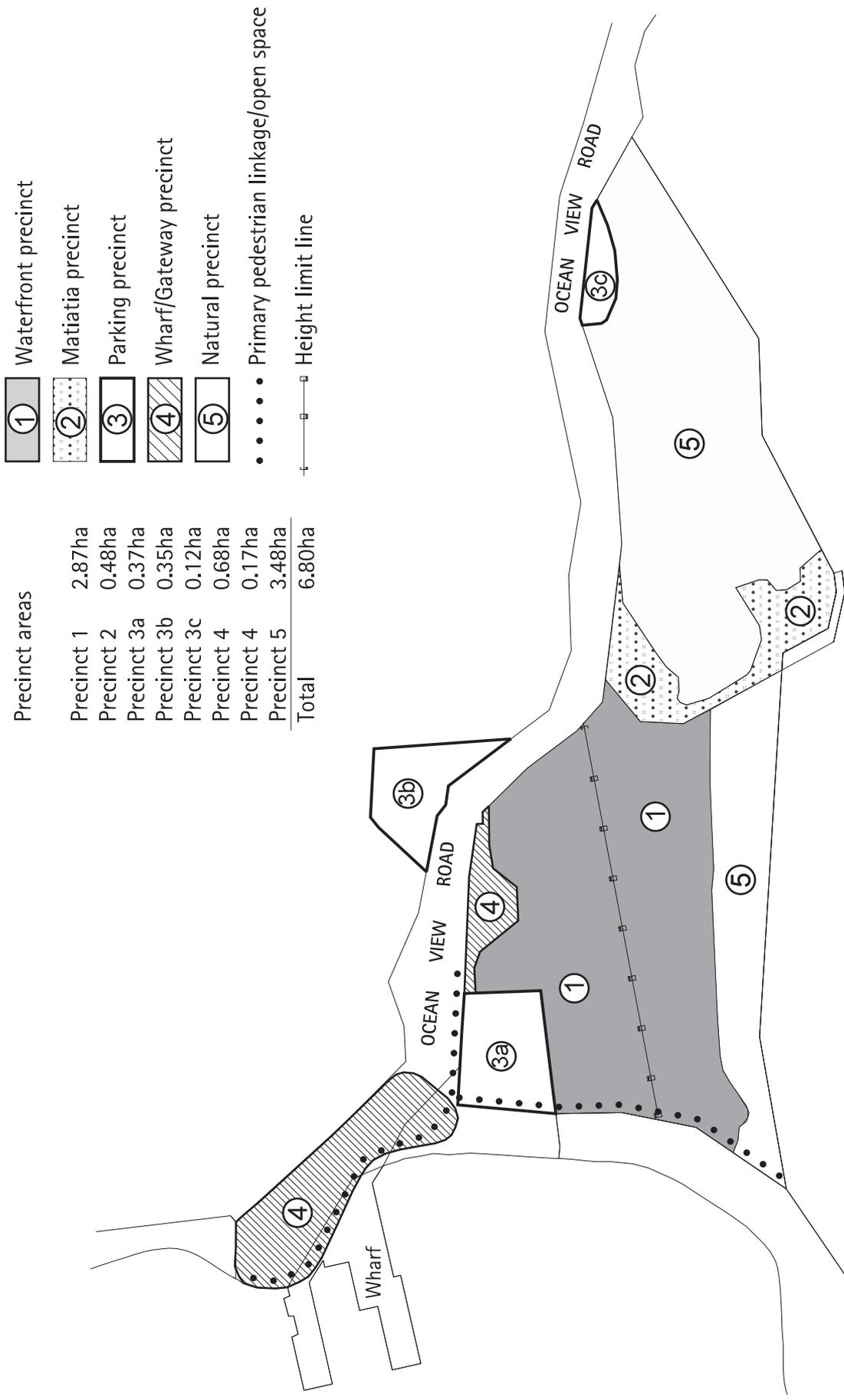
Visitor Centre means buildings used for information, travel and hire services catering for visitors.

Water and Wastewater Management Plan means the Plan required by Rule 6.27.4.2 B(m) (ii) and which shall:

- (a) Specify and require the **Groundwater Consent Holder** to keep an up to date record of all buildings and the mix of activities on the site, and the corresponding peak design wastewater flow allocation, along with a total of the actual flow generation from that mix of activities; and
- (b) Specify the current allocation of the **Development Land**, from the Owhanake Treatment Plant and ensure the cumulative wastewater discharges do not generate wastewater (without recycling) exceeding the **Discharge Permit** allocation for wastewater from the **Development Land**; and
- (c) Specify the contractual arrangements for individual tenants and property developers/owners in respect of the water and wastewater management plan; and
- (d) Require the **Groundwater Consent Holder** to monitor the water use and wastewater discharge which shall include as a minimum: rainfall, daily water storage, daily water use, daily treated effluent re-use, and an estimate of occupancy and/or patronage and be consistent with any regional council consent applying to the **Development Land**; and
- (e) Include details and procedures for the handling of risks from water shortages and contamination; and
- (f) Include monitoring to ensure that sufficient data is available to establish per capita water usage and trends by activity.

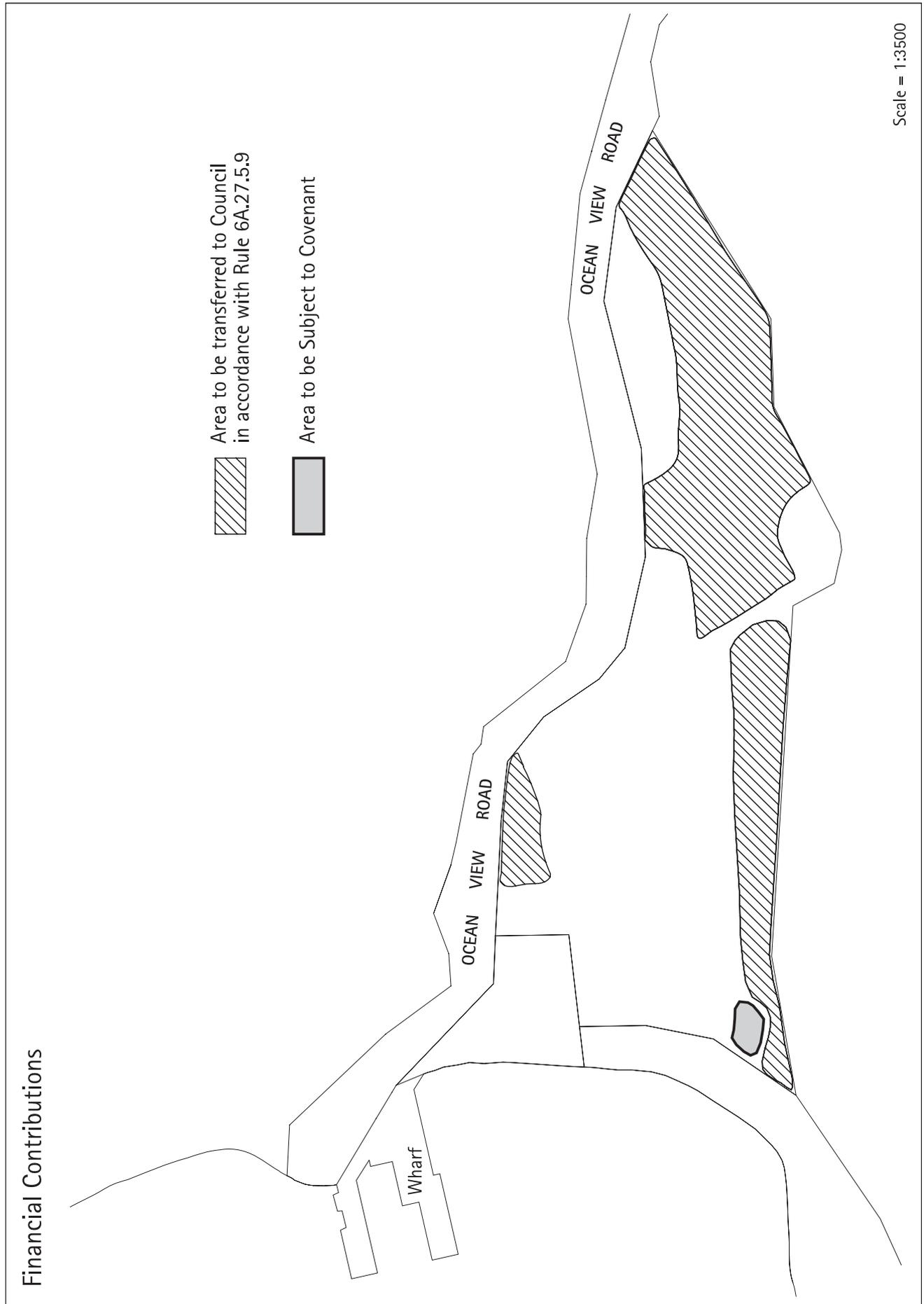


Figure 9 Land unit 27 Structure plan



Scale = 1:3500





Financial Contributions

