

Section 3 - Techniques

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300 INTRODUCTION

The planning methods or techniques in Section 3 have been developed from the methods set out in Section 2 to achieve the purpose of the RMA and the objectives and policies set out in Section 2 of this Plan.

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310 - Monitoring Strategy

- .1 Council is obliged under the Resource Management Act 1991 to monitor the effectiveness of its District Plan, the implementation and performance of resource consents, the exercise of any transferred/delegated powers and the state of the environment.
- .2 Monitoring provides essential feedback on how well the District Plan is achieving the purpose of the Act in addressing the significant resource management issues set out in the plan, and in achieving the objectives, policies, and anticipated environmental results. The feedback gained from monitoring programmes enables Council to move closer towards achieving sustainable management of resources.
- .3 The types of monitoring programmes carried out by Council are:
 - Compliance monitoring;
 - Incident/issue monitoring;
 - Trend monitoring;
 - State of the environment monitoring.
- .4 The ability of the District Plan to achieve its objectives relies on results from monitoring plans and programmes for each of these.

311 - Compliance Monitoring

- .1 Compliance monitoring covers the following:
 - Monitoring for compliance with conditions of resource consent;
 - Monitoring conditions of licences issued under the Mining Act 1971 which have come under the jurisdiction of the District Council by way of the Crown Minerals Act 1991;
 - Investigating complaints covering alleged breaches of the Resource Management Act 1991, District Plan or conditions of resource consent.
- .2 Compliance monitoring of resource consents is undertaken by way of checking whether conditions of consent have been met, monitoring the direct impact on the environment and taking further action where required. Monitoring has no value unless action, including education, explanation and, if necessary, enforcement action is taken in response to the results.
- .3 Opportunities to provide education, including explanation of the reasons for plan provisions, conditions of consent and the purpose of the Act often arise.
- .4 Enforcement action, including prosecution, serving of abatement notices or enforcement orders can also follow.
- .5 Resource users are expected to pay the full cost of monitoring required by their activities. Often Council will require a resource user to undertake regular reporting to ensure conditions are being met and the actual impact on the environment is being checked.
- .6 So that resource consent monitoring can be effectively and efficiently carried out conditions shall be imposed on resource consents to ensure:
 - A certificate of compliance is signed by an officer of Council before the activity consented to may commence. Such a certificate will be required for conditions which must be met before a land use may commence; and
 - A fee is paid to Council to cover the costs of regular monitoring where conditions of consent must be met on a continuing basis. Such a certificate will be required for those conditions which must be met for an activity or land use to continue and remain valid or lawful; or
 - Certification is provided to Council by a suitably qualified independent certifier that the conditions have been and are continuing to be met.
- .7 In the case of either of the points above the frequency and type of monitoring to be undertaken will depend on the nature of the activity and effects which the condition(s) are designed to address.

312 - Issue/Incident Monitoring

- .1 Council will group its investigations and research into:
 - Potential unauthorised activities (investigations of complaints concerning alleged breaches of the Act or Plan);
 - Complaints from the public about undesirable environmental effects;
 - Enforcement action taken;
 - Education and information material used;
 - Other methods.
- .2 Council is active in undertaking this type of monitoring to ensure environmental credibility is achieved. It is important that resource users are held accountable for their actions, appropriate methods are being used by Council to achieve desirable environmental results and to ensure objectives and policies are relevant to the issues arising.
- .3 Examples of issues and incidents currently being addressed are:
 - Noise;
 - On-site wastewater treatment systems;
 - Septage removal and disposal areas;
 - Carparking requirements;
 - Bush protection covenants.

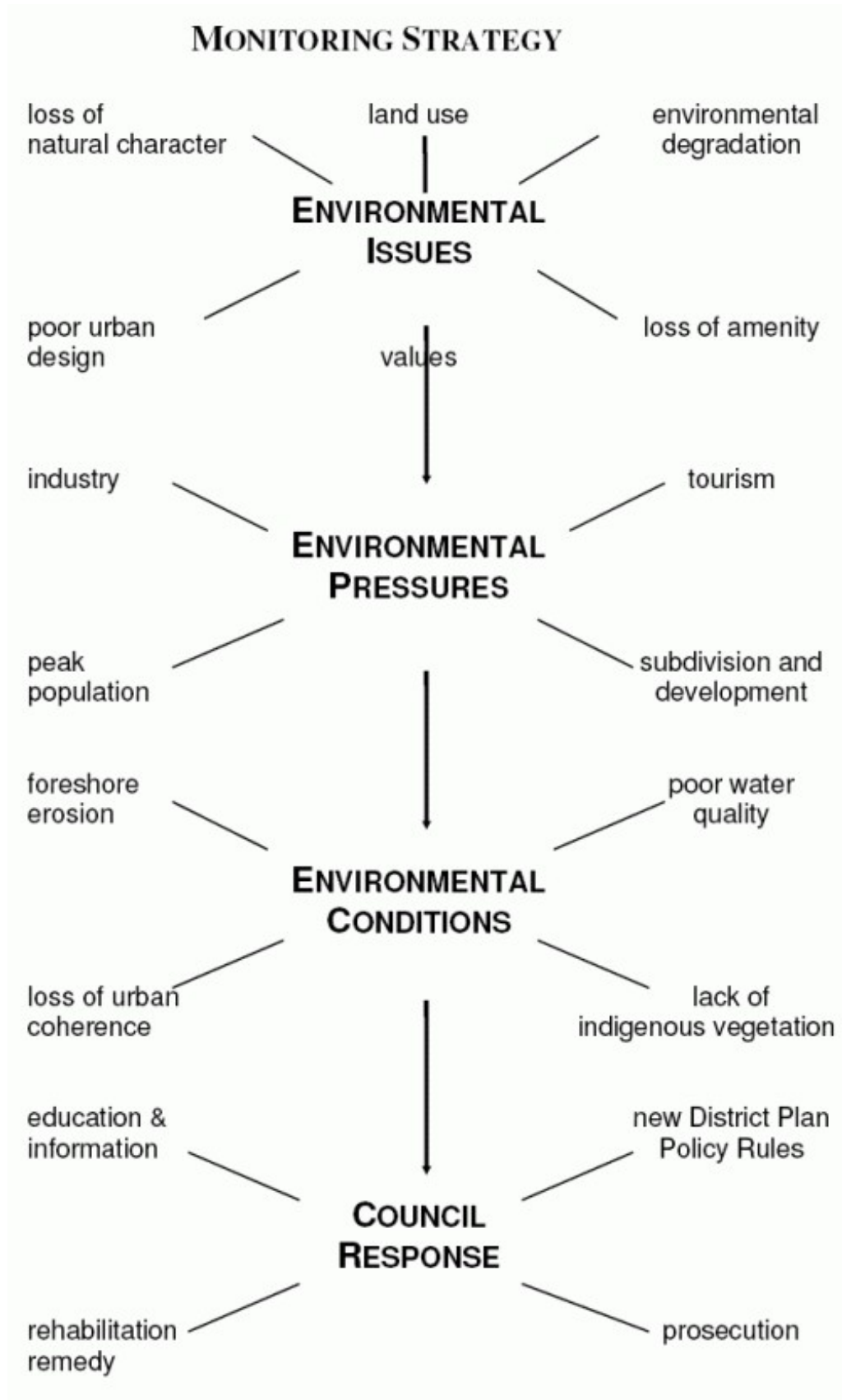
313 - Trend Monitoring

- .1 The main purpose of trend monitoring is to detect changes over time for key topics which may affect the way Council does its business, particularly so far as it may affect the environment. Changes in trends will show that Council may have to adapt or modify priorities, practices, methods or actions.
- .2 Examples of this monitoring are:
 - Population and demographic changes;
 - Peak population and duration of peaks;
 - Subdivision;
 - New valuations;
 - New buildings;
 - Land values and value of improvements to land (i.e. dwellings and other buildings).
- .3 Information from this monitoring is used for decisions on providing and upgrading infrastructure (physical resources) for example and provides indications of pressures and the locations of pressures which are occurring on the natural and physical environment and where zoning or policy area changes may be required.

314 - State of the Environment Monitoring

- .1 The basic processes of state of the environment monitoring are:
 - Regular standardised monitoring to detect environmental conditions and trends;
 - Regular reporting of information to the public and interested parties;
 - Regular publication of SOE documents;
 - Identification of environmental indicators.
- .2 Most of Council's environmental indicators will come from the District Issues identified in Section 2 of the District Plan.
- .3 The monitoring tables at the end of each Significant Resource Management Issue set out in summary form the material for developing baseline, trend and issue monitoring. This information will be taken into account when developing a state of the environment, monitoring plan and programme.
- .4 An integrated monitoring strategy will be based on:
 - An environmental media framework (atmosphere, air, waters, land, biodiversity, as the Ministry for the Environment have done for national reporting);
 - Initial focus on the following four issues or sub-issues highlighted in bold:
 - **Protection of Indigenous Vegetation and Fauna**
 - **Waste Generation and Disposal**
 - Sub-issue: **Septic Tanks**
 - Urban Form and Development
 - Sub-issue: **Rural Area Development**
 - The pressure-state-response (PSR) framework to answer the following simple questions:
 - What is happening to the state (quality/quantity) of the environment?
 - Why is it happening?
 - What are we doing about it?
- .5 The indicators of changes or trends in the physical or biological state of the natural world (state indicators) answer the first question
- .6 Indicators of stresses or pressures from human activities that cause environmental change (pressure indicators) answer the second.
- .7 Measures of the policy and/or methods adopted in response to reporting the above results (response indicators) answer the third.
- .8 These are the questions and answers required in a programme for monitoring the state of the environment, effectiveness of the Plan and provide a method to review of its contents.
- .9 The diagram below shows how Council can monitor the environment and the effectiveness of the District Plan.
- .10 A monitoring plan and monitoring programmes are required to:
 - Be integrated with Environment Waikato, Department of Conservation, other territorial local authorities and community groups and to be capable of being integrated with other Hauraki Gulf Forum constituent authorities;
 - Ensure a spatial and temporal framework is developed so that data and information can be shared and results communicated from local to regional to national levels.
- .11 Develop an ecosystem approach so that social and economic activities and their effects on the environment are considered as a whole.
- .12 Use a participatory approach to development of indicators and programmes as well as for depicting and naming spatial units to encourage meaningful involvement and understanding by our local public.
- .13 Through consultation with local hapu and iwi develop concepts and indicators which are useful and meaningful to tangata whenua to:
 - Ensure concepts and indicators are relevant to the spiritual and philosophical goals of Maori;
 - Enable hapu and iwi to track the health of the environment in their areas;
 - Ensure hapu and iwi environmental interests are protected in accordance with Council obligations under the Treaty of Waitangi.

Monitoring Strategy Diagram



320 - Non-regulatory Methods

321 Education, Advocacy, Promotion and Consultation

The techniques of education, advocacy, promotion and consultation are hereby adopted and used in any situation where these would enhance the planning process or improve environmental outcomes.

330 - Regulatory Methods

The following regulatory techniques are hereby adopted and used in accordance with the provisions of Section 2 of this Plan:

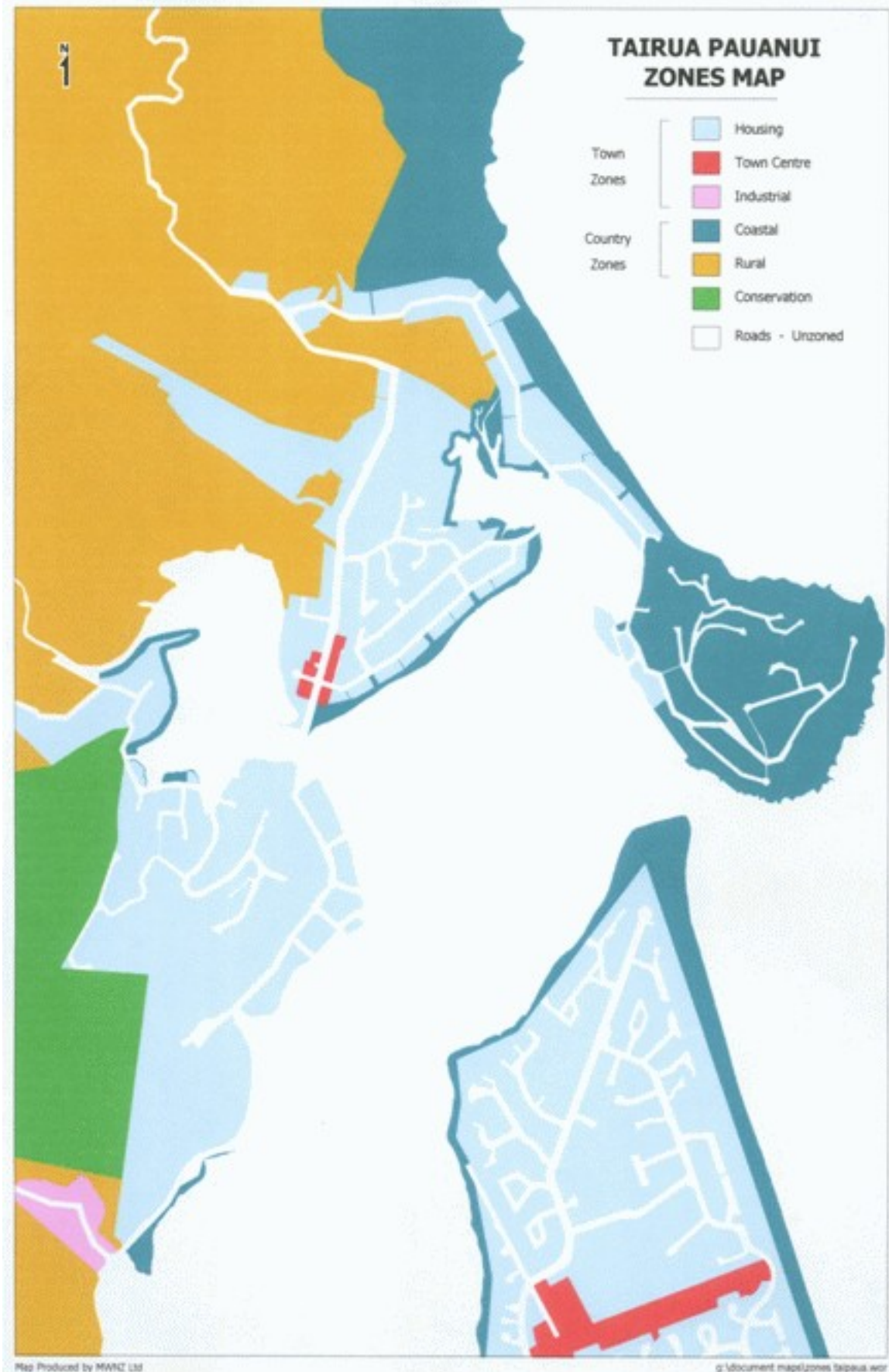
- .1 Zones and Policy Areas see 330 to 336.
- .2 Policy Areas:
 - Zone Specific Policy Areas see 330 to 336
 - Specific Locality Zones see 336 A-H
 - General see 337
- .3 Management Plans see 330.3
- .4 Identified Commercial Sites see 338
- .5 Use of Value see 339
- .6 Structure Plans see 340:
 - 341 Moehau Area (10/-)
 - 342 Whangapoua Area (20/-)
 - 343 Coromandel Area (30/-)
 - 344 Whitianga Area (40/-)
 - 345 Thames Area (50/-)
 - 346 Tairua Paianui Area (60/-)
 - 347 Whangamata Area (70/-)
 - 348 Puriri Area (80/-)
- .7 Designations, Heritage Orders see 350
- .8 Roads see 360
- .9 Reserves see 370
- .10 Financial Contributions see 380

330.1 - Zones and Policy Areas

- .1 The technique of zoning is hereby adopted and applied to all land and water areas within the District (refer Section 360 status of roads).
- .2 The technique of policy areas within zones is hereby adopted and applied to those parts of zones where special environmental outcomes are sought.
- .3 The following expression is defined in Section 9:
 - **Zone**
- .4 Zones and policy areas are shown on the Planning Maps or in structure plans.

Note An illustration of the zones applied to Tairua and Pauanui follows.

Tairua Pauanui Zones Map



330.2 - Policy Areas

- .1 Policy areas enable the particular characteristics of a locality to be recognised, while retaining the presumptions of the zone.

- .2 A policy area is:
- A "subset" or specifically defined part of a zone;
 - An area within a zone with special characteristics.
- .3 The implications of this for activities within the policy area are that:
- The presumptions of the zone continue to apply;
 - Activities may have to meet different environmental standards from those applying to a similar activity outside the policy area;
 - The land within a policy area has been identified to achieve specific environmental standards, criteria and therefore special environmental outcomes.
- .4 Policy areas operate in one of two ways. They may be:
- More restrictive or set higher environmental standards than the zone generally, or;
 - Be less restrictive or set lower environmental standards than the zone generally.
- .5 Policy areas are shown on the Planning Maps or in structure plans.

330.3 - Management Plans

The technique of management plans is hereby adopted and applied in the following circumstances:

Hazard Management Plans

These apply to areas where there is a known hazard and where special techniques for managing that hazard have been developed. (Example: flood management plan).

Maori Interests Management Plans

These apply to land in the Maori Interests Policy Areas where Council has approved a plan for the management of land within that Zone.

Other Management Plans

Where there is a site or an area within which special planning provisions would be useful, the District Plan may be enhanced by a Management Plan. (e.g. Great Mercury Island.)

331 - Rural Zone

331.1 - Description

- Most of the District's farmland and production forests are located in the Rural Zone. The zone occupies the land between the Conservation Zone down the 'spine' of the District, and the Coastal Zone. Small areas of versatile and high quality soils exist and have not been compromised by other land uses;
- A wide range of activities are carried out in the Rural Zone including farming, forestry, horticulture, rural industries, quarrying, prospecting and exploration for minerals, rural residential, and native bush conservation.

331.2 - Purpose

Identifies that part of the District where:

- .1 Sustainable use and development of primary and other natural resources may be carried out to meet environmental standards for the zone with minimal Council intervention; and
- .2 Indigenous vegetation, wetlands and natural landforms are retained particularly where they contribute to landscape character, amenity values, habitat continuity, connections to or between Conservation Zone and coastal environment, backdrop to settlements, scenic corridors along roads and provide shade and protection along margins of rivers, streams and estuaries.

331.3 - Explanantion of Policy Areas

- .1 To enable use and development of the rural resources to be carried out more effectively; to protect the versatility and life-supporting capacity of high quality soils; and to retain residential opportunities, qualities and amenities. Two policy areas unique to this zone have been identified:
 - Rural Residential;
 - Rural Village.
- .2 See also Maori, Open Space, Airfield, Future Development and Recreation Policy Areas, which may occur in the Rural Zone.

331.4 - Rural Residential Policy Area

- .1 **Description**
 - .1 The Rural Residential Policy Areas are areas on the edges of the towns or large villages. The location of these areas on the edges of towns makes them more sustainable because their occupiers can enjoy the benefits of a rural lifestyle a short distance from the town where support services and infrastructure is provided.
- .2 **Purpose**
 - .1 To enable the creation of small areas of rural land subdivided into blocks able to be managed as part-time farms or "lifestyle blocks", without compromising the purpose of the Rural Zone.
 - .2 The policy area ensures the fragmentation of land is avoided on land where towns and villages may expand and to ensure the rural character of the countryside is retained and enhanced.

331.5 - Rural Village Policy Area

- .1 **Description**
 - .1 The Rural Village Policy Areas comprise small rural settlements where a range of activities occur. All of these policy areas contain land which is undeveloped, and could be subdivided for residential or other purposes.
- .2 **Purpose**
 - .1 To ensure that rural service industries, commerce and rural village activities are sustained.
 - .2 To enhance rural character including the atmosphere, character and amenities of the rural villages.

332 - Coastal Zone

332.1 - Description

- .1 The District's coastline is one of the nation's gems. Under section 6 of the Resource Management Act 1991, the preservation of the natural character of the coastal environment and its protection from inappropriate subdivision, use, and development is a matter of national importance. The provisions of the Coastal Zone define what this means in the context of the Thames-Coromandel District.
- .2 The Coastal Zone was defined originally in 1975 following the production of the Thames County and Coromandel County District Schemes. These were made operative in 1975 and 1978 respectively. The latter involved an appeal to the Town and Country Planning Appeal Board (Physical Environment Association of Coromandel v Thames-Coromandel District Council (1982) 8 NZTPA 404), the former an appeal to the Planning Tribunal (Opoutere Ratepayers and Residents Association Inc v Planning Tribunal (1989) 13 NZTPA 446) and set out the principles of the Coastal zone. These were followed in the 1986 review (operative 1990).
- .3 The Coastal Zone is the landward zone which reflects best the coastal environment. This means an environment in which the coast is a significant part or element, which varies from place to place around the Coromandel coast. Generally the land between the coast and the first ridgeline inland and other land where the coast is a significant part, even though it might not be visible from the coast or a public road.
- .4 The special characteristics of the coastal area include:
 - Ecologically, the coastal environment is fragile and dynamic;
 - Aesthetically, the coastal environment is generally regarded as beautiful and having outstanding landscape values;
 - Culturally, the coastal environment is given high value by tangata whenua;
 - Recreationally, a high proportion of New Zealanders and visitors to New Zealand take their recreation in the coastal environment;
 - Economically, fishing and other types of marine production are important to the District economy;
 - Historically, the coastline contains a high density of archaeological sites which range from the moa hunter period to more recent times.
- .5 The sensitive environment, high scenic value, and pressure to develop must all be recognised in the zoning provisions for the coastal environment so that only appropriate development and use can be established.

332.2 - Purpose

- .1 To ensure that activities in the Coastal Zone do not impact significantly on geological features, landform, landscape, natural environment, biodiversity, archaeological, cultural and heritage values.
- .2 To recognise the cultural relationship of tangata whenua with the coastal environment.

332.3 - Explanation of Policy Areas

- .1 To enable use and development in coastal areas and protect the qualities and values of the coastal environment, a number of policy areas have been identified:
 - Coastal Village Policy Area;
 - Coastal Residential policy area;
 - Great Mercury Island Conservation Policy Area, subject to its own management plan.
- .2 See also Maori, Airfield and Future Development Policy Areas which may apply in any zone including the Coastal zone.

332.4 - Coastal Residential Policy Area

- .1 **Description:**
 - .1 The Coastal Residential Policy Areas are settlements of varying but mostly small size located on the coast. Most of them have developed over many years as seaside "bach" settlements, with some of the original baches coming up for redevelopment. Some of the locations are relatively remote, and this, combined with the sensitive nature of the location, makes scope for expansion both limited and likely to be contrary to the national directives in the Resource Management Act 1991 and National Coastal Policy Statement to protect the coastline from inappropriate development.
- .2 **Purpose:**
 - .1 To provide areas where housing can be developed or re-developed in a sensitive coastal setting, without degrading the natural character of the coastal environment and allowing the landform to continue to dominate.
 - .2 To enable people to enjoy the sense of remoteness and closeness to nature possible in these locations by retaining their residential character.

332.5 - Coastal Village Policy Area

- .1 **Description:**
 - .1 The Coastal Village Policy Areas vary in size but generally contain non-residential activities varying from commercial activities to community halls and tourist accommodation. Their location is less remote than the Residential Policy Areas as they are usually close to a main road or State Highway network.
 - .2 Design assessments are not required for buildings in these localities, and simple bulk and location standards take care of the amenity values of the location. A range of compatible activities that are likely to be able to retain the amenity values of the location are provided for in the rules through resource consent application.
- .2 **Purpose:**
 - .1 To provide areas where housing and compatible activities can be developed in a coastal setting that is not visually sensitive or highly natural in character.
 - .2 To enable people to enjoy the coastal amenity values, recreational opportunities and village atmosphere and character.

332.6 - Great Mercury Island Conservation Management Plan

- .1 **Description:**
 - .1 The Great Mercury Island Conservation Policy Area has been applied to the Great Mercury Island, Ahuahu of the Maori people, is the largest of the seven islands forming the Mercury Group (latitude 37 south, longitude 176 east) and is located some 40km southeast of Cape Colville off the Coromandel Peninsula. The island is 150km by sea from Auckland and 29km from Whitianga on the Coromandel Peninsula. The island has a total area of 1,719 hectares.
- .2 **Purpose:**
 - .1 The Great Mercury Island Conservation Policy Area provides for continuation of existing farming and forestry consistent with the long-term conservation objectives, as well as an increase in the number of dwellings in specified locations. All activities are subject to the provision of a management plan see Appendix II.

- .2 The owners' vision of the islands future is of a self-sustaining farm in the northern portion, and a re-generating native kauri forest covering the southern portion. The very long-term objective is that reasonably extensive areas in selected locations may become as near as practically attainable to the original state, when it was first occupied by man. The establishment of replacement dwellings on the island will not be inconsistent with this overall vision and will enable the owners to devote more time to on-going operations and development while at the same time enjoying the recreational value of this unique natural environment.

333 - Conservation Zone

333.1 - Conservation Zone

- .1 Land administered by the Department of Conservation was designated as a public work in the district schemes prepared under the Town and Country Planning Act. Under these schemes, designated land was administered by the designating authority and the "Underlying Zone" was of relevance only where an activity was inconsistent with the designated purpose. Thus, most of the conservation estate was designated "State Forest" and had an underlying zoning of Rural A. Coastal areas had an underlying zoning of Coastal.
- .2 Under the Resource Management Act 1991, the Department of Conservation has decided not to designate the area it administers. This land has been zoned Conservation Zone.
- .3 Public reserves and other public land owned or administered or managed by the Thames-Coromandel District Council and other agencies for conservation purposes have also been zoned Conservation Zone.
- .4 Conservation Zone includes: Conservation Park; Stewardship Land; Crown Land Reserved from Sale; Crown and Council Reserves classified as historic, scenic, scientific, native or wildlife reserves and the surface of all lakes, rivers and streams.
- .5 All roads within 20 metres of streams, rivers and the coast are zoned Conservation Zone to the centre line.

333.2 - Purpose

- .1 To identify natural and cultural heritage which is to be actively and rigorously conserved in a manner which will ensure life forms can co-exist in natural habitats; variety and diversity of natural character landscapes, are protected; and to ensure indigenous ecosystems will continue to survive and contribute to the wellbeing of local communities and New Zealand society as a whole.
- .2 Indigenous vegetation, wetlands and natural landforms are retained particularly where they contribute to landscape character, amenity values, habitat continuity, connections to or between Conservation Zone and coastal environment, backdrop to settlements, scenic corridors along roads and provide shade and protection along margins of rivers, streams and estuaries.

334 - Housing Zone

334.1 - Description

The Housing Zone is the zone used in the seven major towns in the District:

- Thames;
- Coromandel;
- Matarangi;
- Whitianga;
- Tairua;
- Pauanui;
- Whangamata.

The zone is fully serviced for all urban utilities in these locations. Most housing development in the District will occur in the Housing Zone.

334.2 - Purpose

- .1 To provide for housing and recognise a variety of housing types, including canal housing.
- .2 Within the Zone there are four policy areas designed to enable different forms of housing development. Within the general Housing zone and each policy area particular character and amenity values are to be sustainably managed.

334.3 - Explanation of Policy Areas within the Housing Zone

- .1 Three Policy Areas unique to the zone have been identified: Low Density, Extra Density, and Beach Amenity. In Thames and Coromandel there are special heritage features, and to recognise these features a Heritage Policy Area has been applied to parts of the Housing Zone.
- .2 See also Marine Activities Policy Areas.

334.4 - Low Density Policy Area

- .1 **Description**
 - .1 These areas are located at the edge of existing housing development in the District Towns, in locations where it is environmentally appropriate to have areas of low density housing.
- .2 **Purpose**
 - .1 The need for low density development may come about because of the steep nature of the land, its place as part of the backdrop to a town, the desirability of having a buffer of low density housing between District towns and the countryside, or a combination of these factors. The development standards for this area limit lot sizes and number of houses to not more than one house on each lot.
 - .2 To recognise where housing is located adjacent to airfields, houses may be approved only after a controlled activity assessment has been made of the acoustic performance of the house.

Note Appropriate conditions will be attached to ensure that all houses in the subdivision will be able to provide adequate acoustic deadening for their inhabitants, against noise generated by aircraft.

334.5 - Extra Density Policy Area

- .1 **Description**
 - .1 These areas are generally located around the commercial centres of Thames, Whitianga, Tairua, Pauanui, and Whangamata and at Matarangi.
- .2 **Purpose**
 - .1 To enable the highest density that is appropriate to the amenity values of the town. This will allow people to live close to the town centre.
 - .2 To provide subdivision rules which allow smaller than normal lot sizes subject to a satisfactory design for the houses and their arrangement on the site, and development for the disabled is encouraged through bonus provisions which allow greater density and site coverage for developments meeting NZ 4121 standards for the disabled.

334.6 - Beach Amenity Policy Area

- .1 **Description**
 - .1 These areas are located along the beachfronts at the east coast towns of Matarangi, Tairua, Pauanui and Whangamata.
- .2 **Purpose**
 - .1 To protect the amenity of the beach. This is done in two principal ways: by limiting the height of buildings to 7 metres and requiring any application to exceed the height to be publicly notified, and by having a more restrictive than normal daylighting standard.
 - .2 In combination with other standards, ensure that amenity values of the beach are protected:
 - (i) Beachfront yard - the yard requirement for properties along all beachfronts of 7.5 metres as defined in section 9 of this plan.
 - (ii) Low scale development is required so that tall buildings or buildings close to the reserve will not detract from the amenity values of the beach reserve through a loss of open space.
 - (iii) Vistas - Buildings on these properties could form a wall of development blocking vistas from behind and from the beach reserve into town.
 - .3 Summary: The limitation on height ensures that scale is preserved, the daylighting angle ensures openness, and the 7.5 metre beachfront yard ensures that beaches are not crowded in or overpowered by buildings.

334.7 - Heritage Policy Area

- .1 **Description**
 - .1 Parts of the Housing Zone incorporate housing areas which have been identified in heritage studies as of value to the community, and where the character should be retained.
 - .2 Heritage Policy Areas are located in Grahamstown in Thames, and at Coromandel.
- .2 **Purpose**

To enable the design and appearance of new buildings and alternations to existing buildings (and demolition) to be assessed. Heritage values are also able to be taken into account when the use of a site or building is being considered.

335 - Industrial Zone

335.1 - Description

Industrial Zones are located at Coromandel, Thames, Kopu, Matatoki, Tairua, Whangamata, Whitianga and Matarangi

335.2 - Purpose

- .1 The Industrial Zones provide for light and heavy industries. The Zone outside all policy areas is intended to provide for those industries that would have difficulty mitigating their off-site effects sufficiently to make them compatible with residential areas. The adverse effects commonly associated with heavy industries are noise, smoke, fumes, smell, vibration, large volumes of heavy traffic, or other noxious or dangerous effects in relation to activities that would be sensitive to them. Light industries are permitted in all parts of the Industrial zone.
- .2 The zone also provides land for industrial activities that occupy large areas of land, for example hire centres, road transport operators, depots, show homes, timber yards, manufacturing and processing industries. Service stations are provided for by resource consent because of their unique functions.
- .3 Where an Industrial Zone is located near the coast or water areas, the industrial activities there have the potential to affect adversely the nearby coastal environment and adjoining reserves. The District Plan standards must be sufficiently robust to prevent these coastal areas from being degraded by the industrial activities (accidents excepted).

335.3 - Explanantion of Policy Areas within the Industrial Zone

- .1 One policy area unique to the zone has been identified: Service Industrial Policy Area. In Thames, there are special heritage features at Grahamstown and to recognise these features, a Heritage Policy Area has been applied to the industrial area.
- .2 See also: Maori and Marine Activities Policy Area.

335.4 - Service Industrial Policy Area

- .1 **Description**
 - .1 Light industries are able to be located within towns, provided they meet adequate environmental standards that mitigate effects that would be adverse to residential areas. With few exceptions, these industries occupy small sites, are serviced by light vehicles, emit little noise or other pollutants, and benefit from being close to town.
 - .2 Service Industrial Policy Areas are located in Thames, Coromandel, Matarangi, Whitianga, Tairua and Whangamata
- .2 **Purpose**
 - .1 To identify industrial sites within which environmental standards are sufficiently stringent that nearby residential areas are not adversely affected by the effects of the industries.

335.5 - Heritage Policy Area

- .1 **Description**
 - .1 In Thames (Grahamstown), the Heritage Policy Area includes a number of buildings on the Heritage Register and others which have heritage value. The industrial heritage of Thames is an important part of the history of the town and makes a strong statement about its past and present.
- .2 **Purpose**
 - .1 To ensure that the heritage character of these industrial areas is protected, as the character of these sites is integral with the character of the wider area. Changes to the character of the industrial area could adversely affect the wider heritage character of Thames. The Heritage Policy Area requires assessment of changes to buildings to ensure the special industrial character is retained and enhanced.

335.6 - Industrial A Zone

Refer to Section 6.3

336 - Town Centre Zone

336.1 - Description

- .1 Each of the District towns has an established town centre, with all but Matarangi and Pauanui existing at their present locations for over a century. These centres are fully serviced with a network of service lanes that provide service access to properties in the central part of the zone.
- .2 They function as the commercial, service, and social centres of their communities, and their significance extends, especially in Thames and Coromandel, to playing a significant role in defining the character of the town.

336.2 - Purpose

- .1 The purpose of the Town Centre Zone is to ensure that each of the District towns has a vibrant town centre with a wide range of commercial, light industrial and residential activities to become established and operate with minimum intervention.
- .2 The provisions structure activities in the town centre, maximise the amenity values for pedestrians in the central parts of the zone, and provide for drive-in activities in the outer parts.

336.3 - Explanation of Policy Areas within the Town Centre Zone

- .1 One policy area unique to the zone has been identified: Pedestrian Frontage Policy Area.
In Thames and Coromandel, there are special heritage features and to recognise these features, a Heritage Policy Area has been applied within the town centre.
- .2 See also Marine Activities Policy Area.

336.4 - Pedestrian Frontage Policy Area

- .1 **Description**
.1 In the central part of the Town Centre Zone, pedestrian traffic is much higher than it is further from the centre. This will be reinforced in the plan through the Pedestrian Frontage Policy Areas.
- .2 **Purpose**
.1 The Pedestrian Frontage Policy Area identification does two things: it requires provision for a verandah, and prevents businesses from operating in a way that involves vehicles driving across the footpath, for the protection of pedestrians.

336.5 - Heritage Policy Area

- .1 **Description**
.1 In Thames and Coromandel, large parts of the town centres are old, established, and have retained special character and amenity values. Assessment of the design of new buildings is important in these areas in order to ensure that they enhance their special character.
- .2 **Purpose**
.1 To ensure that the heritage character of these central towns are protected, as the character of these sites are integral with the character of the wider area. Changes to the character could adversely affect the wider heritage character of Thames and Coromandel. The Heritage Policy Area requires assessment of changes to buildings to ensure the special heritage character of the area is retained and enhanced.

336.6 - Specific Locality Zones (Refer to Section 6)

- Waterfront Zone
- Pedestrian Core Zone
- General Activities Zone
- Gateway Zone

337 - General Policy Areas

337.1 - Marine Activities Policy Area

- .1 **Description**
 - .1 The Marine Activities Zone was introduced into the District Scheme in 1986 as a way of providing for activities that were directly associated with specifically marine related activities that need to be located on the waters edge. Marine Activities Zones were located at:
 - Thames, adjacent to the wharf;
 - Coromandel, in two locations: adjacent to the processing industries on Wharf Road, and adjacent to the Service Industrial Zone and boat haulout area on Wharf Road;
 - Tairua, at the base of Paku;
 - Whangamata, on Beach Road adjacent to the causeway and abutting the location selected as the preferred location for a marina.
 - .2 Because of their different settings, each of these policy areas serve a different purpose.
 - .3 The policy area seeks to ensure that where they are needed, areas are set aside where marine activities can be established as of right, and these activities would not be displaced by other light industries, nor detract from the amenities or natural values of the areas in which they are situated.
 - .4 Locations that are suitable for industrial, commercial, and service activities and adjacent to the water, and have appropriate water and land infrastructure available, are few and far between, and should be safeguarded for marine activities only.
- .2 **Purpose**
 - .1 To provide the opportunity for a wide range of land-based, water-related activities to be established in selected locations adjacent to the coast.
 - .2 The policy area ensures that:
 - Industries, and commercial activities which do not have close links to water-related activities do not take the limited space in these coastal-edge locations;
 - Bulk and location standards for buildings, and other activity standards (such as noise) reflect the locality in which the Policy Area is situated. The types of activities located nearby are an important factor in setting these standards, especially near housing areas.
 - .3 The policy area is found within towns.
 - .4 Each Marine Activities Policy Area has a different character. This will affect how controlled and discretionary activity applications are dealt with.
 - .5 **At:**

Thames, the site is adjacent to the wharf, the character is industrial, with nearby Service Industrial Policy Area, State Highway, and former railway station. In this particular Marine Activities Policy Area, it is likely that boat repair and fish processing will continue to be the principal activities, although other marine recreation and commercial activities could be established.

Coromandel there are two different locations. In one the character is industrial, with the Marine Activities Policy Area abutting the Town Centre Zone. The policy area services the boat haulout area, boat repair is expected to be the principal activity. However, if the proposed ferry terminal and marina is built, the Policy Area could enable other commercial and service activities to be established. At the other site, the Marine Activities policy area provides land for servicing the marine farming and fishing industry.

Tairua, residential areas overlook the site, and are likely to be affected by noise generated on it. Activities in the policy area are likely to be varied, with boat building and repair, marine commercial activities such as hire of diving gear, clubrooms, and car parking all possible. The location of this area in close proximity to residential areas means there is a presumption against the granting of consent to industries that would have an adverse effect on the amenity values of the adjacent residential areas through excessive noise, unattractive buildings, heavy vehicles servicing the site, smell, hours of operation (night work, early start or late finish, and the like), or which would be adverse to the construction or maintenance of a marina in the adjacent water area.

Whangamata, the Beach Road area is residential in character and is likely to be adversely affected by some industrial activities. As the land is owned by Council there is good local control over activities that could be established there. If the area is sold or management transferred from Council, there would be a presumption against the granting of consent to industries that would have an adverse effect on the amenity values of the adjacent residential areas through excessive noise, unattractive buildings, heavy vehicles servicing the site, smell, hours of operation (night work, early start or late finish, and the like), or which would be adverse to the construction or maintenance of a marina in the adjacent water area.

Kopu Quay is able to be used for marine industrial purposes. Kopu Quay is recognised as a suitable area for barging and therefore is an area which is suitable to be zoned Industrial Zone Marine Activities Policy Area. Kopu Quay has historically been used for marine based activities.

Matarangi, a small area adjacent to a local purpose reserve, boat ramp and jetty is identified in the Housing Zone to provide for related marine activities.

337.2 - Future Development Policy Area

- .1 **Description**
 - .1 The Future Development Policy Area is a Policy Area used over the areas Council has identified for the growth of settlements. There are Future Development Policy Areas at:
 - Whitianga;
 - Pauanui;
 - Thames;
 - Te Puru;
 - Coromandel;
 - Tairua;
 - Whangamata.
 - .2 The policy area works in the following way:
 - Land is included in a Future Development Policy Area because there is community agreement that the area is where town expansions should take place;
 - The land stays as Future Development Policy Area until it is required to meet the need for expansion of the town.;
 - While the land is zoned Future Development Policy Area the activities permitted on it are rural or coastal depending which zone the policy area is in. So that capital investment, extensive earthworks, or other modifications that could prejudice the future use of the land for town expansion do not occur there is no provision for subdivision in the policy area;
 - Council or the landowner initiates a District Plan change to change the policy area from, Future Development to Housing zone and other appropriate zonings such as Industrial, needed to complement that zone;
 - The assessment of the District Plan change will take factors such as servicing, public works and utilities into account, and the general parameters of the development (including roading), where they have not already been identified, will be finalised. This will involve the formulation of a structure plan based on landscape analyses, and investigation of areas to be developed to determine whether there are archaeological sites within them, to identify the means of minimising the impacts on them and identifying affected parties when sites are found;
 - With the land now appropriately zoned, subdivision applications may be made and approved. Development may commence;
- .2 **Pauanui**
 - .1 At Pauanui, the land in the Future Development Policy Area is located on the edge of the present settlement:
 - (i) **Pauanui Mountain Estate**

This land lies in an area which in part is substantially hidden from the main settlement of Pauanui and the coast by ridgelines and in part comprises the upper slopes of pine clad hills which form a backdrop to the inner Tairua Harbour. Access to the former area is by a narrow valley off Hikui Settlement Road. There are varying densities proposed for the area, and these are shown on the planning maps as Rural zone: Future Development policy area, Rural zone: Open Space policy area, and Housing zone: Low Density policy area. The Future Development policy area is to provide for any minor adjustment of the existing zone boundaries and to identify areas for protection, enhancement, open space or reserve. Much of the land comprises steep slopes in regenerating indigenous vegetation which is unsuitable for housing. Any plan change to rezone land for housing or subdivision should also take into account the desirability of retaining the backdrop of bush covered hills as a significant visual feature in the area.
 - Tangitarori Lane - it is recognised that development in this area will be initiated in stages, however, the existing land use (horticulture) is incompatible with housing development. A potential conflict between the two types of land use could arise. The conflict will need to be addressed at the Plan Change stage.
 - .2 As the detailed studies of this area progress, it is expected that the landowner will initiate plan changes to bring the area progressively into development.
- .3 **Te Puru**
 - .1 At Te Puru, the land is Maori land on the northern edge of Te Puru Coastal Village Policy Area. Access to the area is through existing development from the State Highway.
 - .2 The land is subject to a structure plan to ensure that development density is no greater than that permitted in the Coastal Village Policy Area.
- .4 **Whangamata**
 - .1 At Whangamata there are two areas of land which would make logical extensions to the town north of Moana Point:
 - (i) Waikiekie Road - State Highway

This area provides a rural setting where low-density housing may be accommodated when appropriate environmental standards are introduced for such a development by Plan Change in the future.
 - (ii) State Highway South of Allan Drive

This area provides a logical extension to the town linking the serviced area of Moana Point with the unserviced area around the hotel along the harbour margins.
- .5 **Tairua**
 - .1 At Tairua on the southern slopes of the land overlooking the Tairua Country Club Golf Course there is land which may provide low density housing sites.
 - .2 Access to this land would depend on adjacent land zoned Housing Zone being developed and serviced first.
- .6 **Coromandel**
 - .1 At Coromandel a pocket of land lies on each side of the Karaka Stream along the alignment of the proposed Coromandel bypass route. When the bypass route is extended from either Whangapoua Road to the south or Victoria Street to the north one or other of those pockets of land will be accessible for town development.
- .7 **Thames**
 - .1 At Thames, Totara Valley has long been recognised as a location where future housing development can be provided for efficiently and effectively.
 - .2 To the east of land zoned Housing an area has been identified as Future Development Policy Area to cater for further expansion if required.
 - .3 The Totara Valley Discussion Paper (July 1993) and Totara Valley Infrastructure Services Investigation (March 1995) provide a development concept for the Totara Valley.
 - .4 Fragmentation of land will limit the area potentially available for close settlement housing, adversely effect co-ordinated residential subdivision and sustainable servicing.
 - .5 The detail set out in the Totara Valley Reports cover key features, environmental outcomes and servicing requirements for both the Housing Zone and Future Development Policy Area.

337.3 - Maori Policy Area

- .1 **Description**
- .1 Maori Interest Zones were introduced into the District Scheme in 1986 as a way of providing for activities directly related to expression of Maori values at locations where Marae were already established or proposed to be developed. These zones were located at:
- Kirikiri;
 - Manaia;
 - Kennedy Bay;
 - Wharekaho.
- .2 In this plan the approach has been extended and Maori Policy Areas have been applied to Maori land in new locations throughout the District.
- .3 This policy area may be applied to any zone: Coastal, Rural, Conservation, Housing, Town Centre or Industrial.
- .4 The Maori Policy Areas have been identified in the Plan following a consultation programme with tangata whenua.
- .5 Additional areas may be introduced by way of District Plan Changes.
- .6 The criteria which must be met for land to be included in the Maori Policy Area are:
- The land is ancestral land;
 - The owners have requested the policy area to be put in place;
 - Where the land is Maori land or capable of becoming Maori land under the Te Ture Whenua Maori Act 1993.
- Note** If doubt exists about whether land is Maori land or capable of becoming Maori land, Council would require determination by the Maori Land Court.
- .7 The Policy Area works in this way:
- The land is included in a Maori Policy Area because there is agreement between the Council and Maori owners that:
 - The land should be specifically identified;
 - The plan can provide for culturally defined principles of sustainable management of resources;
 - The plan can provide for culturally appropriate ways for the owners to achieve sustainable management of the lands resources.
 - When the land is zoned as Maori Policy Area the activities permitted on it are the same as those permitted in the zone in which the policy area is located; and in addition a range of other activities are provided for (see Rules below);
 - The landowners may carry out any activities provided for in a "management plan" (see definition Section 9) in any zone in accordance with the provisions of the management plan;
 - Where the owners develop a management plan to enable their interests as tangata whenua to be expressed, the Plan is presented to Council as a discretionary activity application. Council will process and assess the application under the discretionary activity assessment criteria (851), taking into account the status of the land as "Maori Policy Area" and the purpose of the zone;
 - Where land which meets the criteria but is not within the Maori Policy Area and the owners want it to be, then the owners would apply to Council under the First Schedule to the Act for a Plan Change. Council will process and assess the Plan Change application in accordance with the First Schedule to the Act.
- .8 Following an approval of the Plan Change request, the Planning Maps are altered to show the new policy area.
- .9 The owners may choose to include a management plan along with their application to add a new Maori Policy Area. In this case the two are assessed together and one decision made by Council.
- .2 A number of management plans have been approved by Council. These continue to have the status of approved management plans under this District Plan.
- The Approved Management Plans are contained in Volume 2 Appendix II and are held at the office of the Council in Thames. They are available for inspection without fee, at the Thames Office of the Council at any time when the office is open to the public.

337.4 - Airfield Policy Area

- | | |
|---|--|
| 1 | <p>Description</p> <p>.1 There are five principal airfields in the District, plus many small private landing strips and helicopter landing pads.</p> <p>.2 The main airfields are:
Location:</p> <ul style="list-style-type: none"> • Thames (Public) • Coromandel (Private) • Matarangi (Private) • Whitianga (Private) • Pauanui (Public) <p>.3 The two publicly owned airfields have been designated by Council as "Airfield" and are managed by airfield committees of the local Community Boards. The Planning Maps show the areas designated for "Airfield" within Airfield Policy Areas at Thames and Pauanui. Appendix I contains a schedule of all Council designations and includes an outline plan with detail for Thames Airfield.</p> <p>.4 The two privately owned airfields at Coromandel and Whitianga are included within Airfield Policy Areas.</p> <p>.5 Airfield Policy Areas may be included in any zone.</p> <p>.6 The Matarangi Airfield is provided for in the Matarangi Structure Plan (see 342.3)</p> <p>.2 Purpose
To encourage alternative transport systems to reduce the effects of roading on the environment and to enable the development and safe operation of strategically located airfields within the District.</p> |
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338 - Identified Commercial Sites

338.1 - Description

Commercial sites are applied to specific sites within residential areas where it is convenient to have shops or groups of shops. Because these sites are located in residential areas, activities which are located in them must meet standards designed to ensure that the activities are compatible with the surrounding residential areas.

338.2 - Purpose:

To ensure sites are identified early, and are available and able to accommodate local commercial activities without the need for resource consent.

338.3 - Sites Identified

Sites are identified on Planning Maps by a distinctive notation described on the legend for the maps.

339 - Use of Value

339.1 - Description

The notation "Use of Value" identifies the area of land within which one of the following activities exist: Thames Hospital; camping grounds; community halls.

- **Thames Hospital** is a unique facility within the District. The wider community benefits from the services it provides. The notation provides an amended activity status for the hospital. The plan provides for new hospitals and health care facilities as a discretionary activity in many parts of the District, but with the use of the structure plan technique, the Thames Hospital has standards for activities to be permitted activities. Where standards are not met the activity or building would normally be a discretionary activity but by use of the "Use of Value" notation, activities and buildings which do not meet the standards are controlled activities;

The value of Thames Hospital to the community includes hospital medical, surgical, maternity, emergency and treatment services; including:

- Hospital administration, maintenance and support services;
- Hospital grounds and car parks;
- Residential accommodation associated with hospital;
- Community and mental health services;
- Retail/commercial activities ancillary to hospital;
- Education/recreational activities ancillary to hospital;
- Emergency air ambulance services.
- **Camping Grounds** provide the opportunity for many people to stay in the District without the higher costs of more permanent accommodation. Because of their low density of buildings, they also provide important open space within communities. For these reasons, authorised camping grounds that existed in 1998 have been given a "Use of Value" notation, and via this notation gain controlled activity status rather than the general provision of discretionary activity;
- **Community Halls** provide important meeting places for the community. Existing public halls are managed by committees, the membership of which is representative of the community. Their important community functions are recognised in the controlled activity status they are given with the "Use of Value" notation rather than the discretionary activity status given to new halls (public and private).

Note Refer to Section 5.2 Rules Applicable to Community Health and Recreation Activities related to information above.

339.2 - Purpose

To recognise the benefit to the wider community of the facilities, by giving the activity a less onerous activity status than applies to new facilities.

339.3 - Sites Identified

Sites are identified on Planning Maps by a distinctive notation described on the legend for the maps.

339.4 - Otama Camping Ground, Black Jack Road, Otama

For the Otama Camping Ground/Farm Park at 400 Black Jack Road, Otama, the conventional camping activities have been provided for on the pastoral grazed land where camping has customarily been undertaken. Within this conventional camping ground area, the following restrictions and activity status apply to the camping ground activities only.

- .1 Permitted Activity
Areas A, B, C and D (refer to the following diagram "Use of Value - Otama Camping Ground" for location of areas) - camping ground and temporary living places (excluding permanent structures such as cabins, communal kitchens and utility blocks, including lavatories and showers etc).
The bush area generally to the south of the camping ground and identified as "Recreation Activities (excluding "Outdoor Recreation Activities") Accessory to Camping Ground" on the following diagram "Use of Value - Otama Camping Ground", can continue to be used by campers for recreation activities including cross country orienteering, horse trekking, mountain biking and bush walks along the defined tracks, and camping activities otherwise provided for as a controlled activity in the area marked "Camping Ground - A, B, C and D" shall be a Discretionary Activity in this area.

- .2 Controlled Activity
Area A - maximum of 4 camping ground cabins
Area B - maximum of 6 camping ground cabins
Area C - permanent structures such as communal kitchens and utility blocks, including lavatories and showers etc.
Area D - temporary living places not provided for as a permitted activity, including permanent structures such as communal kitchens and utility blocks, including lavatories and showers etc.

Note Refer to the following diagram "Use of Value - Otama Camping Ground" for location of areas

- .3 Discretionary Activity
Area A - more than 4 camping ground cabins
Area A - if the locations of Cabins A1 - A4 are not generally consistent with those locations approved under RMA2010/21
Area B - more than 6 camping ground cabins
Area B - if the locations of Cabins B1 - B6 are not generally consistent with those locations approved under RMA2010/21
Area C - more than 15 camping ground cabins
Areas A and B - permanent structures such as communal kitchens and utility blocks, including lavatories and showers etc.

Note Refer to the following diagram "Use of Value - Otama Camping Ground" for location of areas

- .4 Controlled Activity Matters
Council may exercise control over the following specific matters in addition to the matters set out under Rule 524:
 - i) Design of the Buildings (Rule 524.1(d))
Whether any cabin is complementary in design and materials to the existing cabins, as set out in the resource consent applications and decisions for this site.
 - ii) Layout (Rule 524.1(h)(i) and (ii))
Whether the locations of cabins proposed in Area C are in positions that:
 - retain the open character of the area;
 - do not visually dominate ridgelines and/or slope faces; and
 - provide for the establishment of significant areas of landscaping around and between the cabins.

- Note** Refer to the following diagram "Use of Value - Otama Camping Ground" for location of areas
Unless special circumstances exist a resource consent application for a Controlled Activity shall not be notified, and the written approval of affected persons need not be obtained.
- .5 Discretionary Activity Assessment Criteria
Each discretionary activity shall be assessed according to:
- i) The controlled activity matters in 339.4.4 above;
 - ii) Scale of Activity
Whether the number and location of cabins proposed in either of Areas A, B and/or C can be accommodated while:
 - still retaining the open character of the area;
 - not visually dominating ridgelines and/or slope face; and
 - providing for significant areas of landscaping to be established around and between existing cabins.
- Note** Refer to the following diagram "Use of Value - Otama Camping Ground" for location of areas
- iii) The relevant assessment criteria for discretionary activities in Section 8 (850 and 860); and
 - iv) The information requirements and the notification protocols set out in Section 8 (820 and 840).



340 - Rules for Structure Plans

- .1 Structure plans are adopted as a technique to ensure special or particular environmental features and issues are addressed when subdivision and development is proposed for a particular area or locality.
- .2 Where structure plans are included in the Plan they shall have the status of a rule.
- .3 Resource consents for land uses and subdivision shall therefore comply with the provisions of a structure plan for the zone, policy area or particular part of a zone or policy area to which the structure plan applies.
- .4 Structure plans may be incorporated into the Plan by means of a Plan Change.
- .5 There are locations (particularly in the Future Development Policy Area) where structure plans are already part of the Plan. Some areas that have been recently zoned for development may also have structure plans in place in this Plan.
- .6 The structure plan may be included on the Planning Maps. Alternatively a reference to a structure plan may be notated on the Planning Map and the structure plan contained elsewhere in the Plan.
- .7 Compliance with structure plans will be a prime prerequisite for evaluating proposed Plan Changes or resource consents.
- .8 Where there is no structure plan the general rules for the zone or policy area apply. Where there is a conflict or inconsistency between zones, general rules or criteria and a structure plan, the structure plan requirements shall prevail.

341 - Moehau Area

341.1 - Little Bay Waikawau - Kennedy Bay Road Pt Lot 3 DPS.57753

.1 PURPOSE

To provide for the development and use of the subject land for low density residential purposes whilst ensuring that in conjunction with such development, the natural character of the coastal environment and its associated landscape, amenity and ecological values are protected and enhanced.

To achieve this purpose:

- (i) Control development intensity (by limiting the location and number of house sites permitted);
- (ii) Define development form and layout (by identifying the approximate location of house sites and general alignment of vehicle access);
- (iii) Require rehabilitation and protection of existing indigenous vegetation and the establishment of additional enrichment plantings which will also be subject to protection;
- (iv) Require rehabilitation of the area of pine trees following their felling. This shall involve enrichment planting in indigenous vegetation species;
- (v) Require the implementation of ongoing plant and animal pest control programmes.

.2 ACTIVITY STATUS AND RULES FOR SUBDIVISION

.1 Subdivision of Lot 3 DPS 57753 in accordance with the Structure Plan shall be a Controlled Activity provided that it meets the following standards and terms:

- (i) The subdivision provisions of Sections 702 (Development Suitability) and 703 (Servicing).
- (ii) Not more than 9 residential lots each containing no more than one Defined Building Area within Pt Lot 3 DPS 57753 shall be created.
- (iii) All residential lots shall contain one only Defined Building Area situated in the same general location as those shown on the attached Structure Plan diagram. The Defined Building Areas shall be defined on the survey plan of subdivision or on the management plan required under (v) below, and shall be the subject of a consent notice registered on the title of the residential lot to which it relates.
- (iv) The alignment of vehicle accesses to each approved Defined Building Area shall be generally in accordance with those shown on the attached Structure Plan diagram. The geometric standards of these vehicle accessways (including associated earthworks) shall comply with rules 754.1 and 754.2 irrespective of the number of lots served by any one private way.
- (v) All indigenous vegetation within the Structure Plan area shall be identified on the subdivision plan.
- (vi) In conjunction with an application for subdivision consent, a management plan which covers the matters set out below shall be provided. This management plan shall be prepared by a person who is suitably qualified and experienced in landscape and coastal ecology, and is independent of the landowner. The management plan shall specify the number and species of plantings to be established and identify the areas of enrichment planting, as well as stating the means by which their ongoing protection and maintenance will be ensured, and may incorporate "view corridors" where lower growing species are specified.
The management plan shall include provisions which will:
 - (a) Ensure the protection of all remaining coastal climax trees identified in the management plan.
 - (b) Require advice to be taken from a qualified arborist where any activity may threaten these species.
 - (c) Assist the natural regeneration of all the primary species such as Kanuka, Manuka, Karamu, Karo, Mahoe and Kawakawa.
 - (d) Covenant all areas of indigenous vegetation (both existing, regenerating, and recently planted) and allow such selective removal only of primary species located within the residential lots as is necessary to accommodate house sites and associated limited domestic garden areas, vehicle access, or fire protection.
 - (e) Define the "rehabilitation area" shown on the attached Structure Plan diagram provide for enrichment planting of indigenous vegetation within this area. These areas and areas of indigenous vegetation existing at the time of scheme plan application shall be defined on the survey plan or management plan for the purpose of the covenants required to be registered to ensure the long-term success of the revegetation process.
 - (f) Ban the grazing of stock on any lot.
 - (g) Achieve control of weed and plant species.
 - (h) Ban the keeping of cats, and provide for the control of dogs, such a ban being recorded on a consent notice attaching to the title to the lot.
 - (i) Provide for one house only (and its accessory buildings) on each Defined Building Area, and include this provision in a consent notice attaching to each lot.

.2 In assessing a Controlled Activity application to subdivide land under this Structure Plan, Council shall exercise control over the following matters in addition to the matters set out in sections 701-709 over which it may also exercise control:

- (i) The management plan provisions, to ensure that they achieve the purpose of this Structure Plan and the standards and terms set out in .1(i)-(vi) above.
- (ii) The extent to which existing indigenous vegetation may be removed to enable the erection of buildings within the Defined Building Areas and for the reasonable provisions of vehicle access to such sites.
- (iii) Any measures in addition to those stated in .1(vi) above relating to the ongoing protection and maintenance of existing vegetation and proposed additional enrichment plantings including fencing, weed control, covenants and bonds.
- (iv) The geometric standard of construction of private ways.
- (v) Financial contributions in accordance with section 480.
- (vi) The location of accessory buildings outside Defined Building Area.

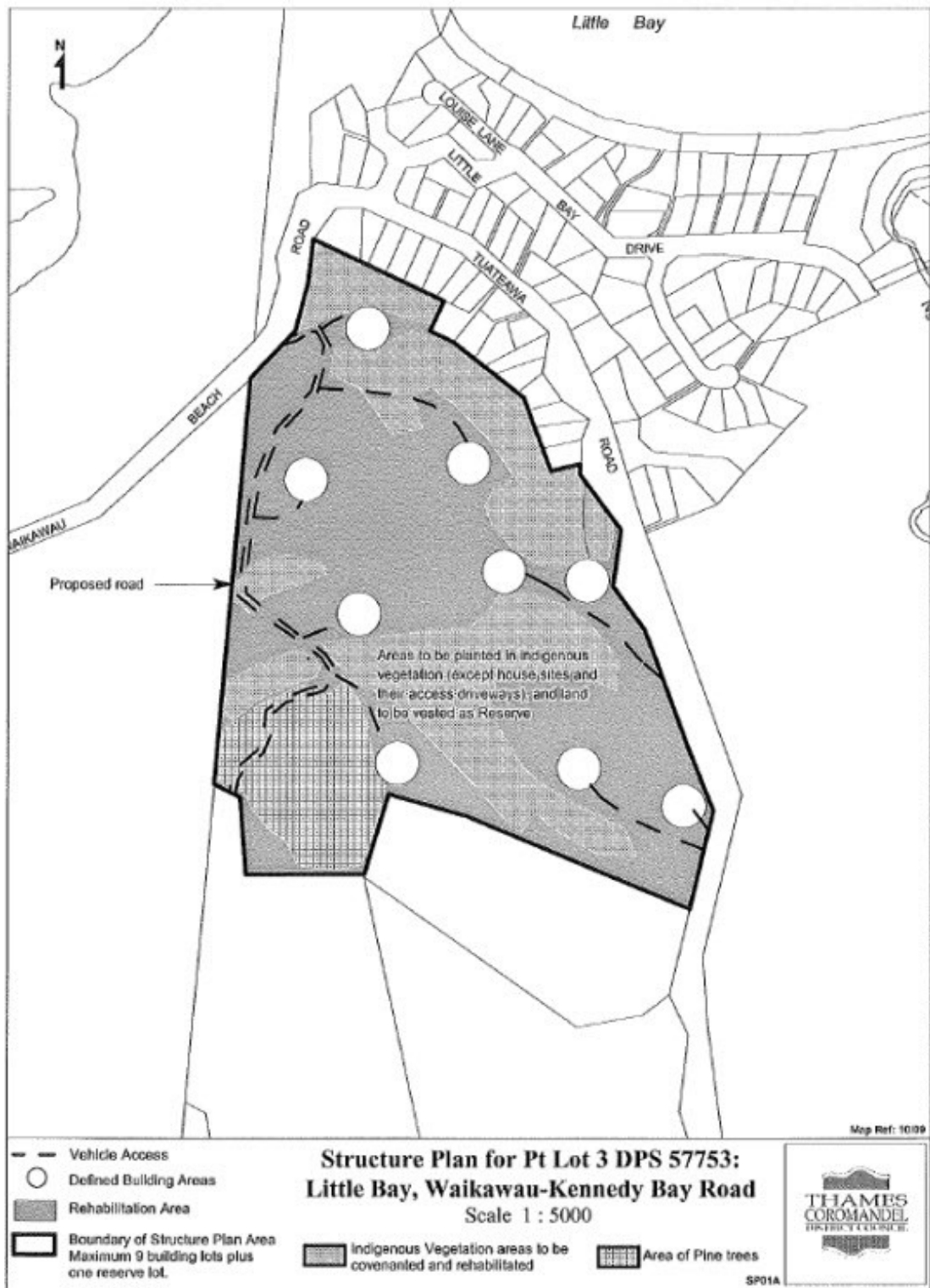
.3 In the case of any subdivision of Pt Lot 3 DPS 57753 not in accordance with this Structure Plan, Rules 751-754 inclusive (Coastal zone: outside all policy areas) shall apply. Any other subdivision of Pt Lot 3 DPS 57753 shall be a Non-Complying Activity.

.4 The subdivision and development of Pt Lot 3 DPS 57753 may be undertaken in two or more separate and distinct stages.

.3 LAND USE ACTIVITIES

.1 The rules for the Coastal zone: Coastal Residential policy area shall apply provided that in the event of a conflict between these rules and this Structure Plan the rules of the Structure Plan shall prevail.

341.1 Structure Plan Diagram



341.2 - Little Bay Drive Little Bay Ngaure and Mangiao

.1 PURPOSE

To provide for the use and subdivision of the subject land for low density residential purposes, while ensuring that (in conjunction with such development), the natural character of the coastal environment and its associated landscape, amenity and ecological values in general and the eastern headland to Little Bay in particular, are protected and enhanced. To achieve that purpose, the Structure Plan:

- .1 Limits development intensity (by limiting the number of houses provided for);
- .2 Defines development form and layout by identifying:
 - the part of the land that may be developed,
 - the part of the land that requires a setback of development for enhancing and managing conservation values
- .3 Requires protection of the least modified existing indigenous vegetation from damage or destruction, while providing for compatible uses of this area;
- .4 Provides for the implementation of on-going plant and animal pest control programmes.

.2 ACTIVITY STATUS AND RULES FOR SUBDIVISION

- .1 Subdivision of "Areas A and B" on this Structure Plan shall be a Controlled Activity provided that it meets the following standards and terms:
 - (i) Subdivision of "Areas A and B" on this Structure Plan shall be a Controlled Activity provided that it meets the following standards and terms:
 - (ii) Not more than six residential lots shall be created within Housing Development "Area A" in Diagram A.
 - (iii) The boundaries of Housing Development "Area A" shall be the same as the boundaries around Lots 2-7 on the partition survey of ML 2544, or as modified to meet the requirements of any reserve under the Te Ture Whenua Act 1993, or an esplanade reserve.
 - (iv) Not more than four residential lots shall be created within Housing Development "Area B".
 - (v) The construction standards of vehicle accessways (including associated earthworks and the bridging of the Ngamoko Stream) shall comply with rules 754.1 and 754.2 notwithstanding that more than four lots or four houses may be served by one private way.
 - (vi) All indigenous vegetation on the land covered by the Structure Plan shall be identified on the subdivision plan.
 - (vii) Boundary adjustments that comply with rule 706 and boundary relocations that comply with rule 753 may be carried out within the Structure Plan area pursuant to those rules.
- .2 In assessing a Controlled Activity application to subdivide land within Housing Development "Areas A or B", Council shall, in addition to the matters set out in Sections 701-709, exercise control over the following matters:
 - (i) The legal mechanism used to ensure the protection in perpetuity of the Coastal Forest Area. The mechanism used shall ensure that the purposes of this Structure Plan will be achieved.
 - (ii) The minimum setback distance of buildings from the shoreline. This shall be sufficient to ensure that land is not subject to flooding, inundation or erosion, and buildings are not located within any floodway.
 - (iii) The extent to which existing native vegetation may be removed to enable the erection of buildings within the areas identified as Housing Development "Area A or B" and for the reasonable provision of vehicle access to house sites.
 - (iv) Any measures in addition to the legal mechanism referred to in .2.2(i) above that are necessary to ensure the on-going protection and maintenance of existing indigenous vegetation and any additional enrichment plantings required as a condition of consent.
 - (v) The standard of construction of private ways within the Structure Plan area.
 - (vi) Financial contributions in accordance with section 480.
 - (vii) The location of houses and accessory buildings.

For the avoidance of doubt:
The floodway of the Ngamoko Stream is that area which is the main channel for floodwaters in the 1% AEP flood event and shall be determined prior to an application for land use or subdivision consent.
- .3 Subdivision of land within Housing Development "Area C" and the "Coastal Area" is a discretionary activity provided that:
 - (i) maximum number of lots is two
 - (ii) maximum number of houses is two
 - (iii) houses are located in "Area C"
 - (iv) no more than four houses in "Areas B and C"

In assessing a Discretionary Activity application to subdivide land within Housing Development "Area C", Council shall, in addition to the matters set out in Sections 701-709, exercise control over the following matters:

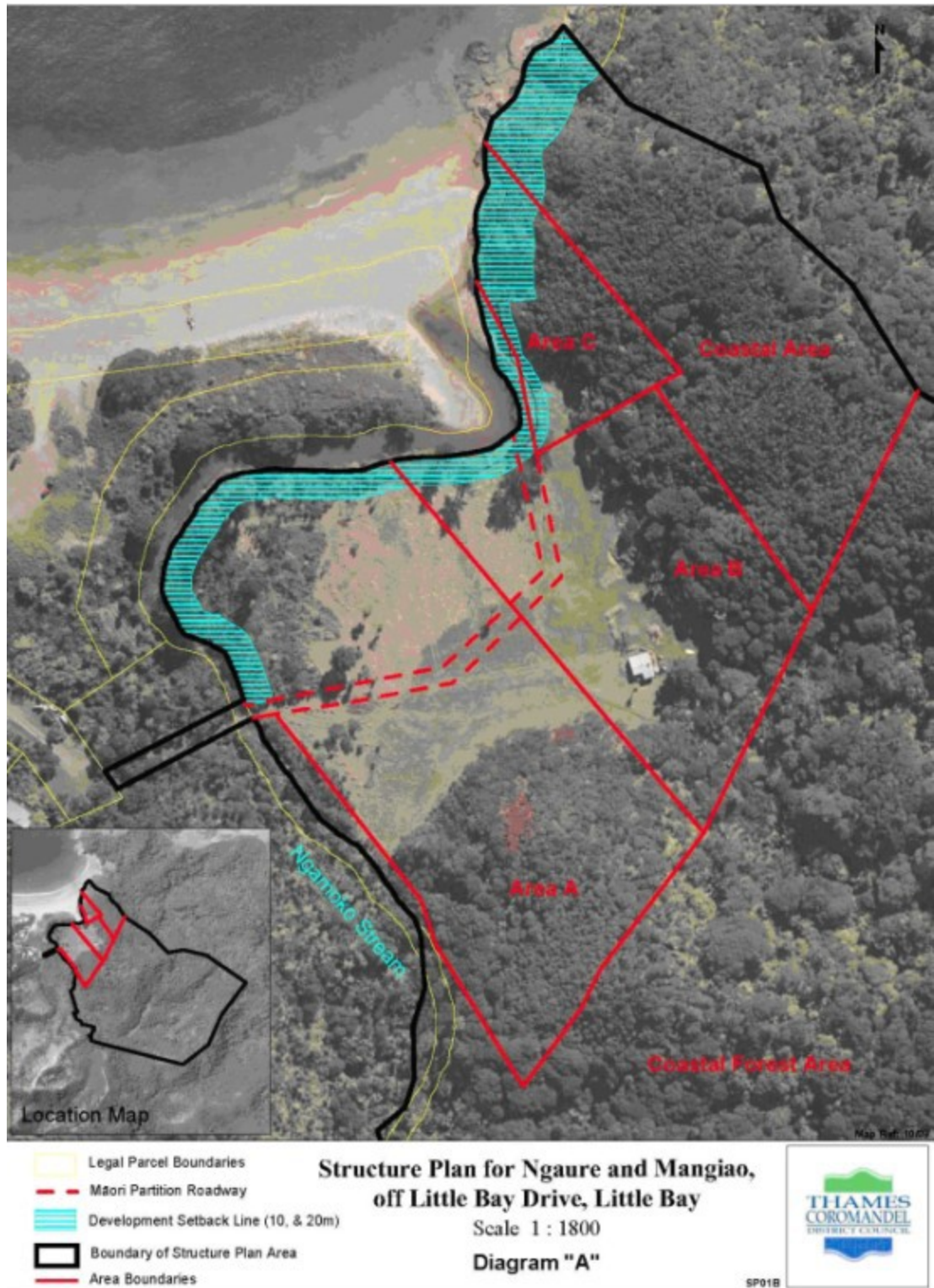
 - (v) Visual effects of development on the site on landscape, natural character and amenity values.
- .4 Any subdivision not in compliance with this Structure Plan shall be a Non-Complying Activity.

.3

LAND USE ACTIVITIES

- .1 The rules for the Coastal zone: Coastal Residential Policy Area shall apply to all activities within Housing Development "Areas A and B", and the rules for the Coastal zone - outside all policy areas shall apply to all activities within the "Coastal Forest Area", as defined on Diagram A, provided that in the event of a conflict between those rules and this Structure Plan the rules of the Structure Plan shall prevail.
- .2 Not more than six houses and their accessory buildings shall be constructed within Housing Development "Area A".
- .3 Not more than four houses and their accessory buildings shall be constructed within Housing Development "Area B".
- .4 A development setback shall apply. No buildings or structures may be erected within the area shown as "Development Setback Line" on Diagram A.
- .5 The selective removal of primary species such as Kanuka, Manuka, Karamu, Karo, Mahoe and Kawakawa located within the Housing Development "Areas A and B" shall be a Permitted Activity only where it is necessary to accommodate house sites and associated limited domestic garden areas, vehicle access, or fire protection. Any other removal shall be a Discretionary Activity.
- .6 The area identified in Diagram A as "Coastal Forest Area" shall be managed in the following way:
 - (a) The felling of any of the remaining coastal climax trees (including Pohutukawa, Karaka, Kowhai, Kohekohe, Nikau, Totara and Puriri) shall be a Discretionary Activity.
 - (b) Where an application to fell any of the trees identified in 3.6(a) above has been made, Council shall ensure that advice has been taken from a suitably qualified and experienced arborist to confirm whether it is desirable or unnecessary to fell any such tree.
 - (c) Activities that assist the natural regeneration of any of the primary species such as Kanuka, Manuka, Karamu, Karo, Mahoe and Kawakawa shall be a permitted activity.
 - (d) The grazing of any stock shall be a Non-Complying Activity.
 - (e) The keeping of any cats within the Housing Development "Areas A, B and C" or the Coastal Forest Area shall be a Non-Complying Activity.
 - (f) Any activities carried out for the sole purpose of eradicating or controlling the spread of weed and plant pest species including feral animal pests shall be a Permitted Activity.
 - (g) The use of the area for the treatment of wastewater or the disposal of treated effluent from the housing within the Housing Development "Areas A and B" shall be a Permitted Activity, provided these activities do not conflict with any other Structure Plan or District Plan rules, and all other necessary consents have been obtained. Where any such conflict exists, then the activity shall be a Non-Complying Activity.
 - (h) The use of the area for walking tracks shall be a Permitted Activity provided this activity does not conflict with any other Structure Plan or District Plan rules. Where any such conflict exists, then the activity shall be a Non-Complying Activity."
- .7 Housing development up to a maximum of two houses, within "Area C" shall be a discretionary activity. Council shall restrict its discretion to the design criteria 853.2.1.4 (Little Bay), and effects of the development on landscape, natural character and amenity values.
- .8 Any houses or their accessory buildings other than those specified in 3.1, 3.2, 3.3, and 3.4 above shall be a Non-Complying Activity.

341.2 - Structure Plan Diagram



342 - Whangapoua Area

342.1 - Waihirere Drive, Tuatēawa - Lot 2 DPS 62554, Lots 1 & 2 DPS 69889, And Lot 1 DPS 81770

.1 PURPOSE

To provide for the development and use of the subject land for low density residential purposes whilst ensuring that in conjunction with such development, the natural character of the coastal environment and its associated landscape, amenity and ecological values are protected and enhanced.

To achieve this purpose:

- .1 Control development intensity (by limiting the number of house sites permitted);
- .2 Define development form and layout (by identifying location of house sites and general alignment of vehicle access);
- .3 Require rehabilitation and protection of existing indigenous vegetation and the establishment of additional enrichment plantings which will also be subject to protection;
- .4 Require the implementation of on-going plant and animal pest control programmes.

.2 ACTIVITY STATUS AND RULES FOR SUBDIVISION

- .1 Subdivision in accordance with the Structure Plan shall be a Controlled Activity provided that it meets the following standards and terms:
 - (i) The subdivision provisions of sections 702 (development suitability) and 703 (servicing).
 - (ii) The maximum number of residential lots, each containing no more than one Defined Building Area shall be as follows:
 - (a) Lot 2 DPS 62554 11
 - (b) Lot 1 DPS 69889 1
 - (c) Lot 2 DPS 69889 2
 - (d) Lot 1 DPS 81770 10
 - (iii) Each residential lot shall contain one only Defined Building Area, situated in the same general location as those shown on the attached Diagram: Tuatēawa Structure Plan Development Proposal ("the Diagram"). The Defined Building Areas shall be defined on the survey plan of subdivision and shall be the subject of a consent notice registered on the title of the residential lot to which it relates.
 - (iv) The alignment of vehicle access to each approved Defined Building Area shall be generally in accordance with those shown on the Diagram. The construction standards of these vehicle accessways (including associated earthworks) shall comply with Rules 754.1 and 754.2 notwithstanding that more than four lots may be served by one private way.
 - (v) All indigenous vegetation on the subject land shall be identified on the subdivision plan
 - (vi) In conjunction with an application for the subdivision of Lot 2 DPS 62554, Lot 2 DPS 69889, or Lot 1 DPS 81770, a management plan which covers the matters set out in .2.1(vii) below shall be provided. The management plan shall be prepared by a person who is suitably qualified and experienced in landscape and coastal ecology, and is independent of the landowner. The management plan shall specify the number and species of plantings to be established and identify the areas of enrichment planting, as well as stating the means by which their on-going protection and maintenance will be ensured, and may incorporate "view corridors" where lower growing species are specified.
 - (vii) The management plan required under (vi) above shall include provisions which will:
 - (a) Ensure the protection of all remaining coastal climax trees including Pohutakawa, Karaka, Kowhai, Kohekohe, Nikau, Totara and Puriri.
 - (b) Require advice to be taken from a qualified arborist where any activity may threaten the species referred to in (a) above.
 - (c) Assist the natural regeneration of all the primary species such as Kanuka, Manuka, Karamu, Karo, Mahoe and Kawakawa.
 - (d) Allow only such selective removal of primary species located within the newly created lots as is necessary to accommodate house sites and associated limited domestic garden areas, vehicle access, or fire protection.
 - (e) For Lot 1 DPS 81770, specify the number and species of plantings to be established in the areas of enrichment planting shown on the Diagram, as well as the means by which the on-going protection and maintenance of such areas will be ensured.
 - (f) Ban the grazing of stock on any lot.
 - (g) Ban the keeping of any cats on Lot 1 DPS 81770, and the keeping of both cats and dogs on Lot 2 DPS 62554, such a ban being recorded on a consent notice attaching to the title to the lot.
 - (h) Include measures for the eradication and on-going control of weed and plant pest species.
 - (i) Include measures for the on-going control of feral animal pests.
 - (j) Provide for one house only (and its accessory buildings) on each Defined Building Area, and include this provision in a consent notice attaching to each lot.

A management plan based on the Bernard Brown and Associates Ltd Landscape Assessment report dated February 2000 and which addresses all of the foregoing matters shall be deemed to comply with this part of the structure plan. [Note: a copy of the Bernard Brown report is held in Council's property records.]

- .2 In assessing a Controlled Activity application to subdivide land under the Structure Plan, Council shall exercise control over the following matters in addition to the matters set out in sections 701-709 over which it may also exercise control:
 - (i) The suitability of the qualifications, experience and independence of the person who has prepared the management plan required under rule .2.1 (vi) above.
 - (ii) The management plan provisions, to ensure that they achieve the purpose of the Structure Plan and the standards and terms set out in .2.1(i)-(vii) above.
 - (iii) The minimum setback distance of buildings from the landward side of the Esplanade Reserve. This shall be sufficient to ensure climax species (e.g. Pohutakawa) located on or adjacent to the Esplanade Reserve will not be adversely affected.
 - (iv) The extent to which existing indigenous vegetation may be removed to enable the erection of buildings within the Defined Building Areas and for the reasonable provision of vehicle access to such sites.
 - (v) Any measures in addition to those stated in .2.1(vii) above relating to the on-going protection and maintenance of existing vegetation and proposed additional enrichment plantings including fencing, weed and animal pest control, covenants and bonds.
 - (vi) The geometric standard of construction of private ways.
 - (vii) The location of accessory buildings.
- .3 In the case of any subdivision not in compliance with this Structure Plan, Rules 701-709 and 751-754 inclusive (subdivision of land in the Coastal zone: outside all policy areas) shall apply. Any other subdivision shall be a Non-Complying Activity.

- .4 The subdivision and development of Lot 2 DPS 62554, Lots 1 and Lot 2 DPS 69889, and Lot 1 DPS 81770 may be undertaken in two or more separate and distinct stages. In the event that development is staged, the required public pedestrian access from Waihirere Drive to the Coastal Marine Area as shown on the Diagram shall be required to be created only in conjunction with the subdivision of Lot 2 DPS 62554.
- .3 **LAND USE ACTIVITIES**
 - .1 The rules for the Coastal zone: Coastal Residential Policy Area shall apply to all activities within the Structure Plan area **provided that** in the event of a conflict between these rules and this Structure Plan the rules of the Structure Plan shall prevail.

342.1 - Structure Plan Diagram



342.2 - Te Punga Road, Whangapoua - Lot 1 DPS 76680, Lot 3 DPS 71180 and Lot 3 DPS 47578

.1 PURPOSE:

Protect and enhance the landscape and natural features to provide an enhanced coastal environment forming the visual backdrop to the Whangapoua Beach settlement and coastal marine area.

To achieve this purpose:

- .1 Conserve existing remnant indigenous vegetation and restore the natural landscape patterns of the farmland by:
 - (i) selective retirement of key areas,
 - (ii) enhancing the natural vegetation patterns within the structure plan area by providing connections between remnants,
 - (iii) providing a planting framework with indigenous tree and shrub species,
 - (iv) secure in perpetuity the ongoing management and enhancement of existing remnant vegetation and the key planting framework areas by way of a conservation covenant.
- .2 Provide for subdivision and development for residential purposes restricted to specific identified areas to ensure:
 - (i) stewardship over the protection, ongoing enhancement and management of the natural indigenous vegetation,
 - (ii) retirement of key areas identified in Diagram "A" as the key planting framework,
 - (iii) natural regeneration is encouraged and fostered and assisted through additional planting,
 - (iv) ongoing control of animal and plant pests,
 - (v) house sites and accesses are located in areas already modified,
 - (vi) existing vegetation, new plantings and landform provide visual integration,
 - (vii) building bulk and location is controlled to minimise adverse effects on visual amenity

.2 ZONING, ACTIVITY STATUS AND RULES FOR SUBDIVISION

.1 The underlying zone is Coastal (outside all policy areas).

.2 Subdivision in accordance with the Structure Plan shall be a Controlled Activity **provided that** it meets the following standards and terms:

- (i) The subdivision provisions of sections 702 (development suitability) and 703 (servicing).
 - (ii) No more than 15 residential lots
 - (iii) Each residential lot shall contain no more than one Defined Building Area.
 - (iv) Each Define Building Area, shall be:
 - (a) no greater than 600m²
 - (b) of maximum dimensions of 20m x 30m.
 - (c) no closer than 50m to a Defined Building Area on another site.
 - (d) Situated within the rectangles shown on the attached Diagram: Whangapoua Structure Plan Development Proposal ("the Diagram A").
 - (e) Fixed by reference to its centre point defined on the Structure Plan.
 - (f) At a minimum distance of 10 metres (measured horizontally) away from the ridge line as defined on the Structure Plan
 - (v) A consent notice shall be attached to each lot showing the approved Defined Building Area and shall require the one house (and its accessory buildings) provided for under Rule 3.1 to be sited with that Defined Building Area.
 - (vi) There shall be no Defined Building Area allocated to that area shown as lot 16 on the Structure Plan.
 - (vii) The alignment of the vehicle access to each approved Defined Building Area shall be generally in accordance with those shown on the Diagram and shall as far as practicable generally follow contours and/or be of such a grade as to minimise earthworks. The construction standards of these vehicle accessways (including associated earthworks) shall comply with Rules 754.1 and 754.2 notwithstanding that more than four lots may be served by one private way.
 - (viii) The vehicle accessways and manoeuvring areas, and the building platforms and curtilages shall be constructed so as to generally avoid cut batters and faces greater than 2 metres in height. All cut batters and faces shall be treated by hydroseeding, or placement of manuka/kanuka slash or punga poles, or some other treatment to mitigate any adverse visual effects that may arise.
 - (ix) All indigenous vegetation on the subject land shall be identified on the subdivision plan and retained.
 - (x) In conjunction with an application for the subdivision of Lot 1 DPS 76680, Lot 3 DPS 71180 and Lot DPS 47578 a Landscape Management Plan which covers the matters set out in .2.2 (x) below shall be provided. The Landscape Management Plan shall be prepared by a person who is suitably qualified and experienced in landscape and coastal ecology, and is independent of the land owner. The Landscape Management Plan shall specify the species of plantings to be established and identify the areas of enrichment planting, as well as stating the means by which their on-going protection and maintenance will be ensured, and may incorporate "view corridors" where lower growing species are specified.
 - (xi) The Landscape Management Plan required under (ix) above shall include provisions which will address:
 - (a) the planting of coastal climax trees including Pohutukawa, Karaka, Kowhai, Kohekohe, Totara, Puriri, Wharangi, and Houpara.
 - (b) advice to be taken from a qualified arborist where any activity may threaten the species referred to in (a) above.
 - (c) the natural regeneration of all the primary species such as Kanuka and Manuka.
 - (d) selective removal of primary species located within the newly created lots as is necessary to accommodate house sites and associated limited domestic garden areas, vehicle access, or fire protection.
 - (e) the species of plantings to be established in the areas of enrichment planting shown on the Diagram, as well as the means by which the ongoing protection and maintenance of such areas will be ensured.
 - (f) measures for the ongoing control of vegetation pest species.
 - (g) the keeping of any cats and dogs.
 - (h) the control of feral animal pests.
 - (i) on going monitoring
 - (xii) A consent notice and covenant shall be applied to each lot and shall require the owner and successors in title to meet the requirements of the Landscape Management Plan.
The Bernard Brown Associates report entitled "I J AND R L ADAMS PROPERTY WHANGAPOUA - LOT 1 DPS 76680, LOT 3 DPS 71180, LOT 3 DPS 47578 LANDSCAPE ASSESSMENT AND PROPOSED LANDSCAPE MANAGEMENT PLAN- OCTOBER 2001 / UPDATED APRIL 2003" with the exception of Paragraph 7.4 of that Landscape Management is in place. Thereafter, the obligations under the Landscape Management Plan for a particular lot fall on the owner of that lot.
- .3 In assessing a Controlled Activity application to subdivide land under the Structure Plan, Council shall exercise control over the following matters in addition to the matters set out in sections 701-709 over which it may also exercise control:
- (i) The suitability of the qualifications, experience and independence of the person who has prepared the Landscape Management Plan required under rule .2.2(ix)and (x)above.

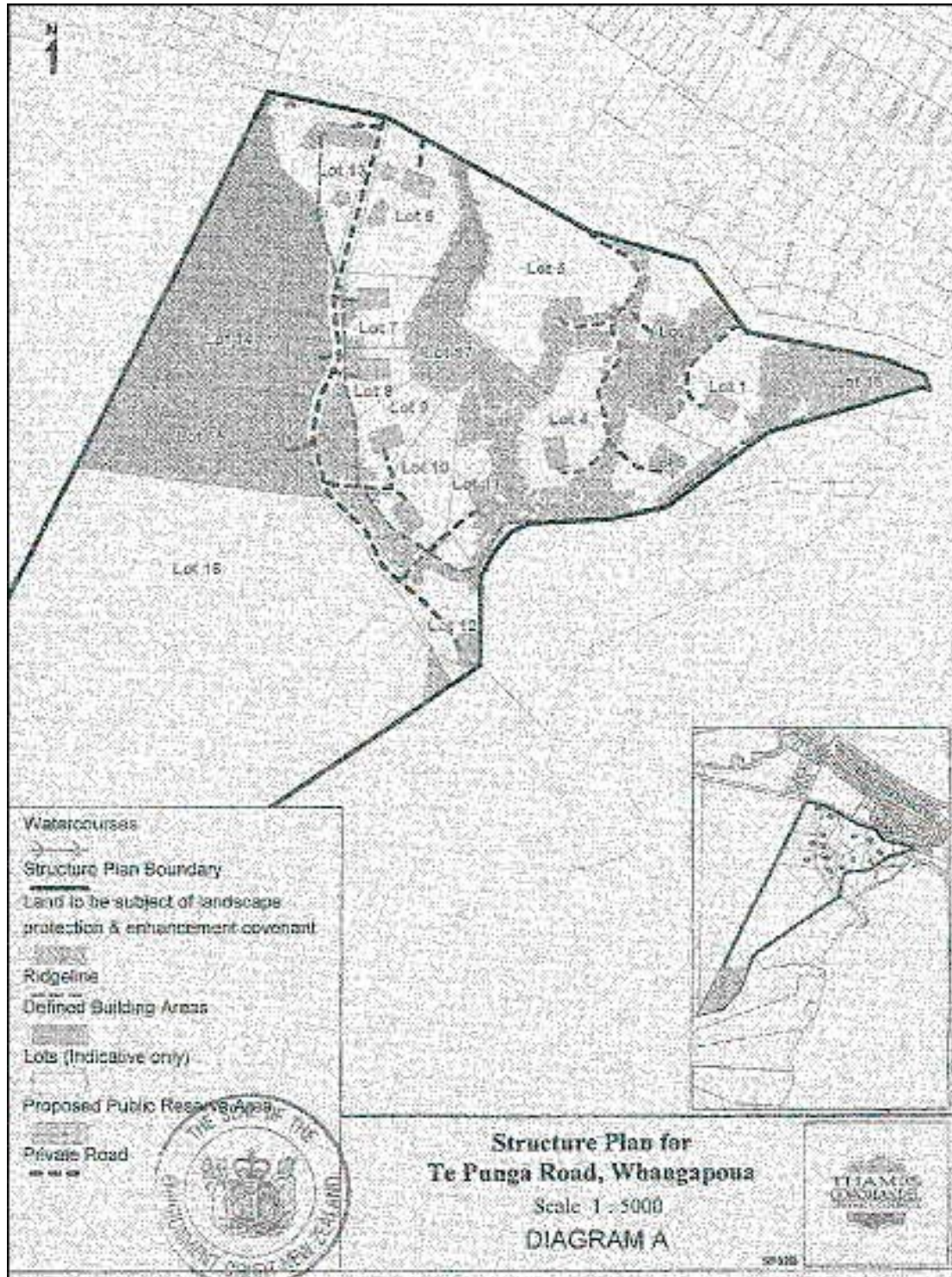
- (ii) The Landscape Management Plan provisions, to ensure that they achieve the purpose of the Structure Plan and the standards and terms set out in .2.2(ix) and (x) above.
- (iii) The extent to which existing indigenous vegetation may be removed to enable the erection of buildings within the Defined Building Area and for the reasonable provision of vehicle access to such sites.
- (iv) Any measures in addition to those stated in .2.2(ix) and (x) above related to the ongoing protection and maintenance of existing vegetation and proposed enrichment plantings including fencing, weed and animal pest control.
- (v) The geometric standard of construction of private ways
- (vi) Vesting of Lot 18 as reserve

- .4 A subdivision which is otherwise in accordance with this clause as a controlled activity may be staged.
- .5 No certificate shall issue under Section 224 of the Resource Management Act before priority plantings for years 1, 2 & 3 specified in the Landscape Management Plan in respect of the specific stage of the subdivision are in place.
- .6 No building consent shall issue in respect of any lot created by the subdivision until all planting required at that point of time by the Landscape Management Plan is in place. Thereafter, the obligations under the Landscape Management Plan for a particular lot fall on the owner of that lot.
- .7 In the case of any subdivision not in compliance with this Structure Plan, Rules 701-709 and 751-754 inclusive (subdivision of land in the Coastal Zone: Outside All Policy Areas) shall apply. Any subdivision other than subdivision provided for:
 - (a) in the Structure Plan: or
 - (b) as a controlled, limited discretionary, or discretionary activity in the Coastal Zone: Outside all Policy Areas shall be a Prohibited Activity.
- .8 The subdivision and development of Lot 1 DPS 76680, Lot 3 DPS 71180 and Lot 3 DPS 47578 may be undertaken in two or more separate and distinct stages.

.3 LAND USE ACTIVITIES

- .1 One house on a Defined Building Area shall be a controlled Activity.
- .2 One house on a lot outside a Defined Building Area shall be a non complying activity.
- .3 The following shall be the yards for sites within the Structure Plan:
Front yard to Te Punga Road: 15 metres.
- .4 All buildings (including accessory building) on any site created pursuant to the Structure Plan shall be entirely sited within the Defined Building Area for that site.
- .5 All plantings existing or to be established and which are intended by the Landscape Management Plan to be retained or established, shall be managed so that the objectives and purposes of the Structure Plan and Landscape Management Plan are maintained or enhanced.
- .6 The following shall be controlled activities within the area shown as lot 16 on the Structure Plan
 - Removal of exotic vegetation
 - Discharge of treated effluent by trickle irrigation
- .7 The rules for the Coastal Zone (Outside All Policy Areas) shall apply to all activities within the Structure Plan area provided that in the event of a conflict between these rules and this Structure Plan the rules of the Structure Plan shall prevail. (It is noted in particular, that the District Plan rules regarding native vegetation will apply to all of the land within the Structure Plan including the area shown as lot 16 on the Structure Plan).

342.1 - Structure Plan Diagram



342.3 - Matarangi Structure Plan

.1 PURPOSE:

To create a settlement that complements the ocean beach and harbour values in the context of an outstanding coastal environment and with the Coromandel ranges providing a visual backdrop.

To achieve this purpose:

- .1 Recognise and enhance the natural character of the coastal environment through preserving existing stands of trees and unmodified harbour margins, ecological planting, stormwater control and management of public access to:
 - (i) create a harbour park;
 - (ii) preserve unmodified harbour margins, rehabilitate degraded margins, remove weed species and revegetate with coastal vegetation;
 - (iii) ensure stormwater discharges to ground, lakes and through managed wetlands or planted swales to harbour outlets to protect water quality and enhance wildlife habitats;
 - (iv) set buildings back from the harbour edge reserve;
 - (v) provide public access to and around the harbours edge in natural setting, provide shade and views, restrict access to sensitive ecological areas.
- .2 Establish through location, scale, form and function a settlement with no significant adverse environmental effects on the coastal environment or its natural or ecological values.
- .3 Establish a high quality of amenity for the residents and visitors through preserving and using open space to:
 - (i) define boundaries of areas for residential development and contain them within neighbourhood villages, and within those villages, neighbourhood cells;
 - (ii) provide strong linkages between open space areas within the structure plan and the accessways, roads, recreation and open space areas, landscape features and natural areas (including the ocean beach) located outside the structure plan area;
 - (iii) create a network of areas which are free from buildings but in variety, function and experience may include:
 - roads
 - lakes
 - wetlands and other
 - stormwater management features
 - planted corridors
 - view corridors
 - pedestrian linkage
 - golf course
 - recreation facilities
 - airfield, if one is retained
 - (iv) create and maximise edges to coast, lake, managed wetland, golf course, pedestrian access, active or passive recreation which can enhance quality for the residences fronting it;
 - (v) provide for a wide range of recreational activities;
 - (vi) extend from the coastal edge into the internal open space network at regular intervals;
 - (vii) provide public and private areas which are well vegetated in appropriate coastal vegetation.
- .4 Establish a comprehensive development which is in accord with the structure plan Diagram A: Structure Plan which contemplates:
 - (i) the establishment of no fewer than three village neighbourhoods on the harbourside of Matarangi Drive, the neighbourhood is to be defined by major open space areas;
 - (ii) the establishment of neighbourhood cells within the neighbourhood villages.
- .5 Establish a Harbour Park in accord with Diagram B: Proposed Harbour Park Concept and which incorporates existing stands of mature trees and provides for marine activities, hard stand and water access.
- .6 Establish variety in residential allotments and development appropriate to the coastal environment.
- .7 Fund the upgrading and extension of, and establish utility services including:
 - wastewater collection, treatment and disposal
 - collection, treatment, storage and reticulated supply of drinking water;
 - raw water, storage, treatment and storage of treated water and reticulated supply;
 - stormwater collection, storage, treatment and disposal to:
 - (i) support the demands of new subdivision and development:
 - (ii) take account of the results of monitoring both capacity and performance of existing systems:
 - (iii) ensure no adverse environmental effects arise from additional loads from new subdivision or development.

.2 RULES

All subdivision and development of land within the structure plan area shall be in accordance with the purpose, rules and diagrams (A to E) of this structure plan.

.3 ACTIVITY STATUS AND RULES FOR SUBDIVISION

- .1 The subdivision of land within the Housing Zone - Outside all Policy Areas and the Housing Zone - Extra Density Policy Area shall be a controlled activity provided it meets the following standards, terms and matters:
 - (i) The standards of Section 711.1.1.
 - (ii) The subdivision provides for the comprehensive design and development of a neighbourhood village or of a neighbourhood cell of not less than 100 lots;
 - (iii) Any neighbourhood village is clearly articulated by major open space corridors as illustrated on Diagram A.
 - (iv) Any neighbourhood cell is articulated by open space areas and secondary view corridors as illustrated on Diagram A.
 - (v) Lots at the coastal edge are designed to ensure that no building is located closer than 40 metres from Mean High Water Spring (MHWS) or the harbour boundary of the esplanade reserve vested in Council.
 - (vi) Pedestrian access is provided both along the coast and away from the coast to link internal pedestrian accessways within the subdivision and with existing walkways to the beach.
 - (vii) A landscaping and planting programme is undertaken in accordance with Diagram C: Examples of Access Views and Planting at Coastal Edge and Diagram D: Typical Cross Section for Vegetation Enhancement at Coastal Edge in order to establish additional coastal planting, to provide shade for public accessways to protect areas of high ecological value, and to provide views to the harbour and across natural grassland, as appropriate.
 - (viii) Lots along the coastal reserve edge are designed to provide a minimum of one pedestrian accessway for every 15 lots to link the Harbour Edge open space to the internal open space areas.
 - (ix) Lots and roads servicing the subdivision are designed and laid out to provide views through, and over open space to the harbour and the Coromandel Ranges;

- (x) Lots fronting Matarangi Drive are designed to ensure no building (including accessory buildings) is located closer than 7.5 metres to the southern boundary of Matarangi Drive.
- (xi) Wherever practicable, roads are drained to swales and from there to lakes.
- (xii) Each housing lot and right of way is capable of providing soakage either to ground or to a piped stormwater connection into the stormwater system, in either case capable of handling a 20% flood.
- (xiii) The outlets for lakes formed as a result of subdivision are provided with a managed wetland or planted swales at the point of discharge to the harbour as illustrated in Diagram E;
- (xiv) Lots are designed and contoured to ensure that housing sites be free from flood waters in a 1% flood and to create ponding areas capable of holding sufficient flood waters in a 1% flood;
- (xv) Areas to be planted or designed to provide access to and from the coastal edge are vested in the Council;
- (xvi) Open space areas (managed wetland, lakes, golf course) are retained in private ownership subject to conservation covenants granted under the Conservation Act 1987 or are vested in the Council;
In principle:
 - (a) Lakes which:
 - are located within a major view corridor; or
 - have formed public pedestrian access around the perimeter; or
 - are capable (by way of area and depth) of providing active public recreation and use;
 - are to be vested in the Council.
 - (b) Lakes which:
 - provide frontage for residential lots; or
 - do not have public access provided to a significant portion of the perimeter; or
 - are not capable (by way of area and depth) of providing active public recreation and use.
 - may remain in private ownership.
- (xvii) The subdivision complies with the rules set out in Section 702 (Development Suitability) in Section 703 (Servicing) and all necessary plant, facilities, utilities, pipes, ancillary equipment and other works are either in place or undertaken or expanded or upgraded to cope with peak demands from both the existing and proposed new subdivision to the extent set out in (a) to (d) inclusive:
All necessary plant, facilities, utilities, pipes, ancillary equipment and other works shall either, be in place, or shall be undertaken or expanded or upgraded to cope with peak demands from both the existing and proposed new subdivision to the extent set out in (a) to (d) inclusive:
 - (a) For water supply and reticulation:
 - treatment plant for treatment of raw water minimum capacity 2.0m³ per lot per day and complying with drinking water standard DWSNZ 2000;
 - treated water storage and reticulation capacity sufficient for 1 peak day demand and reticulation of 2.8m³ per lot per day maximum instantaneous flow to meet domestic and firefighting requirements;
 - raw water supply or storage minimum capacity 2.0m³ per lot per day throughout the duration of the peak period (generally late December to early February to cover Christmas, New Year and Auckland Anniversary weekend) and 0.6m³ per lot per day for the balance of the year.

- (b) For stormwater
- system capable of handling stormwater flows from upstream catchments outside the structure plan area;
 - piped systems to relieve ponding at low points where no secondary flow path outlets are available;
 - grassed swale flow paths sufficient to convey 2% Flood Events;
 - no ponding in roads or grassed swale flow paths in 20% Flood Events;
 - piped and grass swale systems designed to convey stormwater to lakes or dedicated ponding areas especially designed for the purpose;
 - lakes or dedicated ponding areas designed for 1% Flood Event;
 - outlets to harbour in accordance with (xii) above;
 - system(s) designed to accommodate stormwater discharged from catchments outside structure plan area;
 - stormwater diverted from and around wastewater treatment plant site.
- (c) For wastewater
- the extent to which stormwater infiltration into the system (rainwater inflow to the sewers) has been reduced;
 - treatment pond size, volume and aeration;
 - sand filter bed constraints arising from sand size and grade, control of groundwater influence, improvements in water application and control of algae overcome;
 - disposal beds with wick drains upgraded and/or alternative disposal options provided;
 - upgrading and expansion of system to meet the requirements set out in Table 1.

TABLE 1: STAGING WASTEWATER TREATMENT UPGRADE & EXPANSION	
SYSTEM CAPABILITY: LOTS	UPGRADE REQUIREMENTS
Present 1084	Upgrade half the disposal beds Upgrade 1 sand filter Upgrade No. 3 pond including pump to filters
Increase from 1084 to 1200 or 1500 Depending on results of monitoring	Upgrade the rest of the disposal beds and/or expand by subsurface drip on adjoining land Upgrade automatic sand filters Step Screen Aeration Pond (1st stage)
Increase from 1200 or 1500 to 2000	Upgrade final sand filter Complete Pond aeration UV Disinfection

- (d) Monitoring for all services
- a compliance monitoring programme to ensure the provisions of Section 311 COMPLIANCE MONITORING as amended by Consent Order RMA 1894/98 Minister of the Environment are met;
 - results of monitoring taken into account when considering subdivision or development.

NoteThe results of monitoring may result in either the capacities or the duration of the peak period being redefined for the purposes of applying rule .3.1(xix) to any particular application for resource consent.

NoteAny one of the following may be grounds for considering an application as a discretionary activity and may be refused:

- Design capacity of existing system inadequate to meet existing demands.
- Monitoring which shows the existing system is not performing or likely to perform efficiently with additional loads with or without upgrades for the additional loads.
- Monitoring results insufficient to determine how existing systems are performing.
- Upgrades and extensions proposed by applicant (by way of work, provision of land or funding through financial contributions) inadequate to meet additional loads.
- Discharge consents for quality or volume of discharges or, in the case of water supply, for the taking of water are not granted by the Regional Council.

.2 Subdivision which does not meet up to two and no more of the matters in 3.1(i) to (xviii) inclusive shall be a Restricted Discretionary Activity; in which case the Council will exercise its discretion to the following:

- Consideration of only the specific matter or matters which are met; and
 - The extent to which the proposal meets the relevant standards, terms, conditions and criteria in Section 7 for subdivision in the zone or policy area;
- and

NoteThe exercise of discretion under this clause is restricted to only those considerations that would apply if the Matarangi Structure Plan was not in place.

- Ensuring the purpose of the Structure Plan set out in Section 1 and 1.2 to 1.8 inclusive is achieved.

.3 Subdivision is a discretionary activity where:

- More than two of the matters in Rule 3.1 (i) to (xvi) are not met; or
- Rule 3.1(xvii) is not met,

.4 ACTIVITY STATUS AND RULES FOR HOUSING

The rules applying to Housing Activities set out in Section 510 shall apply to land within the Housing Zone - Outside All Policy Areas and Housing Zone - Extra Density Policy Areas with the following exceptions:

For Housing Zone - Outside All Policy Areas & Housing Zone - Extra Density Policy Area

.1 **Height** Up to 8 metres is permitted.

Over 8m up to 10m is a restricted discretionary activity; where Council restricts its discretion to ensure no more shadow is cast over adjoining properties between the hours of 10.00am to 2.00pm all year round, than a building meeting all the standards for a permitted activity.

Over 10m is a non complying activity.

.2 **Daylighting** Allotments fronting the harbour reserve: 2.5 metres and 35 degrees.

.3 **Front Yard** Allotments fronting Matarangi Drive: 7.5 metres.

.5 ACTIVITY STATUS AND RULES FOR MARINE AND RIVER ACTIVITIES

The rules applying to Marine and River Activities set out in Section 570 shall apply to land within the Marine Activities Policy Area subject to the following standards:

.1	Height of buildings	7m max
	Daylighting for all buildings	3&45°
	All Yards	3m
	Day L ¹⁰ Noise level	45dB
	Night L ¹⁰ Noise level	40dB
	Coverage	35%

.6 ACTIVITIES AND RULES FOR AIRFIELDS AND ACTIVITIES INVOLVING AIRCRAFT

Note The rules and and explanatory notes in this section are inserted here because the airfield may be relocated to another site outside of the Matarangi town.

- .1 While the Matarangi Airfield shown on the Planning Map and indicated in the structure plan remains in existence and continues to operate:
 - (i) The Rules in Section 493: Airfield Operational Efficiency and Safety shall apply to the land shown as existing airfield and to the adjacent land subject to the Airfield Height Rule.
 - (ii) The Rules in Section 580: Airfields & Activities involving Aircraft shall apply in all respects as if the airfield were within an Airfield Policy Area except that buildings or structures shall be a non complying activity within the area shown on the structure plan as Open Space Zone.
- .2 Rule. 6.1 shall cease to have effect once the new airfield is commissioned.

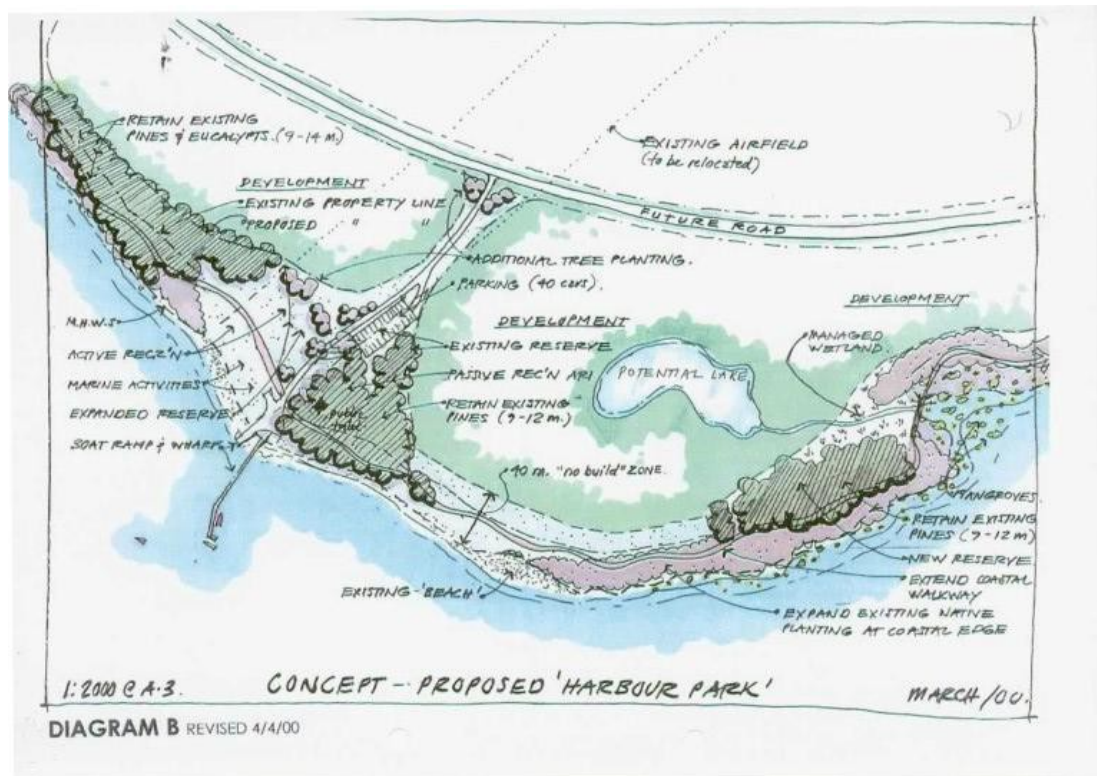
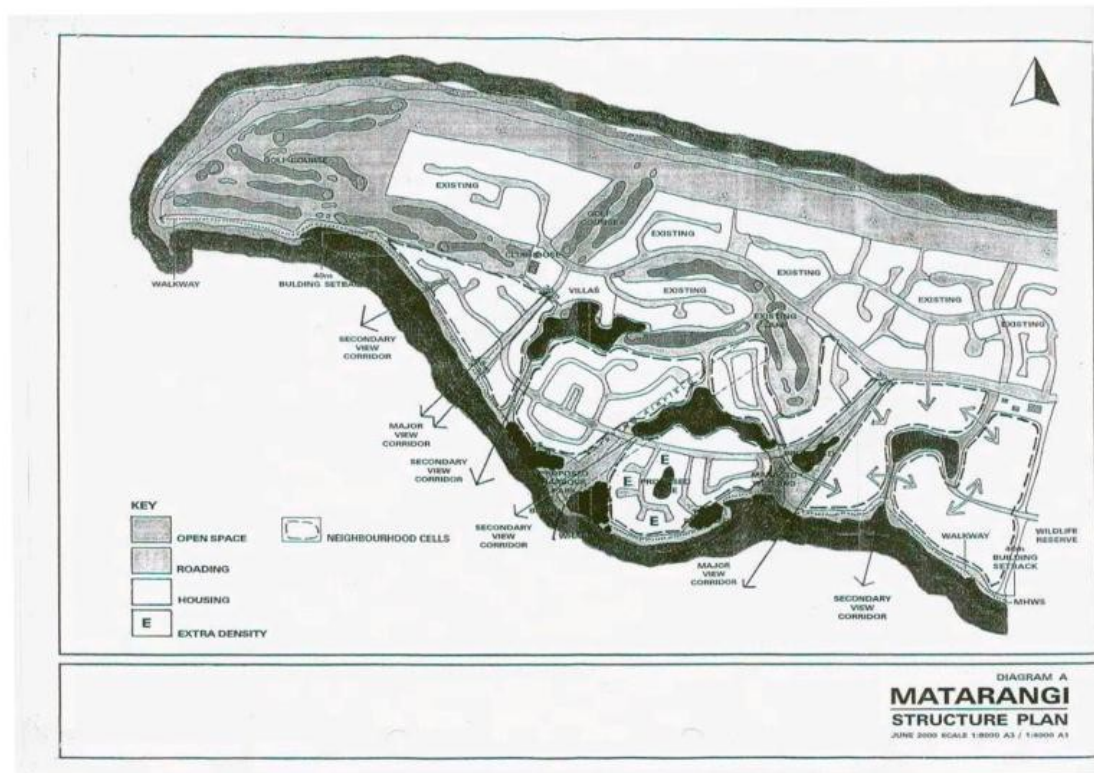
Note Section 580 Airfields and Activities Involving Aircraft applies to proposals to establish new airfields. Planning Map 20/11 indicates the site of a proposed airfield in the Rural Zone, Section 582.4 provides for airfields in Rural Zones Outside All Policy Areas as a discretionary activity.

.7 FINANCIAL CONTRIBUTIONS

Developments Impact Fees, for the purposes of Section 108 of the Resource Management Act and the provisions in Section 480 of this Plan, may be required by way of contributions in land or money or a combination of land and money as a condition of resources consent as follows:

- .1 In accordance with the following purposes:
 - (i) To ensure the purposes of this structure plan are met through: supplying and treating water; treating and disposing of wastewater; providing a solid waste transfer station; roading and service lanes; footpaths, reserves, open space and harbour park; and, providing a comprehensively designed stormwater system.
 - (ii) To enable the subdivision or land use activity to be considered as a permitted, controlled, restricted discretionary or discretionary activity.
 - (iii) To ensure the proposal will comply with standards, terms and matters set out in the rules of this structure plan and the relevant rules elsewhere in the District Plan.
- .2 In accordance with the following principles:
 - (i) Primary Principle - that Council shall not be liable for providing any land or meet any costs arising from, or associated with, subdivision and development meeting full compliance with the purpose and rules of this structure plan and general rules of the district plan applying to the land within this structure plan.
 - (ii) Open space which varies in function across the spectrum from protection to access and drainage within the structure plan area to meet a ratio of 40 per cent open space vested as public land or covenanted as private open space to 60 per cent development.
 - (iii) Land vested in Council to the extent required to meet Rule 3.1(xviii) above.
 - (iv) Golf course privately owned, maintained and operated as a recreational facility available for public use and enjoyment (whether or not there is a charge for public access and use).
 - (v) Land vested or covenanted for lakes, managed wetlands or planted swales along with service access to them shall be provisions for or contributions towards stormwater systems, not reserves.
 - (vi) Monetary contributions up to the full and final costs of works required to improve or upgrade infrastructure owned and operated by Council for new subdivision.
- .3 In accordance with the formula set out in Section 480 of this plan provided that in the event development begins prior to those provisions becoming operative, contributions may by agreement be assessed on the basis of:
 - (i) replacement formula (ae) being proposed by way of variation; or
 - (ii) refinement of the formula (ae) in the Proposed Plan Decisions Version dated 20 September 1999 to enable the best available information to be included.

342.3 - Structure Plan Diagrams



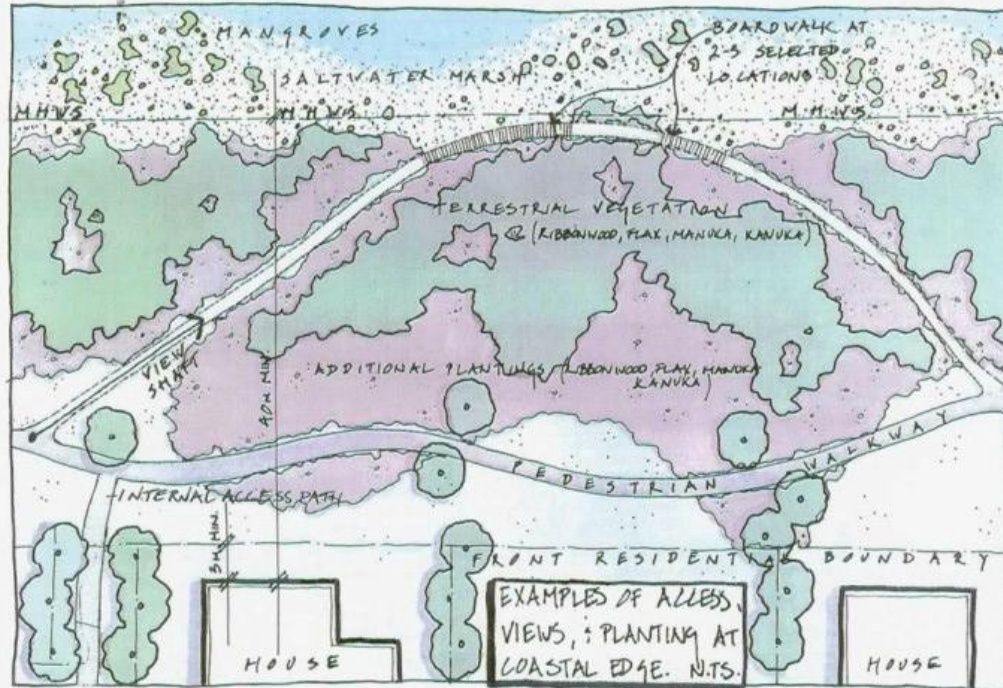


DIAGRAM C REVISED 4/4/00

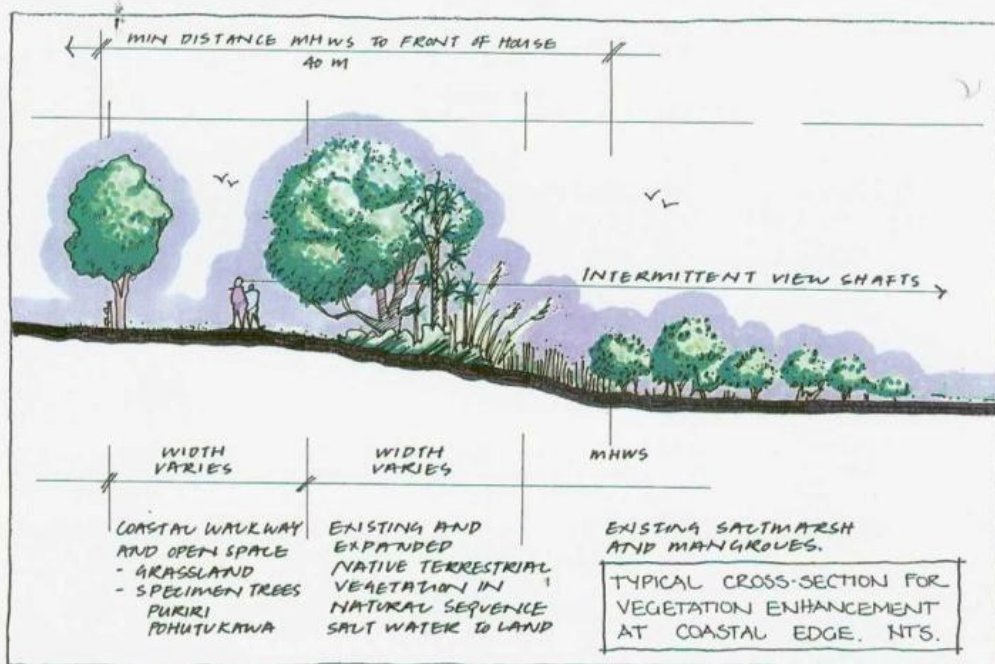
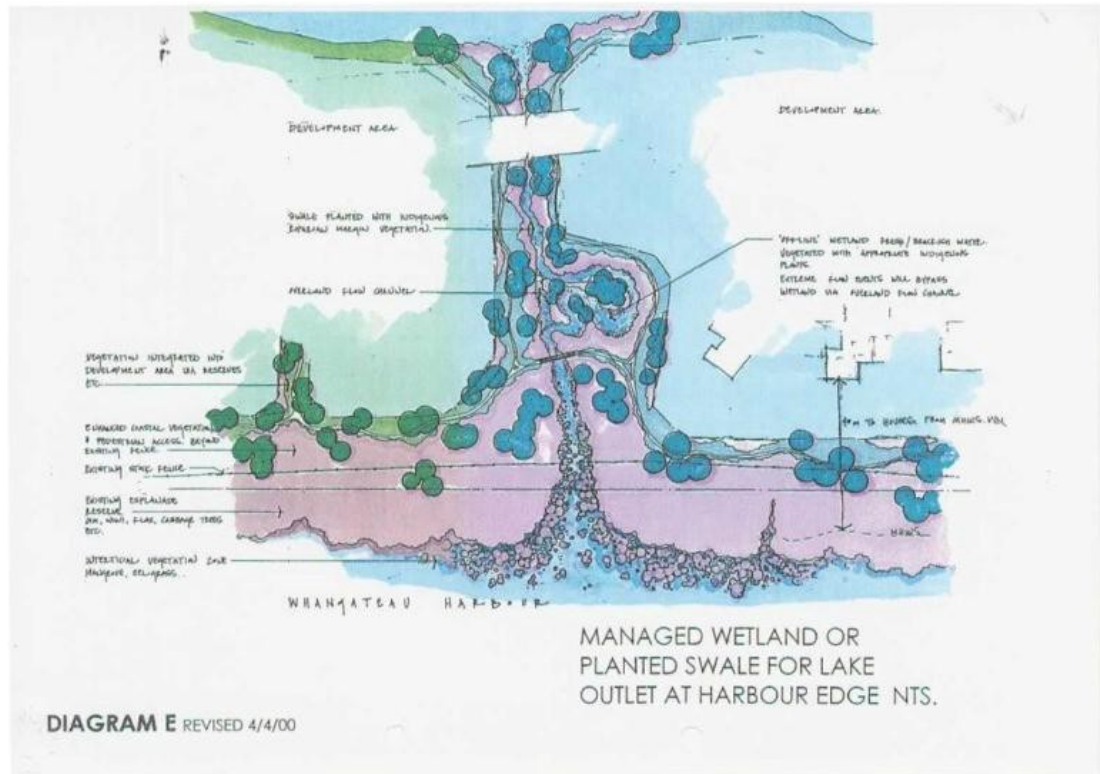


DIAGRAM D REVISED 4/4/00

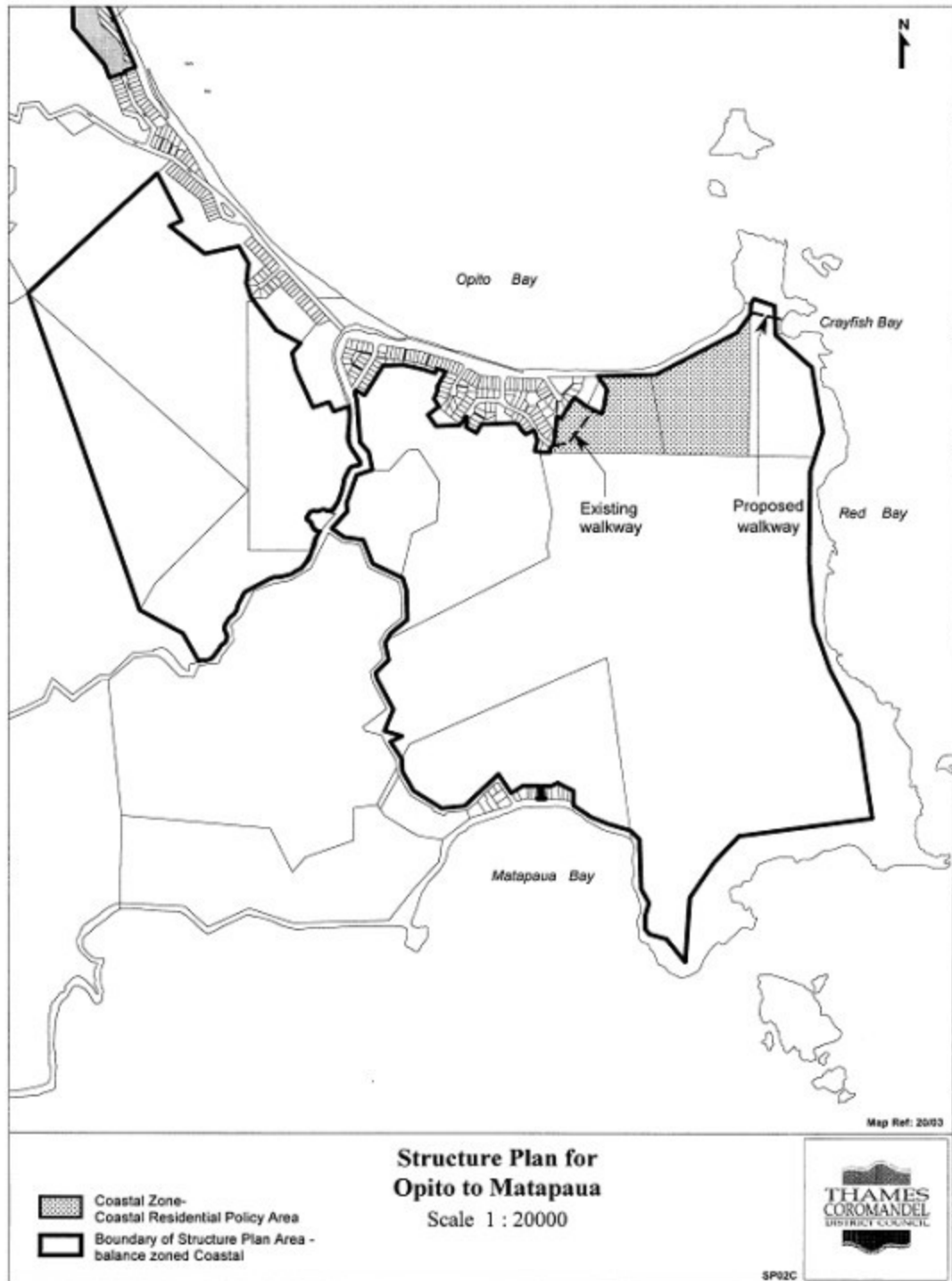


342.4 - Ohinau Drive, Opito

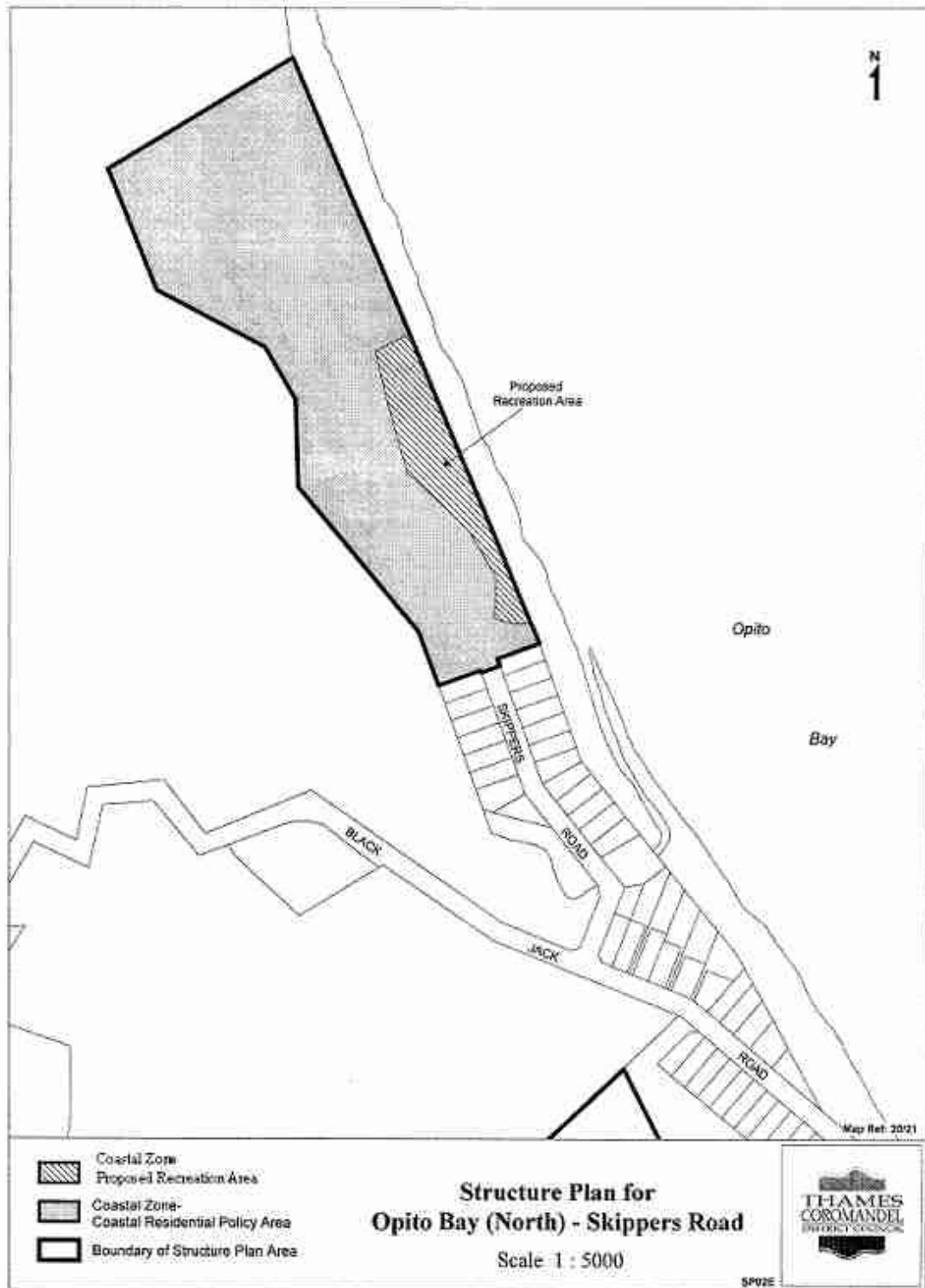
Coastal Residential Policy Area, End of Ohinau Drive, Opito

- .1 Subdivision or development of the land zoned Coastal Residential Policy Area shall be a non-complying activity until a District Plan Change has been adopted for the whole of the farm property; including the area zoned Coastal Residential policy area.
- .2 The District Plan Change shall incorporate the following matters:
 - (a) How the whole of the farm property is to be managed;
 - (b) How the development of Matapaua Bay can be accommodated;
 - (c) Public access to Crayfish Bay and Red Bay;
 - (d) Revegetation with indigenous vegetation of the land currently in pasture;
 - (e) Management of the pine trees including the felling programme at maturity and their replacement with indigenous vegetation;
 - (f) Location of houses and access to them. It is anticipated that no more than approximately 35 houses will be constructed on the farm property;
 - (g) Geotechnical stability of the land.

342.4 - Structure Plan Diagram Opito to Matapaua



342.4 - Structure Plan Diagram Opito Bay (North) - Skippers Road



342.6 - Harataunga 2C2B2C Block Kennedy Bay Road, Kennedy Bay

.1 Land Affected

The land to which this structure plan applies is situated at Kennedy Bay on the eastern side of Kennedy Bay Road, and to the north of the Harataunga Marae. It has an area of 14.505 hectares.

.2 Purpose

The purpose of this structure plan is to provide for the subdivision of the land into a maximum of eighteen (18) lots, including one lot to be transferred to the Council as financial contribution.

.3 Activity Status and Rules for Subdivision

Subdivision in accordance with the Structure Plan shall be a Controlled Activity **provided that** it meets the following standards and terms:

- The subdivision provisions of section 702 (development suitability) and section 703 (servicing).
- Subdivision into a maximum of seventeen lots for residential purposes, and one further lot (Lot18) adjoining the Harataunga Marae to be transferred to the Council as a financial contribution.
- The layout of the subdivision shall be in general conformity to that on the Structure Plan map.
- Landscaping shall be provided along the north side of Lot 18, and along the Kennedy Bay Road frontage of the Structure Plan area.
- Further subdivision of the lots used for residential activity shall be prohibited, other than boundary adjustments, which shall be consistent with Rule 706.

.4 Land Use Activities

The rules for Coastal Zone (Coastal Village Policy Area) shall apply to all activities in the Structure Plan area provided that in the event of conflict between these rules and this Structure Plan the rules of the Structure Plan shall prevail.

One house only (and any accessory buildings) shall be constructed on each lot and used only for residential purposes.

In the case of any subdivision of Harataunga 2B2C2B not being in accordance with this Structure Plan, it shall be Non-complying activity.

342.6 - Structure Plan Diagram



342.7 - Harataunga 2B2 Block, 1292 Kennedy bay Road, Kennedy Bay

.1 Land Affected

The land to which this Structure Plan applies is situated in Kennedy Bay on the east side of Kennedy Bay Road at the base of the spit between the estuary and the bay. It has an approximate area of 12.33 hectares.

.2 Purpose

The purpose of this Structure Plan is to ensure that future development of the land, while in accordance with the Coastal Zone: Coastal Village Policy Area provisions, occurs in a way that minimises adverse effects on the coastal environment.

.3 Activity Status and Rules for Subdivision

- .1 Subdivision in accordance with the Structure Plan shall be a controlled activity provided that it meets the following standards and terms:
 - (a) Any future subdivision(s) is to create no more than fourteen (14) additional lots each with a minimum net lot area of 5,000m².
 - (b) Any future subdivision is to provide at least a 60m setback of building platforms from the ocean (seaward toe of dune) and river margins to mitigate the adverse effects of coastal and river erosion on the property.
 - (c) Where an esplanade reserve is provided, the width of the esplanade reserve may be increased to ensure that any coastal erosion does not negate the purpose of the esplanade reserve.
 - (d) Any future subdivision is to limit access to the beach from the structure plan area by providing one communal accessway from within the subdivision to the beach. The location of an accessway is to be consistent with the goals of minimising paths through coastal vegetation and minimising the potential for coastal erosion. Access from individual properties adjoining the beach or esplanade reserve is to be discouraged.
 - (e) Where sites are created adjoining either MHWS or an esplanade reserve, adequate landscaping is to be provided (if necessary after taking into account existing planting in the area between MHWS and potential sites) to mitigate the visual effects of potential buildings on that site, as viewed from the coast or the coastal marine area.
 - (f) Prior to subdivision a hazard assessment is undertaken to determine the maximum coastal and terrestrial flood levels, and required building floor levels;
 - (g) The subdivision provisions of sections 702 (Development Suitability), 703 (Servicing), 704 (Subdivision Design), 709 (Earthworks and Land Disturbance) and the relevant parts of Table 743 (Standards - Specified Policy Areas of Rural and Coastal Zones);
 - (h) In conjunction with an application to create one or more new sites either adjoining MHWS or an esplanade reserve, a management plan is to be provided that covers the following matters:
 - If necessary after taking into account existing planting in the area, landscaping of the site or sites to minimise the visual effects of buildings on the site as viewed from the beach or the coastal marine area. Such landscaping is to predominantly involve indigenous coastal species;
 - How access to the beach is to be controlled so as to minimise the number of accessways from the Structure Plan site to the beach.
- .2 In assessing a Controlled Activity application to subdivide land under the Structure Plan, Council shall exercise control over the following matters;
 - (i) The width of any esplanade reserve. This shall be adequate to ensure that coastal erosion does not significantly diminish the value of the esplanade reserve nor endanger private property;
 - (ii) The minimum setback of buildings from the landward side of any esplanade reserve. This shall be sufficient to minimise the risk of adverse effects on building from coastal erosion, and sufficient to ensure adequate landscaping can be provided between MHWS and the site, or on the site, to screen the buildings;
 - (iii) The management plan provisions of 3.1 (h) (where relevant) to ensure the purpose of the Structure Plan is achieved.

.4 Land Use Activities

The rules for the Coastal Zone: Coastal Village Policy Area shall apply to all activities within the Structure Plan area provided that in the event of a conflict between these rules and this Structure Plan, the rules of the Structure Plan shall prevail.

342.7 - Structure Plan Diagram



343 - Coromandel Area

343.1 - Kikowhakarere Bay

343.1.1 - Kikowhakarere Bay (North)

- (a) A maximum of 3 lots may be created.
- (b) Land must be retired from farming stock and bush allowed to regenerate.
- (c) Horticultural activities or the keeping of some animals may be established as long as the native vegetation present is not affected.
- (d) Exotic forestry cannot be established on this land.

343.1.2 - Coastal Residential Policy Area - Kikowhakarere Bay (South)

- (a) A maximum of 8 lots may be created within this Policy Area. Upon subdivision of this land a landscape management plan for the site must be prepared and an ecological enhancement plan for areas shown as 1 and 2 on the structure plan.
- (b) This land comprises flat undulating foothills with some steep banks. The vegetation is pasture with isolated pohutukawa and puriri trees, an area of re-generating kanuka and a small area of wetland. The trees, wetland and re-generating kanuka should be protected from development and incorporated into a landscape plan for the subdivision. Planting of indigenous species should be included in the landscape management plan to minimise the impact of housing. The layout of lots and subdivision design must minimise the amount of earthworks and land disturbance to be carried out. House sites must be identified in accordance with the coastal design criteria so that they are not obtrusive.
- (c) The area of land within the Coastal Residential Policy Area may be subdivided or developed in stages, but the landscape and ecological enhancement plans must be prepared at the outset even if only 1 or 2 lots are being subdivided. This will ensure an integrated and comprehensive approach to the management of all three areas will follow.

343.1 - Area 1

Area 1

This land (approximately 3ha) comprises a central valley rising steeply through grassland and re-generating kanuka to a remnant of Taraire forest. Restoration and enhancement of this valley will enhance the landscape and ecological characteristics of the immediate coastal environment. The area needs fencing and re-planting with a selection of native species as part of an ecological enhancement plan to be prepared as part of a subdivision application for the Coastal Residential Policy Area.

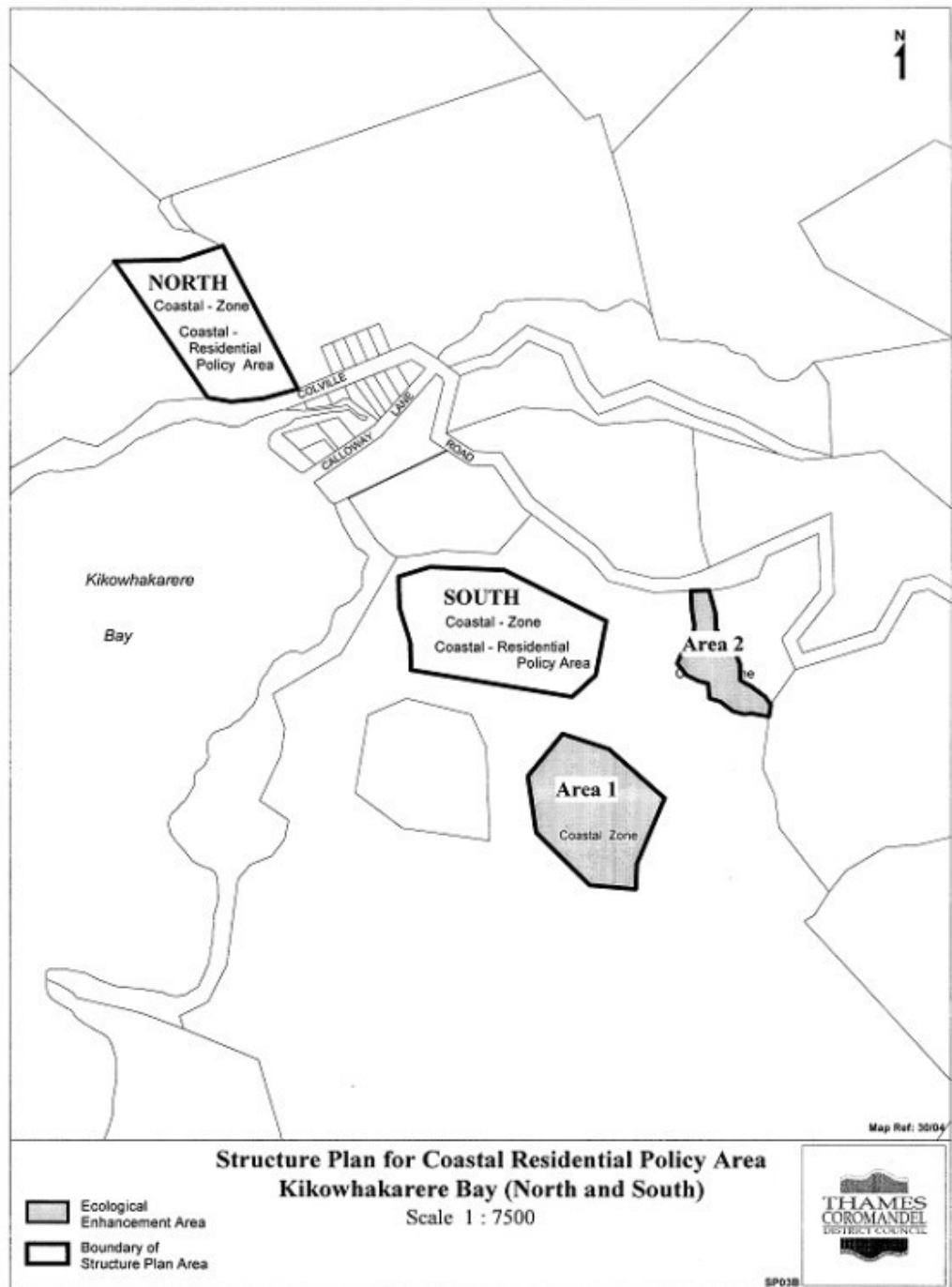
343.1 - Area 2

Area 2

This land (approximately 2ha) comprises a wetland on the floor of the main valley under the Kikowhakarere Hill Road. This wetland needs riparian protection and management. Fencing and replanting in native wetland vegetation should be included in an ecological enhancement plan for this area as part of a subdivision application for the Coastal Residential Policy Area.

Note	Land uses and subdivision of this land in accordance with the provisions of this structure plan is a controlled activity otherwise a non complying activity.
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343.1 - Structure Plan Diagram

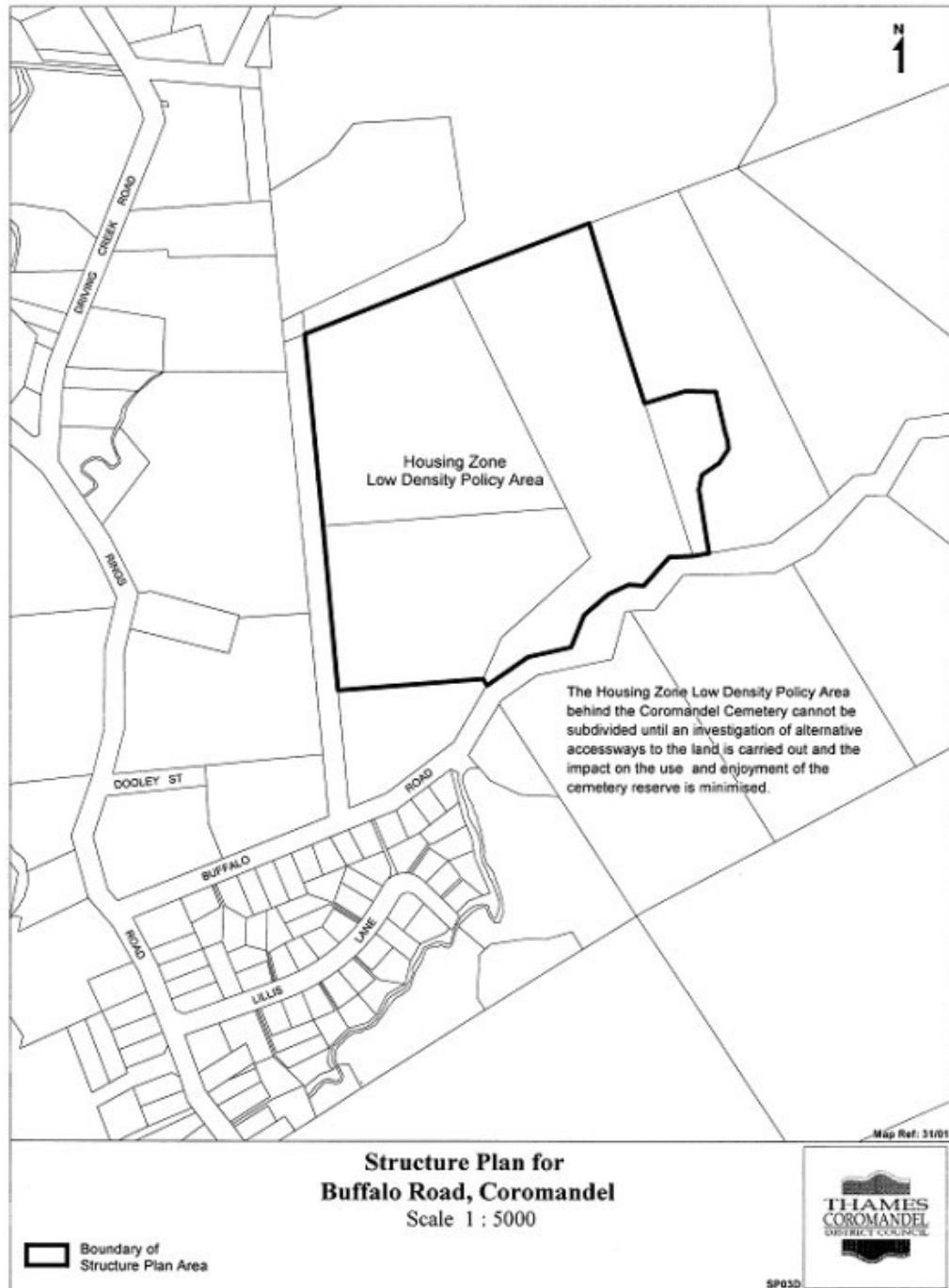


343.2 - Buffalo Road, Coromandel

Housing Zone Low Density Policy Area

The Low Density Policy Area behind the Coromandel Cemetery cannot be subdivided until an investigation of alternative accessways to the land is carried out and the impact on the use and enjoyment of the cemetery reserve is minimised.

343.2 - Structure Plan Diagram



343.3 - Victoria Street Extension and Bypass, Coromandel

- .1 The land within the structure plan shall not be further subdivided or developed unless provision is made for the following:
- (a) Provision of a bypass road along the alignment shown;
 - (b) Provision of link roads off the bypass road along the alignment shown;
 - (c) Definition of the flood hazards in the area (taking 1% AEP as benchmark);
 - (d) Provision of reserve land indicated by the Recreation Zones.

343.3 - Structure Plan Diagram



343.4 - Coromandel Business Park Structure Plan

.1 PURPOSE OF THE STRUCTURE PLAN

To provide for existing and future service industrial activities within Coromandel town whilst protecting and enhancing the visual, landscape and water quality values of the Coromandel Harbour, township and environment.

In order to achieve this purpose the following is provided for as part of this Structure Plan:

- .1 Provide landscape and amenity planting within the Structure Plan to mitigate any potentially adverse visual effects created by service industrial activities and buildings.
- .2 Provide for the maintenance and enhancement of the water quality of the Coromandel harbour by the development and implementation of a Stormwater Management Plan that includes:
 - The development of low impact engineering methods, such as wetlands, grass swales and rain gardens, to create a Holistic Stormwater Management System that receives and treats all stormwater from within the site.
 - The provision of individual stormwater management measures within each new lot and for each new activity within the site.
- .3 Provide for a safe and efficient point of access for service industrial activities onto Tiki Road (State Highway 25).
- .4 Require all new buildings to be designed with recessive colours and non-reflective materials to protect the visual and landscape values associated with the Coromandel harbour.
- .5 Require the stormwater management system, landscape management plan, vehicle access road and intersection onto Tiki Road (SH25) to be implemented and constructed prior to any service industrial activities and/or subdivision being carried out on the site.

.2 ACTIVITY STATUS

- .1 The rules of section 3.1 – 3.3 of the Structure Plan are to be implemented and/or constructed to the satisfaction of Council prior to or concurrently with land use activities and/or subdivision consent applications within the site.
- .2 When determining the activity status for all land use or subdivision applications within the Structure Plan area the District Plan rules for the Industrial zone (Service Industrial Policy Area) shall apply unless clause 2.5 and/or 2.6 below applies.
- .3 In the event of a conflict between the District Plan rules and the Structure Plan rules, the rules of the Structure Plan shall prevail.
- .4 The conditions applying to any land use or subdivision consent shall be satisfied prior to the commencement of the land use activity or approval of the subdivision completion certificate (s224(c) of the Resource Management Act 1991).
- .5 When the rules in section 3.1 – 3.3 have not been implemented to the satisfaction of Council or they are not proposed to be implemented as part of a land use or subdivision consent application, any such application shall be assessed as a non-complying activity.
- .6 Where a land use or subdivision consent application has been applied for and the relevant Structure Plan Development Standards in sections 4 and 5 below are not provided for or satisfied, the application shall be assessed as a non-complying activity.
- .7 Where an increase of scale or intensity of an existing activity is proposed, or a new activity is proposed, the relevant structure plan standards in section 4 and 5 must be provided for or satisfied.
- .8 For the avoidance of doubt, 'Service Industrial' shall include 'Marine Service Industrial Activities' as defined in the District Plan.

.3 STRUCTURE PLAN RULES

.1 Stormwater

- (a) A Stormwater Management Plan (SMP) shall be designed, for the entire Structure Plan site, in accordance with TP10 design standards. The SMP shall be the primary document for stormwater disposal within the Structure Plan area and shall be held on Council property files for the affected properties. The SMP shall include the following measures:
 - (i) The SMP shall be designed by a suitably qualified Chartered Professional Engineer and shall be provided to Council for approval prior to implementation.
 - (ii) The SMP shall include the development of a Holistic Stormwater Management System, which can be developed in stages, using low impact engineering methods for the entire Structure Plan site. The low impact engineering methods could include grass swales, re-contouring for natural stormwater flow, treatment wetlands, settlement ponds and other appropriate techniques. An indicative location for a treatment wetland(s), that is capable of accepting and treating all potential stormwater generated from the site, is shown on the Structure Plan diagram.
 - (iii) The SMP shall include stormwater management measures that will be implemented as part of new activities and buildings within the Structure Plan area such as detention and holding tanks for new buildings, rain gardens, grass swales, optimising road layout and the use of porous paving systems on lightly trafficked/car parking areas in accordance with TP10 guidelines.
 - (iv) The SMP shall include consideration of the existing State Highway 25 stormwater drainage system and appropriate provision shall be made, where necessary, to ensure that any future development within the structure plan site does not adversely affect the existing operation of this stormwater drainage system.
- (b) The approved Holistic Stormwater Management System (s3.1(a)(ii)) shall be constructed and certified by a suitably qualified Chartered Professional Engineer.

.2 **Roading and vehicle access**

- (a) The Structure Plan Access Road shall be designed and constructed to Council's accepted engineering standards generally in the location shown on the Structure Plan diagram.
- (b) The Structure Plan Access Road design shall be approved by Council prior to construction.
- (c) The intersection of the Structure Plan Access Road and Tiki Road (SH25) shall be generally formed in the location shown on the Structure Plan diagram and also to the standards set out in Figures 6.24 and 6.37 of the Austroads "Guide to Engineering Practice - Part 5: Intersections at Grade".
- (d) The Structure Plan Access Road shall be incorporated into the Holistic Stormwater Management System.
- (e) The existing access from 1170 Tiki Road shall be maintained.
- (f) The access road intersection with State Highway 25 shall be designed and constructed to the satisfaction of the New Zealand Transport Agency as road controlling authority for the state highway network and shall be generally in the location shown on the Structure Plan diagram.
- (g) All areas used for parking, manoeuvring and outdoor storage areas shall be finished in a dust-free surface.

.3 **Landscape and amenity planting**

- (a) A Landscape Management Plan (LMP) shall be prepared by a suitably qualified landscape architect and/or ecologist in general accordance with the Indicative Landscape Plan (attached). The LMP has as its purpose to provide landscape and amenity planting within the Structure Plan to mitigate any potentially adverse visual effects created by service industrial activities and buildings.
The LMP shall detail:
 - (i) The planting plan;
 - (ii) The preparation, implementation, staging, management and ongoing maintenance programmes;
 - (iii) The types, sizes (heights and PB) and numbers of proposed plants at the time of planting. In particular this shall include:
 - details of species within the south western part of the site that will not attain a height of more than 2 metres (in order to maintain views over this area from Huaroa Street); and
 - details of site boundary planting that will avoid shadowing effects for residential properties to the south, and that maintain visual permeability across the site from the south and east,
 - (iv) Estimated cost of maintaining the landscaping for a five year period.
- (b) The LMP shall be provided to the Council for approval.
- (c) The approved LMP shall be carried out under the guidance of a landscape specialist to ensure that all appropriate measures are undertaken to ensure successful establishment of the planting.
- (d) Should stock be grazed adjacent to the landscape planting, appropriate stock proof fencing shall be constructed around the planting areas.
- (e) All landowners within the Structure Plan area shall continue to maintain the landscape planting to give effect to the purpose of the Structure Plan.
- (f) A 2m wide strip, clear of significant landscape planting (e.g. climax or specimen trees) shall be provided for within the 20m wide coastal edge buffer planting area and shown on the above 'planting plan'. This strip is for the possible future development of a coastal edge walkway (see advice note 6.6). The formed walkway is not part of this Structure Plan.

.4 STRUCTURE PLAN DEVELOPMENT STANDARDS - LAND USE

- .1 All buildings shall have a maximum height of 8m above ground level.
- .2 The exterior of all buildings shall comply with the below design colours contained within Resene Colour Range (BS2660). The exterior building materials for all buildings shall not exceed a reflectivity rating of 35% for walls and 25% for roofs.
Required Colour Range:
 - Group 2 2-028 and 2-029
 - Group 3 3-036 – 3-038 incl., 3-044 and 3-045
 - Group 4 4-049 and 4-050
 - Group 5 5-061, 5-063 – 5-065 incl.
 - Group 6 6-067, 6-072 and 6-073
 - Group 7 7-077, 7-078 and 7-080
 - Group 8 8-088 and 8-089
- .3 All new buildings and outdoor storage of products and material associated with service industrial activities shall be located no closer than 15m from the Tiki Road (SH25) and Huaroa Street road boundary, inclusive of a 10m vegetated buffer strip formed as part of the LMP.
- .4 All buildings shall be located no closer than 25m from the coastal edge boundary inclusive of the 20m riparian buffer formed as part of the LMP.
- .5 At the time of building consent or resource consent application for each new building, the applicant shall demonstrate that the development is consistent with and is able to be connected to the Structure Plan's stormwater management system.
- .6 At the time of a building consent or resource consent application for each new building, the applicant shall demonstrate that the development is consistent with and is able to be connected to any future public wastewater infrastructure network.
- .7 Vehicle and pedestrian access to all service industrial activities (except the existing activity on 1170 Tiki Road) shall be via the Structure Plan access road only.
- .8 All new buildings used for service industrial activities shall be designed with rainwater storage tanks for water supply and to also act as mitigation for stormwater flows.
- .9 All advertising signage on Tiki Road (SH25), except existing signage at 1170 Tiki Road, shall be located at the entrance to the Structure Plan access road. No advertising signage is to be located on the interface with Tiki Road or Huaroa Street to avoid a proliferation of signs on the Tiki Road frontage.
- .10 A 5m yard shall be provided for development on all new lots created that are adjoining residential dwellings within the Structure Plan.

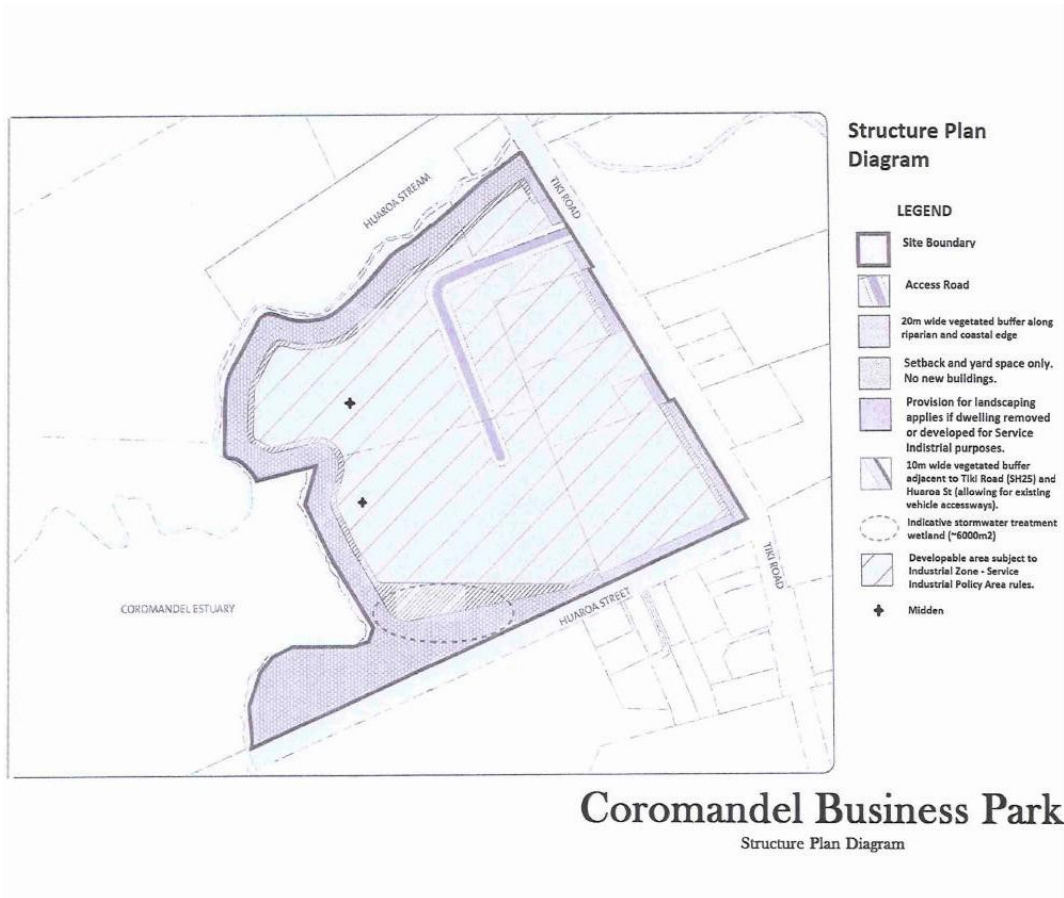
.5 STRUCTURE PLAN DEVELOPMENT STANDARDS - SUBDIVISION

- .1 Each new lot created, or each lot used for service industrial activities shall be provided with vehicle access to the Structure Plan access road. No new service industrial activities shall be provided with vehicle access directly onto Tiki Road (SH25) or Huaroa Street.
- .2 Each new lot created that includes part of the LMP within its boundaries, shall enter into an appropriate covenant with Council that requires subsequent landowners to continue to maintain the landscape planting to give effect to the purpose of the Structure Plan.

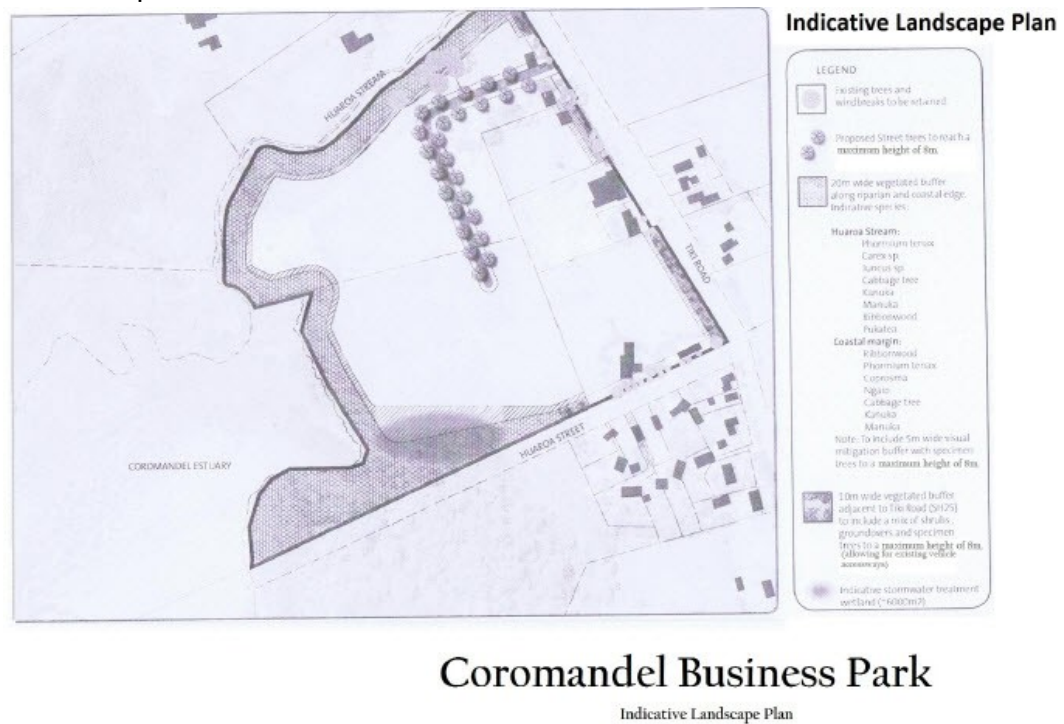
.6 ADVICE NOTES

- .1 Existing residential activities may maintain existing vehicle access onto Tiki Road (SH25) and Huaroa Street.
- .2 Existing residential activities may continue to be used for residential activities without the requirement for a resource consent. These residential activities have existing use rights.
- .3 Wastewater treatment may be provided by on-site wastewater disposal systems in accordance with Waikato Regional Council standards and the requirements of the Building Act 2004.
- .4 Rainwater detention and storage tanks may be incorporated into fire fighting systems as required under the Building Act 2004.
- .5 The Structure Plan access road may either be vested in Council or held in private ownership.
- .6 The 2 m wide strip, clear of significant landscape planting on the coastal edge of the site is a concept that provides for the possible future development of the 'coastal walkway loop' from Coromandel town centre, along the coastal edge, through the Coromandel Business Park Structure Plan site, to Huaroa Street, down Huaroa Street and returning via the pedestrian footpath on Tiki Road. There is no requirement to develop the footpath as part of the Structure Plan but the space should be provided without significant planting (e.g. climax trees) to accommodate the potential for a walkway in the future.
- .7 Any work carried out on the Heritage Buildings within the site shall be in accordance with the relevant heritage provisions of the District Plan.
- .8 A resource consent for stormwater and effluent discharge may be required under the provisions of the Waikato Regional Plan.
- .9 Particular care is required with respect to any earthworks or excavations in proximity (within 10 metres) of the archaeological sites identified on the Structure Plan. For any such works of greater than 0.5 metres depth in proximity to T11/590 and 1.5 metres depth in proximity to T11/891, an archaeological assessment will be required to be submitted with any resource consent or building consent application.

343.4 - Structure Plan Diagram



343.4 - Indicative Landscape Plan



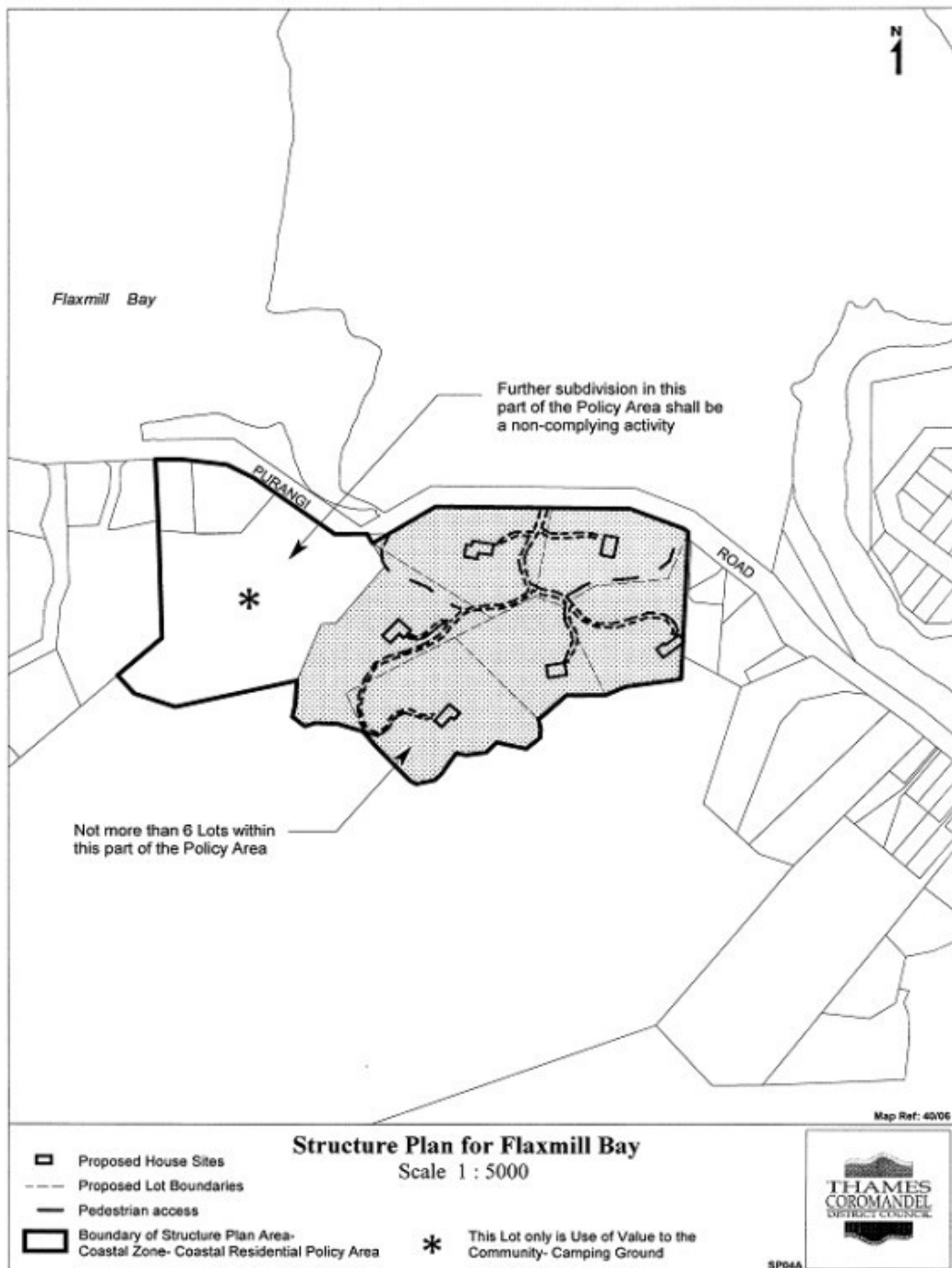
344 - Whitianga Area

344.1 - Ferry Landing - Flaxmill Bay Purangi Road

Any further subdivision or development in this area shall comply with the following matters:

- (a) No more than 6 lots shall be created in this policy area, and the size and arrangement shall follow (approximately) that shown on the structure plan map;
- (b) Rooding within the property shall follow the (approximate) alignment shown on the structure plan map;
- (c) More than one house on a lot within the policy area shall be a non-complying Activity;
- (d) There shall be no direct vehicle access from lots to Purangi Road.

344.1 - Structure Plan Diagram



344.2 - Cooks Beach, Purangi Road Structure Plan

.1 PURPOSE:

To provide for the subdivision and development of the land at Cooks Beach that will maintain and enhanced the village atmosphere of the Cooks Beach settlement, integrate infrastructure with existing and other proposed development, and complement the coastal setting and outstanding natural values of the Purangi Estuary.

To achieve this purpose:

- .1 Recognise and reinforce the natural character of the coastal environment through preserving unmodified margins of the Purangi Estuary, landscape planting, storm water control, and management of public access, to:
 - (i) Create an Estuary Reserve around the end of Purangi Landing Road and along the margins of the Purangi Estuary;
 - (ii) Preserve unmodified Estuary margins, rehabilitate degraded margins, remove weed species and re-vegetate with coastal vegetation;
 - (iii) Provide for more extensive yards immediately adjacent to the Estuary Reserve;
 - (iv) Provide public access to and around the estuary in a natural setting, provide shade and views to the Estuary, and limit vehicle access onto the Estuary Reserve.
- .2 Establish, through location, scale, form, and function, a settlement that generally complements the existing village atmosphere of Cooks Beach.
- .3 Establish variety in residential allotments and development appropriate to the coastal environment generally in the context of the existing Cooks Beach settlement.
- .4 Establish a high quality of amenity for residents and visitors through:
 - (i) Creating a network of areas free from buildings which may include, in variety, function and form, the following:
 - Roads;
 - Pedestrian linkages;
 - Estuary Reserves.
 - (ii) Providing linkages between those open space area
- .5 Ensure, so far as possible, that infrastructure of subdivision integrates with existing and proposed development at Cooks Beach, including:
 - (i) Provision of roading links up to the boundaries of adjacent land;
 - (ii) Provision of primary storm water routes for the management of storm water from the catchment draining to the subdivided area, and of storm water generated from the land being subdivided, subject to discharge consents being obtained.
- .6 Establish subdivisions which generally accord with the Structure Plan and marked "Diagram A".
- .7 Establish subdivision design and layout that:
 - (i) Restricts the number of road intersections from the subdivision to Purangi Road by limiting intersections with Purangi road to two generally in accord with Structure Plan Diagram A;
 - (ii) Restricts direct vehicle access from the residential lots onto Purangi Road by confining vehicle access from the residential lots to an internal roading system without direct access onto Purangi Road;
 - (iii) Provides for 10 metre development setback from Purangi Road, to provide for a walkway, cycle track, visual and noise attenuation buffer and plantation strip. This will maintain visual character and amenity, and assist in ensuring pedestrian and cycle safety along Purangi Road, between Rees Avenue and Purangi Landing road.

.2 RULES

- .1 All subdivision and development of the land within the structure plan shall be in accordance with the purpose and rules of the structure plan, and generally in accordance with Diagram A of the structure plan.

.3 ACTIVITY STATUS AND RULES FOR SUBDIVISION:

- .1 Subdivision of land within the structure plan area shall be a controlled activity provided it is carried out in accordance with the District Plan rules for controlled activity subdivision in the Coastal Village Policy Area, and provided further that the following additional standards, terms, and matters are met:
 - (i) There shall be a 20 metre wide esplanade reserve along the Purangi Estuary to be vested in the Council pursuant to section 231 of the RMA as an open space reserve;
 - (ii) Lots adjoining the Purangi Estuary esplanade reserve shall be designed to ensure that buildings are set back from the esplanade reserve boundary. The building setback shall vary between 13 metres and 20 metres, with an average of 15 metres. The Purangi Estuary building setback shall be fixed at the time of subdivision, having regard to the following factors:
 - (a) Linear arrangement of buildings fronting the Purangi Estuary is to be avoided;
 - (b) Outlook and views for buildings within the subdivisions are to be promoted;
 - (c) Amenity values of the esplanade reserve shall be promoted;
 - (d) The landscape and planting plan approved under rule 3.1 (iii) for the esplanade reserve;
 - (e) The topography of the finished land surface of the development in relation to the esplanade reserve.Council will exercise control over the location of the Purangi Estuary Building Setback. The Purangi Estuary Building Setback shall be delineated by building line restrictions to be created by consent Notices under section 221 Resource Management Act 1991 registered against each affected lot.

Note See section 344.2.4.2 for building within the Purangi Estuary Building Setback which is deemed to be a "yard" and is a discretionary activity, and section 824 for notification of applications.

- (iii) The Purangi Estuary esplanade reserve shall be landscaped and planted by the developer in accordance with a landscape and planting plan prepared by the developer and approved by the Council at the time of making application for a resource consent to subdivide the land. Responsibility for the cost of implementing the landscape and planting plan will be determined at the time of subdivision;
- (iv) A comprehensive storm water management plan including adequate land to enable storm water to be managed on the land through an overflow area running through the Harsant land to the Purangi Estuary, shall be submitted at the time of the subdivision;
- (v) Subdivision shall take into account the cumulative effects of traffic flows on Purangi Road;
- (vi) Roading from the subdivision to Purangi Road shall be generally as indicated on Diagram A, subject to specific design and location of the roads at the time of subdivision approval. The roads shall be constructed and vested in the Council at the cost of the developer. Council will exercise control over the number up to but not exceeding two, and over the location of intersections with Purangi Road;
- (vii) For the land within the Structure Plan area that has frontage to Purangi Road:
 - (a) A 10 metre development setback from Purangi Road, to provide for a walkway, cycle track, visual and noise attenuation buffer and plantation strip. This will maintain visual character and amenity, and assist in ensuring pedestrian and cycle safety along Purangi Road, between Rees Avenue and Purangi Landing Road.
 - (b) Direct vehicle access onto Purangi Road from any residential shall not be provided for.

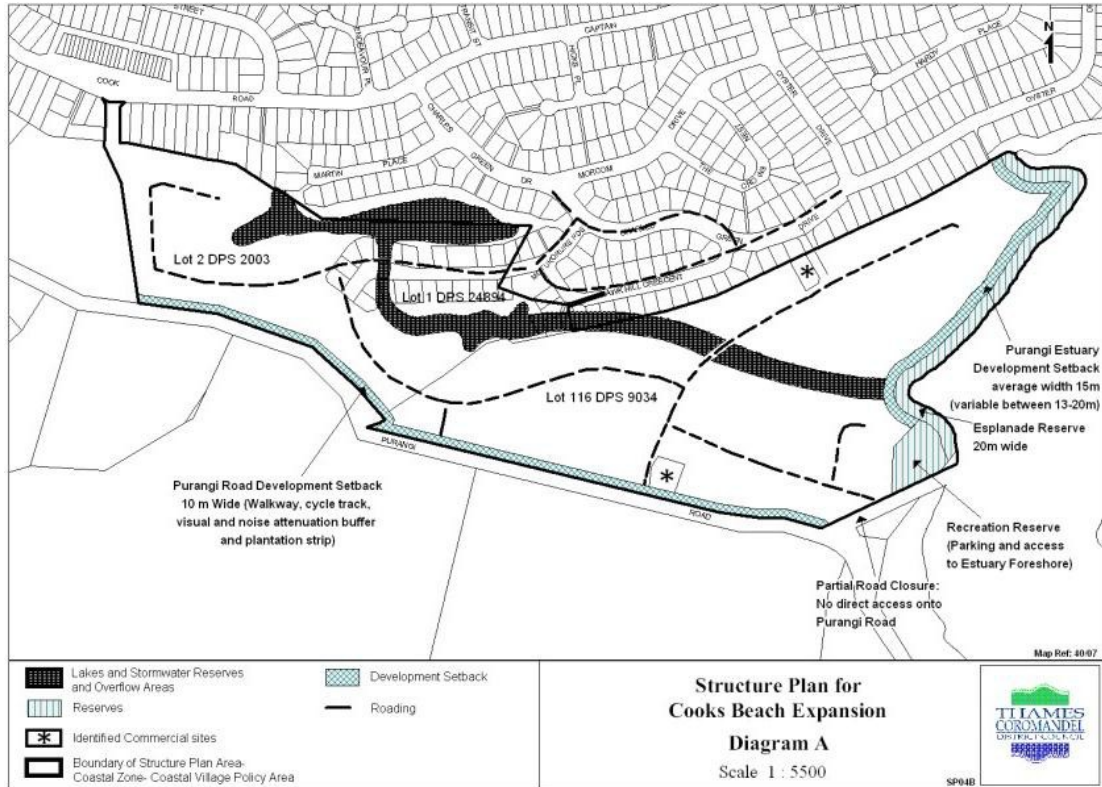
- (viii) Pedestrian linkages within the subdivision and with the estuary Reserve and, so far as is possible, with adjacent areas of the Cooks Beach settlement, shall be provided;
 - (ix) Commercial sites may be provided on the developers land generally as shown in the structure plan, and subject to specific location at the time of subdivision approval. Council will exercise control over the location, number (up to but not exceeding two) and size, and dimensions of the commercial sites;
 - (x) Provision for roading links up to the boundaries with adjacent land generally in accordance with Structure Plan Diagram A.
- .2 Any subdivision which does not meet the provisions of 344.2.3.1 above shall be a discretionary activity and shall achieve the purpose of this Structure Plan.

4 LAND USE ACTIVITY STATUS AND RULES

The rules applying to the activities in Section 5 shall apply to the land within the Coastal Zone - Coastal Village Policy Area with the following exceptions:

- .1 The land identified in Diagram A as "Identified Commercial Sites" Town Commercial Activities, shall be a controlled activity provided that:
 - (a) sites have been created in accordance with an approved subdivision plan for the Structure Plan area; and
 - (b) where there is any discrepancy in location, size and dimensions of the sites between those shown in Diagram A and those approved by subdivision consent and shown on the Land Transfer Plan for the subdivision, the latter shall prevail.
 - (c) Rule 534 shall apply to those controlled activities.
- .2 Notwithstanding the definition of "Building Line restriction" in section 9, for the purpose of standards relating to yards in the Activity Rules in Section 5, the building line restriction shall not create a new boundary for the purposes of assessing yards, but rather, the area in which there is a building restriction is a yard which is assessed by reference to the ordinary boundaries of the lots. The Purangi Estuary building setback or yard shall substitute for a front, rear or side yard or yard abutting land in Conservation, Open Space or Recreation Zones depending on which applies to that part of the site.
- .3 For all activities provided for in Section 5 as permitted, controlled or restricted discretionary, buildings located within the Purangi Estuary Building Setback or yard shall be a discretionary activity.

344.2 - Structure Plan Diagram

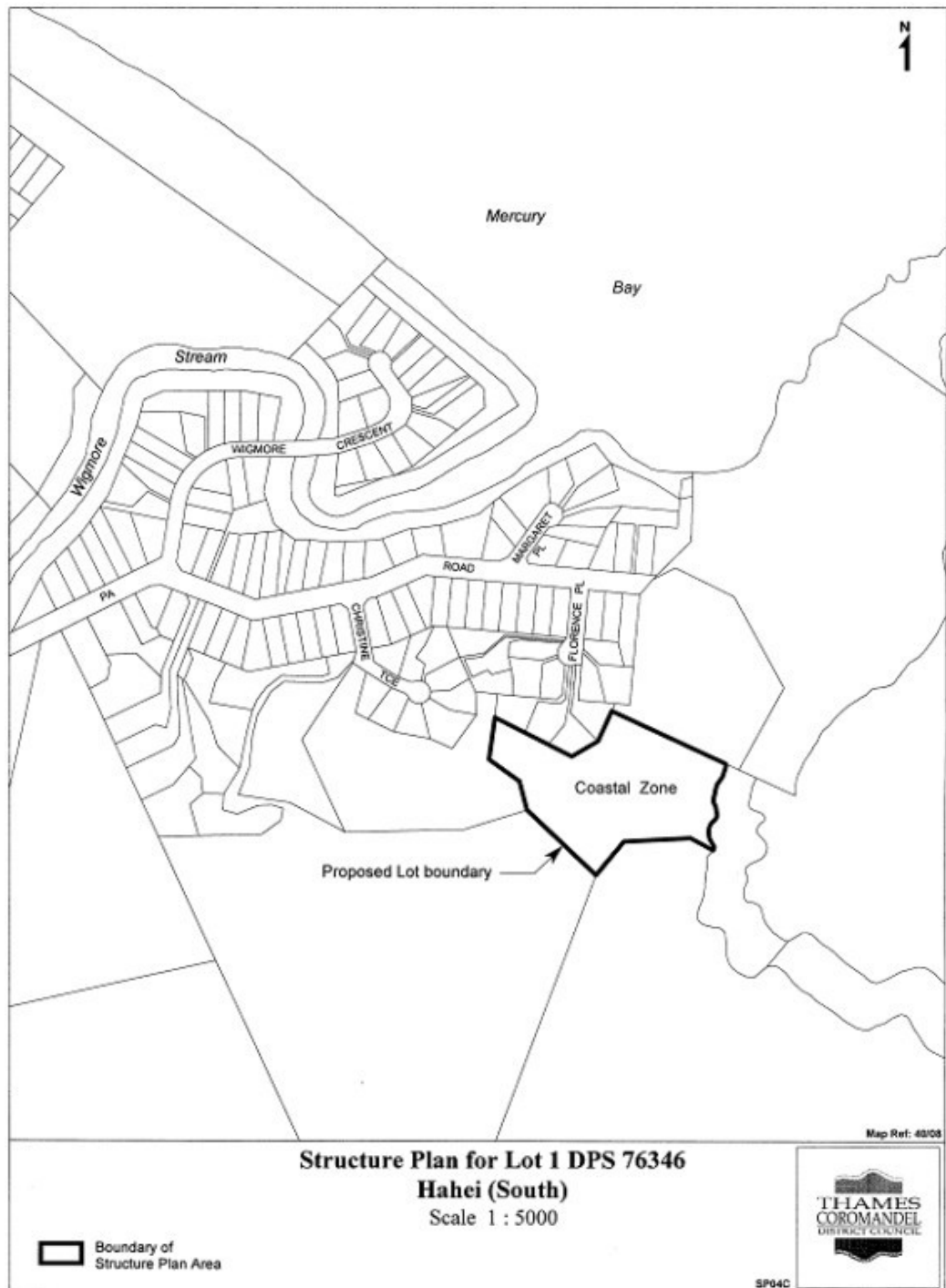


344.3 - Hahei Above Florence Place

1 LOT 1 DPS.76346

Lot 1 DPS.76346 at Hahei is suitable for establishing one house on approximately 2 hectares (5 acres) above Florence Place. The site is surrounded by similar sized blocks and with an appropriately designed house and native tree planting, there will be minor adverse effects. It is appropriate to leave the Coastal Zone in place and ensure no more than one house may be established on the site.

344.3 - Structure Plan Diagram



344.4 - Grange Road, Hahei

.1 PURPOSE

To ensure the landscape character and amenity values of Hahei are promoted. To achieve this purpose:

- (a) Protect in perpetuity as recreation reserve an area of land adjacent to the Cathedral Cove reserve to: Refer to structure plan for all details.
 - (i) Avoid visual intrusion of buildings or structures (except fences) onto the skyline and that part of the Cathedral Cove reserve to the west of the land.
 - (ii) Enhance the amenity values of Hahei.
- (b) Ensure subdivision and development on the balance of the land takes into account the visibility of the site and its coastal location by zoning it Coastal zone: Coastal Residential policy area in order to provide a mechanism for assessing the visual effects of buildings.

.2 RULES

All subdivision and development of the land within the structure plan shall be in accordance with the purpose, rules and plan under this structure plan.

.3 ACTIVITY STATUS AND RULES FOR SUBDIVISION

- .1 Subdivision of land within the Structure Plan area shall be carried out in accordance with the rules for subdivision in the Coastal Zone: Coastal Residential policy area set out in Section 740-744 incl. **PROVIDED THAT** the following additional standards and terms shall be met:
 - (i) As part of any subdivision of the land, the area identified as "reserve area" in Diagram A shall vest in Council as recreation reserve under the Reserves Act 1977.
 - (ii) The precise length of the reserve boundaries will be determined at the time of subdivision of the land. The length of the boundary that abuts Grange Road will not be materially greater or less than 100 metres. The length of the western boundary that abuts Cathedral Cove Reserve will not be materially greater or less than 120 metres. The common boundary between the reserve area and the Coastal Residential policy area shall be placed in a location that ensures that buildings will not be visible from the part of the Cathedral Cove Reserve to the west of the land.
- .2 Any subdivision which does not meet the provisions of .3.1 above shall be a Non-Complying Activity.

.4 LAND USE ACTIVITIES

- .1 The provisions of Sections 4 and 5 shall apply to all activities within the Structure Plan area, with the exception within the "reserve area" of provisions for buildings.
- .2 Buildings within the "reserve area" shall be a Non-Complying Activity.

344.4 - Structure Plan Diagram



344.5 - Whitianga Waterways

.1 STRUCTURE PLAN OUTLINE FOR WHITIANGA WATERWAYS

- .1 Development within the Whitianga Waterways Structure Plan is intended to provide for water oriented housing as an extension of Whitianga town. The scale of the development is 220ha with a network of canals, roads and reserves. The development shall be in accordance with the Structure Plan requirements and the zone and activity rules in Sections 4, 5 and 6 of the Plan.
- .2 All subdivision and development shall recognise and be in accordance with the character and amenity values, key features and rules set out below.

.2 CHARACTER AND AMENITY VALUES

- (a) Cohherence at Whitianga Waterways
 - (i) Roads relate well to the existing road network and together with cycleways and footpaths provide direct linkages between existing and new development including existing and new schools;
 - (ii) Commercial and recreational facilities complement existing town centre activities and recognise the needs of the community;
 - (iii) Form of development and the built environment is compatible with the existing settlement mix of housing types and lot sizes;
 - (iv) New development sensitive to the surrounding rural, coastal and residential character.
- (b) Pleasantness at Whitianga Waterways
 - (i) Use of landscaping and creation of landscape features including contouring of the structure plan area to provide for varied topography;
 - (ii) Buildings and structures softened by extensive planting;
 - (iii) Creation of streetscapes, including street furniture and neighbourhood identities;
 - (iv) Open space networks throughout the whole development area;
 - (v) High standard of water quality in the canals.
- (c) Cultural and Recreational Attributes at Whitianga Waterways
 - (i) Public reserves;
 - (ii) Possible provision of a large central recreation reserve to serve the whole of Whitianga;
 - (iii) Reserves within walking distance of housing areas
 - (iv) Walkway and cycleway networks throughout the development;
 - (v) Recreational facilities available;
 - (vi) Cultural and recreational values associated with the harbour and coastal margins.
- (d) Environmental Results Sought at Whitianga Waterways
 - (i) Scenic, ecological, spiritual and amenity attributes of the harbour environment are safeguarded
 - (ii) Development recognises and protects the relationship with tangata whenua and the harbour and coastal margins
 - (iii) Protocols with tangata whenua ensure sites of significance including waahi tapu are recognised
 - (iv) Development complements and integrates with the existing town so that a "common identity" is maintained
 - (v) Development does not detract from the efficient operation of the town water supply, reticulated sewage and stormwater disposal systems or the roading network
 - (vi) Development maintains and enhances visual amenity and landscape character

.3 KEY FEATURES OF THE STRUCTURE PLAN (SHOWN ON MAP)

- (a) Primary Canal entry from the harbour:
The entry to the development shall be located approximately within the area identified on the map. The exact location of the canal entrance will be determined following site investigations involving iwi.
- (b) Relocated State Highway:
The existing Planning Map designation for a by-pass road will be removed once the new State Highway has been designated. The primary canal cannot sever the existing State Highway until the new State Highway has been formed, designated, and is in use.
- (c) Central area access road:
 - (i) This road must be formed and in use before the existing State Highway is severed by the primary canal. Appropriate traffic management measures at its intersection with Cook Drive and at the intersection of Lee Street and Cook Drive shall be provided;
 - (ii) The road shall make provision for pedestrian and cycle paths.
- (d) This provision has been deleted.
- (e) Commercial Site:
The site is located adjacent to the main intersection and primary canal. Adequate car parking will be provided.
- (f) Reserves:
 - (i) Reserves shall be provided at the head of each canal and within the non-canal frontage residential areas as shown. The reserves are there to provide accessible and useable open space, public access to the canals, overland flow paths for stormwater management and non-vehicular linkages that complement the roads. The non-vehicular linkages shall maximise access to the reserves. Half the area of reserves must be flatter than 1 in 20 slope and contain a shape circle of at least 40m in diameter, and have a minimum area of 2,000m².
 - (ii) These reserves are not part of the reserve contribution to Council. They are an integral component of the overall development and subdivision design. The open space and recreation areas offset the localised adverse effects in respect of stormwater control, residential amenity and neighbourhood character. The areas are zoned Open Space or Recreation on the structure plan map.
 - (iii) With the agreement of iwi, reserves around the margin of the harbour should be classified in a way that recognises the importance of the area to iwi, while maintaining public access around the harbour margins.
- (g) Primary and Secondary Canals:
 - (i) Management and ownership of the canals shall be the responsibility of a legal entity (which could be a body corporate or management company) set up by the subdivider, which shall ensure that public access to and along the canals is provided for. Management and ownership functions including canal repairs, maintenance, monitoring, health and safety matters, canal surface water activities, and structures shall be funded entirely by that legal entity;
 - (ii) A management plan to accompany the application to subdivide stage one of the development will be prepared for the canals, and this will include details on how provision will be made for the maintenance and repair of the canals, details of structures such as jetties permitted to be built in the canals, how water quality will be monitored and maintained, control of water surface activities, and health and safety.
- (h) Distinctive Neighbourhoods:
 - (i) Harbour Neighbourhood;

- Strong marine coast orientation.
- Public access facilities at canal entrance including provision for public pedestrian access from tidal area onto land.
- Boat storage facilities with secure legal tenure permanently available at all times to the occupants of the house at Te Ana Point.
- Open character throughout residential area
- (ii) Grand Canal Neighbourhood with Commercial site;
 - Primary canal network;
 - Expansive canals and low density residential development;
 - Non-canal frontage sites are slightly elevated;
 - Public use of reserve and mooring facilities adjacent to the commercial centre.
- (iii) Northern Canal Neighbourhood;
 - Secondary canal network than Grand Canal neighbourhood;
 - More enclosed intimate character;
 - Fewer marine activities than other neighbourhoods.
- (iv) Western Canal Neighbourhood;
 - Secondary canal network;
 - More enclosed intimate character than Grand Canal neighbourhood;
 - Oriented towards canals, away from industrial area.
- (v) Airport Neighbourhood;
 - Design provides strong functional relationship with the airfield;
 - Long-term noise characteristics of the airfield well understood and adverse effects mitigated;
 - Open, low density character;
 - Houses built to mitigate the effects of aeroplane noise on occupants of houses;
 - Long-term operation of airfield secured;
 - Little relationship with canals.

.4 RULES FOR DEVELOPMENT

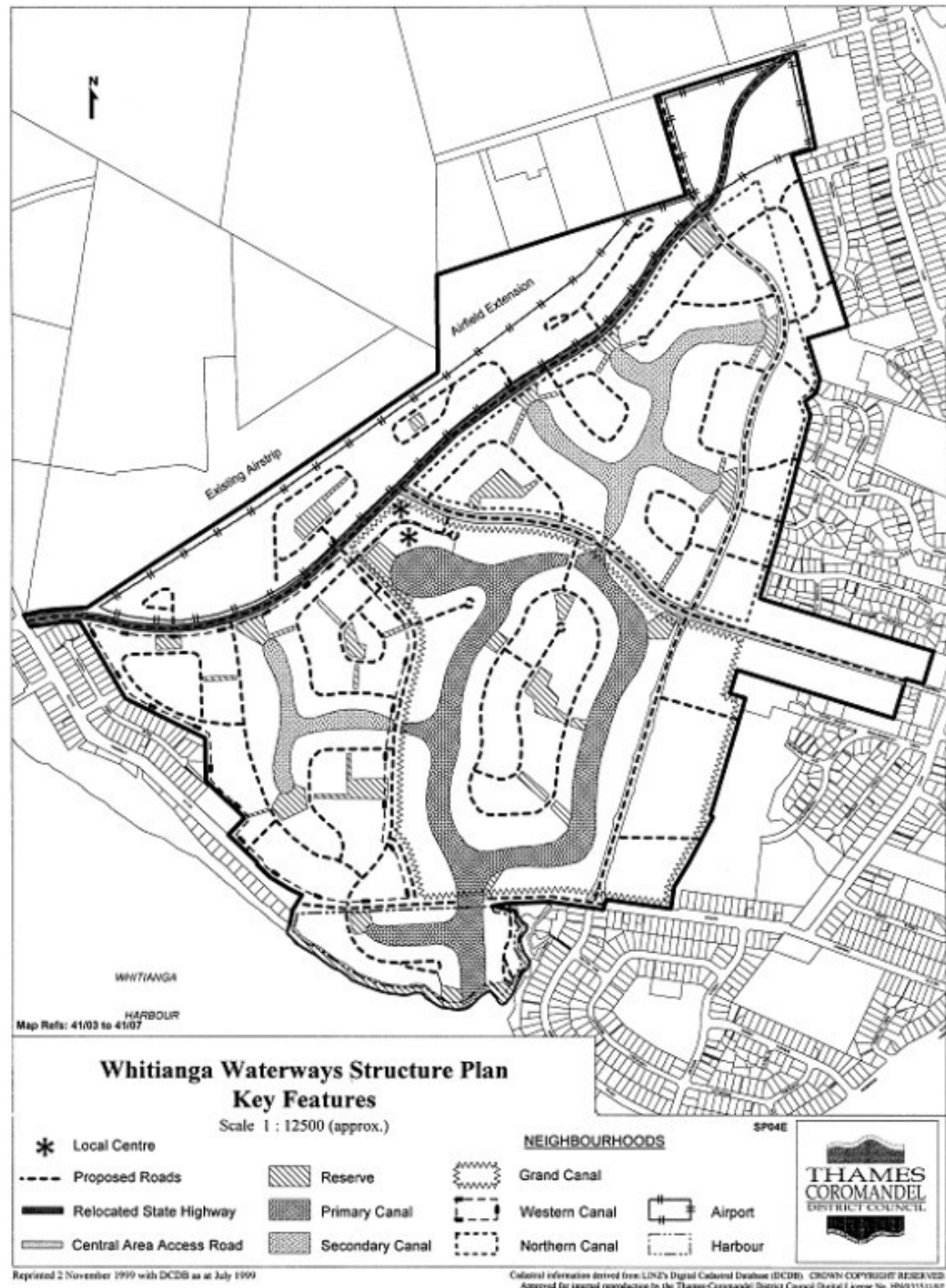
The rules applying to activities within specific zones are set out in Sections 4, 5 and 6 of the Plan and shall apply to activities unless a rule in the structure plan states otherwise.

Note Reference should be made to practice notes for assessing subdivisions.

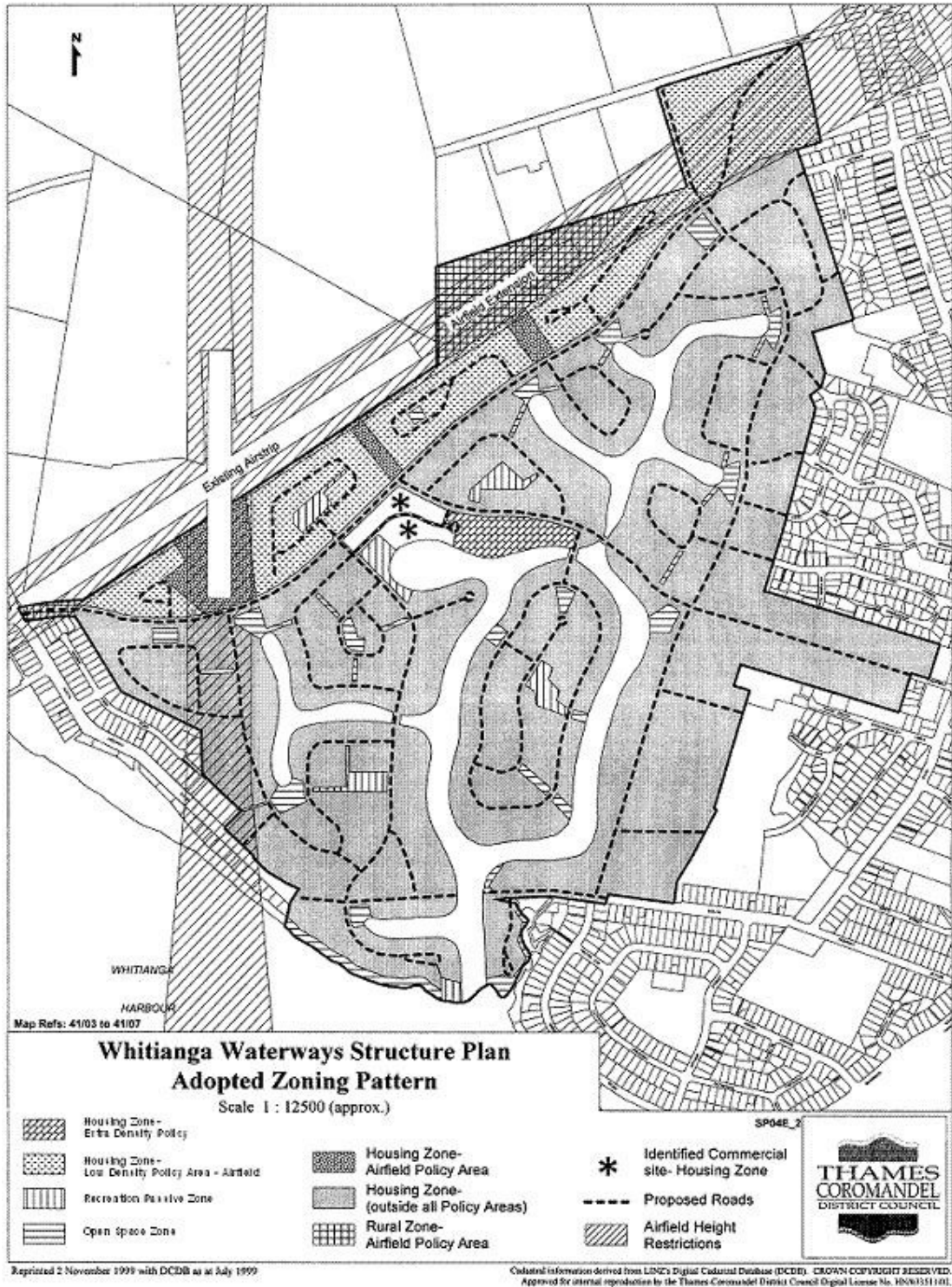
- (a) Housing Zone
- (i) Extra Density Policy Area
- Subdivision within this area shall be designed, assessed and developed as a separate entity, as a controlled activity. Council may exercise control over those matters set out in the structure plan that are relevant to the proposal;
 - A minimum average lot area of 300m² shall be achieved;
- (ii) Identified Commercial Site
- Adequate off-street carparking shall be provided adjacent to the commercial development;
 - Subdivision within this area shall be designed, assessed and developed as a separate entity, as a controlled activity. Council may exercise control over those matters set out in the structure plan that are relevant to the proposal;
 - A minimum average lot area of 300m² shall be achieved;
 - The design of all buildings shall be comprehensive and have common urban design elements and character;
 - Buildings shall meet the standards for the Housing Zone outside all policy areas set out in Section 5 of the Plan, except for height, daylighting and coverage;
 - Height standard for buildings is 10m;
 - Daylighting standard for buildings is 6m & 45°;
 - Coverage standard for buildings is 85%.
- (iii) Low Density Policy Area (Airfield)
- Subdivision within this area shall be designed, assessed and developed as a separate entity, as a controlled activity. Council may exercise control over those matters set out in the structure plan that are relevant to the proposal;
 - Information supplied with applications shall include assessment of the long-term noise characteristics of the airfield and their effects on properties created by subdivision, and appropriate standards for house construction, in order to mitigate the effects of aeroplane noise;
 - Minimum lot area for lots with airfield access shall be 800m² and no minimum average lot area;
 - Minimum lot area for lots without airfield access shall be 500m² and a minimum average lot area of 700m² shall be achieved.
- (iv) Outside all policy areas
- Subdivision within each neighbourhood shall be designed, assessed and developed as a separate entity, as a restricted discretionary activity. Council will restrict its discretion to the matters set out in this structure plan.
 - A minimum average lot area of 600m² for lots fronting the Grand Canal shall be achieved.
 - A minimum average lot area of 500m² for lots fronting a secondary canal shall be achieved.
 - A minimum average lot area of 500m² for lots not fronting a canal shall be achieved.
- (v) Esplanade Reserves
- Esplanade reserves shall not be required to be provided when land adjoining a canal is subdivided
- (b) Rural Zone
- (i) Airfield Policy Area - This area provides for the extension of the airstrip and necessary height controls.
- (c) Relocated State Highway
- (i) A new route for the State Highway has been located and will upon completion be designated on the edge of the waterways development alongside the airfield housing and past the commercial site. It provides an alternative main road for heavy vehicles to use, such as logging trucks and stock trucks, which avoids the Whitianga town centre;
- (ii) Severing of the existing State Highway by the primary canal shall not occur until the new State highway has been formed, designated, and is in use.
- (d) Development Impact Fees
- (i) Development impact fees shall be paid in accordance with the provisions set out in the Proposed District Plan Decisions Version dated 29 September 1999 for financial contributions called development impact fees (DIF's);
- (ii) In the event that subdivision and development begins prior to the development impact Fees provisions becoming operative, contributions may by agreement be assessed on the basis of the Proposed District Plan development impact fees rules, rather than those under the Local Government Act;
- (iii) The DIF's for reserves shall be calculated in accordance with the Proposed District Plan provisions for the Mercury Bay Ward as a whole.;

- (iv) 4.4.4 in the formula 4.9.4.1, Decisions Version;
- (v) The canals and reserves and facilities related to the use of the canals are required to off-set the environmental effects of the extra use generated on the public harbour system and shall not be counted as reserve credits.
- (e) Archaeological/Sites of Significance Survey
At stages, as the initial land development work is undertaken by the developer, an archaeologist(s) and iwi representative(s) will monitor the work in order to identify and record sub-surface cultural remains and structural evidence. Should the destruction of any sites identified be unavoidable, the developer shall follow any iwi protocols, and obtain an authority from NZ Historic Places Trust under the Historic Places Act 1993 if necessary.
- (f) Earthworks
Earthworks within the structure plan area shall not be subject to the earthworks rules in the Proposed District Plan.
- (g) Canals
Canals themselves will not be owned by Council, but shall be available for use by members of the public subject to compliance with the provisions of the canal management plan. Appropriate public access shall be assured.
- (h) Town Centre zone
Provided that the only activity on the area shown as Town Centre zone on the plan titled 'Whitianga RMA 1140/99 Town Centre Zone' shall be a supermarket with a floor area of not less than 2000m² and all development of this area shall be subject to the following controls:
 - (i) Front yard: 7.0m.
 - (ii) Any yard adjoining a housing zone: 15.0m.
 - (iii) Landscape yard: minimum 50% of area of front yard with minimum width of 3.0m along whole front boundary except where access required.
 - (iv) Building height in relation to boundary: 2.0m plus 45 degrees where adjoining a Housing zone.
 - (v) Site coverage: 40% maximum.

344.5 - Structure Plan Diagram Key Features



344.5 - Structure Plan Diagram Adopted Zoning Pattern



344.6 - The Northern Marina Reclamation Whitianga

.1 PERMITTED ACTIVITIES

The following activities are permitted provided that they meet the standards for Community Health and Recreation for the Conservation Zone (see Section 520).

- .1 Festivals and events, gatherings and passive recreational activities not involving buildings or permanent structures.
- .2 Maintenance and servicing of underground infrastructure associated with the Whitianga Marina.

.2 CONTROLLED ACTIVITIES

The following activities are controlled activities provided they meet the standards set out in 6.1. In considering a resource consent application for a controlled activity regard shall be had to the matters set out in 6.2 below.

- .1 Buildings or permanent structures to accommodate the activities set out in 2.2 to 2.4 below.
- .2 Marine Community and Club Activities (excluding accommodation), Art Gallery, Museum, Cultural Centre and restaurants within the Recreation (Passive) Zone.
- .3 Uses accessory to those set out in 2.2 above and the Whitianga Marina.
- .4 Public Toilets and changing facilities within the Recreation (Passive) Zone.
- .5 Temporary stockpiling and removal of harbour dredgings on the eastern point of the reclamation within the Open Space Zone.

An application for resource consent for temporary dredging and removal of harbour dredgings may be considered without the need to obtain the written approval of affected persons and need not be notified in accordance with Section 93 of the Act, unless the Council considers special circumstances exist in relation to any such application.

.3 DISCRETIONARY ACTIVITIES

In considering a resource consent application for a discretionary activity regard shall be had to the matters set out in .6.2 below and the relevant criteria in Section 8 (850).

- .1 Non residential services and facilities other than those set out in .2.2 above.
- .2 Town commercial activities not provided for as Controlled Activities
- .3 Buildings and structures which are permitted or controlled and do not meet the standards set out in .6.1 below

.4 NON COMPLYING ACTIVITIES

- .1 Subdivision of the land.
- .2 Activities and buildings not expressly provided for in this structure plan.
- .3 Buildings within the Open Space Zone.

.5 NORTHERN RECLAMATION MANAGEMENT PLAN

- .1 The Council wishes to achieve comprehensive and integrated management of the establishment, operation and monitoring of all activities on the Northern Reclamation. To achieve that objective *it is required* that a Management Plan in relation to the entire Northern Reclamation be prepared prior to the establishment of any further activities on that area.
- .2 The Management Plan shall be submitted for the approval of the Council prior to the commencement of any further activities and all activities established on the Northern Reclamation shall be undertaken in general accordance with that plan.
- .3 Any resource consent application in relation to the Northern Reclamation shall be accompanied by a Northern Reclamation Management Plan setting out the manner in which the development is proposed to be undertaken (including the integration of uses), the methods to be used, the areas to be affected and the timing and sequence of development, in order to demonstrate that compliance with the assessment criteria in section 6.2 has been optimised. As a minimum, the Northern Reclamation Management Plan shall include:
 - (a) a landscape concept;
 - (b) a stormwater management plan;
 - (c) a lighting plan;
 - (d) a description of the relationship between the activities to be undertaken on the Northern Reclamation and activities in the adjacent marina, harbour and reserve areas;
 - (e) a description of the relative mix of the proposed activities and, in particular, their accessibility and availability to the general public (as distinct from exclusive private or club activities);
 - (f) a traffic and parking management plan;
 - (g) a description of the management of stockpiling and removal of harbour dredging;
 - (h) a maintenance/operations management plan (including responsibilities);
 - (i) provision for the monitoring/review of all aspects of the management plan.

In the event that a Northern Reclamation Management Plan has already been approved by the Council, it shall not be necessary to file a separate management plan with a resource consent application but rather to demonstrate in the application documents that the proposed activity is substantially in accordance with the approved plan.

- .4 The Council may approve minor amendments to the Northern Reclamation Management Plan to recognise and provide for the establishment of new activities which are considered appropriate, having regard to the contents of the approved Management Plan and the assessment criteria in .6.2. Any proposed amendment which would significantly alter the pattern of development or the potential effects contemplated by the approved Management Plan, shall be the subject of plan change or variation procedures as appropriate.

.6 STANDARDS & CRITERIA FOR CONTROLLED AND DISCRETIONARY ACTIVITIES

Each controlled activity shall meet the following standards and shall be assessed according to the following criteria. Each discretionary activity shall have regard to the following criteria.

.1 STANDARDS

Maximum building height 7 metres

- (i) Maximum total footprint of all buildings and structures on the Northern Reclamation shall be 325m² or 400m² if public toilets are provided within any building accommodating uses listed in 2.2 above.

Note Footprint means the area of building coverage as defined in the definition for 'site coverage'.

- (ii) No buildings shall be located within 18m of the mean high water spring along the southern boundary of the reclamation, or within 10m of mean high water for the balance of the reclamation.
- (iii) External free standing lighting shall be no more than 1m in height.
- (iv) Engineering Certification has been obtained confirming that any building, structure or associated works will not adversely affect the geotextile and rock armour of the marina rock wall.

.2 ASSESSMENT CRITERIA

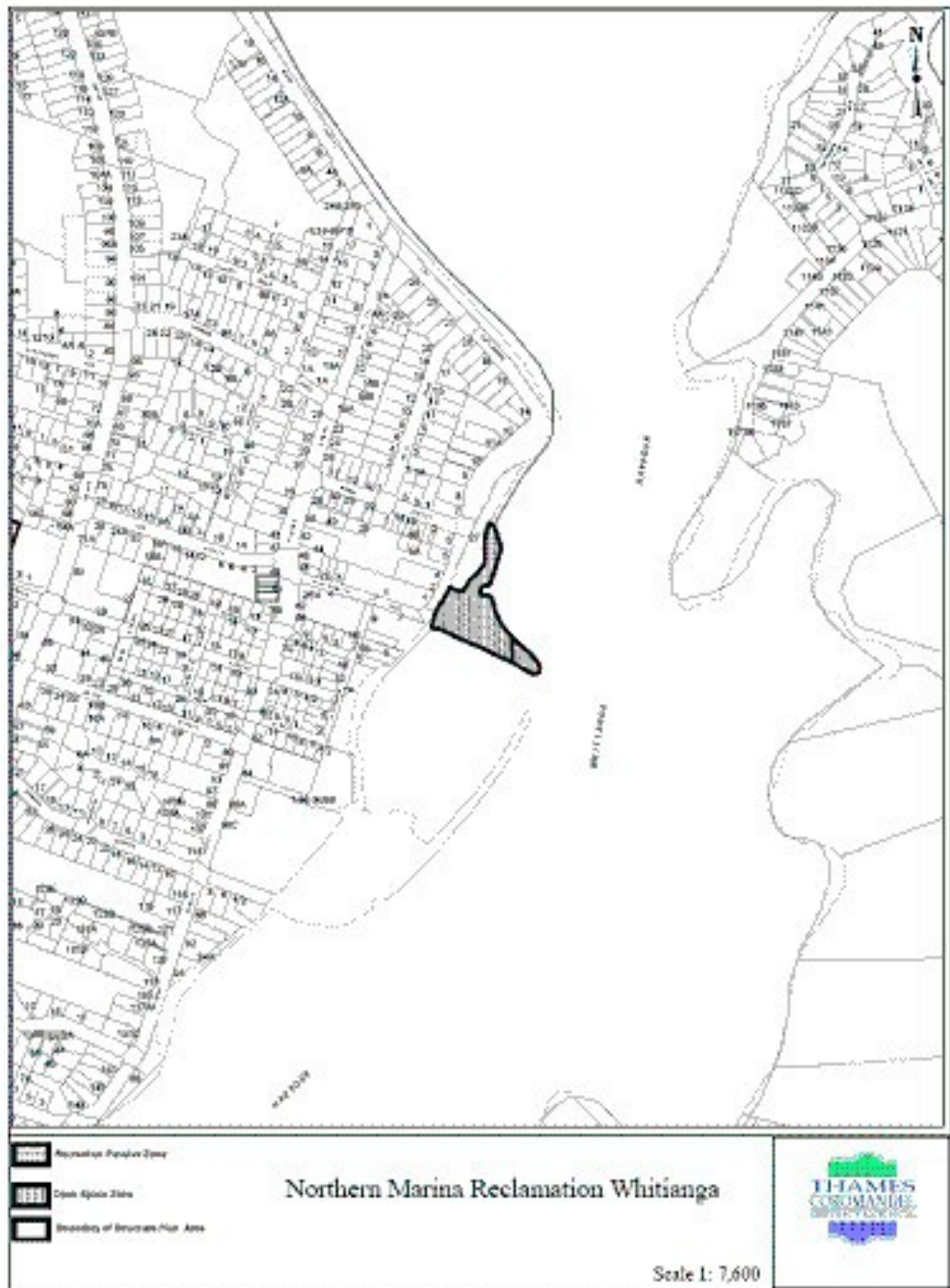
- (i) Whether the proposal reflects the imagery, architectural and cultural context of the maritime environment of the Whitianga waterfront;
- (ii) Whether the mix of proposed activities will be accessible and available to the general public;
- (iii) Whether the development appears welcoming and open to the general public and provides for exterior open areas and promenades with a strong relationship to the Harbour;

- (iv) Whether the ground floor facades of buildings maintain a strong visual connection between the building and the surrounding site, facilitating public access to and from the building;
- (v) Whether the site planning for the proposal effectively integrates any proposed structures, associated parking, pedestrian circulation systems, and existing marina activities and makes provision for appropriate public facilities/amenities such as public toilets, rest areas/seating and rubbish receptacles;
- (vi) Whether loading and delivery areas are adequately screened and adequate provision has been made for indoor storage of rubbish, recycling, and storage of equipment and materials;
- (vii) Whether the proposed development maintains clear open space and encourages public access along its seaward margin and to other open spaces in the area;
- (viii) Whether good visual and pedestrian linkages between any building, Blacksmith Lane, Taylor's Mistake, and the Whitianga Wharf / esplanade area are provided;
- (ix) Whether a view corridor between Blacksmith Lane and the Harbour is provided;
- (x) Whether parking of a suitable scale is provided in appropriate locations to service needs generated by the proposed activity. In addition, any parking layout should avoid large contiguous expanses of pavement and incorporate shade trees;
- (xi) Whether the scale, proportions and articulation of buildings is sensitive to the coastal edge context;
- (xii) Whether external building materials, colours and finishes reflect the building's maritime, open space setting. Reflective or highly tinted glass should be avoided;
- (xiii) Whether any signage provided integrates with the building and surrounding site;
- (xiv) Whether external lighting produces low levels of glare and is of an ambient nature, consistent with the adjacent marina lighting;
- (xv) Whether planting proposals contribute to the site's maritime, open space setting and assist to integrate the built form with its setting.

Stockpiling and removal of harbour dredgings:

- (i) Whether the timing, and hours of operation of the stockpiling and removal of harbour dredgings will adversely affect the ongoing use of the reclamation area;
- (ii) Whether proposed restoration work will adequately return affected areas to their previous state;
- (iii) Whether stockpiling is limited to an appropriate area.

344.6 - Structure Plan Diagram



344.7 - Matapaua Bay

.1 PURPOSE

To provide for a limited development opportunity in a manner that:

- Protects and actively conserves an indigenous coastal forest in the context of an outstanding coastal environment adjacent to Matapaua Bay;
- Protects and enhances the natural character of the coastal environment;
- Provides for pedestrian access to and along the coastal margin;
- Improves vehicular access to the coast.

The following methods will be used to achieve this Purpose:

- .1 Protect and conserve the ecological values of approximately 32 hectares of indigenous coastal forest by way of appropriate legal instruments to:
 - (i) secure in perpetuity the management and enhancement of the coastal forest as an indigenous coastal ecosystem;
 - (ii) create a Body Corporate or similar legal entity incorporating the owners of the property to provide financial and other necessary resources;
 - (iii) set out the required management and enhancement objectives and actions including but not restricted to: providing and maintaining fences to exclude stock; providing and maintaining tracks; managing public pedestrian access; implementing programmes of plant and animal pest control; replanting of vegetation.
- .2 Recognise and provide for limited subdivision and development for residential purposes restricted to an area of approximately 8 hectares identified as "House Site Area"; to ensure:
 - (i) house sites are available for families exercising stewardship over the "coastal forest covenant" and "house site" areas;
 - (ii) natural character of the coastal environment and existing trees are preserved;
 - (iii) unmodified coastal margins are maintained and protected from inappropriate development;
 - (iv) house sites are discretely placed, back from the coastline using areas already modified by grazing, located to ensure existing vegetation and land form provide backdrop, and separated by open space and coastal bush;
 - (v) minimum disturbance to natural contours and ground conditions and with rehabilitation of unstable areas;
 - (vi) landscape planting to limit the views of buildings from the sea or Matapaua Bay;
 - (vii) controlled stormwater discharges to ground and provide treatment through utilising natural watercourses or managed wetlands or planted swales.
- .3 Establish vehicle access and pedestrian accessways in harmony with and not intruding into the natural landscape with:
 - (i) a single vehicle intersection providing safe ingress and egress to and from the site via private road on the 'leg in' portion of Lot 1 DPS 2294;
 - (ii) internal vehicular access with single access points from the internal road to each house site;
 - (iii) formed public pedestrian access along the unformed legal road and reserve area to enable public access at all tides, between Matapaua Bay, Tapu (Zane Grey) Point and Sandy Bay;
 - (iv) formed pedestrian access to provide private and public access between the edge of the cliff and Tapu (Zane Grey) Point.
- .4 Establish conservation and development which is in accordance with the structure plan Diagram A Structure Plan: Conservation Forest and House Site Areas" and Diagram B "Structure Plan: House Site Area Detail".
- .5 Contribute to the upgrade of the entire length of Matapaua Bay Road in a manner that:
 - (i) Retains the remote character and confirms that access is limited.
 - (ii) Improves traffic safety and convenience for motorists.
 - (iii) Reduces the main gradient and improves traction over the steep ridge section.
 - (iv) Improves stormwater control.
 - (v) Reduces maintenance costs.
 - (vi) Provides a turn around area on the crest of the steep ridge section.

Note As part of any resource consent application, the applicant will identify the required road upgrading works to be undertaken and provide a costing of those works, to enable the road upgrading contribution to be determined - refer to Rules .3. 1(v)&.3.2(iii).

.2 RULES

All subdivision and development of the land within the structure plan shall be in accordance with the purpose, rules and diagrams (A and B) under this structure plan.

.3 ACTIVITY STATUS & RULES FOR SUBDIVISION

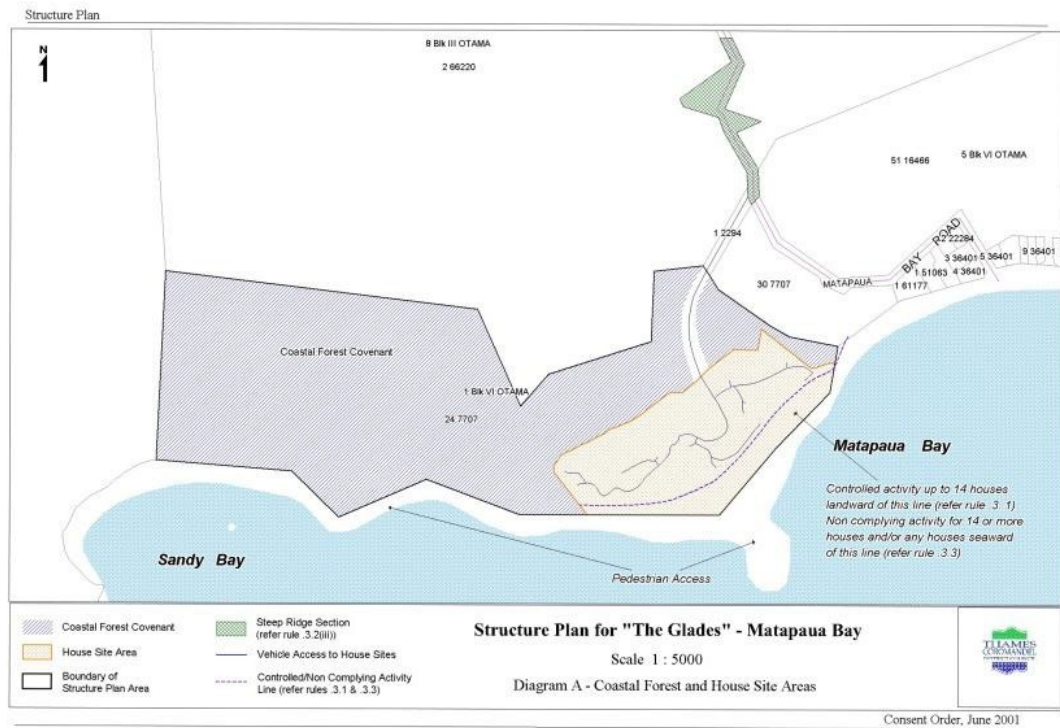
- .1 Subdivision and development for up to 14 house sites within that part of the Coastal Zone -Outside All Policy Areas shown in Diagrams A & B as "House Site Area" shall be a Controlled Activity provided that the subdivision meets the following standards, terms and matters:
 - (i) each lot contains a Defined Building Area located north west (landward) of the line shown on Diagrams A & B;
 - (ii) dimensions, shape and area of each lot sufficient to contain a Defined Building Area;
 - (iii) Defined Building Area capable of containing a single house and accessory building(s) designed to meet the requirements of this Plan for houses in the Coastal Zone - Outside All Policy Areas (see 853.1);
 - (iv) individual on site wastewater systems contained within the boundaries of the lot containing the defined building area it is intended to service where such systems are to be provided;
 - (v) a schedule identifying and costing all of the works required for the Matapaua Bay road upgrades (refer to Method .1.5 & Rule .3.2(iii)), vehicle and pedestrian access, including associated earthworks, to achieve the environmental outcomes set out in the purpose of this structure plan;
 - (vi) vehicular access to the site and internally within the house site area;
 - (vii) tree, bush and landscape preservation and enhancement to achieve the purpose of this structure plan;
 - (viii) coastal forest covenant area covenanted with appropriate legal instruments to achieve the purpose of this structure plan.
- .2 In assessing a Controlled Activity application to subdivide and/or develop land under this Structure Plan, Council shall reserve control over the following road and access matters, in addition to those set out in .3.1 above. In reserving its control over these matters, Council:
 - may impose greater or lesser access and roading standards to those stated under each of the following matters in (i)- (iii) below;
 - shall use the standards stated under each of the following matters in (i)- (iii) below for guideline purposes to determine the applicable standard; and
 - shall use the methods set out in .1.3 and .1.5 of the Purpose as assessment criteria.
 - (i) For the 'leg in' access (shown on Diagram A, as 'Vehicular Access Lot 1 DPS 2294' and 'Vehicular Access' between Matapaua Bay Road and the 'House Site Area') whether the standard of formation provides a safe intersection and an all weather vehicular access in harmony with its natural setting.

The applicable access and roading standards to be used as a guideline are those contained in:

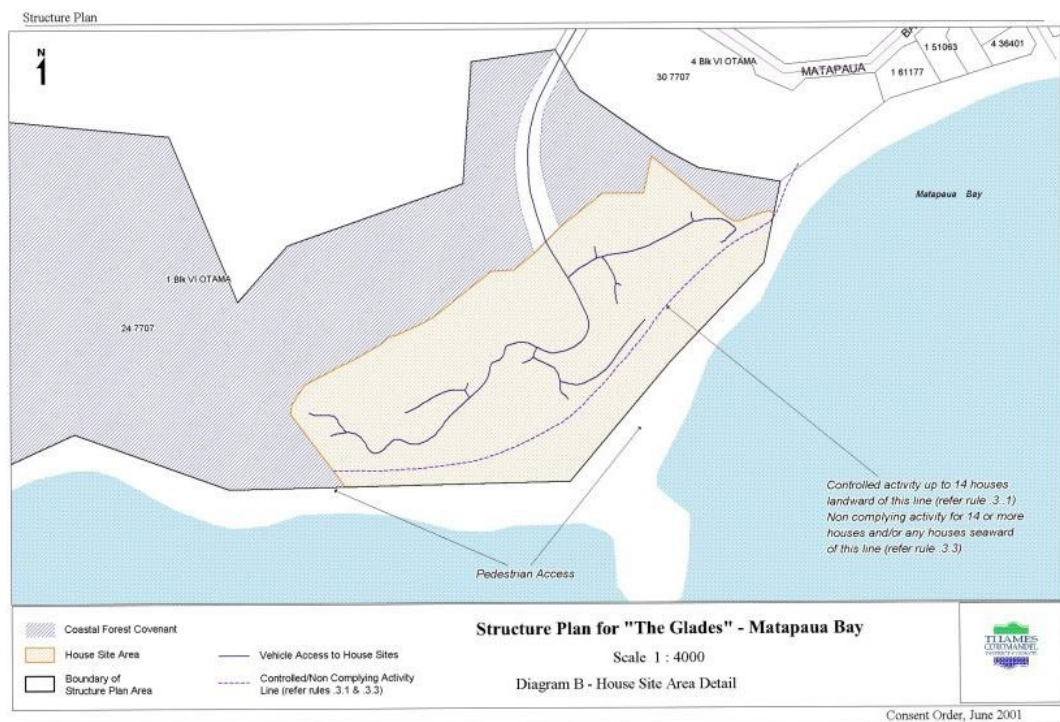
- Rule 473.6 Road Design Standards, Terms and Conditions - Table 2.

- (ii) For the internal access (shown on Diagrams A & B, as 'Vehicular Access' within 'House Site Area') the extent to which the standard of formation provides an all weather access in harmony with its natural setting.
Where the vehicular access serves more than 4 and up to 14 lots and/or dwellings, the applicable access and roading standards to be used as a guideline are those contained in:
- Rule 473.6 Road Design Standards, Terms and Conditions - Table 2.
Where the vehicular access serves up to and including 4 lots and/or dwellings, the applicable access and roading standards are those contained in:
 - Rule 754 Vehicle Access.
- (iii) For the purposes of determining the reading upgrade in respect of Matapaua Bay Road to a standard that recognizes the character of the location and an appropriate contribution from the development (refer to Method . 1.5 & Rule .3.1 (v)):
- (a) provide for the steep ridge section (as shown on Diagram A) to be upgraded to achieve:
- improved pavement strength and smoothness of the carriageway;
 - improved vehicle traction using reduced gradients, road surface treatment and other methods;
 - the ability for vehicles to turn around;
 - improved safety with intervisible passing bays;
 - safe and efficient intersection of the access 'leg in';
 - adequate stormwater control and disposal; and
- (b) provide for the remainder of Matapaua Bay Road to be upgraded to:
- improve stormwater control and disposal, in order to reduce the frequency and extent of road maintenance required to provide vehicular access;
 - include signage which (amongst other matters) warns motorists that Matapaua Bay Road is formed to a reduced standard and therefore is not suitable for towing of caravans etc, larger vehicles and advises that vehicle parking is limited and beach access for launching boats is not available at Matapaua Bay;
 - provide intervisible passing bays at no more than 100 metres apart, or widen the carriageway as appropriate to achieve the same or similar safety effect.
- The applicable access and roading standards to be used as a guideline are those contained in:
- Rule 473.6 Road Design Standards, Terms and Conditions - Table 2.
- .3 Subdivision and/or development for more than 14 house sites within that part of the Coastal Zone -Outside All Policy Areas shown as "House Site Area" and/or house sites located south east (seaward) of the line shown on Diagram B, shall be a non complying activity.
- Note** In addition to achieving the objectives and policies of the Plan and the purpose of this structure plan the matters set out in Section 7: 702, 703 & 704 and assessment criteria in Section 8: 850 & 860 are particularly relevant.
- .4 Subdivision to create one single lot containing all that area identified in Diagram A as "Coastal Forest Covenant" area shall be a Controlled Activity provided that the subdivision meets the following standards, terms and matters:
- (i) Coastal Forest Covenant Area protected in perpetuity by appropriate legal instrument; and
- (ii) purpose of this structure plan met.
- .5 Subdivision in addition to that provided for in .3.4 above or within that part of the structure plan identified in Diagram A as "Coastal Forest Covenant .Area" shall be a Non Complying Activity.
- .4 ACTIVITY STATUS AND RULES FOR ALL ACTIVITIES**
- .1 The provisions of Sections 4 and 5 applying to the Coastal Zone - Outside All Policy Areas shall apply to all activities within the structure plan area except for the land identified as "Coastal Forest Covenant" area.
- .2 Within the "Coastal Forest Covenant" area buildings and earthworks that do not meet the standards for permitted activities in the Coastal Zone - Outside All Policy Areas shall be a Non Complying Activity.

344.7 - Structure Plan Diagram 'A'



344.7 - Structure Plan Diagram 'B'



344.8 - Hahei Holiday Resort, Hahei

.1 PURPOSE

To provide flexibility in the use and development of the Hahei Holiday Resort.

The following is proposed to achieve this purpose:

- .1 Allow for a transition over time from traditional tenting and caravanning to an increased proportion of fixed roof accommodation.
- .2 Provide for a wider and more flexible range of tourism and travellers' accommodation and facilities at the Resort.
- .3 Encourage increased annual numbers of visitors to the Resort while not exceeding the present daily maximum of 1,275 persons.
- .4 Enable the Resort to develop in a manner which is responsive to changing tourism and travelling patterns and demands.
- .5 Except for a maximum height of 10m over part of the land, encourage development in a manner generally consistent with the density and bulk and location standards in the Coastal Zone (Village Policy Area).
- .6 Protect the pohutukawa trees on the Resort adjacent to the Wigmore Stream.

.2 RULES

- .1 All development and use of land within the Structure Plan shall be in accordance with the purpose and rules of this Structure Plan.
- .2 Except as varied by this Structure Plan, the rules in the Coastal Zone (Village Policy Area) and in Section 520 Visitor Accommodation apply to the land within the Structure Plan.
- .3 The following rules shall prevail over any corresponding rules in the Coastal Zone (Village Policy Area) and/or in Section 520 Visitor Accommodation and/or conflicting rules in this Plan.
- .4 The status of activities within the Structure Plan area is as set out in Table 1.
- .5 Permitted Activities
 - (a) Permitted Activities shall comply with the standards, terms and conditions set out in Rule 344.8.3.
- .6 Controlled Activities
 - (a) Controlled Activities shall comply with the standards, terms and conditions set out in Rule 344.8.3.
 - (b) In assessing the necessity for conditions to be attached to a Controlled Activity, Council shall exercise control over the following matters:
 - (i) Design of the building with regard to roofline, windows and doors, cladding, colour and attenuation of noise;
 - (ii) Location of the building and/or temporary structure;
 - (iii) External illumination;
 - (iv) Use of associated external space;
 - (v) Internal access arrangements;
 - (vi) Mitigation and management of noise;
 - (vii) Landscaping;
 - (viii) Hours of use; and
 - (ix) Associated car parking provision.
- .7 Restricted Discretionary Activities
 - (a) Subdivision shall comply with the standards in Rules 702-708 and Rule 743 for Coastal Zone (Village Policy Area).
 - (b) Residential development shall comply with the standards in Rule 513.
 - (c) In considering a resource consent in respect of subdivision or residential development Council shall restrict its discretion to the following matters:
 - (i) the extent to which occupancy of the entirety of the Structure Plan area will be limited to a maximum of 1,275 persons per day;
 - (ii) the extent to which the development provides a logical extension of existing residential development on Dawn Avenue;
 - (iii) the means by which any activities that are identified as permitted or controlled in Table 1 will be managed within areas proposed for residential development; and
 - (iv) whether there are any adverse effects of lot size and shape on the character of the area or amenities of the locality.
 - (d) Except in relation to subdivision and residential development, buildings and activities that are identified as Restricted Discretionary activities in Table 1 shall comply with the standards in Rule 344.8.3.
 - (e) In considering a resource consent for a restricted discretionary activity, other than in respect of subdivision and residential development, Council shall exercise control over the following matters:
 - (i) whether the location, scale, intensity and hours of use of the activity, including the use of external space associated with the activity, could have an adverse effect on the amenity of residential occupiers in the locality;
 - (ii) whether the scale and design of a building would adversely affect the character and visual amenity values of the locality; and
 - (iii) whether traffic safety and efficiency of the road network will be compromised.
 - (f) Buildings and activities that are identified as Permitted or Controlled activities in Table 1 but which do not comply with one of the standards in Rule 344.8.3 shall be Restricted Discretionary activities.
 - (g) In considering a resource consent in respect of a failure to meet a specific standard in Rule 344.8.3 only those matters relevant to the standard not met shall be assessed.
- .8 Discretionary Activities
 - (a) Buildings and Activities identified as a Discretionary Activity in Table 1.
 - (b) Buildings and Activities identified as Permitted, Controlled or Restricted Discretionary Activities in Table 1 where two or more of the standards, terms and conditions set out in Rule 344.8.3 are not met.
 - (c) Buildings and Activities provided for as either a Permitted, Controlled or Discretionary Activity in the Coastal Zone (Village Policy Area) where not otherwise provided for as a Permitted, Controlled or Restricted Discretionary Activity in this Structure Plan, provided they meet the relevant Coastal Zone (Village Policy Area) and district wide standards, terms and conditions for that Building or Activity.
 - (d) In considering a resource consent application for a Discretionary Activity, regard shall be had to the relevant criteria in Section 8(850) and the Restricted Discretionary Activity matters in Rule 344.8.2.7.

.3 STRUCTURE PLAN STANDARDS, TERMS AND CONDITIONS

Development shall be undertaken in a manner consistent with the following standards, terms and conditions.

.1 Definitions

For the purpose of the Structure Plan and the following standards, terms and conditions, the following definitions shall apply:

AMENITY BUILDING within Block "C" means a building providing amenities ancillary and/or accessory to activities on the land the subject of this Structure Plan, including some or all of the following; kitchens, laundry, ablution/toilets, showers, dining (excluding commercial restaurant), computer, TV, and recreational facilities.

AMENITY BUILDING elsewhere within the resort means a building providing amenities ancillary and/or accessory to activities on the land the subject of this Structure Plan, including some or all of the following; administration offices, reception facilities, storage, kitchens, laundry, ablution/toilets, showers, hospitality, dining, computer, TV and recreational facilities.

HOSPITALITY ACTIVITIES means social functions, meetings, conferences, restaurant, catering and tourism activities undertaken in either permanent or temporary structures.

MEETINGS AND CONFERENCES means any gathering where guests, members or delegates discuss or learn about a subject, issue or matter;

RESTAURANT means an establishment serving food and refreshments and catering to employees of the Resort, persons resident at the Resort, guests or delegates attending conferences at the Resort, or guests attending social functions at the Resort; and

SOCIAL FUNCTIONS means any gathering to carry out, celebrate, observe or mark an event or occasion;

TEMPORARY LIVING PLACES are excluded from the definition of a building and mean any structure that is not permanently fixed to the ground including tents, marquees, caravans, motorvans, campervans or the like which are used for living accommodation for periods not exceeding 50 days in any continuous term of occupancy.

TRAVELLERS' ACCOMMODATION means places where transient residential accommodation is provided and includes:

- (a) motels
- (b) retreats
- (c) motor lodges
- (d) holiday flats, cabins or cottages
- (e) daily tariff accommodation
- (f) accessory activities

TOURISM ACTIVITIES means services that assist tourists in their sightseeing, accommodation and travel arrangements.

.2 Buildings within the area marked "C" on Diagram A

- (a) As indicated on Diagram B, there shall be no more than five (5) single storey accommodation buildings (cottages) to be used as Temporary Living Places and/or Travellers' Accommodation each of up to 110m² gross floor area inclusive of any garage/car port, and one (1) non-accommodation Amenity Building having a footprint of up to 160m² inclusive of any garage/car port.
- (b) The actual physical built location of the cottages and the Amenity Building shall be within the footprints as indicated on Diagram B subject to the size limitations set out in Rule 344.8.3.2 (a).
- (c) External decks generally located as shown on Diagram B may be constructed at ground floor level in addition to the gross floor areas for the cottages and the footprint for the Amenity Building provided that the areas of the decks shall not exceed the following:
 - (i) Cottages
 - Front decks 15m²
 - Back decks 6.5m²
 - (ii) Amenity building
 - Front deck 45m²
- (d) Any deck associated with a cottage and constructed pursuant to Rule 344.8.3.2 (a) shall not be covered or enclosed by any structure or fixture protruding beyond the building or eaves height of the building.
- (e) Any deck associated with the amenity building and constructed pursuant to Rule 344.8.3.2 (a) shall not be covered or enclosed by any structure or fixture other than a shade cloth.

.3 Minimum habitable floor level

The minimum habitable floor level of any new buildings shall be RL 5.84 (datum by Harrison Grierson Consultants Ltd, the derivation of which is discussed in "Risk Review for Coastal Erosion and Local Stream Flooding – dated December 2010 by IMG Projects Ltd).

.4 Building Footprint

No individual building shall have a building footprint in excess of 500m².

.5 Building Coverage

Building coverage (excluding decks provided pursuant to Rule 344.8.3.2 (a) over the entire Structure Plan area (6.7904ha including the area marked "C" on Diagram A) shall not exceed the following:

- (a) Building coverage in the area marked "C" on Diagram A shall not exceed 15% of the area of Block "C" (0.5545ha);
- (b) Building coverage within any area marked "A" (0.8099ha), "B" (0.4971ha), "D" (0.7942ha), "E1" (0.5783ha), "E2" (1.007ha), "E3" (0.6569ha), "F" (0.5964ha), and "G" (1.1242ha) on Diagram A shall not exceed 35% of the area of any individual block; and
- (c) No building shall be constructed within the area marked as Block "H" on Diagram A.
- (d) No building shall be constructed within the area (0.0874ha) identified as overspill parking indicated within Block "F" on Diagram A.

.6 Height

- (a) Building height in the areas marked "E1" and "E3" on Diagram A shall not exceed 10m provided that:
 - (i) No part of any building in excess of 8m high shall be situated closer than 11m to the centreline of the road defining the boundary of Block "E1" on the Structure Plan; and
 - (ii) No more than 20 buildings shall exceed 8m height within the combined area of Blocks "E1" and "E3"; and
 - (iii) No building in excess of 8m height shall have a footprint in excess of 250m².
- (b) Building height in the area marked "C" on Diagram A shall not exceed 4.5m for the cottages, and 7m for the Amenity Building.
- (c) Building height in the area marked "D" on Diagram A shall not exceed 8m provided that no part of a building shall penetrate a horizontal plane based on RL17.7. (datum by Harrison Grierson Consultants Ltd, the derivation of which is discussed in "Risk Review for Coastal Erosion and Local Stream Flooding – dated December 2010 by IMG Projects Ltd).
- (d) Building height in all other areas shall not exceed 8 metres.
- (e) No building shall have a finished habitable floor level or balcony more than 6.2m above ground level.

.7 Set backs

- (a) Building set back from the boundaries of areas "C" and "D" shown on Diagram A that abut the Department of Conservation foreshore reserve shall be not less than 7.5m (excluding decks less than 1.5m in height).
- (b) The cottages within area "C" shown on Diagram A located closest to Harsant Avenue shall be set back not less than 2m from the southern boundary and not less than 6m from the western boundary.
- (c) The Amenity Building within area "C" shown on Diagram A shall be set back not less than 7.5m (excluding decks) from the northern boundary and not less than 17.5m from the southern boundary.

- (d) No building (excluding bridges) shall be located within the 8 metres building setback adjacent to the Wigmore Stream as defined by the building setback line identified on Diagram A.
- (e) No building shall be located within 3m of any other external boundary of the resort not mentioned in Rules 344.8.3.7(a-d).
- (f) No upper floor balcony or clear glazed door or window shall be located within 5m of any legal boundary of a site containing a residential dwelling.
- .8 Daylighting
All buildings shall meet the 3m and 45 degree daylighting standard (see District Plan 'Height' definition).
- .9 Glare, Lighting and Colour
- (a) No activity shall result in greater than a 10 lux spill (horizontal and vertical) of light on to any adjoining residential property, measured 1.5m inside the boundary of the neighbouring property provided that this rule shall not apply to headlights of moving vehicles or vehicles which are stationary for less than 5 minutes.
- Note: This is to ensure that no operation or activity shall be conducted so that direct or indirect illumination creates an adverse effect on occupants of adjoining or nearby sites.
- (b) No building or fence shall be constructed and/or left unfinished and/or clad in any protective material or cover (including roof) with a reflective value greater than 20% within Block C or 60% elsewhere.
- (c) The colour of any wall, roof or boundary fencing shall be within the ranges of Groups A, B and C of Resene British Standard 5252 colour chart.
- .10 Noise
Activities shall meet the noise standards set out in Rule 491.4 for the Coastal Zone (Village Policy Area).
- .11 Parking and Traffic
Parking shall be provided on site to meet the parking demand from any activity or combination of activities being undertaken on the site as follows:
- (a) A minimum of 2 parking spaces shall be provided per self-contained unit (villas and cottages) and 1 space per room or camp site for all other types of accommodation provided that the layout of spaces intended to serve backpacker accommodation shall, at all times, enable the parking and manoeuvring of one coach.
- (b) No building shall be used for Temporary Living Places or Travellers Accommodation within Blocks 'F' and 'G' unless the Dawn Avenue entrance to the site is formed in accordance with the Council's Engineering Code and made available for use by the public accessing the site. The Harsant Avenue entrance shall also remain available for use by the public accessing the site.
- (c) An internal road network shall be maintained to ensure vehicular connectivity between all Blocks indicated on Diagram A.
- (d) The area (0.0874ha) identified as overspill parking indicated within Block F on Diagram A shall be kept available at all times for parking purposes.
- .12 Archaeological Protocols
In the event of a suspected archaeological discovery (remains, artefacts, taonga or koiwi) the works in the affected area shall cease immediately. The New Zealand Historic Places Trust, the Thames-Coromandel District Council, relevant Iwi or hapu and in the case of human remains, the Police, shall be informed of the discovery as soon as possible. Work shall not recommence in the affected area until any necessary statutory authorisations or consents have been obtained and written confirmation of this is provided to the Thames-Coromandel District Council.
- Advice Notes:
- (a) Any disturbance of archaeological sites, regardless of their listing or otherwise in the District Plan, is not permitted under Section 10 of the Historic Places Act 1993. Consent of the New Zealand Historic Places Trust is required to modify or disturb an archaeological site under Section 11 of the Historic Places Act. An authority is required for such activity regardless of whether the activity is permitted by the District Plan.
- (b) There is potential for archaeological remains to exist within Blocks C, D and H.
- .13 Landscape Management
- (a) Other than as set out in Rule 344.8.3.13 (c) & (d) no activity, including lopping, topping, felling, root disturbance or earthworks within the 8m setback line identified on Diagram D, shall be undertaken that will affect any Pohutukawa tree (*Metrosideros excelsa* and *Metrosideros kermadecensis*) alongside the Wigmore Stream identified on Diagram C.
- (b) Other than as set out in Rule 344.8.3.13 (c) no tree or group of trees identified on Diagram C as an "important tree" (excluding those trees protected under (i) above) shall be topped or removed unless a replacement tree (or group of trees) of at least 2m height has been established within 8m of the tree (or group of trees) to be removed, which is of a species appropriate to a coastal area and likely to attain a height of at least 10m at maturity. Upon the removal of the "important tree" (or group of trees) the replacement tree (or group of trees) shall assume protection as an "important tree" (or group of trees) under the terms of this rule.
- Note: The Council shall be notified at least 24 hours in advance of any works being undertaken to any tree protected under the terms of Rule 344.8.3.13 (b).
- (c) The following works may be undertaken as a Permitted Activity:
- (i) The trimming or maintenance of any tree where all such work is carried out with manually operated short handled secateurs;
- (ii) Crown lifting which means the removal of lateral branches (less than 100mm in diameter) to a height of 2m above ground level;
- (iii) Deadwooding which means the removal of dead, dying or diseased trees wood (less than 100mm in diameter) without inflicting damage to the tree;
- (iv) Thinning which means the removal of selected branches making up not more than 10% of the total canopy (wounds to measure less than 100mm in diameter).
- (d) Any works to a tree protected under this standard may be undertaken as emergency works to safeguard life or property. Where the works result in the destruction or removal of a Pohutukawa tree protected under (i) above, it shall be replaced with the same species of at least 2m height within 1 month following the destruction or removal of the tree in the closest position within the boundary of the site to the tree(s) that is removed. Where the works result in the destruction or removal of any other a tree or group of trees identified on Diagram C as an "important tree" as a result of emergency works it shall be replaced with a tree species (or group of trees) of at least 2m height appropriate to a coastal area and likely to attain a height of at least 10m at maturity within 1 month following the destruction or removal of the tree (or group of trees).
- (Note: The Council shall be notified at least 24 hours following any emergency works being undertaken to any tree protected under the terms of Rule 344.8.3.13 (d).
- .14 Occupancy

At no time shall the number of visitors or occupants of the Hahei Holiday Resort exceed 1,275 persons per day.
For the purposes of this rule a camp/caravan site shall be deemed to have an occupancy rate of 3.5 persons and for all fixed roof accommodation the occupancy rate shall be measured using bed size (i.e. Single bed = 1 person, All other bed sizes = 2 persons).

.15 Fire Fighting

Any building to be used for temporary accommodation shall comply with the Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008.

.16 Sewerage

Wastewater discharge from the Structure Plan area to the Hahei public wastewater system shall at no time exceed 191.25 m3/day averaged over a three day period.

.17 Other Standards

In the absence of specific rules in the Structure Plan, the rules applicable to all activities throughout the District (Section 4) shall apply.

Table 1

		Area as defined on Diagram A									
		A	B	C	D	E1	E2	E3	F	G	H
Activity	Temporary Living Places	P	P	P	P	P	P	P	P	P	P
	Amenity buildings	P	P	P	P	P	P	P	P	P	N/C
	Travellers Accommodation	P	P	P	P	P	P	P	P	P	N/C
	Hospitality Activities	R/D	R/D	D	D	C	C	C	R/D	C	N/C
	Managers and staff accommodation	P	P	D	P	P	P	P	P	P	N/C
	Residential dwellings	D	D	D	D	D	D	D	R/D	R/D	N/C
	Subdivision	D	D	D	D	N/C	N/C	N/C	R/D	R/D	N/C

P means a Permitted Activity

C means a Controlled Activity

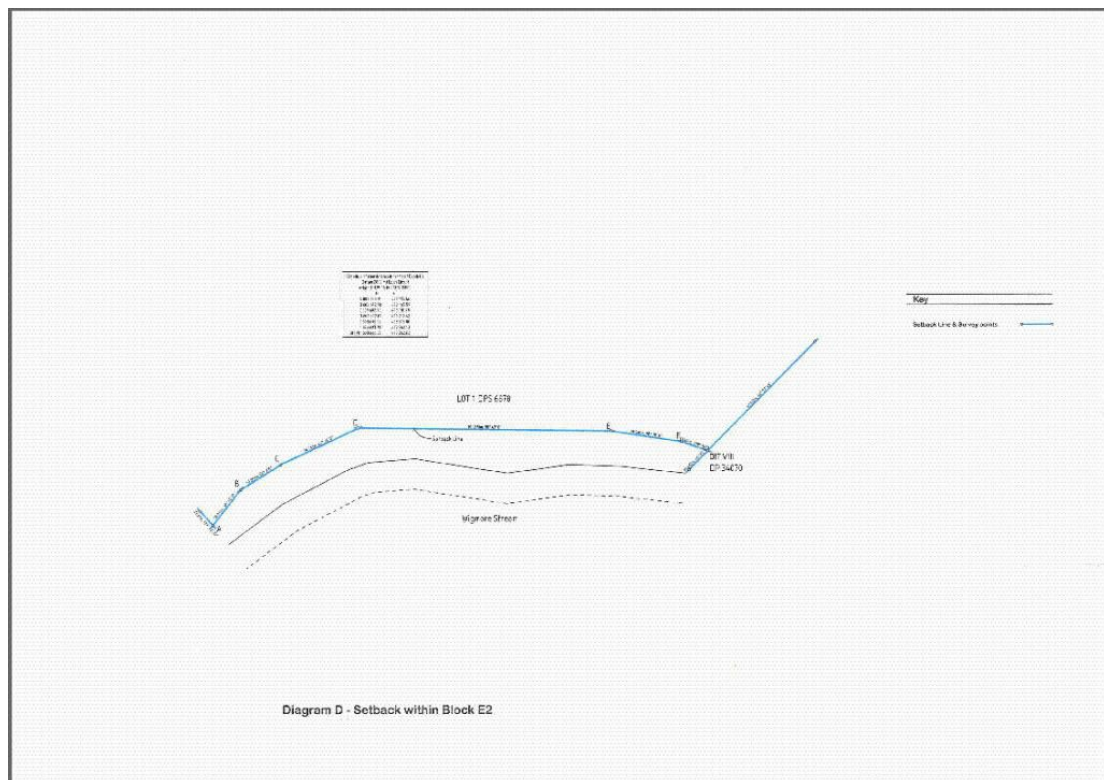
R/D means a Restricted Discretionary Activity

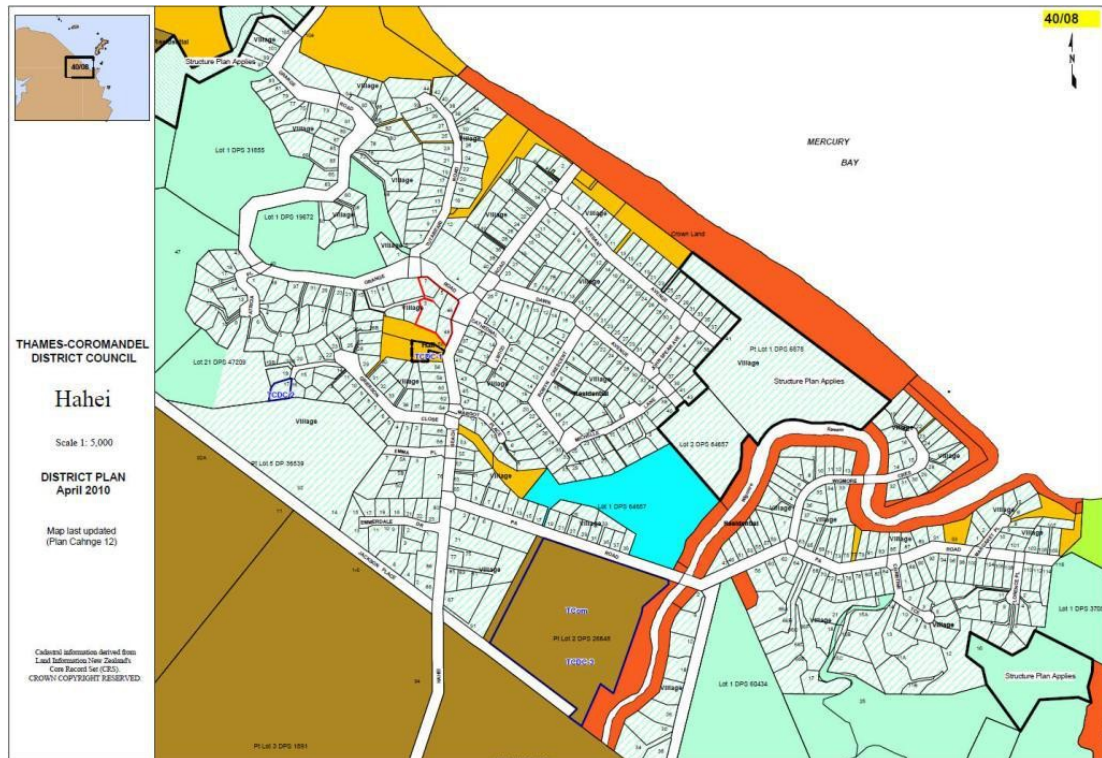
D means a Discretionary Activity

N/C means a Non-complying Activity

344.8 - Structure Plan Diagram







344.9 - Wharekaho Structure Plan

.1 PURPOSE

The Wharekaho Structure Plan shall provide for the subdivision and development of the site described as Part Lot 2 DP 320358 to integrate infrastructure with existing and proposed development and complement the coastal setting.

To achieve this purpose the Structure Plan provides a specific planning framework for the site to achieve the following outcomes:

- (a) Protection of the regenerating indigenous bush, wetlands and other areas of indigenous vegetation within the walkway open space areas shown on the Wharekaho Structure Plan through a Conservation Management Plan;
- (b) a well designed and aesthetically pleasing, fully serviced, residential area accessed by a comprehensive local roading and walkway network in accordance with the Wharekaho Structure Plan;
- (c) extensive landscape and amenity areas or reserves as shown on the Wharekaho Structure Plan based on existing topographic and natural features to provide ecological corridors and substantial landscape relief thereby mitigating the impact of residential development;
- (d) restoration/enhancement of degraded wetlands on the site and incorporating them into stormwater engineering design;
- (e) an improvement in the water quality of the Tohetea Stream;
- (f) maintenance and enhancement of the Tohetea Stream;
- (g) a safe, efficient, single point of access to State Highway 25 in the location shown on the Wharekaho Structure Plan;
- (h) the creation of pedestrian accessways for the public through the site and a pedestrian and cycleway bridge across the Tohetea Stream, as indicatively shown on the Wharekaho Structure Plan;
- (i) facilitating the future provision of infrastructure to the Wharekaho Beach settlement;
- (j) control over the location, colour and reflectivity of houses and the location and design of buildings for infrastructure on the site in accordance with the Wharekaho Structure Plan.

The expectation of the Council is that all these outcomes above will be achieved through measures including:

- Private ownership and maintenance of the regenerating indigenous bush, wetlands and other open space areas.
- Availability and maintenance of public pedestrian access through the site.
- Private ownership and maintenance of the wetland as part of the stormwater management system.
- Land that is set aside for reserve, amenity, conservation or stormwater management in accordance with the Structure Plan being seen as mitigation measures for the subdivision and development and these areas not being accepted for reserve contribution credits.

.2 ACTIVITY STATUS FOR SUBDIVISION AND ASSOCIATED DEVELOPMENT WORK

.1 Subdivision shall be a restricted discretionary activity to create a single allotment incorporating all land within the Wharekaho Structure Plan.

.2 Subdivision and/or associated development works shall be a restricted discretionary activity when proposed to be carried out in accordance with the Wharekaho Structure Plan.

For the purposes of this rule the term "in accordance with" means that the areas and boundaries for all allotments and roads to vest shall be the same as in the Wharekaho Structure Plan, plus or minus 10%, and that the total number of allotments shall remain the same, at 111 allotments, or be less, as shown on the Wharekaho Structure Plan.

For the purposes of this rule the term "associated development works" includes earthworks, roading, infrastructure and buildings for infrastructure but it excludes houses and accessory buildings.

The application for subdivision and associated development works shall include the following information:

- (i) A subdivision plan showing the creation of all the allotments shown in the Structure Plan area including roads, areas of open space, allotments for utilities and services as well as allotments for houses, as a single integrated development;
- (ii) Details of all earthworks necessary to give effect to the subdivision including appropriate geotechnical assessment including an application for land use consent where necessary and soil sampling of identified areas to ascertain the contamination status of underlying soils;
- (iii) Details of all physical works necessary to give effect to the Structure Plan and scheme plan of subdivision including landscaping, planting, roading, access, construction of services, wetland restoration and earthworks including any applications for land use consents where necessary;
- (iv) The location of building platforms for houses upon the individual allotments;
- (v) The location and design of any buildings for infrastructure;
- (vi) A Conservation Management Plan for the site including measures for weed control, pest control, restoration planting, riparian management and creation of ecological corridors in accordance with the Wildlands Ecological Assessment 2008 that has been undertaken for the site and also the legal mechanisms to be used for protection of regenerating indigenous bush and open space areas.

.3 Subdivision that is not in accordance with the Wharekaho Structure Plan shall be a Non-complying Activity.

.3 RULES

All development of the land within the Structure Plan shall be in accordance with the purpose, rules and plan under this Structure Plan.

.4 RESTRICTED DISCRETIONARY ACTIVITY MATTERS

.1 Discretion is restricted to the following matters for subdivision and associated development works under Rule 344.9.2:

- (i) The design and provision of stormwater facilities that achieve the discharge of 1% AEP stormwater to pre development levels.
- (ii) The provision of water, wastewater and stormwater services to Council standards and the adequacy of provision to power to the site and potentially beyond the site.
- (iii) The extent to which water and wastewater infrastructure and easements are provided to the boundary of the site sufficient to meet the requirements of the Wharekaho Beach settlement.
- (iv) The adequacy of measures provided to ensure rehabilitation, weed control, pest control, mechanisms for legal protection by way of a covenant or equivalent, restoration planting, riparian management and the creation of ecological corridors.
- (v) The adequacy and safety of the design of the State Highway 25 intersection with the site access.
- (vi) The effects of the development on landform.
- (vii) The degree of integration of the design of the subdivision and ecological features.
- (viii) The suitability of the individual allotments for housing and the location of building platforms on the individual allotments to demonstrate no unreasonable adverse effects on neighbours and, in particular, upon occupants of existing houses along Centennial Drive that abut the site.
- (ix) The provision of pedestrian accessways between Centennial Drive, Harbour Lights Terrace paper road extension and State Highway 25 and provision for a pedestrian and cycleway bridge across the Tohetea Stream.
- (x) The provision of easements including access to infrastructure to be vested in Council, the provision of infrastructure prior to development, the location and design of any buildings required for infrastructure and all incidental matters arising from the subdivision of land.

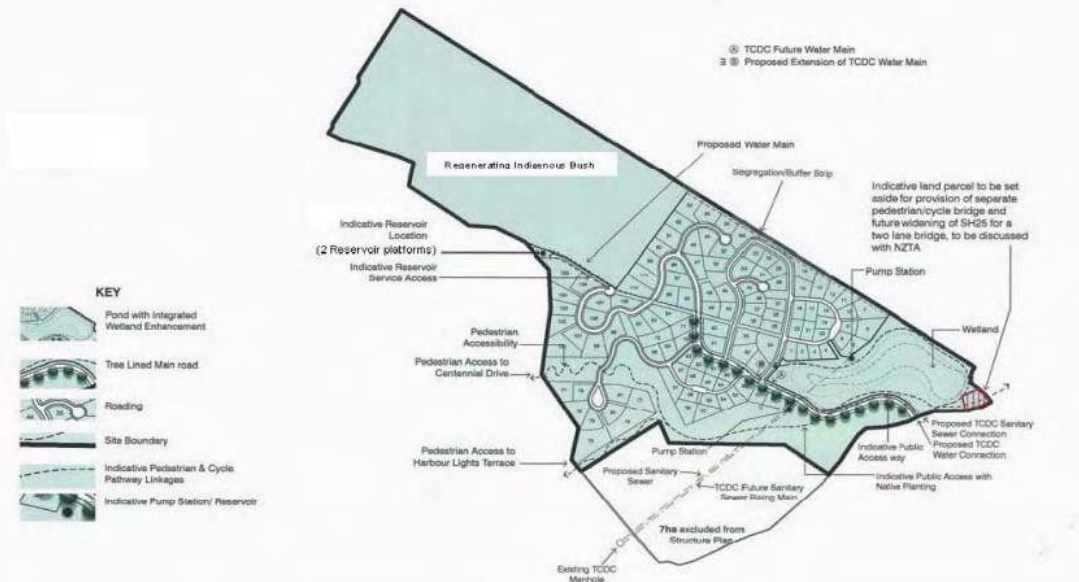
- (xi) The provision of conditions to address cultural concerns and archaeological remains.
- (xii) The staging of development including all conservation and amenity areas being developed at stage 1 of any staged subdivision.
- (xiii) The provision of native and indigenous planting and maintenance on private allotments where these adjoin ecological features.
- (xiv) The extent to which the segregation buffer is provided and covenanted.
- (xv) The extent to which the subdivision achieves the enhancement of the water quality of the Tohetea Stream.
- (xvi) The design of houses and accessory buildings on the individual allotments shall be consistent with the following matters which shall be registered on the Certificate of Title through a consent notice or covenant or similar mechanism:
 - colour;
 - Reflectivity;
- (xvii) The extent to which the areas reserved for regenerating indigenous bush, wetland, pedestrian access and native planting areas are protected as public reserves (with any decision on any of these areas becoming public reserves to be made by the Council); private reserves and/or covenanted areas with appropriate legal management and protection measures, as may be deemed appropriate.

.5 ACTIVITY STATUS FOR LAND USE AND ASSOCIATED DEVELOPMENT

- .1 The Permitted Activity standards for the design of houses and accessory buildings on individual allotments are:
 - (i) The predominant colours of the walls or roof shall be from the schedule of British Standard Colours known as BS 5252 colour range and conform to the following standards:
 - Hue (Colour) - all colours from 00 - 24 are acceptable; and
 - Exterior walls - Reflectance Value (RV) and Greyness Groups - All exterior walls shall have a RV rating of no more than 60% for greyness groups A and B and no more than 40% for greyness group C; and
 - Roof - Reflectance Value (RV) and Greyness Groups - All roof areas shall have a RV rating of no more than 40% within the greyness groups A, B and C; and
 - Architectural details such as fascias, door and window frames are excluded; or
 - Any other colour approved in writing by Thames-Coromandel District Council.
 - (ii) All glazing shall be clear or tinted glass but not such glass coated to the extent that it is reflective or mirror glass.
- .2 The standards (bulk and location) in the Housing Zone (Outside All Policy Areas) shall apply to all allotments (excluding land required to vest in Council for example, for roads, reserves, public utilities and services) created as a result of a subdivision consent under Rule 344.9.2.2 in the Wharekaho Structure Plan and subject to any specific constraints provided in conditions of consent and consent notices.
- .3 Prior to the grant of a resource consent for subdivision of the site in accordance with the Wharekaho Structure Plan, under Rule 344.9.2.2, the land use rules of the Coastal Zone (Outside All Policy Areas) shall apply to the site.

344.9 - Structure Plan Diagrams

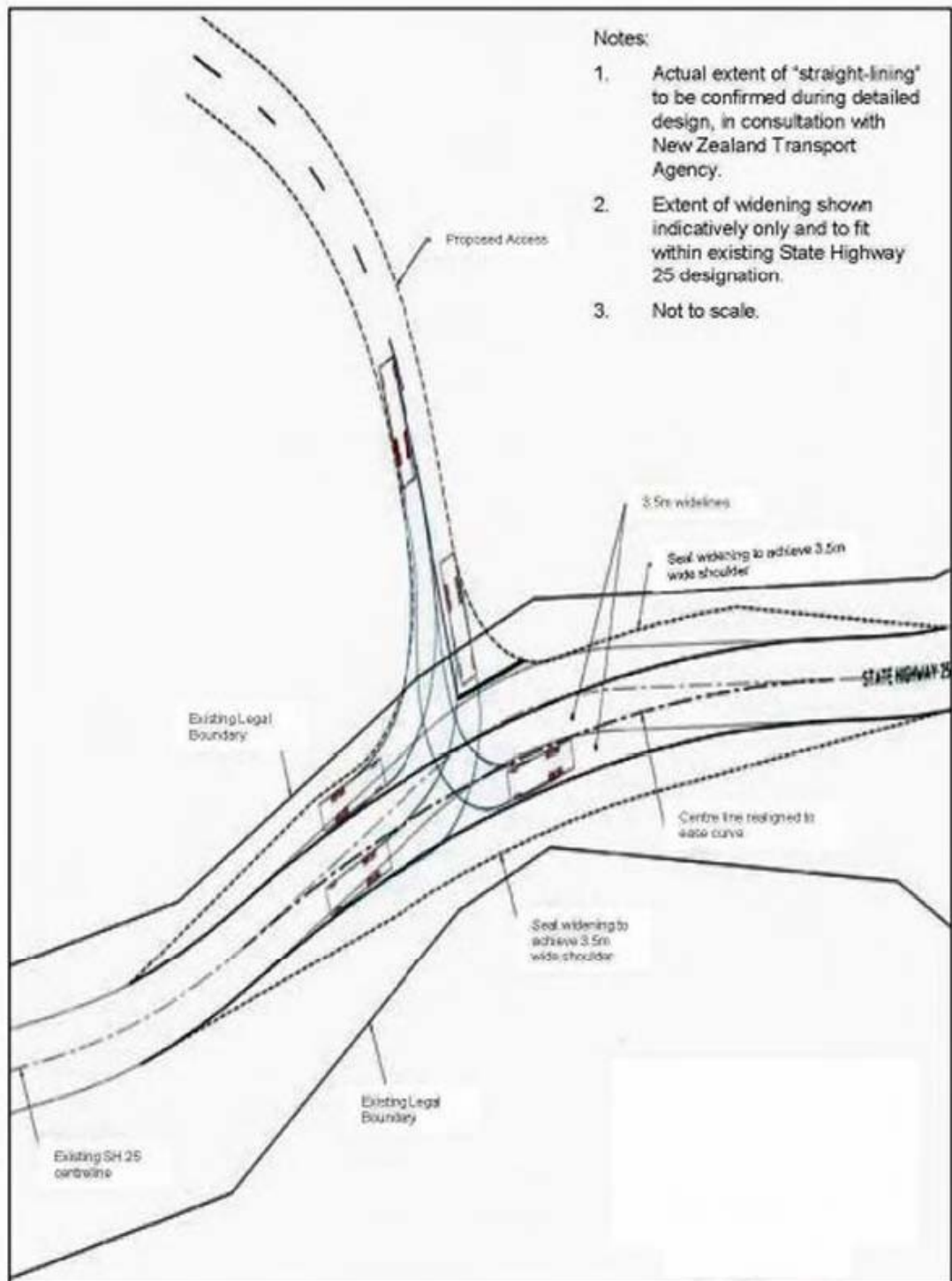
Wharekaho Structure Plan Diagrams



Visibility Splays



Proposed Access



344.10 - Hot Water Beach Road Structure Plan

.1 PURPOSE

The purpose of this structure plan is to provide for limited development opportunities in a manner that:

- (i) Protects in perpetuity and actively enhances the indigenous bush and wetland within the property;
- (ii) Protects in perpetuity and ultimately enhances the ecological and landscape values of the land;
- (iii) Provides for no more than 20 residential allotments with defined building areas which will contain all buildings
- (iv) Requires all houses and accessory buildings to be designed in a manner that complements the indigenous vegetation setting and ensures that the natural values of the site dominate;
- (v) Requires all defined building areas to be developed with Landscape Planting Plans designed to visually mitigate all built structures to ensure that all structures are visually recessive and ultimately complement the indigenous vegetation setting; and
- (vi) Provides for all roading within the site to be formed to Council's engineering standards.

.2 ACTIVITY STATUS AND RULES FOR SUBDIVISION

.1 Controlled Activities

Subdivision and development for up to, but not exceeding 20 house sites within the Structure Plan over Lot 1 DPS 59176 shown in Diagram A shall be a controlled activity, provided that the subdivision meets the following standards, terms and matters:

- (i) Subdivision of Lot 1 DPS 59176 into no more than 20 lots, with no more than one house (and accessory buildings) on each lot, generally as shown on the Structure Plan diagram, provided the subdivision provisions of sections 702.1 (Development Suitability) and 702.2 (Servicing) are met.
- (ii) Internal roading and the intersection onto Hot Water Beach Road shall be designed and formed to Council's Code of Practice for Subdivision and Development.
- (iii) Identification of a 'defined building area' on each additional lot to be used for one house and all accessory buildings.
- (iv) All areas outside of the 'defined building areas' and the roading access from Hot Water beach Road to each proposed lot shall be subject to the ongoing monitoring and management provisions of the Landscape Management Plan and Ecological Restoration Management Plan (see (v) and (vi) below). The ongoing monitoring and management shall be in the form of a Queen Elizabeth II Trust private covenant or other suitable legal mechanism that ensures the purpose of the Structure Plan is upheld in perpetuity.
- (v) Provision and implementation of an Ecological Restoration Management Plan: In conjunction with an application for a subdivision under this Structure Plan, a Management Plan which covers the matters set out below shall be prepared and implemented to give effect to the purpose of the Structure Plan. This Management Plan shall be prepared by a suitably qualified ecologist who is independent of the landowner.

For the purposes of this rule an Ecological Restoration Management Plan is a plan that:

- (a) Identifies existing areas and types of indigenous vegetation within the site.
- (b) Specifies the areas, numbers and plant species to be established within the site.
- (c) Specifies the techniques and methods to be used to establish ecological corridors throughout the site that will ensure the ecological integrity and ongoing regeneration of the site in perpetuity and prevent re-establishment of weed species.
- (d) States the means by which the on-going protection and maintenance of the new and established plantings will be ensured.
- (e) Sets out methods and timeframes for the removal of the pine trees and ongoing management.
- (f) Sets out methods for habitat enhancement for kiwi.
- (g) For the bush clad allotments, allows only such selective removal of primary species located within the lot as is necessary to accommodate one house site, accessory buildings, vehicle access and maneuvering areas, fire protection and a domestic garden on each lot.
- (h) Prohibits the grazing of stock on any lot.
- (i) Prohibits the keeping of any cats or dogs on any lot.
- (j) Includes measures for the eradication and on-going control of pest animals and weed and plant pest species.
- (vi) Provision and implementation of a Landscape Management Plan: In conjunction with an application for the subdivision under this Structure Plan, a Landscape Management Plan which covers the matters set out below shall be prepared and implemented to give effect to the purpose of the Structure Plan. This Management Plan shall be prepared by a suitably qualified landscape architect who is independent of the landowner.

For the purposes of this rule a Landscape Management Plan is a plan that:

- (a) Identifies the location of the Defined Building Area which shall be no greater than 1000m² within each lot.
- (b) Provides recommendations for "view corridors" where lower growing species are specified.
- (c) Provides a set of Building Design Guidelines incorporating a simple palette of natural materials using recessive and natural colours to maintain continuity between buildings, requires low reflectivity of buildings and ensures that buildings complement the surrounding bush dominated environment.
- (d) For the bush clad allotments; allow only selective removal of existing primary species located within the lot as is necessary to accommodate one house site, accessory buildings, vehicle access and maneuvering areas, fire protection and a domestic garden on each lot.
- (e) The Defined Building Area for the south - eastern most house site shall be set back a minimum of 40m from the eastern boundary. An indigenous vegetation buffer shall be maintained in the set back area between the Defined Building Area and the eastern boundary.
- (vii) The provisions of the Ecological Restoration and Landscape Management Plans shall be implemented prior to the Council approval of the subdivision completion certificate pursuant to section 224 of the Resource Management Act 1991.
- (viii) Provision shall be made for sufficient water supply and access to water supplies for fire fighting purposes consistent with New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 (or subsequent amendments).

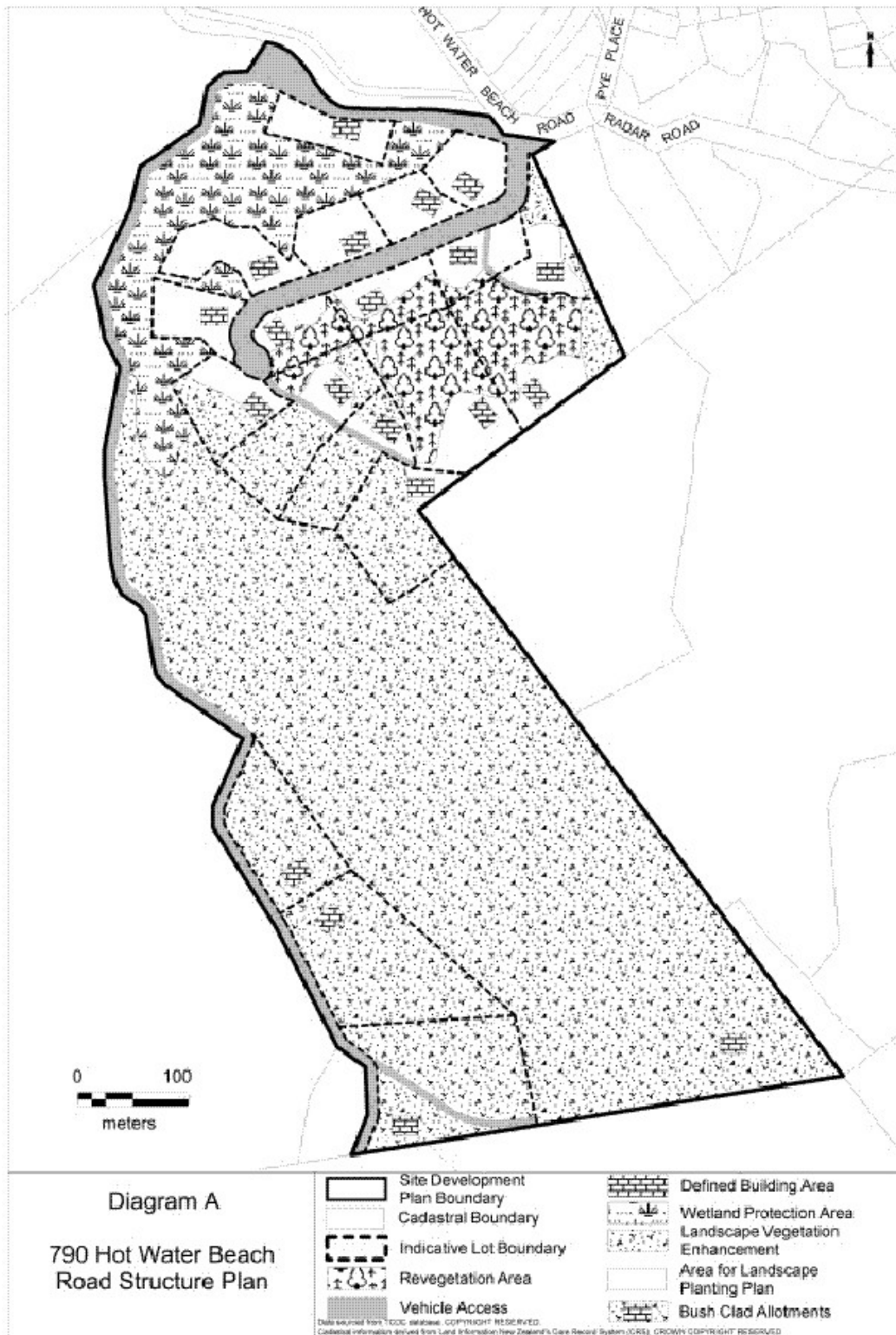
.2 Controlled Activity Matters

In assessing a Controlled Activity application to subdivide land under this Structure Plan, Council shall be able to exercise control over any of those matters set out in sections 701-708 of the District Plan that are relevant, and may also exercise control over:

- (a) The suitability of the qualifications, experience and independence of the persons who have prepared the Management Plans.
- (b) The provisions of the Management Plans, including implementation timeframes and ongoing maintenance provisions, to ensure they achieve the purpose, standards and terms of this Structure Plan.

- (c) The extent to which existing indigenous vegetation may be removed to enable the erection of buildings within the Defined Building Area for each lot and for the reasonable provision of vehicle access to each site.
 - (d) Additional measures relating to the on-going protection, maintenance and enhancement of indigenous vegetation including fencing, weed and animal pest control, covenants and bonds.
 - (e) The location and size of Defined Building Areas.
 - (f) The extent to which the water supply (or alternative) is consistent with the current New Zealand Fire Service Code of Practice.'
 - (g) The design and on-going management of the on-site wastewater treatment and disposal systems within all allotments. Those systems located within allotments that are potentially subject to floodwaters are to be designed to ensure that any potential adverse effects on the water quality of Taiwawe Stream are avoided.
- .3 Non-complying Activities**
- (i) Subdivision creating more than 20 residential allotments shall be a Non-Complying Activity.
 - (ii) Subdivision not in accordance with the Structure Plan diagram or the standards, terms and matters for controlled activities shall be a Non-complying activity.
- .3 ACTIVITY STATUS AND RULES FOR LAND USE ACTIVITIES**
- .1 Controlled Activities**
- One house and accessory buildings per lot shall be a controlled activity subject to meeting the following standards, terms and matters:
- (i) The siting, layout and operation of all activities shall comply with the provisions as set out in 2.1 above.
 - (ii) Where a subdivision has not been completed, the Management Plans as set out in 2.1 above shall be prepared for the entire lot and submitted with an application for land use consent.
 - (iii) Subject to no more than one house (and accessory buildings) on each lot, the Coastal Zone – Outside All Policy Area rules of Sections 4 and 5 of the District Plan, shall apply to all activities within the Structure Plan area. In the event of a conflict between those rules and this Structure Plan, the rules of the Structure Plan shall prevail.
 - (iv) The maximum building footprint for a house and all accessory buildings within each lot shall be 350m².
 - (v) The maximum height for a house and all accessory buildings within each lot shall not exceed 5.5m above ground level.
 - (vi) The provision of a Landscape Planting Plan for planting within and surrounding each Defined Building Area that is designed and implemented to visually mitigate all built structures within each lot, to ensure that all structures are visually recessive and ultimately complement the indigenous bush setting.
- .2 Controlled Activity Matters**
- In assessing a Controlled Activity application for a land use consent on land within the Structure Plan, Council shall be able to exercise control over any of those matters set out in section 853.1 (Houses in the Coastal Zone) of the District Plan that are relevant, and may also exercise control over:
- (i) The provisions for the Ecological Restoration Management Plan and Landscape Management Plan in 2.1 above.
 - (ii) The provisions of the Landscape Planting Plan within and surrounding each Defined Building Area.
- .3 Non-complying Activities**
- (i) More than one house per lot.

344.10 - Structure Plan Diagram



345 - Thames Area

345.1 - Tapu Valley

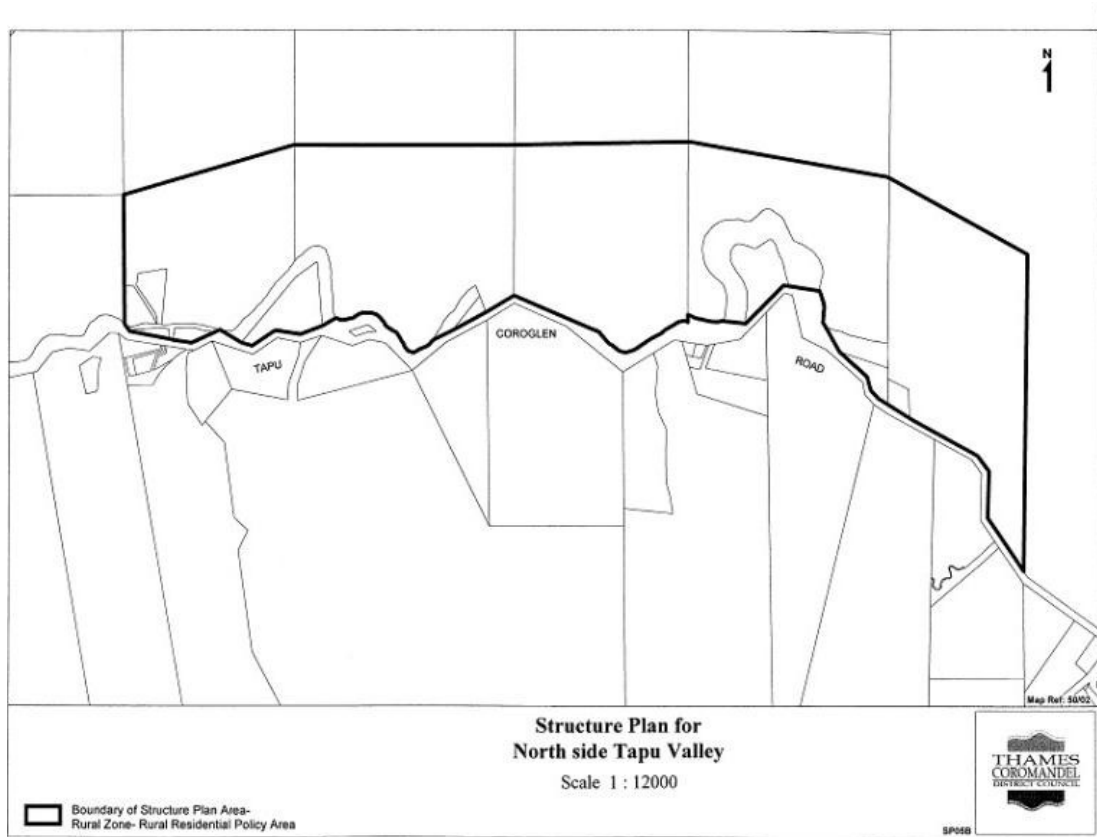
NORTHERN SIDE OF THE TAPU-COROGLEN ROAD

- .1 Providing for more than two conservation lots to be created as a discretionary activity. The boundary of the Rural Residential Policy Area is indicative only, and not all of the area it encloses is suitable for rural residential subdivision.
- .2 The subdivision standards of the Rural Zone Residential Policy Area apply.
- .3 When assessing subdivisions in the Rural Zone Residential Policy Area, the rural character of that area shall not be compromised. Rural character shall be that described in the character area statements in 860 Amenity values and landscape character guidelines.

Tapu Valley Rural Residential Policy Area

- (a) Houses located clear of areas that flood;
- (b) Density of development relatively low, to ensure landform and bush and forest vegetation cover continues to dominate;
- (c) Houses located on lower slopes of hills, avoiding steeper slopes;
- (d) Unobtrusive river crossings, with associated footbridges.

345.1 - Structure Plan Diagram



345.2 - State Highway 25, Te Puru

Development in the area zoned Future Development Policy Area at Te Puru shall be undertaken at a density no greater than that permitted in the Coastal Village Policy Area.

The procedures for a Plan Change as set out in 837 shall apply to this land.

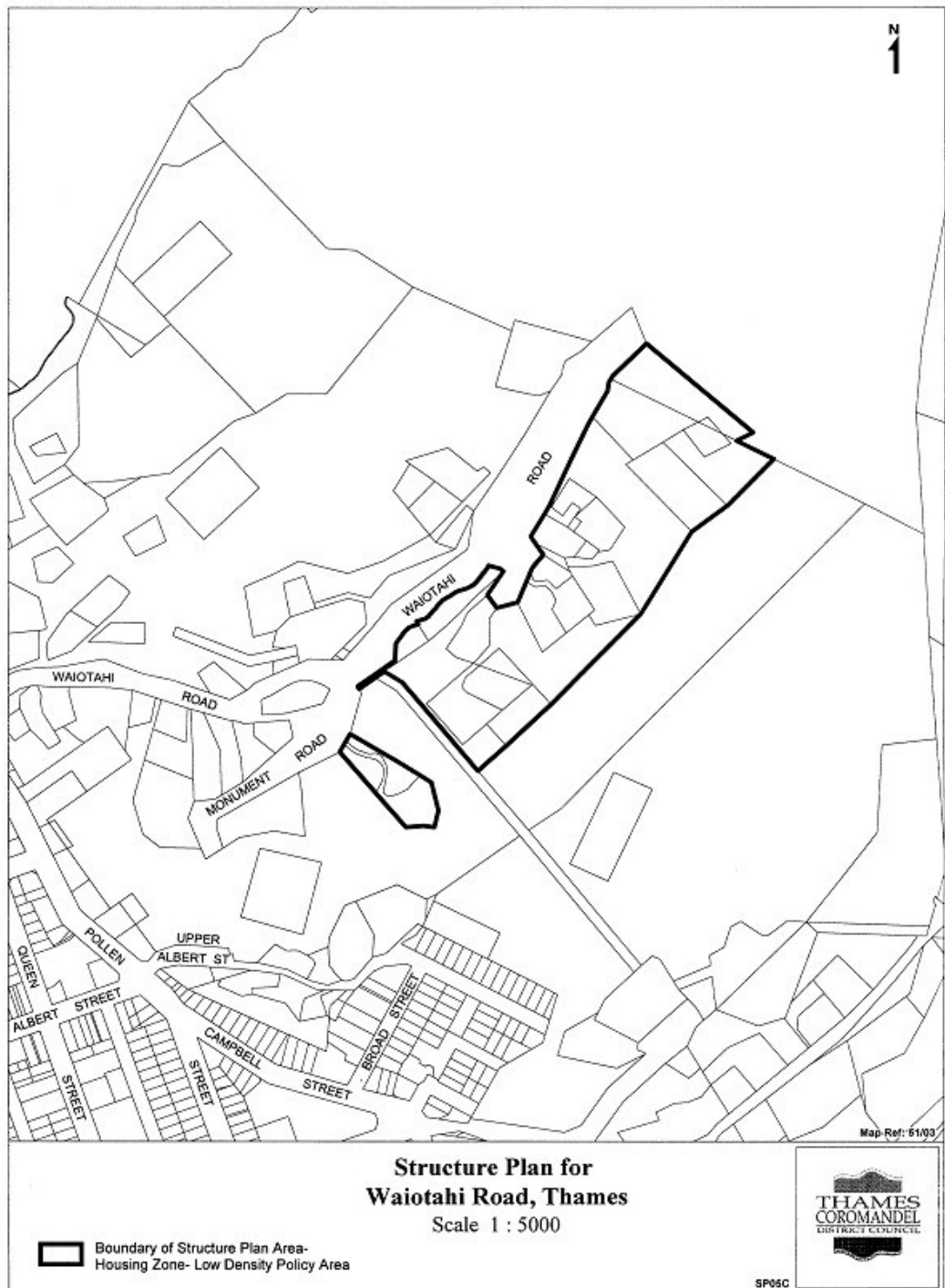
345.2 - Structure Plan Diagram



345.3 - Waiohahi Road, Thames

- .1 Subdivision standards:
 - (a) Minimum lot area 700m² as controlled activity. Lots smaller than this are a non-complying activity;
 - (b) Lot areas less than 700m² are unlikely to be approved unless the overall density remains relatively low, in the order of 700m². In other respects the subdivision standards of the Housing Zone Low Density Policy Area apply.
- .2 Maximum of one house per lot. More than one house per lot is a non-complying activity. Second hand houses are a controlled activity subject to the same standards as for the Housing Zone Low Density Policy Area;
- .3 Development standards for houses shall be:
 - (a) Front yard: 10m, less than 10m restricted discretionary activity. Side and rear yards (including rear lots): nil;
 - (b) Height: maximum 8m permitted activity, 10m restricted discretionary activity. More than 10m non-complying activity;
 - (c) Daylighting: 2m & 45°, up to 3m & 45° restricted discretionary activity. More than 3m & 45° non-complying activity;
 - (d) Privacy circle: minimum 6m. Less than 6m restricted discretionary activity;
 - (e) Site coverage: maximum 30% permitted activity, 35% as discretionary activity;
 - (f) Standards for homestay shall be the same as for Housing Zone Low Density Policy Area.

345.3 - Structure Plan Diagram



345.4 - Thames Hospital

1. Thames Hospital is a unique facility within the District. The wider community benefits from the services it provides. The hospital shall be a permitted activity provided that its activities and buildings meet the permitted activity standards. Where the standards are not met, the activity or building shall be a controlled activity by virtue of the fact that the site has been identified as a "Use of Value" to the community.

The value of Thames Hospital to the community includes hospital medical, surgical, maternity, emergency and treatment services; including:
 - (a) Hospital administration, maintenance and support services;
 - (b) Hospital grounds and car parks;
 - (c) Residential accommodation associated with hospital;
 - (d) Community and mental health services;
 - (e) Retail/commercial activities ancillary to hospital;
 - (f) Education/recreational activities ancillary to hospital;
 - (g) Emergency air ambulance services.
2. Development standards are:
 - (a) Yards:
 - Front 3m.
 - Side 1.5m.
 - Rear 3m
 - (b) Height:
 - Maximum 12m.
 - More than 12m is a discretionary activity.
 - (c) Daylighting:
 - Maximum 3m and 45°.
 - (d) Noise:
 - Day and Night L10 shall be 50 and 40 respectively, except for the Thames Hospital air ambulance which shall not, for emergency use only, be required to operate in compliance with these noise levels.
 - (e) Parking:
 - Minimum 1 parking space per 40m² gross floor area of buildings.
 - (f) Loading bays are required.
3. Outdoor storage of rubbish or materials shall be screened. Such screening shall take the form of a solid fence or wall not less than 1.8m high. Any fence used shall be close boarded or solid and if clad in metal shall be painted
4. The Thames Hospital Site is affected by flooding from the Karaka Stream. Any future development of the site must take into account this flood hazard and buildings should be designed to ensure they address the following:
 - (a) That the level of risk to people or property associated with the proposal is acceptable,
 - (b) All proposed building work has been designed to be able to accommodate/withstand the flood hazard (e.g. floor levels, structural design),
 - (c) Off-site effects including displacement or diversion of flood waters associated with the proposal in terms of the flood hazard will be no more than minor,
 - (d) Whether the proposed use or development would have an adverse effect on the natural function of the river system,
 - (e) If any proposed mitigation measures are considered appropriate to mitigate the risk to people and property arising from the flood hazard,
 - (f) The extent and effect of any proposed earthworks in terms of diverting or displacing water or on the natural functioning of the river system,
 - (g) If the location of the proposal on the site is considered suitable in terms of the potential flood risk.

Applications should be accompanied by a Flood Hazard Risk Assessment appropriate to the scale of the proposed development which assesses the above matters.

345.4 - Structure Plan Diagram



345.5 - Totara West, Thames

- .1 Mixed density housing development as an extension to the Totara Valley Housing Zone with controls on density, lot sizes, infill subdivision and comprehensive development as follows:
- (a) On the high ground where no hazard is indicated in the Flood Hazard Management Plan lot sizes and densities are to be the same density as Totara Valley (i.e. 700m² minimum lot area);
 - (b) Within the 'low hazard area' minimum lot sizes shall be 2,500m²;
 - (c) Maximum of one house per lot;
 - (d) No infill subdivision

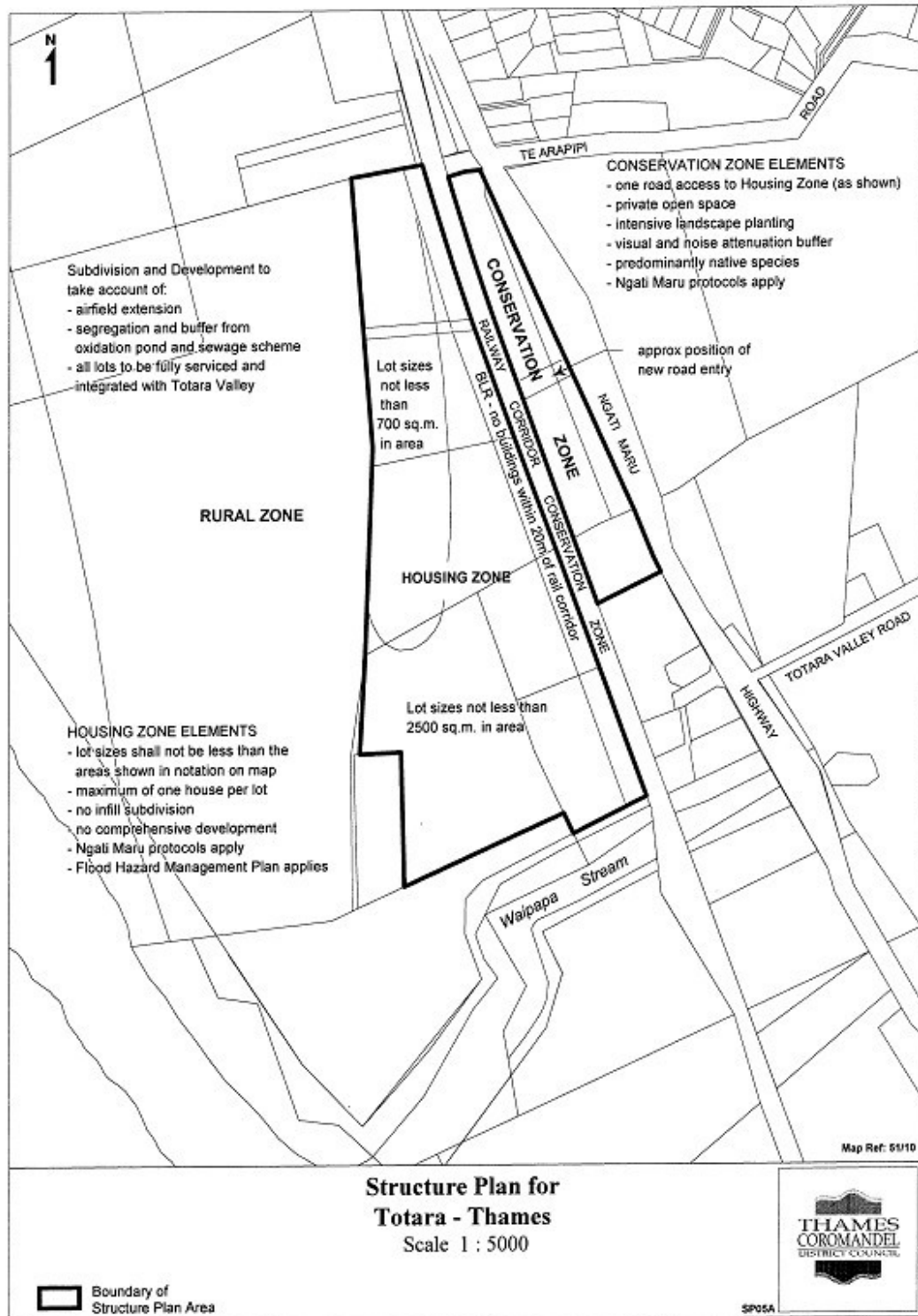
Note The provisions of Section 7: 7.1.1b do not apply.

No comprehensive development.

Note The provisions of Section 5: 5.2.4.2a do not apply.

- .2 Subdivision and development structure for the new zone to take account of the following:
- (a) Airfield extension.
 - (b) Segregation and buffer area from oxidation pond and sewage scheme.
 - (c) No buildings within 20 metres of the rail corridor.
 - (d) All lots in the Totara Valley West area to be fully serviced and integrated with future servicing requirements for the Totara Valley East locality.
 - (e) Tangata whenua issues expressed in Ngati Maru Iwi Authority/ Totara Palms protocols.
- .3 Area of private open space retained over the land between railway corridor and State Highway with requirement for intensive landscape planting to create a visual and noise attenuation buffer made up of predominantly native plant species.
- .4 One road entry from State Highway located approximately midway along the development frontage.
- .5 Financial contributions in accordance with the formula contained in Section 4 (480 to 489 inclusive) of the Proposed Plan or subsequent amendments made as a result of determining submissions.
- .6 To list the following activities as non-complying:
- (a) Infill subdivision;
 - (b) More than one house per lot;
 - (c) Comprehensive development.

345.5 - Structure Plan Diagram



345.6 - Totara Valley

The land identified in the attached map labelled "Totara Valley Structure Plan Map - Sites of Special Significance" (map indicative only), is zoned "Housing Zone" and the rules in the Plan which apply to that zone shall apply to subdivision and development of the identified land, subject to the following additional rules:

- .1 Notwithstanding section 410 of the District Plan, any disturbance of earth/soil that result in the movement of more than 1m³ of earth/soil in any 12 month period, but not including normal household gardening activities, installing fence posts, or other typical agricultural activities that do not involve the removal or replacement of earth/soil, either
 - (a) Within a "site of special significance" identified on the attached map labelled "Totara Valley Structure Plan Map- Sites of Special Significance" ("SPS") or
 - (b) Within 5 metres of an SPS: is a restricted discretionary activity
- .2 Councils discretion is restricted to:
 - (a) Any effect on the relationship of Ngati Maru and their culture and traditions with their ancestral land, water, sites waahi tapu and other taonga.
 - (b) the volume of disturbance of soil.
 - (c) consultation undertaken with Ngati Maru.
 - (d) the surveying and identification of the "identified sites of significance".
- .3 The Council need not serve a copy of any application for disturbance of earth/soil within an SPS or within 5 metres of an SPS on any party other than Ngati Maru.

Advice	If there is any doubt as to whether any proposed disturbance of soil is within an SPS or within 5 metres of an SPS, the person proposing to
Note	undertake such works shall consult with Ngati Maru in that regard.

345.6 - Structure Plan Diagram



346 - Tairua Pauanui Area

346.1 - Industrial Land

CNR TANGITARORI LANE AND HIKUAI SETTLEMENT ROAD

Land in the Industrial Zone off Tangitarori Lane, upon subdivision, is to be screened from Hikuai Settlement Road through appropriate landscaping so that the industrial activities are not visible from the road and an attractive entrance to Pauanui is maintained.

346.1 - Structure Plan Diagram



346.3 - Pumpkin Hill Road Lot 1 DPS 17790 and Sailors Grave Road Lot 4 DP 345000

LOT 1 DPS 17790

Refer to Structure Plan for all details

LOT 4 DP 345000

All subdivision and development of land within the Structure Plan area over Lot 4 DP 345000 shall be in accordance with the purpose, rules and diagram of this Structure Plan.

.1 PURPOSE

The purpose of this structure plan is to provide for limited development opportunities in a manner that:

- (i) Protects and actively conserves an indigenous coastal forest in the context of a coastal landscape that is sensitive to change; and
- (ii) Protects and enhances the ecological and landscape values of the land.

.2 ACTIVITY STATUS AND RULES FOR SUBDIVISION

.1 Controlled Activities

Subdivision and development for up to, but not exceeding an additional four (4) house sites within the Structure Plan over Lot 4 DPS 345000 shown in Diagram A shall be a controlled activity, provided that the subdivision meets the following standards, terms and matters:

- (i) Subdivision of Lot 4 DP 345000 into no more than four additional lots, with no more than one house (and accessory buildings) on each lot, generally as shown on the Structure Plan diagram, provided the subdivision provisions of sections 702.1 (Development Suitability) and 702.2 (Servicing) are met.
- (ii) One new access point from Sailor's Grave Road and/or shared access through Lot 1 DPS 17790.
- (iii) All areas outside of a 'defined building area' shall be subject to the ongoing monitoring and management provisions of the Landscape Management Plan and Ecological Restoration Management Plan (see (v) and (vi) below). The ongoing monitoring and management shall be in the form of a covenant or other suitable legal mechanism that ensures the purpose of the Structure Plan is upheld in perpetuity.
- (iv) Provision and implementation of an Ecological Restoration Management Plan: In conjunction with an application for a subdivision under the Structure Plan, a Management Plan which covers the matters set out below shall be prepared and implemented to give effect to the purpose of the Structure Plan. This Management Plan shall be prepared by a suitably qualified ecologist who is independent of the landowner.
For the purposes of this rule an Ecological Restoration Management Plan is a plan that:
 - (a) Identifies existing areas and types of indigenous vegetation within the site,
 - (b) Specifies the areas, numbers and plant species to be established within the site,
 - (c) Specifies the techniques and methods to be used to establish ecological corridors throughout the site that will ensure the ecological integrity and ongoing regeneration of the site in perpetuity and prevent reestablishment of weed species from neighbouring properties,
 - (d) States the means by which the on-going protection and maintenance of the new and established plantings will be ensured,
 - (e) Sets out methods and timeframes for the removal of the pine trees and ongoing management,
 - (f) Identifies any 'view corridors' where lower growing species are specified.
 - (g) Sets out methods for habitat enhancement for kiwi.
 - (h) Ensures the protection of all remaining coastal climax trees including Pohutukawa, Karaka, Kowhai, Kohekohe, Nikau, Totara, and Puriri.
 - (i) Requires advice to be taken from a qualified arborist where any activity may threaten the species referred to in (h) above.
 - (j) Assists the natural regeneration of all the primary species such as Kanuka, Manuka, Karamu, Karo, Mahoe, and Kawakawa.
 - (k) Allows only such selective removal of primary species located within the newly created lots as is necessary to accommodate one house site, accessory buildings, vehicle access and manoeuvring areas, fire protection and limited domestic garden on each lot (all of which shall be located wholly within the 'defined building area' and their associated vehicle access).
 - (l) Bans the grazing of stock on any lot.
 - (m) Bans the keeping of any cats or dogs on any lot unless in the case of dogs they have current proof of having successfully completed an annual kiwi aversion training programme.
 - (n) Includes measures for the eradication and on-going control of weed and plant pest species.

(iv) Provision and implementation of a Landscape Management Plan: In conjunction with an application for the subdivision under the Structure Plan, a Management Plan which covers the matters set out below shall be prepared and implemented to give effect to the purpose of the Structure Plan. This Management Plan shall be prepared by a suitably qualified landscape architect who is independent of the landowner.

For the purposes of this rule a Landscape Management Plan is a plan that:

- (a) Identifies the location and size of the Defined Building Area within each lot,
- (b) Provides recommendations for "view corridors" where lower growing species are specified,
- (c) Provides recommendations for building height, bulk, colours and materials.

.2 Controlled Activity Matters

In assessing a Controlled Activity application to subdivide land under the Structure Plan, Council shall be able to exercise control over any of those matters set out in sections 701-708 of the District Plan that are relevant, and may also exercise control over:

- (i) The suitability of the qualifications, experience and independence of the persons who have prepared the Management Plans.
- (ii) The provisions of the Management Plans, to ensure they achieve the purpose, standards and terms of this Structure Plan.
- (iii) The extent to which existing indigenous vegetation may be removed to enable the erection of buildings within the Defined Building Area for each lot and for the reasonable provision of vehicle access to each site.
- (iv) Additional measures relating to the on-going protection, maintenance and enhancement of indigenous vegetation including fencing, weed and animal pest control, covenants and bonds.
- (v) The geometric standard of construction of private ways.
- (vi) The size of Defined Building Areas.

.3 Non-complying Activities

Subdivision creating more than four additional lots shall be a Non-Complying Activity.

- (i) The suitability of the qualifications, experience and independence of the persons who have prepared the Management Plans.

- (ii) The provisions of the Management Plans, to ensure they achieve the purpose, standards and terms of this Structure Plan.
- (iii) The extent to which existing indigenous vegetation may be removed to enable the erection of buildings within the Defined Building Area for each lot and for the reasonable provision of vehicle access to each site.
- (iv) Additional measures relating to the on-going protection, maintenance and enhancement of indigenous vegetation including fencing, weed and animal pest control, covenants and bonds.
- (v) The geometric standard of construction of private ways.
- (vi) The size of Defined Building Areas.

.3 ACTIVITY STATUS AND RULES FOR LANDUSE ACTIVITIES

.1 Controlled Activities

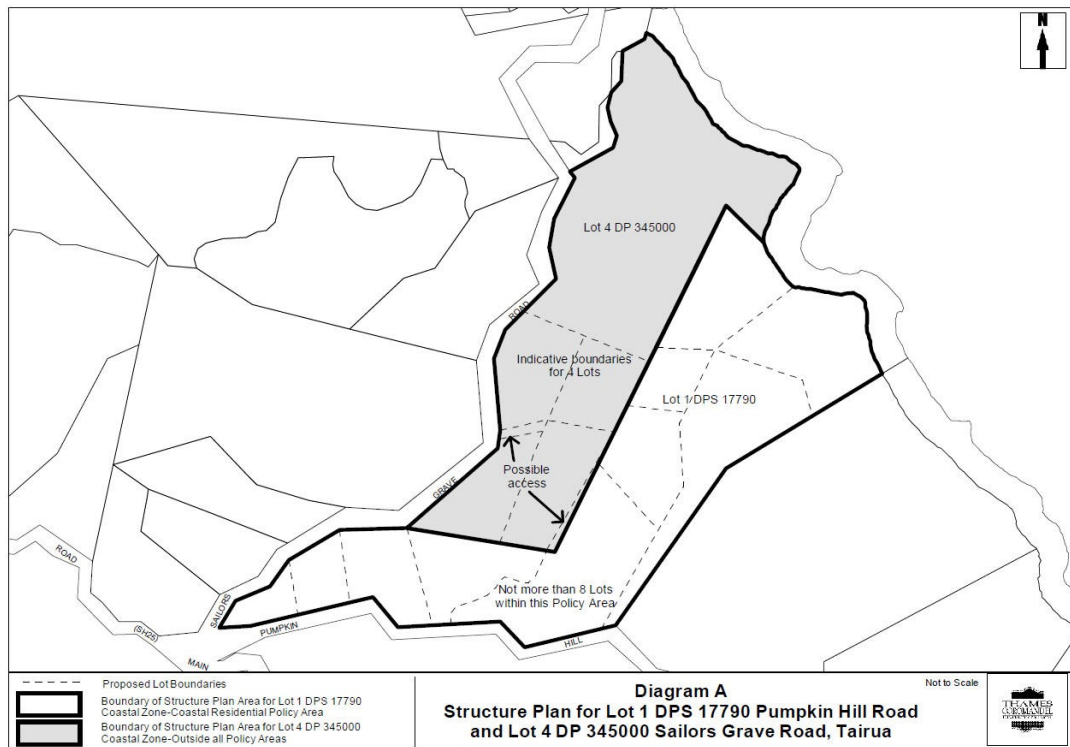
- (i) The siting, layout and operation of all activities shall comply with the provisions as set out in 2.1 above.
- (ii) Where a subdivision has not been completed the Management Plans as set out in 2.1 above shall be prepared for the entire lot and submitted with an application for land use consent.
- (iii) Subject to no more than one house (and accessory buildings) on each lot or minimum exclusive area of 2 hectares, the Coastal Zone - Outside All Policy Area rules of Sections 4 and 5 of the District Plan, shall apply to all activities within the Structure Plan area. In the event of a conflict between those rules and this Structure Plan, the rules of the Structure Plan shall prevail.

.2 Controlled Activity Matters

In assessing a Controlled Activity application for a land use consent on land under the Structure Plan, Council shall be able to exercise control over any of those matters set out in section 853.1 (Houses in the Coastal Zone) of the District Plan that are relevant, and may also exercise control over:

- (i) The provisions for the Ecological Restoration Management Plan and Landscape Management Plan in 2.1 above.

346.3 - Structure Plan Diagram



346.4 - Tairua - Marine Activities Policy Area

.1 GENERAL

The Tairua Marine Activities Structure Plan provides for the following provisions to be imposed over the land identified on the attached plan. In all cases the detailed development controls of the structure plan shall prevail over the general development controls of the district plan. In the absence of specific rules in the structure plan, the rules of the relevant zone shall apply.

.2 ISSUES

The Marine Activities Policy Area (MAPA) at Tairua identifies an area, which has been associated with various marine related uses over a long period of time. There are presently boat repair activities, marine servicing activities and restaurants located in this area. The issues arising in regard to continuation of the uses in this area stems from the growth of residential uses in the general vicinity of the Marine Activities Policy Area and the need to control the potential for adverse effects from Marine Activities Policy Area uses on the surrounding residential development. The southern part of the area by reason of its relative insulation from low density residential development, the proximity of recent intensive residential area to the south and the relationship with marine activities and restaurants nearby, may be appropriate for the development of visitor accommodation which will round out the range of uses that can contribute to the marine activities for which the Policy Area has been intended.

.3 PURPOSE, OBJECTIVES AND POLICIES

.1 Purpose

The purpose of the Tairua Marine Activities Structure Plan (TMASP) is to allow for continuation of marine activities including the non-industrial aspects of marine servicing and restaurant activities, which have become established there.

.2 Objectives

- .1 To provide appropriate buffering and separation of activities between the commercial activities in the Tairua Marine Activities Structure Plan and the surrounding residential activities by providing buffers of residential activity on the edges of the Tairua Marine Activities Structure Plan where it interfaces with other residential activity.
- .2 To provide for visitor accommodation to be established in the area adjacent to existing multi-storey residential accommodation to the south of the Marine Activities Policy Area.
- .3 To provide for continuation of the existing restaurant activities and for other commercial activities such as boat hire and office activities for boating organisations and similar marine activities.
- .4 To provide development standards that reflect the separation of this part of the Housing zone from other Housing zone sites and to reflect the unique qualities and resources that arise from the harbour interface.

.3 Policies

- .1 To divide the Tairua Marine Activities Structure Plan into three sub-areas, respectively Sub-area "A", Sub-area "B", Sub-area "C", as a means of implementing the objectives for this structure plan.
- .2 To allow a 12 m height for development permitted in the southern Sub-area (Sub-area "A") of the Policy Area to reflect the height (above mean high water springs) of the residential development adjoining to the south.
- .3 To restrict the height of development in Sub-areas "B" and "C" to the height limit applied to Housing zone areas.
- .4 To require the daylighting standard (height to boundary) measurements for Sub-area "B" to be applied only to site boundaries that abut sites other than those in Sub-area "B".
- .5 To make provision for buildings that do not comply with the daylighting standard for a complying activity in Sub-area "A" as a controlled activity to acknowledge the separation of this area from other residential areas as a result of topography and roading pattern.

.4

ACTIVITY STATUS FOR ACTIVITIES IN THE TAIRUA MARINE ACTIVITIES STRUCTURE PLAN

The activities and development standards for activities for each of these Sub-areas are set out below and reflect the above stated purpose objectives and policies for the Tairua Marine Activities Structure Plan.

.1 Permitted activities in Sub-area "A"

- One house per lot, alterations and additions to houses
- Two houses per lot
- Any building or accessory building for any of the above listed permitted activities

.2 Controlled activities in Sub-area "A"

- Three or more houses as a comprehensive development
- Travellers accommodation
- Restaurants and offices
- Any building or accessory building for the above listed controlled activities
- Any building or accessory building for a permitted or controlled activity that does not meet the daylighting standard for permitted and controlled activities.

.3 Restricted Discretionary Activities in Sub-Area "A"

- Any building or accessory building for a permitted or controlled activity that does not comply with the development standards for permitted or controlled activities.

.4 Discretionary activities in Sub-area "A"

- Any other residential activity including any permitted or controlled activity that does not comply with the development standards for a restricted discretionary activity.

.5 Permitted activities in Sub-area "B"

- Offices
- Clubrooms
- One house per lot, alterations and additions to houses
- Restaurants
- Any building or accessory building for any of the above listed permitted activities

.6 Controlled activities in Sub-area "B"

- More than one house per lot
- Three or more houses as a comprehensive development
- Retail activities not exceeding a floor area of 300m²
- Any building or accessory building for the above listed controlled activities

.7 Restricted Discretionary activities in Sub-area "B"

- Any permitted or controlled activity that does not comply with the development standards for permitted or controlled activities

.8 Discretionary activities in Sub-area "B"

- Any other residential or town centre activity including any use that does not comply with the development standards for a restricted discretionary activity.

.9 Permitted activities in Sub-area "C"

- One house per lot, alterations and additions to houses
- Any building or accessory building for any of the above listed permitted activities.

.10 Controlled Activities in Sub-Area "C"

- Two houses per lot
- Three or more houses as a comprehensive development
- Any building or accessory building for the above listed controlled activities
- Any building or accessory building that does not comply with the building coverage limitations for controlled activities provided that the building coverage shall not exceed 45% of the site area.

.11 Restricted Discretionary Activities in Sub-Area "C"

- Any permitted or controlled activity that does not comply with the development standards for a permitted or controlled activity.

.12 Discretionary activities in Sub-area "C"

- Any other residential activity including any residential permitted or controlled activity that does not comply with the development standards for a discretionary activity.

- .5 DEVELOPMENT STANDARDS FOR THE TAIRUA MARINE ACTIVITIES STRUCTURE PLAN**
- .1 Development standards for permitted and controlled activities applying in Sub-area "A"**
- Front Yard - 3m
 - Side Yard - 1.5m
 - Rear Yard - 3m
 - Garage Door Yard - 5m
 - Rear Lot Yards - two of 3m and the remainder of 1.5m
 - Maximum height - 12m
 - Daylighting Height to Boundary - For permitted activities - no building shall exceed a height of 3m plus the distance to the nearest site boundary that abuts a site in a Housing zone or any road
 - Daylighting Height to Boundary - For controlled activity - no building shall exceed a height of 3m plus the distance to the nearest site boundary that abuts a site in a Housing zone - subject to Rule 346.4.9
 - Maximum Site coverage - 35% for permitted activity; Maximum of 45% as a controlled activity Subject to Rule 346.4.10
 - Noise See below
 - Parking See below
- .2 Development standards for permitted and controlled activities applying in Sub-area "B"**
- Front Yard - 3m
 - Garage Door Yard - 5m
 - Coastal Yard 5m from Tairua Harbour
 - Maximum height - 8m
 - Daylighting Height to Boundary - no building shall exceed a height of 3m plus the distance to the nearest lot boundary that abuts Sub-area "C", or any road
 - Maximum Site coverage - 35%
 - Noise - See below
 - Parking - See below
- .3 Development standards for permitted and controlled activities applying in Sub-area "C"**
- Front Yard - 3m
 - Side Yard - 1.5m
 - Rear Yard - 3m
 - Garage Door Yard - 5m
 - Rear Lot Yards - two of 3m and the remainder of 1.5m
 - Coastal Yard - 5m from Tairua Harbour
 - Maximum height - 8m
 - Daylighting Height to Boundary - no building shall exceed a height of 3m plus the distance to the nearest site boundary, except for other lots within Sub-area "C"
 - Maximum Site coverage - 35% for permitted activities up to 45% as a controlled activity subject to Rule 346.4.10
 - Noise - See below
 - Parking - See below
- .4 Development standards for restricted discretionary activities applying in Sub-area "A"**
- Front Yard - 3m
 - Side Yard - <1.5m
 - Rear Yard - <3m
 - Garage Door Yard - <5m
 - Rear Lot Yards - <1.5m
 - Maximum height - 12m
 - Daylighting Height to Boundary - no requirement if lots are amalgamated or where development extends across site boundaries
 - Maximum Site coverage 45%
 - Noise - See below
 - Parking - See below
- .5 Development standards for restricted discretionary activities applying in Sub-area "B"**
- Front Yard - 3m
 - Garage Door Yard - 5m
 - Coastal Yard - 5m from Tairua Harbour
 - Maximum height - 10m
 - Daylighting Height to Boundary - no building shall exceed a height of 3m plus the distance to the nearest lot boundary that abuts Sub-area "C"
 - Maximum Site coverage - 45%
 - Noise See below
 - Parking See below
- .6 Development standards for restricted discretionary activities applying in Sub-area "C"**
- Front Yard - <3m
 - Side Yard - <1.5m
 - Rear Yard - <3m
 - Garage Door Yard - <5m
 - Coastal Yard - 5m from Tairua Harbour
 - Maximum height - 10m
 - Daylighting Height to Boundary - no requirement if lots are amalgamated or where development extends across site boundaries
 - Maximum Site coverage - 45%
 - Noise See below
 - Parking See below
- .7 Noise**
- The L_{10} and L_{max} levels arising from any activity measured at or within the boundary of any site in Sub-area "C" or at or within any lot within the Housing zone (not including sites in "Sub-areas "A" or "B") shall not exceed the following limits:
- Daytime 7.00am - 10.00pm L_{10} 50dBA
 - At all other times L_{10} 40dBA, L_{max} 70dBA
- .8 Parking Requirements**
- All activities shall provide adequate on-site vehicle parking. Where independent street access to each site does not exist, a paved driveway shall provide vehicular and pedestrian access to every house site of the following specifications:

- (i) A two way driveway with a width of at least 4.5m or two one way driveways each with a width of at least 3m.
- (ii) A grade no steeper than 1:6
- (iii) Geometric and construction details in accordance with Council Current Code of Practice
- (iv) Adequate paved space for on-site manoeuvring to enable all vehicles to access the street without the need to reverse manoeuvre within the public road.
- Parking spaces shall be a minimum dimension of 5m by 2.5m and shall be provided with sufficient paved manoeuvring space to allow entrance and exit in a single manoeuvre by a standard 90-percentile car. Refer Plan Rules in Section 470.
- Parking and access drives shall be in permanent dust free surfacing materials and shall be maintained to the satisfaction of the Council.
- The following are the number of off-street parking spaces required for each use in the Tairua Marine Activities Policy Area:
 - (i) Houses - 2 spaces per unit
 - (ii) Comprehensive housing -2.5 spaces per unit (refer to Rule 346.4.8 below)
 - (iii) Restaurants - One Space for every 4 patrons the activity is designed to accommodate plus one space for every employee.
 - (iv) Travellers Accommodation - 0.7 spaces for every room, plus one space for every 20m² of restaurant space - provided that one off-street coach parking space shall be accepted as equivalent to 10 car parking spaces.
 - (v) Retail activities - One space for each 40m² of floor space
 - (vi) All other commercial activities - one space for each 50m² of floor space

.6 SUBDIVISION IN THE TAIRUA MARINE ACTIVITIES STRUCTURE PLAN

Subdivision in all Sub-areas in the Tairua Marine Activities Structure Plan shall be subject to Rules 701-713 (excluding Rule 705) of the District Plan.

.7 ESPLANADE RESERVES IN THE TAIRUA MARINE ACTIVITIES STRUCTURE PLAN

In accordance with section 230(3) of the Resource Management Act, provision shall be made for an Esplanade Reserve Strip of not less than 4m in width along the coastal edge of the Tairua Marine Activities Structure Plan.

.8 CONTROLLED ACTIVITY STANDARDS FOR COMPREHENSIVE DEVELOPMENTS - THREE OR MORE HOUSES PER LOT

Development Standards:

- Comprehensive developments shall meet the permitted activity standards stated above for yards and daylighting, and the natural hazard standards in the general rules. A restricted discretionary activity application may be made where the yard, daylighting, or natural hazard standards are not met.
- Comprehensive developments shall meet the discretionary activity standards stated in the development standards listed above for coverage, height, and the following standards:
- Outdoor Living Court/Balcony - Each house shall have for its own exclusive use, an adjoining outdoor living court or balcony. The court or balcony shall have direct door access from the living room of the house. The minimum areas and dimensions of the court or balcony shall be:

Type of House	Living Room at or near Ground Floor	Living Room at first floor level or above (2.5m or more above ground level)
One-bedroom	Minimum area of Living court = 20m ² Each living court must be of sufficient size to contain a 4m diameter circle	Minimum area of balcony = 6m ² . Minimum dimension of balcony = 2m
Two-bedroom	Minimum area of Living court = 50m ² Each living court must be of sufficient size to contain a 4m diameter circle	Minimum area of balcony = 8m ² Minimum dimension of balcony = 2m
Three-bedroom	Minimum area of Living court = 60m ² Each living court must be of sufficient size to contain a 6m diameter circle	Minimum area of balcony = 10m ² Minimum dimension of balcony = 2m

- Comprehensive developments shall provide adequate artificial lighting sufficient to illuminate properly the drives and footpaths. Wherever reasonably necessary, comprehensive developments shall also provide artificial lighting sufficient to illuminate properly the drives and footpaths to the same standard as the street to which the comprehensive development has its frontage and/or access. The current owner(s) of any comprehensive development shall maintain the artificial lighting to this required standard.
- Comprehensive developments shall be in accordance with the following interpretation of whether one house is joined to another:
 - (i) Where one house shares a fire-rated party wall with another house, and that fire-rated party wall measures 1 metre or more in length, the two houses shall be considered to be joined.
 - (ii) Where the fire-rated party wall between two houses measures less than 1 metre in length, or where no fire-rated party wall is required, the two houses shall not be considered to be joined.
 - (iii) Where all or part of one house is situated above (or below) another house, the two houses shall be considered to be joined.
- At least 2.5 on-site car parking spaces shall be provided for every unit. The car parking spaces may be located anywhere on the site, but shall not be located within any living court or service area. Refer parking space requirements above.

.9 CONTROLLED ACTIVITIES - DAYLIGHTING STANDARD IN SUB-AREA "A"

The matters over which the Council reserves control and in respect of which it may impose conditions are as follows:

- The extent to which there are adverse effects on Housing zone activities on adjoining sites or on the opposite side of any road frontage
- The potential for separate developments occurring on the sites within Sub-area "A" and the resultant need to provide daylight access to internal site boundaries in Sub-area "A"

.10 CONTROLLED ACTIVITIES - BUILDING COVERAGE IN SUB-AREA "C"

The matters over which the Council reserves control and in respect of which it may impose conditions are as follows:

- The extent to which the spaciousness of the development is assisted by the open space provided by virtue of the adjacent harbour area.
- The nature of public access along the harbour edge provided by the development and in particular whether the building development adjoining that access provides a sense of security and surveillance.

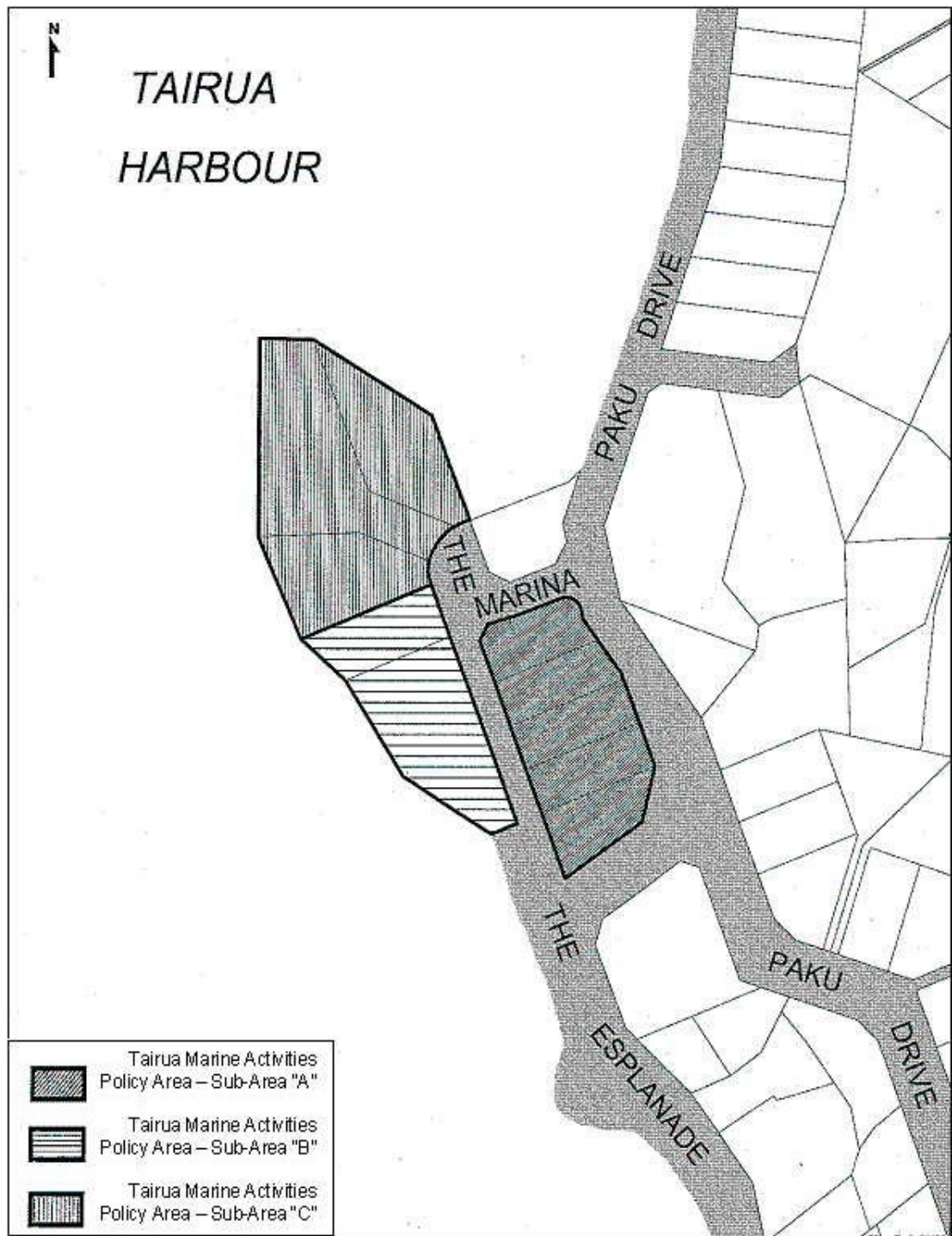
.11 CONTROLLED AND RESTRICTED DISCRETIONARY ACTIVITIES - EXCEPT THOSE IN 346.4.7, 346.4.8, & 346.4.9 - MATTERS OVER WHICH THE COUNCIL RESERVES CONTROL, AND ASSESSMENT CRITERIA

The matters over which the Council reserves control and in respect of which it may impose conditions are as follows:

- Advertising signs:
 - area
 - illumination
 - location on the site or building
 - height above ground
- Carparking:

- number of carpark on the site
 - arrangement of spaces on the site
 - location of entrance to and exit from carpark
 - number of "disabled persons" spaces
 - location of carpark areas on the site
 - Development Contributions:
 - whether a financial contribution needs to be made and if so, the amount charged in accordance with the Plan Rules
 - Facilities provided:
 - water supply and wastewater disposal arrangements solid waste collection and disposal arrangements
 - Layout:
 - location and detail planning of landscaped areas
 - location of structures, pipes, drains, lines and above ground equipment on the site
 - Health and Safety Levels:
 - height of power lines above water or ground
 - location of lines
 - Illumination:
 - light spill from the site
- .12 RESTRICTED DISCRETIONARY ACTIVITIES - DEVELOPMENT STANDARDS IN THE TAIRUA MARINE ACTIVITIES STRUCTURE PLAN**
- The activities defined as Restricted Discretionary Activities in the Tairua Marine Activities Structure Plan may be considered by the Council without public notification of the application or the need to obtain the written consents of affected persons in accordance with Section 94(1A). The matters over which the Council restricts its discretion are as follows:
- The extent to which there are adverse effects on Housing zone activities on adjoining sites or on the opposite side of any road frontage.
 - The extent to which lesser yard dimensions or coverage are compensated by the open spaces provided by the adjacent harbour area and the contribution that it makes to the spaciousness of the development.
 - The maintenance of a good overall level of amenity within the structure plan area and the extent to which the general level of amenity of the area is enhanced by a comprehensive and co-ordinated approach to the development.

346.4 - Structure Plan Diagram



346.5 - State Highway 25 / Hikuai Settlement Road

Section 3 SO 59681 and Section 5 SO 59277

- .1 LAND AFFECTED**
 - .1 The land to which this structure plan applies is situated at Hikuai on the north-eastern corner of State Highway 25 and Hikuai Settlement Road and has an area of 8830m².
- .2 PURPOSE**
 - .1 The purpose of this structure plan is to provide for the establishment and consolidation of activities consistent with those authorised by the resource consent granted in respect of the subject land on 12 October 1994 (TCDC file ref, Nos.-K02.0097, P.112103). The structure plan defines the area limit of such activities and requires compliance with standards aimed at minimising their visual impact on the character of the existing rural environment and avoiding any potential conflict with the safe and efficient functioning of the adjoining roading network.
- .3 ACTIVITY STATUS**
 - .1 Controlled Activities:
 - (a) Service stations (refer definition in Section 9 of this District Plan);
 - (b) The servicing, repair and maintenance of agricultural machinery and equipment;
 - (c) The sale of new or used tractors and agricultural machinery including associated parts and accessories;
 - (d) Depot for vehicle salvage and breakdown service;
 - (e) Any other activity (including those set out in 3.2, 3.3 and 3.4 hereunder) granted specific resource consent under this structure plan.
 - .2 Restricted Discretionary Activities:
 - (a) Restaurants (refer definition in Section 9 of this District Plan);
 - (b) Any controlled activity which fails to comply with one or more of the standards specified for such activities;
 - .3 Discretionary Activities:

Any Town Commercial Activity (refer definition in Section 9 of this District Plan) which is not a controlled or restricted discretionary activity.
 - .4 Activities not otherwise provided for:

Any activity not specifically provided for as a controlled, restricted discretionary or discretionary activity shall have the same status as that which applies in the Rural Zone (outside all policy areas).
- .4 ACTIVITY STANDARDS AND MATTERS OF CONTROL**
 - .1 All Activities:
 - (a) The layout, siting and operation of all activities shall comply with the concept layout plan forming part of this structure plan.
 - (b) Prior to or in conjunction with a resource consent application for the establishment of any activity not authorised by the existing resource consent referred to in Section 2 (Purpose) above, a detailed landscape and visual mitigation plan prepared by an appropriately qualified independent person shall be submitted to Council for approval. The objective of such plan shall be to minimise the visual impact which the new development would otherwise have in the context of the character of the existing rural environment, including as viewed from the adjoining reading network.
 - (c) No direct vehicle access shall be permitted from State Highway 25.
 - .2 Controlled Activities:
 - .1 Standards:

Except as modified so as to comply with 4.1 above, the District Plan permitted activity standards applying to commercial activities provided for in the Rural Village Policy Area of the Rural Zone shall apply.
 - .2 Other specific matters over which Control will be exercised:
 - (a) Advertising signs including
 - (i) area;
 - (ii) illumination;
 - (iii) location;
 - (iv) height.
 - (b) Provision for vehicles, including
 - (i) access to and from Hikuai Settlement Road;
 - (ii) on-site parking and manoeuvring.
 - (c) Buildings, including
 - (i) design and appearance;
 - (ii) size and scale;
 - (iii) siting and setback from adjoining roads.
 - (d) Landscaping including
 - (i) location and area;
 - (ii) detail of number and species of vegetation.
 - (e) Outdoor storage, including
 - (i) vehicles, machinery and equipment;
 - (ii) dangerous goods and waste materials, including collection and disposal areas.
 - (f) Hours of operation.
 - (g) Illumination and floodlighting.
 - .3 Restricted Discretionary Activities:

Discretion is restricted to:

 - (a) Control of the actual or potential adverse environmental effects relating to any matter of non-compliance with controlled activity standards;
 - (b) The matters referred to in 4.2.2 above.
 - .4 Discretionary Activity Assessment Criteria:
 - (a) Control of the actual or potential adverse effects relating to any matter of non-compliance with controlled activity standards;
 - (b) The matters referred to in 4.2.2 above;
 - (c) Relevant assessment criteria for discretionary activities set out in Section 850 of the District Plan.

346.5 - Structure Plan Diagram



346.6 - Pauanui Orchard Estate Structure Plan

The Pauanui Orchard Estate Structure Plan applies to the area notated as a structure plan on Planning Map 62/03 and set out in the Concept Plans that comprise this Structure Plan.

346.6.1 STRUCTURE PLAN PURPOSE

The purpose of the Pauanui Orchard Estate Structure Plan is to ensure the expansion of Pauanui maintains continuity of the town's character, form and scale, complements harbour values and maintains a high quality of amenity.

To achieve this purpose:

- .1 Maintain consistencies with Pauanui in the size, layout and density of residential allotments;
- .2 Establish a fully serviced subdivision containing the key structural elements set out in 346.6.3;
- .3 Provide for a comprehensive development capable of being staged as provided for in 346.6.5 and retaining overall design integrity, integration and connectivity in accordance with concept plans as provided for in 346.6.2; and
- .4 Create strong linkages of vegetated open space free of buildings to contain: the primary road networks; walkways located to provide public pedestrian and cycle access independent of road corridors; passive and active recreation areas; and culturally significant landscape.

346.6.2 ENVIRONMENTAL OUTCOMES SOUGHT

The 'Concept Plan: Design & Layout' provides a means of ensuring the following environmental outcomes are achieved:

- .1 Integration of development stages;
- .2 Overall design integrity including:
 - Continuity of Pauanui town character,
 - Roads set back from harbour,
 - Centrally located parks.
- .3 Connectivity between key structural elements.

Exercise of the control and discretion provided within the rules of this structure plan is not directed at requiring a strict positioning of the key elements that make up the layout and design. For this reason measurements are not included.

346.6.3 KEY STRUCTURAL ELEMENTS

The key structural elements of this Structure Plan are:

- .1 **Reserves and Open Space**
 - Four reserves generally in the locations and having similar areas to those shown as R1 to R4 inclusive and CR on the 'Concept Plan: Design & Layout'.
 - Provision of a buffer to protect the adjacent urupa.
- .2 **Roading**
 - Continuous spine road providing access to Hikui Settlement Road.
 - No more than two intersections with Hikui Settlement Road (including land required to be set aside for construction of single lane roundabouts), except that as an interim measure provision is made for the existing Tangitarori Lane intersection to remain until the appropriate stage in the development of the structure plan area is reached.
- .3 **Walkway/Cycleway System**
 - Pedestrian links generally in the location and having similar size as those shown in PL1 to PL4 on the 'Concept Plan: Design & Layout'.
 - Land to be set aside adjoining Hikui Settlement Road.
 - Connections with existing esplanade reserves around the Tairua Harbour.

346.6.4 ROAD STOPPING

Two existing roads within the structure plan area, Tangitarori Lane and Gooseberry Grove, are to be replaced by a new roading network. To achieve this, parts of these existing roads are to be stopped under procedures set out in the 10th Schedule of the Local Government Act. Parts of the roads will be retained and integrated into the new network. Where the roads are not required to form part of the new network they will be 'stopped' and be given an appropriate zoning.

The required road stopping is shown as "road to stop" on the 'Concept Plan: Design and Layout'.

The zonings to be applied to the land comprising "road to stop" are:

- Housing Zone (Outside All Policy Areas) subject to Structure Plan Provisions; or
- Recreation Zone (Active or Passive) where the land is to be vested as reserve.

346.6.5 STAGING

Development may proceed in stages and subdivision of land within the Structure Plan area may be carried out as a controlled, restricted discretionary or discretionary activity (as determined by the rules of this structure plan) where the overall environmental outcomes sought in the 'Concept Plan: Design and Layout' are achieved and the relevant standards are met.

A development stage may provide services and infrastructure in whole or in part provided they are consistent with the rules and standards in this structure plan.

For great flexibility this structure plan provides an opportunity for different design and layout as a restricted discretionary or discretionary activity, provided key elements of the Structure Plan are put in place.

346.6.6 STRUCTURE PLAN RULES

346.6.6.1 ACTIVITY STATUS FOR SUBDIVISION

- .1 **Controlled Activities**
Any proposal complying with all of the standards set out in rule 346.6.6.2.
- .2 **Restricted Discretionary Activities**
 - (a) Any proposal which does not comply with either of the following standards set out in rule 346.6.6.2, provided all other controlled activity subdivision standards are met:
 - (i) 346.6.6.2.3 - Minimum Net Residential Lot Size, subject to the average net lot size within the stage concerned being at least 600m².
 - (ii) 346.6.6.2.13 - Reverse Sensitivity Buffer Area.
 - (b) Any proposal in which the location or alignment of connector roads or any cul-de-sac is not in accordance with the 'Concept Plan: Design and Layout' but the function of the roads as provided for in that plan is not changed.
- .3 **Discretionary Activities**
Any proposal, not being a controlled or restricted discretionary activity, which does not comply with one or more of the following development standards:

- (a) 346.6.6.2.1 - Comprehensive Detailed Plan, as that rule relates to consistency with the 'Concept Plan: Design and Layout'.
- (b) 346.6.6.2.4 - Maximum Number of Lots, as the rule relates to the number of lots within a particular stage shown on the 'Concept Plan: Design and Layout', subject to it being demonstrated that the maximum number of lots within the whole structure plan area (330) will not be exceeded;
- (c) 346.6.6.2.6 - Efficient and Effective Servicing
- (d) 346.6.6.2.11 and 346.6.6.2.12 - Staging;
- (e) 346.6.6.2.15 - Services Connections.

Subject in all cases to the following key structural elements being met:

- Provision of a continuous length of spine road providing access to Hikuai Settlement Road; and
- No more than two permanent intersections with Hikuai Settlement Road; and
- Five reserves as shown on the 'Concept Plan: Design and Layout' as R1 to R4 inclusive and CR; and
- Pedestrian links indicated as PL 1 to PL 3 inclusive on the 'Concept Plan: Design and Layout'.

.4 Non-Complying Activities

Any proposal which is not listed as a controlled, restricted discretionary or discretionary activity.

346.6.6.2 DEVELOPMENT STANDARDS FOR SUBDIVISION

In addition to the development standards for subdivision applying in the Housing Zone (OAPA), the following standards shall also apply. In the event of any conflict or inconsistency between the two standards, these structure plan standards shall prevail.

.1 Comprehensive detailed plan

An application for subdivision shall be accompanied by a comprehensive detailed plan applying to the development of the land proposed to be subdivided. Such plan shall be consistent with the 'Concept Plan: Design and Layout' applying to the Structure Plan Area and shall provide for the integration of all matters including those shown in the three Concept Services Plans for Stormwater, Water Reticulations and Sanitary Sewer.

.2 Earthworks Plan

The comprehensive detailed plan referred to in foregoing rule 346.6.6.2.1 shall also include an earthworks plan which shows:

- (a) Finished ground contours;
- (b) Services;
- (c) Roothing;
- (d) Land drainage.

.3 Minimum net residential lot size

600m².

.4 Maximum number of residential lots

330 residential lots over whole structure plan area.

This standard shall be deemed to be met if each residential lot within each development stage has a net area of at least 600m² and the total number of residential lots within the stage does not exceed the number of lots for that stage as shown in the staging requirements table of rule 346.6.6.2.12.

.5 Contaminants in Soil

Matters relating to contaminants in soil are the subject of the "National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health". Any resource consent application for land subdivision or development shall demonstrate compliance with the applicable provisions of the NES.

.6 Efficient and effective servicing

Plans and specifications shall show services and infrastructure integration with adjacent lots generally in accordance with each of the three Concept Services Plans for Water Reticulation, Sanitary Sewer and Stormwater.

.7 Road frontage and legal access

No new lots shall have road frontage or legal access to Gooseberry Grove or that portion of Tangitarori Lane shown on the 'Concept Plan: Design and Layout' as "Road to Stop".

.8 New road intersections with Hikuai Settlement Road

- (a) Intersections of the spine road with Hikuai Settlement Road shall be located generally in the position shown on the 'Concept Plan: Design and Layout' and in accordance with the following:
 - (i) each intersection shall be designed and constructed in compliance with the relevant Council standards so as to serve the total number of lots to be created within the Structure Plan area as shown on the 'Concept Plan: Design and Layout'.
 - (ii) with respect to the northern-most intersection, and regardless of the design of the actual intersection to be constructed, sufficient land shall be set aside to vest as road so as to accommodate an intersection in the form of a single-lane roundabout.
- (b) Tangitarori Lane may continue to provide access to Hikuai Settlement Road for lots in existence prior to commencement of the first stage of development until alternative legal and physical access is provided by the new roading network in accordance with the 'Concept Plan: Design and Layout'.

.9 Vesting and forming of roads

The full length of all roads within the land being subdivided shall be shown on the subdivision plan as road to vest and where a road is shown as connecting with or adjoining an adjacent property it shall be formed to the boundary of the adjoining property.

.10 Existing Tangitarori Lane/Hikuai Settlement Road intersection

Upon legal and physical access to the spine road being made available to all existing and consented new lots, the Tangitarori Lane intersection with Hikuai Settlement Road shall be stopped in the manner shown on the 'Concept Plan: Design and Layout'.

.11 Staging General

(a) Roothing

The roads as shown on the 'Concept Plan: Design and Layout' shall be located, designed and formed to achieve the following:

- (i) a continuous length of spine road which provides an unbroken link from the subdivision stage concerned to Hikuai Settlement Road;
- (ii) a continuous unbroken link between the spine road and Tangitarori Lane (shown as Connector Road (i) on the 'Concept Plan: Design and Layout') so as to facilitate the stopping of the Tangitarori Lane intersection with Hikuai Settlement Road;
- (iii) links with properties outside and adjoining the Structure Plan Area in the manner provided by Connector Roads (ii) (iii) and (iv) as shown on the 'Concept Plan: Design and Layout'.

- (b) Services
Trunk services (wastewater, water supply and stormwater) shall be located, designed and constructed so as to:
- (i) provide the capacities required to serve the ultimate development of the structure plan area; and
 - (ii) integrate with adjoining land; and
 - (iii) meet Council's engineering standards.
- (c) Reserves
- (i) The reserves shown on the 'Concept Plan: Design and Layout' shall be located, designed, formed and landscaped and vested in the Council so as to achieve:
 - a continuous network of reserves including pedestrian and cycleways making up the key structure reserve element (shown as R1 to R4 inclusive and CR on the 'Concept Plan: Design and Layout'); and
 - a series of linkages to provide a second tier network of reserves and walkways connecting the main structure reserve element, roads and cul-de-sac heads in the manner shown on the 'Concept Plan: Design and Layout'.
 - A minimum average reserves area of 255m² per lot over the whole structure plan area.
 - (ii) Where the area of land to be vested and developed as reserve within any stage is less than 255m² per lot, subdivision consent for that stage shall not be granted unless:
 - A compensating amount of 'credit' reserve land is shown to be available in respect to another stage within the structure plan; and
 - A legally binding agreement (to the satisfaction of Council) in respect of such available credit between the applicant for stage being applied for and the land owners or consent holder (where such consent already exists) of the other stage from which the credit is derived shall be submitted to the Council in conjunction with the application for subdivision consent.
 - (iii) The legally binding agreement shall make provisions for land contained within the area shown as Reserves R1 to R4 and CV to be vested in Council or if not vested at the time it can be vested if called upon by the Council to be so. The agreement shall also make provision for the works required to form the reserve and to landscape it with the required walkway/cycleway, lawn trees and shrubs furniture and lighting.

Note: Rule 346.6.6.1.3 provides for a proposal that does not meet the staging standards of 346.6.2.11 provided all the key structural elements are met. If the reserve land required in the above rule is not vested or a legally binding agreement acceptable to Council is not entered into so that the reserve requirements are met the proposal will not meet the requirements of a discretionary activity and thus become a non-complying activity under Rule 346.6.6.1.4

.12 Specific staging requirements

Lot 29 DPS 37570

Maximum number of residential lots: 32

1. No direct vehicle access to lots off Hikuai Settlement Road.
2. 6m wide landscape and screening buffer along and adjacent to any residential lot boundary immediately adjoining Hikuai Settlement Road.
3. Provision of a legally binding agreement with Council to cover costs associated with stopping Tangitarori Lane and transfer of land upon completion of the relevant section of spine road.
4. Vest as reserve and pedestrian link area (R1 and part PL1) generally shown on 'Concept Plan: Design and Layout'.
5. Form and vest cul-de-sac B up to boundary of Lot 34.

Lot 30 DPS 37570

Maximum number of residential lots: 32

1. Provision of legal and physical vehicle access from all lots to formed section of spine road.
2. Existing intersection with Hikuai Settlement Road to be closed through the legal stopping of the eastern end of Tangitarori Lane.
3. Remainder of Tangitarori Lane may be used to gain access to and from Access Road (i) and cul-de-sac (D) in a manner generally in accordance with that shown on the 'Concept Plan: Design and Layout'.
4. Form and vest cul-de-sac C, up to the boundary of Lot 34.
5. Vest as reserve the reserve and pedestrian link area (part R1 and part PL1) generally shown on the 'Concept Plan: Design and Layout'.

Note: Some lots within this stage may not be able to be created until Tangitarori Lane is legally stopped.

Lot 31 DP 37570

Maximum number of residential lots: 26

1. Form and vest spine road off Tangitarori Lane and connect to access road (iii).
2. Vest as reserve the reserve area (R2) up to stage boundary as shown on 'Concept Plan: Design and Layout'.
3. Provide for Right of Way extension from cul-de-sac (G) to provide public access to sports ground.

Note: Some lots within this stage may not be able to be created until Tangitarori Lane is legally stopped.

Lot 32 DPS 37570

Maximum number of residential lots: 30

1. Form and vest spine road.
2. Vest reserve connection between sports ground and spine road.
3. Incorporate cul-de-sac (G) to provide integrated access to sports ground (R2) and Lot 31.
4. Vest as reserve the reserve and pedestrian link area (R2 and part PL2) up to stage boundary generally as shown on 'Concept Plan: Design and Layout'.

Lot 33 DPS 37570

Maximum number of residential lots: 40

1. Form and vest spine road.
2. Incorporate access road (ii) to provide integrated access to boat ramp and spine road.
3. Vest as reserve the reserve and pedestrian linkage area (part R4 and part PL2) from spine road to boat ramp area, generally as shown on 'Concept Plan: Design and Layout'.

4. Form and vest as road the cul-de-sac (E) to boundary of Lot 34.

Lot 34 DPS 37570

Maximum number of residential lots: 24

1. Vest as reserve the reserve area (R4), generally as shown in the 'Concept Plan: Design and Layout'.

Note: Access to this stage is reliant on provision of access from Lots 29, 30 or 33

Lot 1 DP 317825

Maximum number of residential lots: 36

1. Form and vest as road: Access road (iv) and cul-de-sacs (L) and (K).
2. Supply Council with legal agreement to not oppose stopping of Gooseberry Grove in favour of taking access from the spine road.

Lot 2 DPS 46170

Maximum number of residential lots: 24

1. Form and vest spine road.
2. Form and vest as road:
 - cul-de-sac (J); and
 - cul-de-sac (M) to boundary to provide integrated access to Lot 3; and
 - Access Road IV to boundary to provide integrated access to Lot 1
3. Vest as reserve land shown as 'cultural reserve' (CR) generally in accordance with the 'Concept Plan: Design and Layout'.
4. Provide a legally binding agreement with Council to cover costs associated with stopping Gooseberry Grove and transfer of land upon completion of spine road.

Note: Some lots may not be able to be created until Gooseberry Grove is legally stopped.

Lot 3 DPS 46169

Maximum number of residential lots: 23

1. No subdivision until spine road connects to boundary.
2. Form and vest spine road.
3. Form and vest as road: cul-de-sac (M) to provide integrated access to Lot 2.
4. Vest as reserve the reserve and pedestrian linkage area (part R3 and PL3) generally as shown in 'Concept Plan: Design and Layout'.
5. Provide a legally binding agreement with Council to cover costs associated with stopping Gooseberry Grove and transfer of land upon completion of spine road.

Note: Some lots may not be able to be created until Gooseberry Grove is legally stopped.

Lot 4 DPS 46173

Maximum number of residential lots: 32

1. Form and vest spine road.
2. Form and vest as road: cul-de-sacs (I) and (H) to provide integrated access to Lot 3.
3. Vest as reserve the reserve area (part R3) generally as shown in 'Concept Plan: Design and Layout'.
4. Provide a legally binding agreement with Council to cover costs associated with stopping Tangitarori Lane and Gooseberry Grove and transfer of land upon completion of spine road.

Note: Some lots may not be able to be created until Gooseberry Grove and Tangitarori Lane are legally stopped.

Lot 5 DP 318320

Maximum number of residential lots: 30

1. Form and vest spine road.
2. Form and vest as road: cul-de-sac (N).
3. Vest as reserve the reserve area (part R3) generally as shown in the 'Concept Plan: Design and Layout'.

Note: Some lots may not be able to be created until Tangitarori Lane and Gooseberry Grove are legally stopped.

NOTE: The total number of residential lots provided for in the specific staging requirements listed above is 329. The maximum number of new residential lots allocated to each existing lot has been determined on the basis of a "nearest fit". In cases where a new lot is shown to cross over the boundary of an existing lot the new lot has been allocated to one of the two existing lots. This will mean that existing lots may not be able to achieve the maximum yield provided for under this Rule unless the adjoining lot or lots are included in the same application for subdivision consent.

Where new lots are shown across the boundary of existing lots a boundary adjustment (See Rule 705.1) may be carried out to realign the boundary with the balance lot to bring it into accordance with the new lot layout in the 'Concept Plan: Design and Layout'.

13. Reverse sensitivity buffer area

A buffer area of 50m shall be provided between any lot subdivided for housing purposes and land retained in productive horticulture. The buffer shall be cleared open space (i.e. grass) but may include shelter-belts and plant species retained for landscape purposes.

14. Spine Road

The spine road shown on the 'Concept Plan: Design and Layout' shall be formed as dual carriageway in accordance with Diagram A: Typical Cross Section through Spine Road.

15. Services (water supply, wastewater and stormwater)

Connections to all reticulated systems shall be provided at the boundary of each lot.

346.6.6.3. CONTROLLED ACTIVITY SUBDIVISION – MATTERS OF CONTROL

.1 General

The extent to which the proposal is consistent with the 'Concept Plan: Design and Layout' and with the three Concept Services Plans: Sanitary Sewer, Stormwater and Water Reticulation.

.2 Roading

- (a) Linkages between the internal subsidiary road network and the main dual carriageway spine road in general accordance with 'Concept Plan: Design and Layout', so as to provide convenient property access whilst discouraging through traffic.
- (b) Construction of the spine road shown on 'Concept Plan: Design and Layout' in accordance with Diagram A including divided carriageways, median strips, wide berms, and existing trees retained where appropriate for amenity and traffic calming.
- (c) Provision for road access to:
 - (i) the existing reserve and boat-ramp to the immediate north of the structure plan area;
 - (ii) reserves within the structure plan area; and
 - (iii) to the northern boundary of adjacent land to the immediate south of the structure plan area.
- (d) Construction of the subsidiary road network, including provision of cul-de-sac property access to supplement the spine and connector road network, incorporating tree planting, wide berms and median strips (where appropriate).
- (e) Provision for legal road access to serve future development of adjoining land generally in accordance with the 'Concept Plan: Design and Layout'.
- (f) Provision for legal access to existing houses and properties currently located along Tangitarori Lane and Gooseberry Grove.
- (g) Provision for legal access from Greenview Rd to the Refuse Transfer Station, adjoining industrial land and the Structure Plan area generally in accordance with the 'Concept Plan: Design and Layout'.
- (h) The timing and staging of the stopping of Tangitarori Lane and Gooseberry Grove and transfer of land to adjoining landowners without compensation to Council.

.3 Pedestrian access

The provision of pedestrian linkages throughout the subdivision to link with the main pedestrian, roading and reserves network, generally in accordance with that shown on the 'Concept Plan: Design and Layout', and in a manner which incorporates the following:

- (a) Greenways generally running toward the harbour/estuary, as a separate network complementing the road pattern.
- (b) Plantings of tree species to provide shade and shelter.

.4 Reserves

- (a) Location of large reserves and the primary pedestrian network so as to be reasonably accessible from all parts of the development, forming the nodes for the pedestrian network.
- (b) Retention of existing trees i.e. indigenous, wetland, and coastal-related vegetation, and retention of elements of the shelter belts near the periphery and within the land during the early stages of development until appropriate replacement planting is established, while:
 - (i) Recognising that some existing trees within the structure plan area are not good specimens.
 - (ii) Providing for the replacement of trees over time with more suitable indigenous coastal related vegetation sequence species.
 - (iii) Maintaining and enhancing the habitat, ecological connectivity and functioning of the wetland where appropriate.
- (c) Provision for reserve areas shown in the 'Concept Plan: Design and Layout' to be vested in Council as public reserves.

Note: Subject to compliance with the foregoing and to the provision of reserves and other public facilities generally in accordance with those shown on the 'Concept Plan: Design and Layout', Council's development contributions for provision of land and facilities for reserves shall be waived, **provided that** upon completion of the final stage no 'credit' or refund of fees shall be available where the value of land and facilities provided is greater than the contributions which would have otherwise been payable. Credit from one stage to another may be recognized and provided for. Shortfalls from one stage to another will only be recognized if a legally binding agreement is entered into with the landowner in another stage so that the short fall can be made up at any time.

Council will need to be satisfied that the arrangement entered into will result in the land being vested or able to be vested. If the land does not vest and the landscaping work (see 346.6.6.3.5 below) is not completed Council may require a bond, covenant or consent notice so any shortfall can be made up if the land owner is called upon by the Council to do so.

.5 Landscaping

- (a) Planting within roads, including (as appropriate) specimen trees in medians, berms and cul-de-sac heads having regard to the complementary function of roads as services and utility corridors.
- (b) Planting within pedestrian ways and reserves, incorporating the matters referred to in foregoing rule 346.6.6.3.4(b).
- (c) Planting of areas to provide amenity enhancement and reverse sensitivity buffer for properties adjoining Industrial and Rural Zones, and those properties adjacent to Hikuai Settlement Road.

.6 Design and layout

- (a) Consistency with the 'Concept Plan: Design & Layout'.
- (b) The need for a site survey to determine whether there are any archaeological, historic or cultural sites present and if so their specific location and significance.
- (c) Minimal disturbance to archaeological, historic and cultural sites of importance by incorporating them into reserves and open space areas where appropriate and practicable.

Note: In the event a survey shows evidence of sites or archaeological deposits, historic remains or cultural items the requirements of the Historic Place Act apply and authority to damage or destroy may be required.

In the event of an accidental discovery of such deposits, remains or items, the 'Accidental Discovery Protocol' under the NZHPT shall apply. Attached to this Structure Plan is an Advisory Note setting out the 'Accidental Discovery Protocol'.

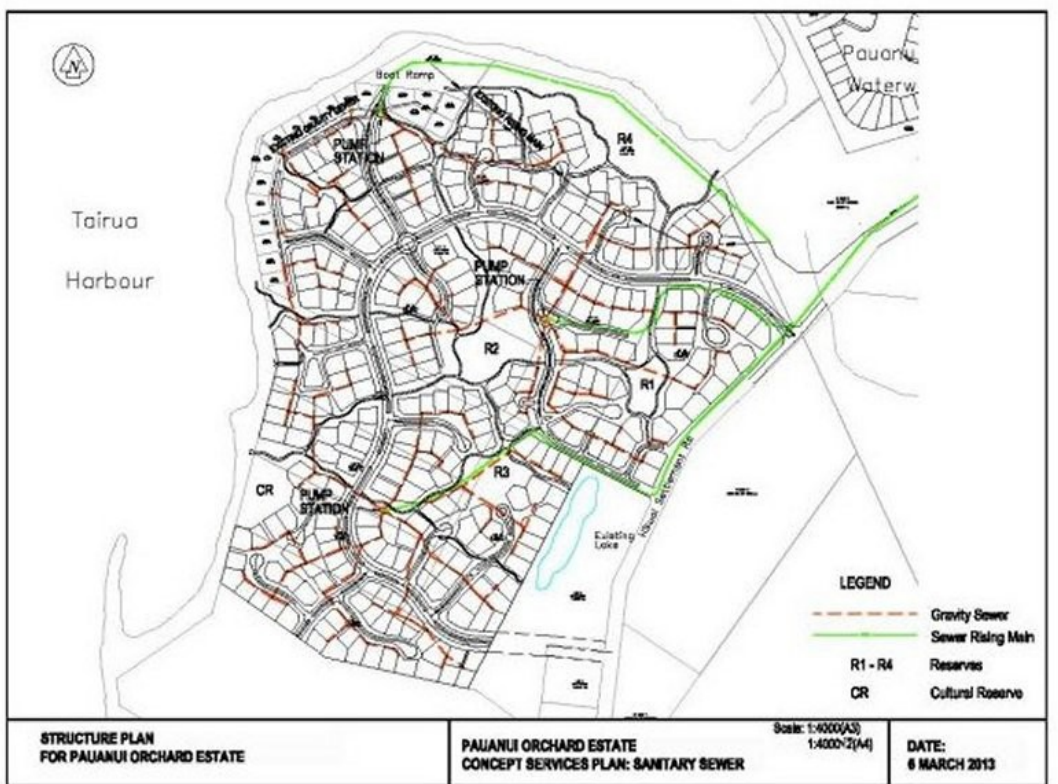
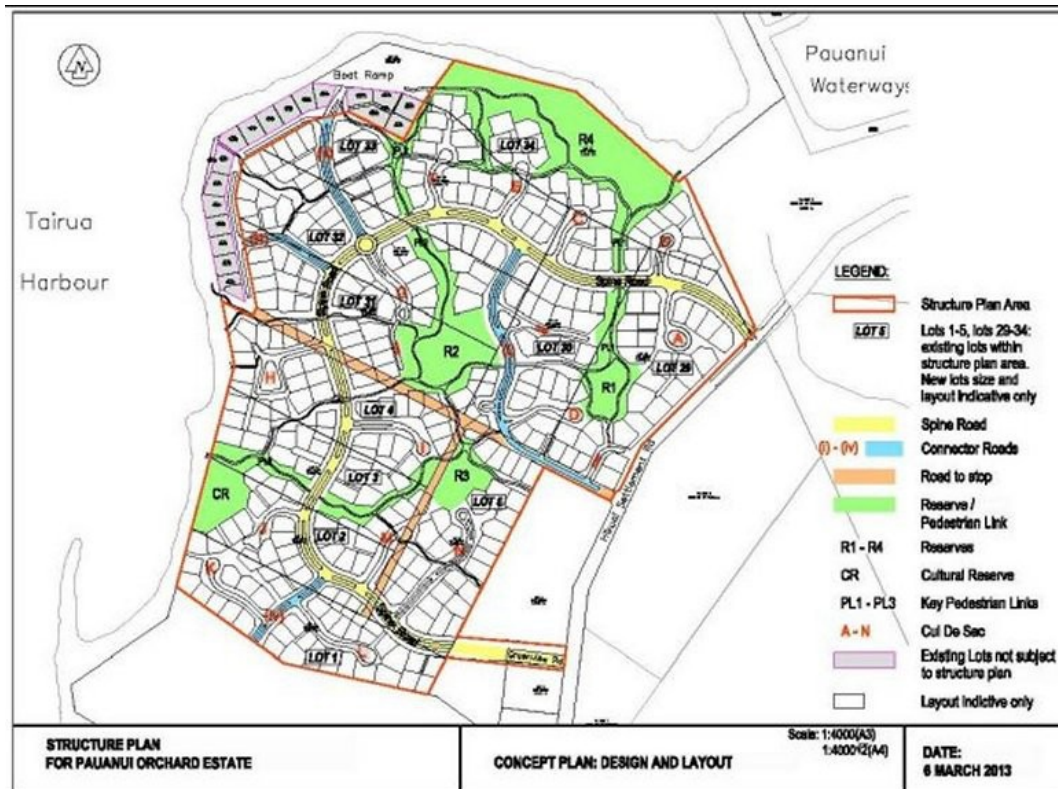
- (d) Plans to show elevation of sections above roads and stormwater flowpaths.

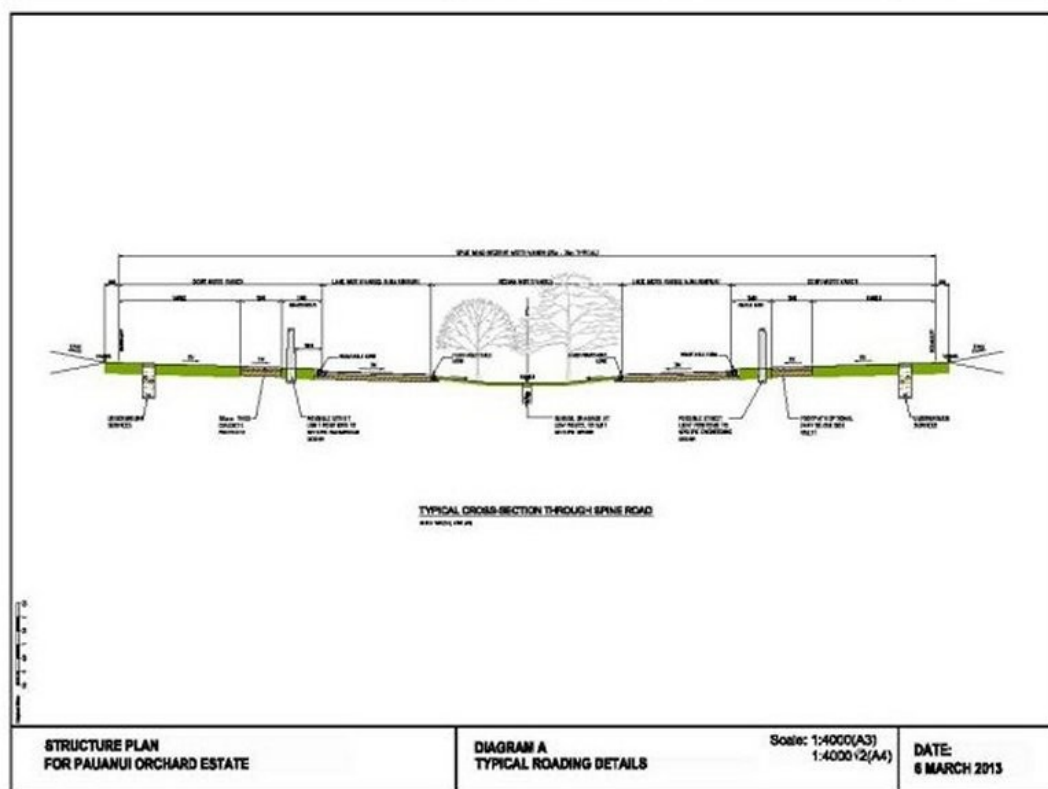
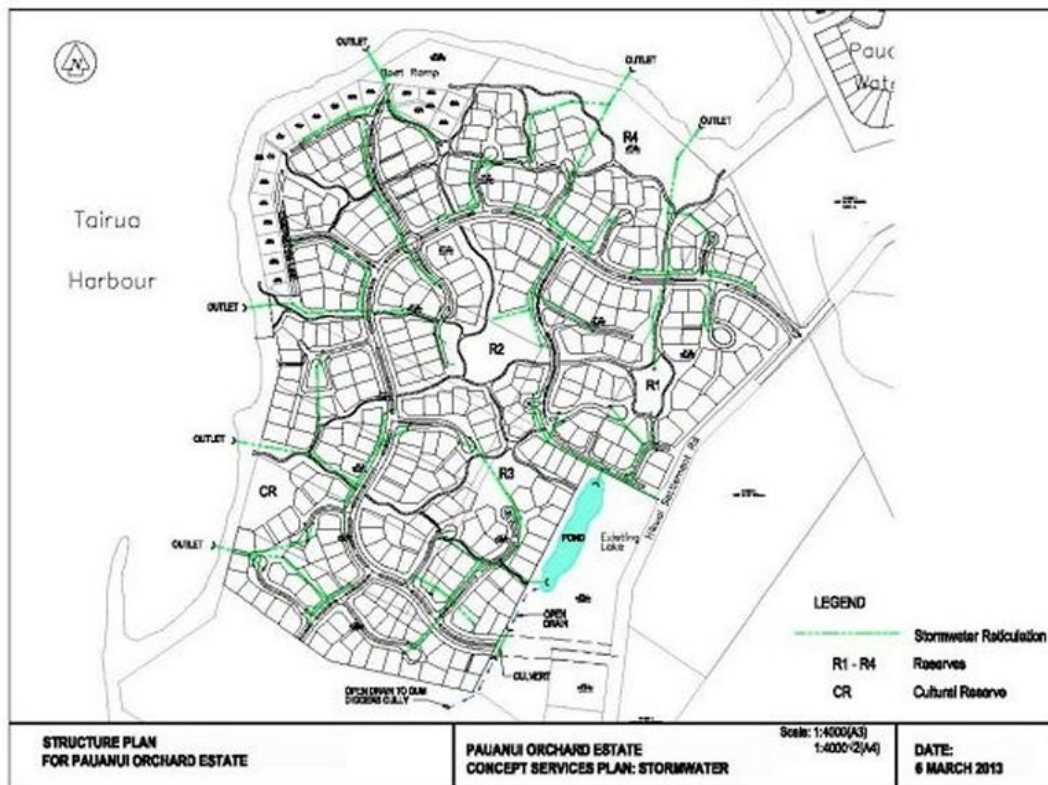
.7 Stormwater

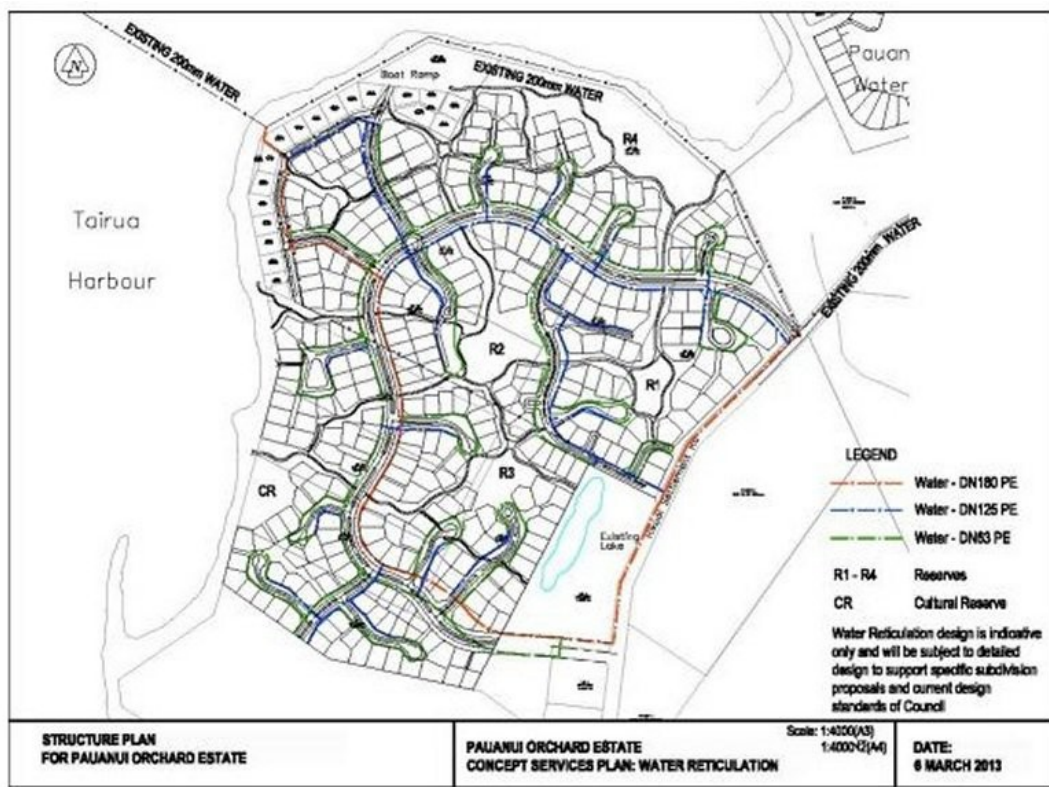
Provision of stormwater services generally in accordance with the Pauanui Orchard Estate 'Concept Services Plan: Stormwater' and detailed in the Engineering Report prepared by Airey Consultants Ltd March 2009 (attached to the Plan Change application), or any update thereafter approved by Council.

.8 Water Supply

- (a) Provision of water reticulation services generally in accordance with the Pauanui Orchard Estate 'Concept Services Plan: Water Reticulation' and detailed in the Engineering Report prepared by Airey Consultants Ltd March 2009 (attached to the Plan Change application), or any update thereafter approved by Council.
 - (b) The extent to which non-potable water re-use is provided for uses such as garden irrigation, toilet flush water, reserve irrigation and/or washing machine water.
- .9 Wastewater**
- (a) Provision of wastewater services generally in accordance with the Pauanui Orchard Estate 'Concept Services Plan: Sanitary Sewer' and detailed in the Engineering Report prepared by Airey Consultants Ltd March 2009 (attached to the Plan Change application), or any update thereafter approved by Council.
 - (b) Provision of sufficient capacity to serve future development both within the structure plan area and on adjacent land.
- .10 Street Lighting**
- (a) Consistency of street and pedestrian lighting with existing lighting patterns of Pauanui, being less intensive than full urban lighting standards.
 - (b) The extent to which low-impact lighting is incorporated in street and pedestrian lighting.
- .11 Integration**
- Integration of all infrastructure and services generally in accordance with the 'Concept Plan: Design and Layout' and the three Concept Services Plans.
- .12 Future services provision**
- Whether appropriate cash in lieu or bond or other arrangements have been made or entered into in order to make provision for services or reserves, to serve land in other ownership within the Structure Plan area.
- 346.6.6.4 RESTRICTED DISCRETIONARY ACTIVITY ASSESSMENT – MATTERS OF DISCRETION**
- .1** Discretion is restricted to addressing actual or potential adverse effects relating directly to the particular standard that is not met, including any relevant Controlled Activity Matters set out in foregoing rule 346.6.6.3.
- 346.6.6.5 DISCRETIONARY ACTIVITY ASSESSMENT CRITERIA**
- In addition to Council's general powers under RMA section 104, a proposal will be assessed against the following:
- .1 Structure Plan purpose**
The extent to which the proposal is consistent with the purpose of the structure plan as set out in 346.6.1.
 - .2 Maximum number of lots and staging**
The necessity for and means of implementing legally robust mechanisms through which non-compliance with rule 346.6.6.2.4 (Maximum Number of Residential Lots) and the staging requirements of rules 346.6.6.2.11 and 346.6.6.2.12 are able to be remedied through subsequent stages of development.
 - .3 Efficient and effective servicing**
 - (a) Ensure adjoining land is suitably provided with opportunities for access, services, infrastructure and amenity as may be necessary for development in accordance with the Structure Plan; and
 - (b) Ensure the land being subdivided will integrate into a comprehensive servicing solution for the entire Structure Plan area.
 - .4 Design and Layout**
 - (a) Design and layout to provide integration with adjoining land to achieve key structural elements of the Structure Plan, such as road network, reserve network, pedestrian access, stormwater management and landscaping.
 - (b) The extent to which the comprehensive earthworks plan will provide for appropriate elevation of sections above roads and stormwater flowpaths.
 - .5 Future services provision**
The extent to which cash in lieu or bond or other arrangements need to be made or entered into to make provision for services or reserves, or land in other ownership within the Structure Plan area.
 - .6** Any relevant matter set out in rule 346.6.6.3.
- 346.6.6.6 LAND USE ACTIVITIES**
- The standards of the Housing Zone (Outside all Policy Areas) shall apply, except for the following:
- .1 Permitted Activity Standards – Yards**
All yards 3m.
 - .2 Restricted Discretionary Activity**
Any side yard less than 3m. Discretion is restricted to the extent to which the proposal retains consistency with the following purpose of the 3m yard:
The yard standards have been increased from that of the general Housing Zone (OAPA) in order to achieve a higher standard of residential amenity. The wider spaces are intended to protect view-shafts into and out of public and open spaces, or views of landscape features (including Tairua Harbour). These standards are intended to maintain resident and public amenity. Exceptions to yard standards will be granted only where it is demonstrated that:
 - (a) it is not practicable to design or locate buildings so as to meet the standards; and
 - (b) no loss of amenity will result.
- Note:** For all other activities, the provisions of the Housing Zone (OAPA) will apply. Where conflict between, Housing Zone rules and Pauanui Orchard Estate Structure Plan provisions arise, the structure plan provisions shall prevail.
- ADVISORY NOTE**
- Accidental Discovery Protocol**
- Any accidental discoveries of archaeological sites by the consent holder or contractors shall follow the "accidental discovery protocol" as follows:
- (a) Work shall cease immediately at that place;
 - (b) The contractor shall shut down all machinery, secure the area, and advise the New Zealand Historic Places Trust (NZHPT) Archaeologist;
 - (c) Follow the appropriate consent processes under the Historic Places Act 1993 as advised by the NZHPT;
 - (d) In the event that the site is of Maori origin, the site manager shall also notify Ngati Hikairo to advise the appropriate tikanga protocols and safeguards for the site until such time as the NZHPT and Ngati Hikairo have advised their requirements;
 - (e) If skeletal remains are uncovered the site manager shall advise the NZHPT, the New Zealand Police and Ngati Hikairo;
 - (f) Works affecting the archaeological site shall not resume until the NZHPT, the Police (if skeletal remains are involved) and Ngati Hikairo have each given appropriate approval for work to continue.







346.6 Structure Plan Diagram



346.6.1 Structure Plan Purpose

347 - Whangamata Area

347.1 - Opoutere - Southern Coastal Residential Policy Area

Within the Coastal Residential Policy Area at Opoutere, the following rule shall apply:

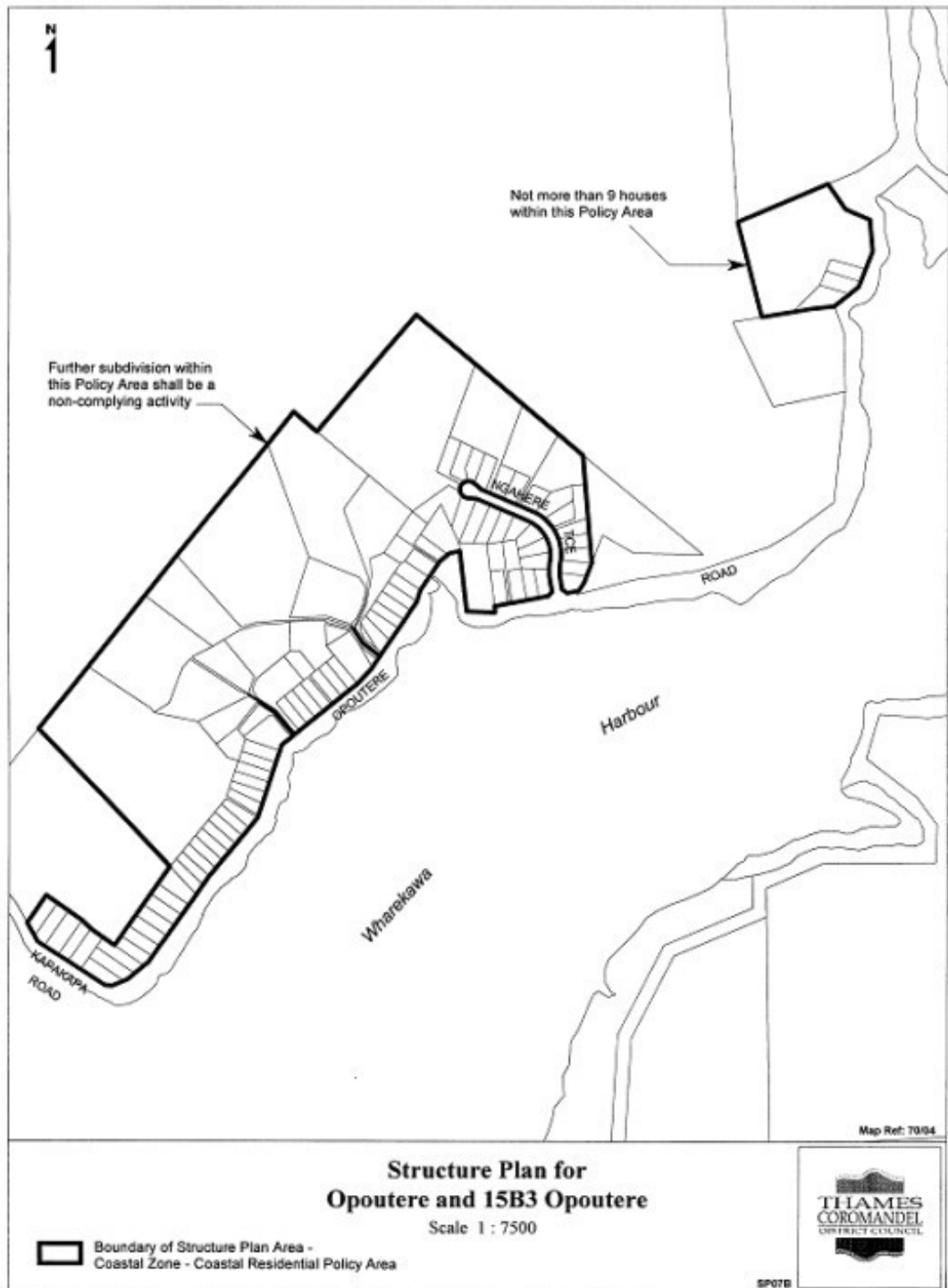
Further subdivision in this policy area shall be a non-complying activity.

347.2 - Opoutere - Northern Coastal Residential Policy Area - 15B3 Block

Within the Coastal Residential Policy Area applying to Lot 15B3, the following rule shall apply:

- .1 Maximum of 9 houses in this policy area.
- .2 Further development shall be a non-complying activity.

347.1 and 347.2 - Structure Plan Diagrams



347.3 - Ohui

Structure Plan deleted.

347.4 - Wentworth Valley

The following rules apply to subdivision and development within the structure plan area:

- (a) Subdivision is a discretionary activity;
- (b) Special landscape assessment criteria shall apply;
- (c) Road to be realigned to provide flood area access;
- (d) Minimum average lot size - 3 ha.

347.4 - Structure Plan Diagram



347.5 - Waihi - Whangamata Road

.1 PURPOSE:

- .1 To provide for the development and use of the subject land (Pt. Sec 59, Coromandel S.D., S.O. 44658) for three houses on the "North Block", and five houses on the "South Block" while ensuring that the natural character of the estuary and its associated landscape, amenity, cultural and ecological values are protected and enhanced.

To achieve this purpose:

- (i) Set aside from development including earthworks the steep land facing the estuary.
- (ii) Limit the development density to:
 - three houses on the "North Block", one per lot, and specify their location to ensure they are not visually intrusive, and
 - five houses on the "South Block", one per lot, to have one entrance onto the state highway serving all houses.
- (iii) Require a design assessment of the houses, and specify bulk and location standards for these buildings.
- (iv) Require amenity planting of indigenous vegetation adjacent to the three identified house sites on the "North Block".
- (v) Set aside from development the steep areas that could if developed adversely affect the amenity values of the estuary.
- (vi) Require a cultural assessment of the subject land to accompany the current archaeological report to assess the potential adverse effects of the development on cultural heritage sites of significance to Maori.

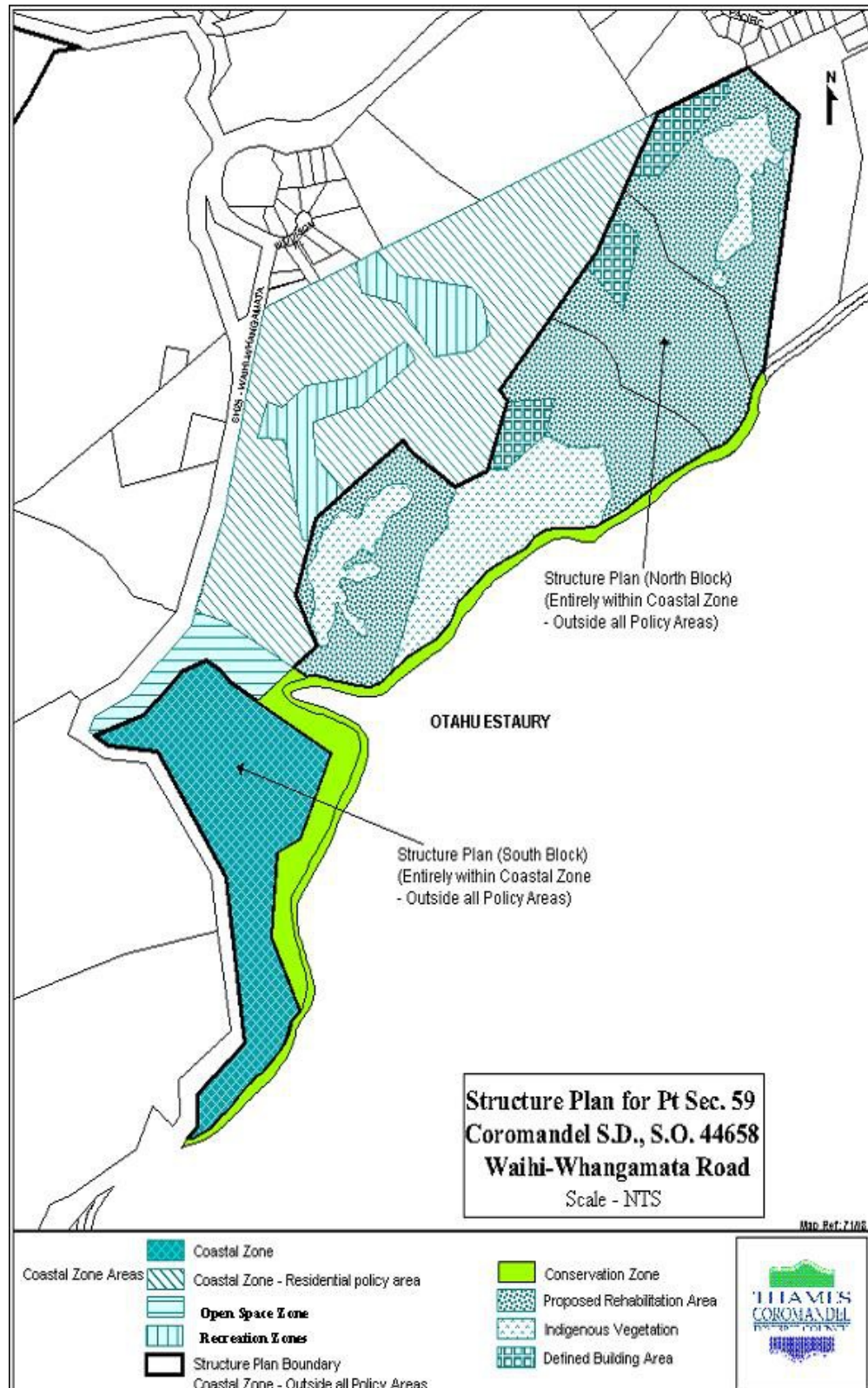
.2 ACTIVITY STATUS AND RULES FOR SUBDIVISION

- .1 Subdivision of land within the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road for the "North Block" shall be a Controlled Activity provided that it meets the following standards:
- (i) No more than three lots shall be created, the lot boundaries and access to them being generally in accordance with those shown in the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road. All lots shall be connected to the reticulated wastewater network.
 - (ii) Each lot shall contain one only Defined Building Area in the locations shown on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road. Each Defined Building Area shall be defined on the survey plan of subdivision or on the management plan required under (v) below, and shall be the subject of a consent notice registered on the title of the residential lot to which it relates. There shall be an esplanade reserve of a minimum width of 20 metres.
 - (iii) The geometric standards of vehicle accessways (including associated earthworks) shall comply with rule 754.
 - (iv) All indigenous vegetation within the Structure Plan area shall be identified on the subdivision plan. The areas identified on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road as "Proposed Rehabilitation Planting" shall be planted in indigenous vegetation prior to the release of the s.224(c) certificate.
 - (v) In conjunction with an application for consent to subdivide, a management plan which covers the matters set out below shall be provided. A person or persons who are suitably qualified and experienced in landscape and coastal ecology, and Maori cultural heritage planning, and is independent of the landowner shall prepare this management plan. The management plan shall specify the number and species of plantings to be established within the "proposed rehabilitation planting" areas identified on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road, as well as stating the means by which their on-going protection and maintenance will be ensured, and may incorporate "view corridors" where lower growing species are specified. The management plan shall include provisions which will:
 - (a) Ensure the protection of all remaining indigenous coastal vegetation.
 - (b) Require advice to be taken from a qualified arborist or ecologist where any activity may threaten these species.
 - (c) Assist the natural regeneration of indigenous species including all the primary species such as Kanuka, Manuka, Karamu, Karo, Mahoe and Kawakawa.
 - (d) Covenant for protection (or protect by consent notice) all areas of indigenous vegetation including existing, regenerating, and recently planted.
 - (e) Define the "Proposed Rehabilitation Planting" areas shown on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road, and provide for enrichment planting of indigenous vegetation within this area. These areas and areas of indigenous vegetation existing at the time of scheme plan application shall be defined on the survey plan or management plan for the purpose of the covenants/consent notice required to be registered to ensure the long-term success of the revegetation process.
 - (f) Control the grazing of stock to ensure the success of the revegetation programme, and to protect the existing indigenous vegetation.
 - (g) Control animal and plant pest species.
 - (h) Provide for one house only (and its accessory buildings) on each Defined Building Area shown on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road.
 - (i) Ensure the protection of cultural heritage sites of significance to Maori on the subject land.
 - (j) Any sites identified through the cultural assessment shall be defined as "cultural heritage protection areas" on the structure plans and shall identify methods for their protection.
 - (k) Develop a set of protocols to follow in the event of the inadvertent disturbance of sites.
- .2 Subdivision of land within the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road, for the "South Block" shall be a Controlled Activity provided that it meets the following standards:
- (i) No more than five lots shall be created within the "South Block" shown on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road.
 - (ii) Each lot shall contain one only Defined Building Area providing for houses to sited above a 1% flood event. Each Defined Building Area shall be defined on the survey plan of subdivision, and shall be the subject of a consent notice registered on the title of the residential lot to which it relates. There shall be an esplanade reserve of a minimum width of 20 metres.
 - (iii) There shall be only one entrance onto the state highway, serving all five houses on the "South Block". The geometric standards of vehicle accessways (including associated earthworks) shall comply with rule 754.
- .3 In assessing a Controlled Activity application to subdivide land under this Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road, Council shall take the following criteria into account, in addition to those in the District Plan that are relevant:
- (i) The management plan provisions shall ensure that the purpose of this Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road is achieved, and the standards and terms set out in .2.1, and .2.2, above are met.
 - (ii) The extent to which existing indigenous vegetation may be removed to enable the control of pest plant or animal species, for walking tracks, or other purpose set out in the management plan.
 - (iii) Any measures in addition to those stated in .2.1 above relating to the on-going protection and maintenance of existing vegetation and proposed additional enrichment plantings including fencing, weed control, covenants/consent notice and/or bonds.
 - (iv) Financial contributions in accordance with section 480.

- .4 In the case of any subdivision not in accordance with this Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road, Rules 751-754 inclusive (Coastal zone: outside all policy areas) shall apply. Any other subdivision shall be a Non-Complying Activity.
- .5 The subdivision and development of land within the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road boundaries may be undertaken in two or more separate and distinct stages.
- .6 Prior to or as a condition of any subdivision consent being granted for the area of Pt Sec. 59 Coromandel SD, S.O. 44658 zoned "Coastal Residential Policy Area", the following works will be undertaken to the satisfaction of the Councils Engineer in consultation with the Regional Manager, Transit Hamilton:
 - (i) The intersection between SH25 and Widdison Place is to be relocated to a position approximately 40 metres south of its current location, and constructed to the standards specified in Transit's Planning Policy Manual (or current equivalent). This intersection is also to be provided with flaglighting.
 - (ii) Vegetation removal and bank trimming is to be undertaken at the relocated intersection between SH25, as necessary to ensure a minimum sight line of 250 metres north and south of this relocated intersection.
 - (iii) A "back-to-back" 150 metre long right-turn bay is to be constructed on SH25, between the Whangamata Refuse Transfer Station entrance and the relocated intersection between SH25 and Widdison Place.
 - (iv) A footpath/cycleway is to be constructed opposite the proposed development on the north-western side of SH25, between Widdison Place and Wentworth Valley Road.

These works are to be completed before twenty residential units in any approved subdivision become habitable.
- .3 **LAND USE ACTIVITIES**
 - .1 The rules for the Coastal zone: outside all policy areas shall apply provided that in the event of a conflict between these rules and this Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road, the rules of the Structure Plan shall prevail.

347.5 - Structure Plan Diagram



350 - Designations and Heritage Protection Orders

INTRODUCTION

The technique of designation is hereby adopted and applied to land where a requiring authority has determined that an existing or proposed public work or network utility should be designated. Designated land has an "underlying zoning". The following expressions are defined Section 9.

- Designation;
- Network Utilities;
- Public Work;
- Underlying Zone.

351 - Heritage Protection Authority

The Council has resolved to be a Heritage Protection Authority and has adopted the technique of providing heritage orders for the purpose of protecting:

- Any place of special interest, character, intrinsic or amenity value or of special significance to tangata whenua for spiritual, cultural or historic reasons;
- An area of land surrounding that place that is necessary to ensure the protection and enjoyment of that place.

352 - Part VIII RMA Applies

The provisions of Part VIII of the Resource Management Act apply to designations and heritage orders. Land subject to designations and heritage orders is shown on Planning Maps and listed in the Schedule contained in Appendix I of the District Plan.

353 - Outline Plans

- .1 Information must accompany designations when the authority serves a requirement, to make clear whether the standards in the rules are to apply to that work or whether the requirement has details establishing a different standard or set of standards and criteria for the work or utility.
- .2 Where details, terms and conditions of a public work, project, or activity are not provided with the notice of requirement that information must be provided to Council in the form of an outline plan before the work or activity can commence.

Note

- .1 Provisions for outline plans are set out in section 176A RMA.
- .2 The rules in Section 560 of this Plan must be complied with where land is not designated under Part 8 RMA.
- .3 The rules in Section 560 of the Plan may be used as a guide when assessing requirements and outline plans under Part 8 RMA.

360 - Roads

360.1 - State Highway Network

All State Highways in the District are designated. Transit NZ is the requiring authority.

The Planning Maps show Transit NZ roads with or without a road name and the appellation "SH25" on the inset maps. Appendix 1 contains reference to all Transit NZ designations (under section 166 RMA) and include a map showing the SH25, SH25A and SH26 network which is designated by Transit.

Where sections or parts of that road network are altered or realigned alterations of the designations are served on Council. Subject to the provisions of Part VIII of the RMA, identification of the designation on the planning maps follow without formality.

360.2 - The Thames-Coromandel District Council Roads

- .1 Council roads are managed using a variety of techniques. Specific unformed roads are zoned, for example, with an Open Space Zone or Conservation Zone. Others are designated for particularly purposes such as for walking access or tracks to ensure the road is not formed for vehicle traffic. Designations are also used to identify roads which are to be stopped and put to some other use and to provide protection for proposed new Council roads or proposed significant alterations to the alignments of existing Council roads outside the road reserve boundary. The majority of roads in the District are not zoned or designated and are generally controlled by the Local Government Act.
- .2 Where roads are zoned the Rules for activities in that zone prevail.
- .3 Where roads are designated the Rules and the Designation will determine how the effects of the use and development of that road will be managed.
- .4 Roads designated are set out in the Schedule of Council Designations in Appendix 1 Volume 2 of the District Plan and shown as designated land on the Planning Maps.

360.3 - Rules Applying to all Unzoned Roads

- .1 All unzoned roads shall have the same zone to the road centreline as the adjacent land with respect to the following general rules (Section 4) applicable to all activities throughout the District:
 - Earthworks and land disturbance activities (Section 410)
 - Clearance of indigenous vegetation, Wetland and Dune Vegetation (Section 420)
 - Heritage Protection (Section 430)
 - Tree protection (Section 440) and;
 - Road Design and Construction Standards (Section 473.6 and 473.7)
 - Signs (Section 492)
- .2 Where roads are within 20 metres of the coastline, stream, river or lake the coastal side, lakeside, streamside or riverside of the centreline is zoned Conservation Zone for the purposes of applying the rules in Section 410 (Earthworks and Land Disturbance Activities). For the purpose of applying this rule it shall apply from the mean high water springs of the sea, from the bank of any river or stream whose bed has an average width of 3 metres or more and from a lake edge whose bed has an average area of 8 hectares.
- .3 Where a road is proposed to be created as part of any subdivision application or is part of a development proposal, the subject of a resource consent application it will be assessed as part of the subdivision or development proposal (Refer Section 470 Rooding, Parking, Loading and Access).
- .4 Where a proposed road or proposed alteration to a road outside a road reserve is not a component of any proposed subdivision or development proposal and which is not the subject of a requirement, it will be assessed as a discretionary activity. (Refer Section 470 Rooding, Parking, Loading and Access).
- .5 In situations where the boundary of a road reserve is re-aligned, or a road is stopped, any part of the land no longer needed for the road reserve, located from the centreline of the road reserve boundary to the road reserve boundary shall be given the same zoning as the land immediately adjacent to the road reserve boundary.
- .6 Revision of the planning maps due to dedication of new roads and alterations to roads outside the road reserve boundaries will occur from time to time without formality.

360.4 - Road Hierarchy

360.4.1

The District's main roads are classified in terms of the relative importance of their movement and access functions and are used as a mechanism under the plan to assist in:

- setting the strategy of zones to provide for settlement development land use activities
- managing the effects of land use activities relative to the strategic function of the road in the hierarchy
- setting contributions for determining value of works required on development that generate significant volumes of traffic
- setting formation and construction standards of roads.

360.4.2

The roading hierarchy for the district is based on a roading classification adopted by Transit NZ and advocated in the Waikato Regional Land Transport Strategy to ensure that district roading hierarchies are regionally compatible. The table below describes the five categories in the road hierarchy.

360.4 - Table

Category	Description	Roads Included
National Routes	Roads which: <ul style="list-style-type: none"> • form part of a network of strategic importance, and • are a significant element in the national economy. 	<ul style="list-style-type: none"> • motorways, and • principal state highways.
Primary/Regional Arterials	Roads which are: <ul style="list-style-type: none"> • of strategic regional importance, and; • a significant element in the regional economy. 	<ul style="list-style-type: none"> • state highways not included in National Routes category; • roads giving access to important tourist areas or significant area of population; • roads linking different transport modes; • roads providing significant intra-urban links, and; • all other roads of regional or inter-regional importance.

Secondary/District Arterials	Roads which are: <ul style="list-style-type: none"> • of strategic district importance and; • a significant element in the local economy. 	<ul style="list-style-type: none"> • links between residential, commercial, industrial or recreational land use activities. <p>Note: Generally such roads would be within urban areas but in some localities such roads would provide alternative links between centres of population or be significant for the movement about a district of goods or produce.</p>
Collector Routes	Routes which are: <ul style="list-style-type: none"> • complementary arterials and; • usually paved and are of road geometry aligned with operational safety standards required for the traffic volumes on each section. 	<ul style="list-style-type: none"> • primarily suited to urban situations, yet have a place in rural areas. In rural areas, where land use activity is relatively intensive, it is necessary to provide links between local roads and arterials.
Local Routes	Roads whose primary function is property access.	

360.4.3

The roads that fall into each classification are as follows:

Regional Arterial Roads

- State Highway 25A
- Stage Highway 26
- State Highway 25 (Kopu to West District boundary)
- State Highway 25 (Kopu to Mackay Street, Thames)
- State Highway 25 (SH25A to South district boundary)

District Arterial Roads

- State Highway 25 (remainder, not listed as regional arterial) ¹
 - Tapu - Coroglen Road
 - 309 Road
 - Tiki Road ²
 - Kapanga Road ²
 - Rings Road ²
 - Colville Road
 - Driving Creek Road (Colville Road to Kennedy Bay Road)
 - Port Charles Road (Port Jackson Road to Waikawau Beach Road)
 - Waikawau Beach Road
 - Tuataewa Road
 - Kennedy Bay Road
 - Coromandel Bypass (refer Appendix 1)
- ¹ State Highway 25 (from Robinson Road to Racecourse Road Whitianga) will become minor urban collector upon completion of the relocation of the state highway through Whitianga.
- ² Tiki Road, Kapanga Road and Rings Road (Kapanga Road to Victoria Street) will become minor urban collectors upon the completion of the Coromandel Bypass.

Collectors

- (i) Rural Collectors
 - Whangapoua Road (State Highway 25 to Te Punga Road)
 - Matarangi Road (State Highway 25 to Bluff Road)
 - Black Jack Road (State Highway 25 to Matapaua Bay Rd)
 - Hot Water Beach Road
 - Purangi Road (Hot Water Beach Rd to Ferry Landing)
 - Hahei Beach Road (Purangi Rd to Beach)
 - Link Road
 - Hikuai Settlement Road (State Highway 25 to Vista Paku)
 - Opoutere Road
 - Whitiwhiri Road
 - Port Jackson Road
 - Port Charles Road (north from Waikawau Beach Road)
 - Sailors Grave Road
 - Kauaeranga Valley Road (Te Ana Lane to DOC entrance)
 - Wharepoa Road
 - Te Kouma Road
 - Wentworth Valley Road
- (ii) Urban Collectors - Thames
 - Kauaeranga Valley Road (to Te Ana Lane)
 - Parawai Road (Banks St to Kauaeranga Valley Road)
 - Banks Street
 - Mackay Street
 - Mary Street (Queen St to Rolleston St)
 - Cochrane Street (Queen St to Mackay St)
 - Brunton Crescent
 - Hauraki Terrace (Harvey Cres to Brunton Cres)
 - Harvey Crescent
 - Rolleston Street (Mary St to Banks St)
 - Pollen Street
 - Mt Pleasant Road (The Terrace to Harvey Cres)
 - The Terrace (Hape Rd to Mt Pleasant Rd)
 - Hape Road (Rolleston St to The Terrace)
 - Karaka Road (Rolleston St to Irishtown Rd)
 - Burke Street
 - Ferguson Drive (Burke St to Kuranui St)
 - Kuranui Street (Ferguson Dr to Dickson St)
 - Dickson Street
 - Totara Valley Road
- (iii) Urban Collectors - Coromandel
 - Wharf Road
 - Long Bay Road
 - Wyuna Bay Road
- (iv) Urban Collectors - Whitianga
 - Robinson Road
 - Cook Drive (State Highway 25 to Marlin St)
 - The Esplanade
 - Centennial Drive
 - Campbell St (Cook Dr to Albert St)
 - Lee Street
 - Monk Street
- (v) Urban Collectors - Tairua
 - Pepe Road (State Highway 25 to Gallagher Dr)
 - Gallagher Drive
 - Tairua Heights (Gallagher Dr to Pine Grove)
 - Manaia Road
 - Ocean Beach Road
 - Paku Drive (Manaia Rd to Pacific Dr)
- (vi) Urban Collectors - Pauanui
 - Vista Paku (Pauanui Beach Rd to Pauanui Boulevard)
 - Pauanui Boulevard
 - Jubilee Drive
 - Kennedy Park Drive
 - Pauanui Beach Road
- (vii) Urban Collectors - Whangamata
 - Harry Watt Drive
 - Port Road
 - Hetherington Road
 - Mayfair Avenue
 - Martyn Road
 - Ocean Road (Port Road to Rangi Ave)
 - Rangi Ave
 - Williamson Road
 - Otahu Road (Achilles Ave to Rangi Ave)
 - Achilles Avenue
 - Beach Road (Martyn Road to Port Road)

(viii)

Local

- All other roads

360.4.4

Where there are to be significant changes to traffic volumes, a change in the road classification may occur in which case a change to the District Plan will be proposed.

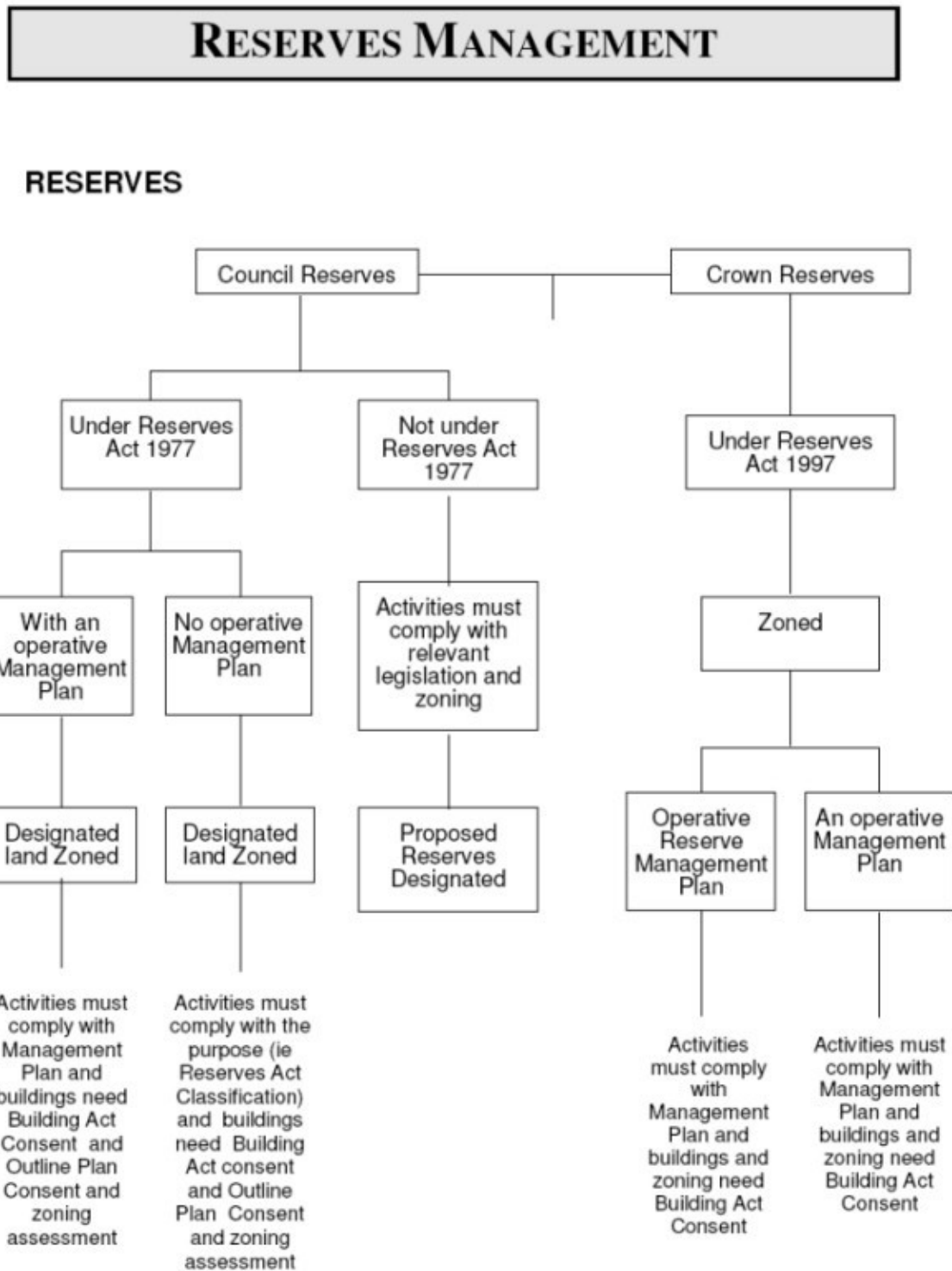
Thames-Coromandel District Transit NZ State Highway Network Map



370 - Reserves Management

- 371 The subdivision, use and development of reserves are subject to the provisions of the District Plan through zoning and rules. The principal zones applied to reserves are Conservation Zone, Recreation Zone (Active or Passive) and Open Space Zone.
- 372 The development of Reserves Management Plans under the Reserves Act 1977 is an important method of achieving community involvement in the management of reserves. Many reserves have Operative Reserves Management Plans under the Reserves Act 1977. Whether reserves have a management plan or not they are subject to the provisions of the Reserves Act 1977. Reserves must be managed in accordance with both the Reserves Act and rules under the District Plan.
- 373 A schedule of operative reserve management plans under the Reserves Act is included in Appendix 2 Volume 2 of this Plan for information only.
- 374 The zone and rules applying to reserves are designed to complement reserves management planning, to provide a framework for ensuring the effects of the activities on reserves are managed appropriately and to ensure that the amenities of the reserve and the surrounding land are enhanced.
- 375 By applying the Conservation, Recreation (Active or Passive) and Open Space Zones to reserves, Council recognises that different environmental outcomes are being sought for each category. The description and purpose of the Conservation Zone is set out earlier in Section 3, and the Recreation and Open Space Zones are set out in Section 6.

370 - Reserves Management Diagram



380 - Financial Contributions

- .1 The technique of collecting financial contributions is hereby adopted. Section 480 sets out the circumstances when a financial contribution will be imposed, the manner in which the level of contribution is to be determined and the purposes to which the contributions will be put.
- .2 Financial contributions are referred to in this plan as "Development Impact Fees" or DIFs.
- .3 Development impact fees are the means by which new development pays its share for the provision, upgrading or expansion of the infrastructure and assets to cope with the environmental effects and/or additional demand the new development makes.
- .4 Development impact fees are therefore the means by which the cost of development on the wider community, now or in the future, is minimised.
- .5 DIFs do not include, and should not be confused with "fees and charges".

Note	See Council's Long Term Financial Strategy and Funding Policy which have been prepared under the Local Government Amendment Act (No.3) for background detail and strategy on charges for infrastructure and assets, on the one hand, and for fees and charges for services, on the other.
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