

RESOURCE MANAGEMENT ACT 1991

Rodney District Plan 1993

Rodney District Plan Review No.2, being part of the Transitional District Plan for Rodney District, operative 15 March 1993.

Proposed Plan Change Number 99 Special 20 (Mahurangi East Seaside Village Centre) Zone

Explanation

The Proposed Plan Change alters the Operative District Plan relating to the zoning of land in the Mahurangi East commercial and industrial centre at Snells Beach. Currently the land is zoned in part Commercial 5 and in part Industrial 2. It is proposed to rezone a similar land area with a special zone – Mahurangi East Seaside Village Centre Zone, including a Commercial Policy Area and Light Industrial Policy Area.

The Proposed Plan Change arises as a result of:

- detailed investigations about economy, nature and function of the centre, population growth and future needs, and community consultations;
- the opportunity to better integrate land-use and transportation planning; and
- recognition of Vision Rodney, the district's strategy for the future; and its strategic intents

The Proposed Plan Change creates a new special zone to enhance the unique character of the centre and the role it plays in the local area. It -

- requires attention to a range of design and amenity performance standards intended to better reflect its function as a local centre serving a local catchment with some tourist influences and limiting large format retailing
- requires new building development to submit a comprehensive urban design and development site plan to demonstrate how the development contributes to enhancing the character of the centre as a seaside village centre that is pedestrian friendly

Plan Change

Schedule of Amendments – the following amendments to the Operative District Plan 1993 are required to implement Proposed Plan Change 99.

1. ADDITIONS – (new wordings are shown underlined)
 - (a) At Section 11 – Special Zones, ADD the following new zone:
11.20 Special 20 (Mahurangi East Seaside Village Centre) Zone.
 - (b) At Section 13 - *Vehicle Parking, Loading and Access*, ADD the following to table 13.3 *Number of Spaces Required*

Building or Activity	Spaces Required
<u>Restaurants in the Special 20 Mahurangi East Seaside Village Centre Zone (Commercial Policy</u>	<u>1 for every 20m² of GLA (Gross Leasable Area)</u>

<u>Area)</u>	
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- (c) At Section 20 - Definitions, ADD the following definition for supermarket:

“SUPERMARKET means, in the Special 20 (Mahurangi East Seaside Village Centre) Zone, a retail shop where a comprehensive range of predominantly domestic supplies are sold for personal consumption or use off-premise, and where non-domestic supplies comprise less than 20% of all products offered for sale as measured by SKU (stock keeping units) offered for sale in the store. For the purposes of this definition domestic supplies include a range of products from the following key product groups – fresh fruit and vegetables, meats, fresh fish and seafood, frozen food, bakery goods, delicatessen products, dairy products, grocery and pre-packaged goods, confectionery, wine, beer and non-alcoholic drinks, pet food and grooming products, personal care and sanitary goods, baby care products, household cleaners. For the purposes of this definition, non-domestic supplies include products from the following key product groups – clothing, footwear, toys, jewellery, sporting goods, stationery, software, DVDs, videos, CDs and tapes, household hardware and electrical goods, china and glassware, furniture, photographic equipment and materials, Manchester and fabrics, garden tools, plants and supplies, tobacco products, books, magazines and cards”.

2. DELETIONS

- (a) At Planning Maps : on Sheet No. K-21 and K-22/1:

- (i) DELETE on the land area subject to this Plan Change, the zonings “Commercial 5” and “Industrial 2”,
- (ii) AND REPLACE WITH THE FOLLOWING NEW ZONE...

“Special 20 (Mahurangi East Seaside Village Centre) Zone”, on the land as shown in Attachment #1 – Zoning Plan, including identification of a Commercial Policy Area and a Light Industrial Policy Area and an Indicative Road and Accessway”.

11.20 SPECIAL 20 (MAHURANGI EAST SEASIDE VILLAGE CENTRE) ZONE.

11.20.1 Zone Issues, Objectives, Policies and Description

11.20.1.1 Issues

11.20.1.2 Specific Zone Issues

11.20.1.2.1 Growth Demand **Issue#1 - Growth in population, tourist numbers, and industry throughout the wider area generates a need and demand for supportive local retail, commercial, and light industrial activities to service such growth.**

The population in the Snells Beach area is expected to continue to grow at a rapid pace over future years. It is expected that there will be a capacity population around 10,000 people at 2021 in the local catchment, stretching from Sandspit in the north, through Snells Beach and Algies Bay, to the southern tip of the Mahurangi Peninsula. This is over twice the current population base (~~at 2005~~ 4,330 people using 2006 provisional census data).

In addition, there is a growing day-visitor and overnight tourist base which frequents the Snells Beach area and wider district. Also, the Mahurangi East commercial area provides a degree of commercial services to a wider catchment extending through the Matakana-Leigh Corridor that is in itself a ~~significant~~ growth area. Growth is also occurring in ~~the major key~~ local industries in ~~the surrounding district~~, tourism and intensive agriculture, and these require supportive business suppliers and services.

As a result, there will be an increased need for additional industrial and commercial facilities to service the needs of the growing local population, growing visitor numbers, and growing industry throughout the area.

11.20.1.2.2 Compact Form **Issue#2 - Spatially disbursed business activities (commercial, retail, light industrial) will not achieve user efficiencies nor minimise adverse effects on nearby land uses that a compact village centre will provide.**

Development of new facilities should occur around the existing Mahurangi East commercial area, which is the current focus for business and several community facilities, and is centrally located to surrounding communities.

Consolidation of new commercial, retail and industrial activities around the existing Mahurangi East commercial centre is preferable through the use of adjoining land, rather than extending activities along the frontage of Mahurangi East Road. Use should be made of land that is contiguous to the existing commercial and industrial areas, running behind the existing shopping centre and linking with the existing industrial and commercial areas fronting Hamatana Road.

Consolidation of the greater commercial area in this manner will ensure that:

- The commercial and industrial areas are well served by existing roads and proposed accessways to public roads.
- The zoned land can accommodate a conforming development (including carparking) in terms of the provisions of the District Plan.
- The amenity values of the adjacent residential zoned land will be protected by avoiding the extension of commercial uses further along the frontage of Mahurangi East Road.

- Adjoining rural land to the west is retained for this purpose as it is not required for any extension to commercial or industrial uses down Hamatana Road; this will assist in retaining the water quality in the adjacent Mahurangi River and Harbour.
- The existing commercial and industrial area and adjacent community centre activities, as the dominant community focal point, will be enhanced in importance and utility and this will provide efficiencies to Centre users.

11.20.1.2.3
Separate
Retail from
Industrial

Issue #3-- Light industrial activities and new business development which are not retail in nature, need specific recognition and provision to enable the sustainable management of natural and physical resources.

Light industrial activities and businesses which are non-retail in nature provide valuable services to local households and businesses, and provide local employment.

The growing residential household base in the surrounding catchment will generate needs for light industrial activities which support usual household activities, like vehicle servicing and repairs, appliance repairs, household services like blind and curtain services, carpet services, cleaning services, electrical and plumbing services, computer and electronic repairs, TV aerials, etc. The need for some office space for commercial services can also be expected.

There is also the need to provide for the opportunity for light manufacturing and various other businesses that might occur within the context of a growing suburban area with a growing tourist influence.

Recent trends in many industrial areas have seen the emergence of non-industrial activities like bulk retail outlets and discount retail centres, and residential units within industrial areas. These activities require large areas of land that then reduce land available for light industry and new business development. Reverse sensitivity issues often follow this because of fundamental differences in the nature of these activities.

As a result, there is a need to separate light industrial activities from retail and residential activities.

11.20.1.2.4
Function is
Local Centre

Issue#4-- Definition of the nature and function of the centre will guide the appropriate type and scale of retail businesses that should be provided for within the centre. Limiting the size of individual shop premises is a means to reinforce the nature and function of the centre, to promote a sense of community, and to avoid adverse effects on neighbouring residential areas, on roading infrastructure, and on other nearby commercial areas.

While there is a requirement to meet expected growth demands, there is also a need to provide for this growth within the context of the Mahurangi East commercial centre being a local centre in function, and having a hierarchical relationship with the nearby Warkworth commercial area which is a larger district centre offering a much wider range of goods and services. In the future, the function and nature of new retail, commercial and industrial businesses in the Mahurangi East commercial centre is expected to continue emphasising frequently used “everyday” convenience goods and services that meet the needs of local residents. This identifies the centre as local in function, and reflects several key issues:

- Mahurangi East Centre predominantly serves local residents, and secondarily a tourist/visitor base. It is not a suitable location for large-scale businesses (retail

or industrial) that attract large numbers of customers or business trips from outside the local catchment.

- Warkworth is a much larger “district-wide” commercial centre, and its strategic location is geographically central to a much larger trade catchment than could ever be served from Snells Beach (in practical terms, Snells Beach is located on a peninsula with a limited local trade catchment ~~near the end of a long cul-de-sac~~);
- New commercial land is expected to be made available in Warkworth to specifically provide for large-format retail businesses, a feature which is needed in the wider district and correctly respects the strategic importance of Warkworth as the dominant commercial centre for the northern sector of Rodney District;
- Additional industrial land is also being provided at Warkworth, which is in keeping with the position of Warkworth as the largest employment centre in the northern sector of Rodney District.
- The local roading network is capable of handling locally generated shopper and business traffic to the Mahurangi East Centre coming from within the local catchment. However, additional traffic generated by large scale retail or industrial businesses that attract large numbers of customers or business trips from outside the local catchment is inappropriate because this traffic must pass through the Hill Street-State Hwy 1 intersection which has capacity restraints.
- Community expectations are for a local centre that has a village character and village scale.

11.20.1.2.5
Design &
Amenity
Standards

Issue #5 --

Inappropriate or badly designed development reduces the convenience and attractiveness of the centre, with adverse social and economic consequences for the community and for the centre’s function as part of an important community focal point. Specific guidance on matters of building design and amenity and performance standards is a means to enhance the local character features expected in this centre and to enable a sense of place and unique identity to be developed as sought by the community within which it is located.

It is recognised that the Mahurangi East Seaside Village Centre is the commercial heart of the surrounding community. For this reason, it is important that the right function and scale, along with good design standards, be clearly established to achieve desired results.

It is also recognised that the tourist industry is an important component to the local economy, and the ongoing success of this industry requires that measures be taken to protect and enhance the attractiveness of the area for visitors and tourists; this includes the need for attractive community facilities like the Seaside Village Centre.

11.20.1.3

Objectives

Objective

11.20.1.3.1

To provide sufficient land in the Mahurangi East Seaside Village Centre Zone to meet the foreseeable needs for light industrial, commercial and retail activities arising from a growing residential population, increasing numbers of tourists / visitors in the area and growing industry, especially in tourism and intensive agriculture which is occurring throughout the wider area.

(This objective relates to Issue 11.20.1.2.1)

Objective

11.20.1.3.2 To enable new retail, commercial and light industrial development to occur in the most compact form possible, thus reinforcing a Seaside Village Centre concept and minimising adverse environmental effects on nearby land uses.

(This objective relates to Issue 11.20.1.2.2)

Objective

11.20.1.3.3 To provide land specifically zoned for light industrial service activities which will meet the needs of the local catchment and contribute to local employment, and which will avoid competition for land and building space from retail forms of business which are provided for on adjacent land within the Zone.

(This objective relates to Issue 11.20.1.2.3)

Objective

11.20.1.3.4 To provide only for smaller scale business activities (retail, commercial and light industrial) serving a predominantly local customer base. ~~predominantly from the Seaside Village Centre.~~

(This objective relates to Issue 11.20.1.2.4)

Objective

11.20.1.3.5 To ensure that the ~~Seaside Village~~ Centre is of a high standard in amenity and design so that its character will reinforce its local attraction as a community focus with a Seaside Village theme and it will complement the area's general appeal to tourists.

(This objective relates to Issue 11.20.1.2.5)

11.20.1.3.6 Objectives from the following Sections in the District Plan are also relevant :

- Section 2D - Strategy for Maori Interests
- Section 13 - Vehicle Parking, Loading and Access
- Section 14 - Subdivision and Development
- Section 15 - Conservation and Environment
- Section 17 - Natural Hazards
- Section 18 - Community Development
- Section 19 - General Provisions Relating to All Zones

11.20.1.4 Policies

Policy

11.20.1.4.1 Development within the Mahurangi East Seaside Village Centre will be within the area defined in the Zoning Plan and activities within the zone will be differentiated by being subject to two separate policy areas, a Commercial Policy Area and a Light Industrial Policy Area [refer: Attachment #1—Zoning Plan].

(This policy seeks to achieve Objectives 11.20.1.3.1, 11.20.1.3.2 and 11.20.1.3.3)

Explanation and Reasons

The area of land included in the Zone makes use of land previously zoned for retail and industrial activities. ~~The total amount of land involved for commercial and industrial uses is the same as before, but the allocation of land between activity areas is different.~~

Rezoning divides the Zone into a Light Industrial Policy Area ~~containing approximately 2.2ha of land,~~ and a Commercial Policy Area ~~containing approximately~~

~~5.1ha of land.~~ This recognises differences in business types and functions, respects the need for specific land to be set aside for each type of activity, and recognises differences in how the public/customers use different activities which is reflected in Development Controls and Performance Standards which are slightly different in each policy area.

There is sufficient vacant land within the Zone to cater for expected future growth needs for commercial, retail and light industrial activities within the context of a local centre function. This land definition maintains a compact focus to an important community centre focal point that includes commercial, retail, light industrial, and several community functions.

Policy

11.20.1.4.2

Activities within the Commercial Policy Area should be of a scale, nature and intensity that are in keeping with a local suburban-type commercial centre, that is, they should:

- a) include a range of retail and commercial service activities that have a high level of customer attraction from the local catchment and a low level of customer attraction from areas outside the local catchment; and
- b) predominantly meet the demands for frequently used “everyday” goods and services arising from the existing and future population base in the local catchment, and some tourist demand.

Policy

11.20.1.4.3

A local supermarket is seen to be an important addition to the retail area that should be provided for along with some other small shops and commercial services that respond to the needs of residents in the local catchment and also visitors in the area, thus providing the local community some degree of self sufficiency in terms of having direct access to a good range of frequently used ~~lower-order~~ “everyday” goods and services.

Policy

11.20.1.4.4

In this centre, ~~Large-format~~ bulk retail stores are not seen as desirable activities because they are not in keeping with the character and function of the ~~Seaside Village Centre~~, they will generate substantial customer support from outside the local catchment causing adverse effects on the wider roading infrastructure, and they will create adverse effects on neighbouring residential areas in terms of loss of amenity.

Policy

11.20.1.4.5

For activities in the Commercial Policy Area, maximum limits on the size of individual shop and commercial service premises should be imposed which will ensure that new development and re-development is in keeping with the character of ~~a Seaside Village~~ the Centre having a function as a local commercial centre.

Policy

11.20.1.4.6

The maximum permitted floor area per individual retail shop or business premise in the Commercial Policy Area should be up to 400m² G.F.A. This which is not inconsistent with the conventional differentiation between large-shop / small-shop definition, is ~~also~~ consistent with the policies and rules in some of Council’s other commercial zones, and will provide for a wide range of retail businesses while avoiding ~~avoid~~ large-format retail businesses establishing in this centre. Supermarkets are an exception to this restriction (see Policy 11.20.1.4.7 below).

Policy

11.20.1.4.7 A supermarket is a specific type of everyday-goods activity currently missing in the local centre and ~~should~~can be provided for up to a maximum size of 2500-3000m² G.F.A., which should be suitable for a local supermarket operation while avoiding a large-format supermarket which would attract large numbers of customers from beyond the local trade catchment.

(Policies 11.20.1.4.2, 11.20.1.4.3, 11.20.1.4.4, 11.20.1.4.5, 11.20.1.4.6 and 11.20.1.4.7 seek to achieve Objective 11.20.1.3.4)

Policy

11.20.1.4.8 Activities within the Light Industrial Policy Area should be of a scale, nature and intensity that are in keeping with a local suburban-type industrial area, that is, they should:

- a) include a range of activities that have a high level of customer attraction from the local catchment and a low level of customer attraction from areas outside the local catchment; and
- b) predominantly meet the needs of usual household activities, like vehicle servicing and repairs, appliance repairs, household services like blind and curtain services, carpet services, cleaning services, electrical and plumbing services, computer and electronic repairs, TV aerials, etc., and offices for various commercial business and services; and
- c) include light manufacturing and various other businesses that occur within the context of a growing community, and in this position could ~~particularly~~ include a focus on niche manufacturing and businesses relating to the tourist market.

(This policy seeks to achieve Objective 11.20.1.3.3)

Policy

11.20.1.4.9 New development and re-development should be required to demonstrate that features like site layout and linkages, site access and circulation, external building design and finishes, signage, landscaping and pedestrian areas, streetscape and character are integrated both within the proposed development site and with adjacent commercial and/or industrial activities so as to contribute to the overall creation of a pedestrian friendly and attractive local village centre.

Policy

11.20.1.4.10 In the Mahurangi East Seaside Village Centre Zone, Commercial Policy Area and Light Industrial Policy Area, building development should be managed by using a consent assessment process ~~including~~ that requires a comprehensive urban design and development site plan to enable an assessment of effects and contribution to the unique character of the village centre.

(Policies 11.20.1.4.9 and 11.20.1.4.10 seek to achieve Objective 11.20.1.3.5).

Policy

11.20.1.4.11 The following design and amenity features will be considered in seeking to used as key elements to help enhance the local character of this centre in both the Commercial and Light Industrial Policy Areas:

- Design Quality -- emphasis will be placed on the quality of design in the exterior of buildings by the use of modulation, articulation and architectural relief in facades of buildings so that box-like-structures are avoided;
- Roofscape – emphasis will be placed on the roofscape of the centre to encourage roofs to be designed in a manner that makes a positive contribution

and enhancement to the visual character of ~~the this seaside c~~ Centre, and avoids flat-roofs and box-like building structures;

- Low Profile – emphasis will be placed on a relatively low height for commercial and industrial buildings that will encourage predominantly single or two-storey buildings;
- Signs -- signs on buildings are character defining and supporting of the visual appearance of the Centre, and as such should be at a scale and design that do not visually dominant or detract from any buildings ~~or building~~. Signs in the Zone should be oriented to pedestrians within the centre;
- Carparking -- large carpark expanses will be discouraged and will be broken up with specimen tree planting and stormwater drainage swales, and clear pedestrian circulation areas to reduce the visual dominance of such areas;
- Continuous Verandah Cover – emphasis will be placed on continuous verandah cover that will assist with building design and enhance the pedestrian environment in the Commercial Policy Area of the centre;
- Pedestrian and Vehicle Linkages – emphasis will be placed on internal linkages for pedestrians and vehicles between the different parts of the Zone, with particular regard to the linkages between the existing and new shops, and between the Industrial Policy Area and the Commercial Policy Area;

(This policy seeks to achieve Objective 11.20.1.3.5)

Explanation and Reasons

Today, buildings in the ~~Seaside Village~~ Centre are characterized by a low level profile, being mainly single storied with pitched roofs. At one end, the south end, is a range of community facilities including a large sports field, tennis club, bowling club, and community centre with library and preschool. At the other end, the north end, is open land zoned Future Urban. ~~a service station~~. In between is a range of existing retail shops and services; a large accommodation, bar and restaurant facility, service station and ~~with~~ retail liquor outlet; and some light industrial activities.

In mid- 2004 a large format retail outlet was erected in the middle of the Village Centre. This type of activity and structure has given rise to community concerns to avoid further development of similar activities. This is because the ~~Seaside Village~~ Centre is on a ridge ~~that~~ is visible from many parts of the surrounding residential catchment, with a corresponding high level of potential visual impact; large building structures often lack architectural design merit and make limited use of quality external building materials; and the necessary business trading practice for large format retailers requires bringing customers from far beyond the local trade catchment.

As a result, this Zone's development controls and performance standards endeavour to avoid the further introduction of large ~~building~~ box-structures ~~but and~~ favours lower profile buildings with interesting design features. For example, verandahs and interesting building facades are important design elements in creating amenity.

Another reason for favouring lower profile buildings is that much of the zoned land has a distinct slope westward towards the harbour, and accordingly the use of the Average Ground Level method for calculating maximum building height will encourage buildings to follow the slope of the land and minimise excessively high building faces.

Controls to address these design and amenity features are encouraged so that the pedestrian environment is enhanced. The local area also caters for ~~a large number~~ of holidaymakers and tourists especially during the summer months and holiday periods, and the inclusion of good design and amenity features will assist in enhancing the centre's appeal ~~as a Seaside Village~~ rather than being just another suburban shopping centre dominated by vehicle car park and barn-like building structures.

11.20.1.4.12 Policies from the following Sections in the District Plan are also relevant :

- Section 2D - Strategy for Maori Interests*
- Section 13 - Vehicle Parking, Loading and Access*
- Section 14 - Subdivision and Development*
- Section 15 - Conservation and Environment*
- Section 17 - Natural Hazards*
- Section 18 - Community Development*
- Section 19 - General Provisions Relating to All Zones*

11.20.1.5 Description of Zone

This Zone applies to land at the corner of Mahurangi East Road and Hamatana Road, Snells Beach. Today, this land is generally referred to as the Mahurangi East Centre which has two parts – a retail and commercial centre, and a light industrial area. The land is specifically defined in Attachment #1 – Zoning Plan.

This special zone has been prepared to replace existing standard business zonings on the subject land, and therefore will be part of the District Plan at Chapter 12 -- Special Zones. This new Zone has two parts to it -- a Commercial Policy Area, and a Light Industrial Policy Area. The total amount of land involved for commercial and industrial uses is similar to that covered by previous zonings, but the boundary between activity areas is different. ~~The Commercial Policy Area contains approximately 5.1ha of land, and the Light Industrial Policy Area contains approximately 2.2ha of land.~~

The approach to preparing this special zone has been to recognize the special character issues which relate specifically to the Mahurangi East commercial area, and that these issues require a special zone rather than only amendments to the prevailing district-wide zones for business activities. The special issues, objectives and policies set out above in 11.20.1.2, 11.20.1.3, and 11.20.1.4 identify the special character issues in the area.

This Zone includes development rules and performance standards intended to achieve the character issues identified – broadly, matters to reflect the local nature and function of the centre, the intended scale of development as reflected in limits on the size and types of activities and the definition of the zone boundaries, and standards of urban design and building design and amenity to reflect its unique position as a Seaside Village Centre serving a local residential base and a tourist base.

Rule 11.20.2 Activity Rules

Rule

11.20.2.1

Activities in the Special 20 (Mahurangi East Seaside Village Centre) Zone

Activities

In Zone

Activities in the Zone shall comply with the following:

- (a) All Permitted Activities in the Activity Table in Rule 11.20.2.2 shall comply with Rule 11.20.3 Development Controls and Performance Standards.
- (b) All Restricted Discretionary Activities in the Activity Table in Rule 11.20.2.2 shall comply with Rule 11.20.3 Development Controls and Performance Standards.
- (c) All Buildings and carparks (including new buildings and accessory buildings, or the relocation or changes to the footprint or height or external additions and alterations to existing buildings and accessory buildings) for any Permitted Activity shall be a Restricted Discretionary Activity and subject to a Comprehensive Urban Design and Development Site Plan and shall be considered without public notification or the need to obtain the written approval of or to serve notice on affected persons provided the proposed activity meets all Development Controls and Performance Standards in Rule 11.20.3.
- (d) All Restricted Discretionary Activities in the Activity Table in Rule 11.20.2.2 shall be assessed against those matters over which discretion is retained as set out in Rule 11.20.4.
- (e) Any activity not complying with the Development Controls and Performance Standards in Rule 11.20.3 will be subject to additional matters of assessment on the degree of non-compliance and impact on the environment, and such an activity may be subject to the requirement for written consent from affected parties and/or public notification.
- (f) All Discretionary Activities in the Activity Table in Rule 11.20.2.2 shall be assessed against the criteria set out in Rule 11.20.5 Discretionary Activities: Assessment Criteria, and any other relevant Discretionary Activity Assessment Criteria in any other chapter of this Plan, and the relevant matters set out in section 104 of the Act.

Rule 11.20.2.2 Activity Table

In the following table:

- P** = Permitted Activity
RD = Restricted Discretionary Activity
D = Discretionary Activity
NC = Non-complying Activity
NA = Not applicable
Prohibited = Prohibited

Note: Words in CAPITAL Letters are defined in Section 20 – *Definitions*.

ACTIVITIES IN THE MAHURANGI EAST SEASIDE VILLAGE CENTRE ZONE	COMMERCIAL POLICY AREA	LIGHT INDUSTRIAL POLICY AREA
Any activity not listed in this Activity Table	NC	NC
Any Permitted Activity in this Activity Table which does not comply with the Development Controls and Performance Standards in Rule 11.20.3	D	D
All BUILDINGS and carparks (including the ERECTION of new buildings and accessory buildings, or the relocation or changes to the footprint or height or external additions and alterations to existing buildings and accessory buildings) for any Permitted Activity or any Restricted Discretionary Activity in this Activity Table shall be subject to a Comprehensive Urban Design and Development Site Plan (refer: Rule 11.20.3.1 for definition)	RD	RD
All BUILDINGS and carparks (including the ERECTION of new buildings and accessory buildings, or the relocation or changes to the footprint or height or external additions and alterations to existing buildings and accessory buildings) for any Discretionary Activity in this Activity Table shall be subject to a Comprehensive Urban Design and Development Site Plan (refer: Rule 11.20.3.1 for definition)	D	D

ACTIVITIES IN THE MAHURANGI EAST SEASIDE VILLAGE CENTRE ZONE	COMMERCIAL POLICY AREA	LIGHT INDUSTRIAL POLICY AREA
Demolition or removal of BUILDINGS except those protected by any Rule in this Plan	P	P
CHILD CARE FACILITIES	P	NC
COMMERCIAL SERVICES	P	P
Drive-Through Activities	NC	NC
Educational Facilities	P	NC
Entertainment Facilities (AMUSEMENT CENTRE)	D	NC
FUNERAL PARLOURS	NC	P
GARDEN CENTRES	D	P
Grazing of Animals	NC	NC
HEALTH AND WELFARE SERVICES	P	D
HIRE PREMISES	NC	P
HOUSEHOLD UNITS at or above first floor level, provided that ground floor space is not used for any purposes ancillary to the household unit other than an entry lobby or access to parking	P	NC
HOUSEHOLD UNITS ancillary to a Permitted, Restricted Discretionary or Discretionary Activity in this Table not exceeding one per site, provided that the household unit is at or above first floor level, and provided that ground floor space is not used for any purposes ancillary to the household unit other than an entry lobby or access to parking	P	P

ACTIVITIES IN THE MAHURANGI EAST SEASIDE VILLAGE CENTRE ZONE	COMMERCIAL POLICY AREA	LIGHT INDUSTRIAL POLICY AREA
Industry <u>not</u> involving discharges to air	NC	P
Industry involving discharges to air	NC	NC
Industry involving the storage and use of HAZARDOUS SUBSTANCES	Prohibited	Prohibited
VEHICLE SERVICE PREMISES	NC	P
OFFICES	P	P
PROFESSIONAL SERVICES	P	P
REFUSE TRANSFER STATION AND RECYCLING STATIONS	NC	NC
RESTAURANTS operating between the hours of 7:00am and 12:00pm midnight	P	NC
SIGNS complying with Council's Signs Bylaws and Rule 42 11.8.20.3.9	P	P
SIGNS <u>not complying</u> with Council's Signs Bylaws	RD	RD
SIGNS being freestanding signs <u>except</u> as noted in Rule 12.8.20.3.9	Prohibited NC	Prohibited NC
SERVICE STATION	NC RD	P- NC
SHOPS, including a DAIRY, with a GROSS FLOOR AREA (G.F.A) up to 400m ² , except a SUPERMARKET	P	NC
<u>SHOPS with a GROSS FLOOR AREA (G.F.A) between 400m² and 440m², except a SUPERMARKET</u>	NC	NC
SHOPS with a GROSS FLOOR AREA (G.F.A) over 400- 440 m ² G.F.A. (except a supermarket)	Prohibited	Prohibited
SUPERMARKET with a maximum GROSS FLOOR AREA (G.F.A) of 2500 3000m ² excluding mezzanine floor area <u>which shall not contain any retail floorspace.</u>	P	NC

ACTIVITIES IN THE MAHURANGI EAST SEASIDE VILLAGE CENTRE ZONE	COMMERCIAL POLICY AREA	LIGHT INDUSTRIAL POLICY AREA
SHOPS with outdoor display or storage areas, provided the indoor retail shop area does not exceed 25% of the total land area occupied by outdoor display or storage, or a maximum of 400m ² G.F.A., whichever is the smallest	NC	P
SHOPS for the sale of any goods manufactured on the site, provided that the retail sales area does not exceed 10% of the Gross Floor Area set aside for manufacturing	NC	P
SHOWROOM	NC	NC
SHOWHOME sites	NC	NC
Storage, renovation and sale of recycled or second-hand BUILDINGS	NC	NC
TAKEAWAY FOOD BARS	P	D
TAVERN	D	NC
Transport Centres	NC	NC
TRAVELLERS ACCOMMODATION	P	NC
VEHICLE SALES AND HIRE PREMISES	NC	P
Vehicle Dismantling and Storage	Prohibited	Prohibited
District Wide Activities	<i>Refer to Section 18 - Community Development</i>	<i>Refer to Section 18 - Community Development</i>

ACTIVITIES IN THE MAHURANGI EAST SEASIDE VILLAGE CENTRE ZONE	COMMERCIAL POLICY AREA	LIGHT INDUSTRIAL POLICY AREA
Earthworks and Vegetation and Wetland Modification Activities	<i>Refer to Section 3.7 of Plan Change 26 (change to the Operative District Plan 1993) as it relates to medium intensity activity areas</i>	<i>Refer to Section 3.7 of Plan Change 26 (change to the Operative District Plan 1993) as it relates to medium intensity activity areas</i>
Transport Activities, except as referred to in Rule 11.20.3.5(ii)	<i>Refer to Section 13 – Vehicle Parking, Loading and Access</i>	<i>Refer to Section 13 – Vehicle Parking, Loading and Access</i>
Use and Storage of HAZARDOUS SUBSTANCES	<i>Prohibited</i>	<i>Prohibited</i>
UTILITIES	<i>Refer to Section 18 – Community Development</i>	<i>Refer to Section 18 – Community Development</i>

Rule 11.20.3	Development Controls and Performance Standards
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All activities in Activity Table Rule 11.20.2.2 shall be undertaken in accordance with the following rules:

Rule

11.20.3.1 Comprehensive Urban Design and Development Site Plan (CUDDP)

Comprehensive **for activities identified in (i) below:**

- Plan
- (i) All Buildings and carparks (including the erection of new buildings and accessory buildings, or the relocation or changes to the footprint or height or external additions and alterations to existing buildings and accessory buildings) shall be subject to a Comprehensive Urban Design and Development Site Plan, prepared at a minimum scale of 1:200.
 - (ii) For the purposes of this Zone, **Comprehensive Urban Design and Development Site Plan (CUDDP) means** in relation to a site, the preparation of a plan or plans with appropriate explanatory notes, to demonstrate the total expected development for that site (even if development is to proceed in stages) so as to identify the potential integration of all parts of the proposal to itself and with adjacent properties. Such plan or plans and explanatory notes will include the following information:
 - Site Development Information – showing topographic land contours, building platforms, building subdivision including individual shop and business tenancy sizes, pedestrian walkways, carparking areas and vehicular circulation, vehicular access points between the site and public roads, landscaping areas, service areas with appropriate screening, and the position of adjacent properties with any building(s) if they exist and how the proposal integrates with adjacent properties in terms of contributing to an overall urban design

and streetscape character including treatment of building frontages (e.g. glazing and orientation) appropriate to the Seaside Village Centre Zone.

- Carpark Layout and Accessway – showing the number of carparks to be provided, the layout and vehicular circulation within the site, dimensions of carparks carriageways and accessways, the provision of landscaping and stormwater swales within the carpark, and any artificial lighting within this area.
- Landscape Elements – showing the type of landscaping to be provided in yards, carpark areas, and other landscape areas including the identification of plant and tree species to be used, the number of plants to be planted and plant spacings, appropriate garden preparation techniques to assure a high level of plant survival, and any artificial lighting to be used in these areas.
- Pedestrian Areas – showing the position of walkways, linkages to adjacent sites, verandah cover, and also the positions of street furniture like public seating, rubbish bins, cycle racks, and protective bollards (including the intended design and materials to be used for such street furniture), and any artificial lighting to be used in these areas.
- Elevations – showing building exterior design features including roofs, facades, verandahs, exterior building materials colours and finishes, any artificial lighting to exterior walls and features, and how the proposal integrates with adjacent properties in terms of contributing to an overall urban design and streetscape character appropriate to the Seaside Village Centre Zone.
- Signage Plan, showing all external signs proposed on buildings and in any freestanding positions, and any artificial lighting proposed for such signs.

Rule
11.20.3.2
Height

Maximum Height

- (i) The maximum height of any building shall be ~~40.0~~ 10.5m
- (ii) The maximum height shall be determined using the rolling height method.

Rule
11.20.3.3
H.R.B.

Height in relation to boundary

No part of any building shall exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the building and any site boundary adjoining land zoned Residential or Rural.

Explanation and Reasons

This explanation and reasons relates to Rule 11.20.3.2 and Rule 11.20.3.3.

Building height can have a most dramatic effect on visual amenity. Buildings which overwhelm their surroundings can overshadow and visually dominate other buildings, private property, public open space and the road. Careful consideration has therefore been given to the maximum height permitted for this zone and the method to be used to calculate this.

The rolling height method is a more stringent control and is used because land within the zone slopes down towards the Mahurangi River. Development should follow the contours of this land so that the visual appearance of new buildings is reduced when viewed from surrounding areas.

~~The maximum height of 10.0 metres is slightly lower than previous height controls for retail and commercial and industrial activities so as to better reflect the lower profile suburban nature of the area surrounding the Centre. This height limit will enable buildings to be constructed higher than many of the existing buildings in the Centre and allow for a second storey which is traditionally used by offices and services such as medical and business services. A generous pitched roof design can be added to a two-storey building and still fit within the 10.50 m height limit, but this height limit should avoid three storey buildings.~~

~~The lower height limit still gives flexibility to the activities expected within the zone, but combined with the requirement for pitched roofs, will avoid obtrusive and out-of-scale buildings to dominate the built character of the general area. This is important because the general commercial area is highly visible from areas to the west and north of the site due to topography.~~

Rule

11.20.3.4

Activity Buffers

Rule

11.20.3.4.1

Yards

Yards

The following minimum yards shall apply:

- (i) In the Commercial Policy Area,
 - Side and rear yards along that part of the site immediately adjacent to residential or future urban zones shall be a minimum of 3 metres.
- (i) In the Light Industrial Policy Area,
 - Side and rear yards along that part of the site immediately adjacent to residential or future urban zones shall be a minimum of 3 metres.

Rule

11.20.3.4.2

Landscaping of Yards

Landscaping

In Yards

- (i) Landscaping of front, side and rear yards shall comply with the Landscape Elements of any Comprehensive Urban Design and Development Site Plan as approved by Council.
- (ii) Side and rear yards that are adjacent to land zoned residential or future urban shall be completely landscaped and shall comprise plants of which 50% are capable of achieving a height of at least 3 metres.

Rule

11.20.3.4.3

Use of Yards

Use of Yards

- (i) Front yards shall not be used for the storage of materials
- (ii) Side and Rear yards shall be unoccupied and unobstructed by any buildings, parts of buildings, decks, terraces, steps, storage or refuse, except that eaves may overhang any yard by not more than 0.3 metres.

Rule

11.20.3.4.4

Screening

Screening

Where any outdoor storage, refuse disposal area, or service area adjoins or directly faces land that is zoned residential, rural, open space or future urban, screening shall be established and maintained with either solid and dense planting of a minimum of 1.8 metres or wall screen not less than 1.8 metres in height constructed of materials as approved by Council.

Explanation and Reasons

This explanation and reasons relates to Activity Buffers as set out in Rules 11.20.3.4.1, 11.20.3.4.2, 11.20.3.4.3, and 11.20.3.4.4 above.

Visual adverse effects are important to consider, and the use of these controls will help ensure that development is at a high standard, especially when it is surrounded by non-retail, non-commercial and non-industrial zoned land. Unsightly areas of storage should be avoided.

Rule

11.20.3.5

Parking &

Accessways

Roads and Accessways and Parking

For both the Commercial Policy Area and Light Industrial Policy Area, the following shall apply:

- (i) All vehicle accessways will comply with Section 13 – Vehicle Parking, Loading and Access.
- (ii) All on-site parking and loading will comply with Section 13 – Vehicle Parking, Loading and Access ***except that*** restaurants in the Mahurangi East Seaside Village Centre Zone (Commercial Policy Area) shall be as follows: spaces required; 1 for every 20m² of GLA (Gross Leasable Area).

Indicative

Road &

Accessway

Required

(iii) Indicative Road and Accessway

Any development shall not obstruct the general pathway of the Indicative Road and Accessway as shown in the zoning plan in Attachment #1. This linkage that is required to provide alternative traffic reticulation through the general commercial area, spreading traffic flows and site access points to existing public roads, ensuring good public access into land currently removed from direct road frontage, and also providing for future access to land zoned Future Urban which is located at the northern boundary to the existing commercial area. The position of this indicative road and accessway, already modified to respect recent development, is shown on the Zoning Plan in Attachment #1 may vary somewhat if good building design and centre design and traffic management practice can be demonstrated.

Explanation and Reasons

This explanation and reasons relates to Rule 11.20.3.5(iii) above.

Since the time of first preparing the Proposed District Plan 2000, further subdivision and development has occurred on a major landholding within the general commercial area. One large lot comprising most of the existing retail centre has now been further subdivided into four separate lots – three for different parts of the retail centre fronting Mahurangi East Road, and one rear lot for future development (Lot 3 DP326410 identified on the Zoning Plan).

The recent subdivision includes legal arrangements by way of cross-covenants and easements that provide access between and across all of the four lots created, plus one other property fronting Hamatana Road that is also under the same ownership (Lot 6 DP181695 identified on the Zoning Plan). The result of the legal arrangements is that two accessways are available into the rear lot -- one from Mahurangi East Road and one from Hamatana Road.

However, the subdivision details do not provide for further access through this land to areas beyond the northern boundary which are likely to be used for future urban development. Exact use of this area for future development is unknown at this time; however, it is necessary to provide for an alternative accessway to this area rather than forcing all future traffic movements to go only to Mahurangi East Road.

Rule
11.20.3.6
Carpark
Swales
&Tree

Carpark Landscaping and Stormwater Treatment

Carparking areas constructed within the Zone are to incorporate :

- (i) Drainage swales both within and around their perimeter if part of a required yard. Each swale is to comply with the following:
 - Landscaping is to be included within each swale
 - This landscaping is to be maintained at all times, and if diseased or damaged shall be repaired, and if dead shall be replaced.
 - Implementation of this landscaping shall occur in the first planting season following completion of the construction of the carpark to which it relates.
 - Each swale shall be designed in accordance with chapter 8 of the Auckland Regional Council Technical Publication No. 10 (TP 10).
- (ii) Trees on the following basis:
 - One tree is to be planted for every 15 carparks in the swale row divider between rows of carparks.
 - One tree is to be planted for every 6.0 metres along the length of the perimeter swales.
 - Each tree at the time of planting is to be at least 1.5 metres high.
 - Any tree required by these rules shall be maintained, and if diseased, or damaged shall be repaired, and if dead shall be replaced with a tree meeting the requirements of this rule.

Explanation and Reasons

A swale system is considered appropriate in a carpark for stormwater treatment in an area close to the natural waterway of the Mahurangi Harbour. A swale will:

- *Enable the entrapment of suspended solids and contaminants before entering the natural waterways*
- *Increase the time of stormwater retention and concentration on the site*
- *Be easily maintained.*
- *Be cost effective*
- *Have aesthetic value.*

A swale system is a water quality improvement device. It is even more effective when coupled with a tree planting programme in a carpark area. Trees will provide a number of useful features for improving water quality:

- *Trees will provide shade and will help to buffer the temperature of the stormwater runoff from the site.*
- *Tree canopies will intercept some of the precipitation that falls, reducing the stormwater runoff volume and increasing the time of concentration.*
- *Trees evapotranspire and reduce the stormwater runoff volume from the site.*

ADVICE NOTE: Development in the Zone must also comply with the *Proposed Auckland Regional Plan : Air Land and Water 2001* which requires stormwater discharge consents.

Rule

~~12.8.20.3.7~~ **Water Quality**

~~Water~~

~~Quality~~ — Any development within the Zone shall comply with Rule 18.10 of *Chapter 18 – Urban Land Modification and Vegetation Protection* in the District Plan, which includes the avoidance of erosion, sediment control, earthworks and any urban clean fill.

Rule

11.20.3.7 **Artificial Lighting**

Lighting

All exterior lighting in the Zone shall comply with Rule 5.5.10 of Section 5 for Commercial Zones in the District Plan.

Rule

11.20.3.8 **Signage**

- (i) Within the Commercial Policy Area, there may be erected only one freestanding sign at the front property boundary adjacent to the road frontage on Mahurangi East Road and only one freestanding sign at the front property boundary adjacent to the road frontage on Hamatana Road. The purpose of these signs is to provide general identification to the greater commercial area and the industrial area; they are not to provide signage for ~~only one or a few~~ specific business operations, excepting that a Supermarket activity may be identified on the sign.
- (ii) The freestanding sign shall:
 - a) have a maximum height of 3.5m; and
 - b) have a maximum area of 7m² for a centre sign, and up to 7m² for a Supermarket sign.
- (iii) The location of the freestanding signs shall be approved as part of the assessment when a comprehensive sign plan is submitted in the Comprehensive Urban Design and Development Plan required for all Restricted Discretionary Activities.
- (iv) Other than the two freestanding signs permitted in (i) above, no other freestanding signs shall be permitted in the Commercial Policy Area or the Light Industrial Policy Area.
- (v) All signs shall comply with the Council's Signs Bylaws, unless otherwise stated above.

ADVICE NOTE:

1. All signage that is part of any application for buildings and carparks (including new buildings and accessory buildings, or the relocation or changes to the footprint or height or external additions and alterations to existing buildings and accessory buildings) is a Restricted Discretionary Activity (refer: Rule 11.20.2.2 – Activity Table) and requires a comprehensive signage plan to be prepared as part of a Comprehensive Urban Design and Development Site Plan which will be assessed according to assessment criteria in Rule 11.20.4.3(vi)(g);
2. All signage not complying with Council's Signs Bylaws, and signs not being included in a comprehensive urban design and development site plan, are a Restricted Discretionary Activity (refer: Rule 11.20.2.2 – Activity Table) and requires assessment according to the assessment criteria in Rule 11.20.4.5 and Rule 11.20.4.6.

Rule

11.20.3.9 **Verandahs**

Verandahs

Within the Commercial Policy Area, verandahs or other cover along each building frontage shall be provided. The verandah shall:

- be so related to neighbouring verandahs as to provide continuous cover;
- have a minimum clearance of 3 metres and a maximum clearance of 4.5 metres above the footpath immediately below;
- have a minimum width of 2.5 metres and a maximum width of 3.5 metres;
- be located no closer than 600 millimetres to the kerbline.
- in the case of a Supermarket, be positioned in practical locations that as much as possible meet the intent of this rule by serving the most commonly used pedestrian linkage routes to the supermarket and other nearby shops.

Explanation and Reasons

Requiring continuous verandah cover is intended to provide weather shelter for pedestrians and provide a consistent, horizontal building element which will functionally connect individual buildings in the pedestrian area. Vertical and horizontal clearances are to provide practical movement areas for people and goods, and to avoid damage from passing trucks or buses.

Rule

11.20.3.10

Roofs

- (i) Each roof shall be pitched so that it has a minimum slope of 20 degrees, except in the case of canopies, verandahs and rooftop projections such as lift towers, chimney, air conditioning units and ventilation units.
- (ii) Excepting that in the case of a supermarket building and any other building for a legally established activity over 400 metres G.F.A., a pitched roof will only be required around the main entry area.
- (iii) New buildings, and alterations and additions to existing buildings, shall not use unsealed metal roofing surfaces such as galvanized iron and zinclume roofs.

Explanation and Reasons

New buildings in the Seaside Village Centre, both the Commercial Policy Area and the Light Industrial Policy Area, should express some compatibility with the dominant design elements existing in the general commercial area.

The most dominant design element found in the existing commercial area is pitched roofs. This feature is used by the small shops, by nearby accommodation units, and by the community centre across Hamatana Street. Many of the existing industrial buildings also have such a feature.

Unsealed metal roofing surfaces are no longer permitted as, upon the advice of the Auckland Regional Council, contaminants to natural waterways can come from these roofing materials. Such roofs are acceptable if they are painted and maintained in this way, or else other roof materials can be used.

Rule

11.20.3.11

Noise

Noise

- (i) Noise controls for the Mahurangi East Seaside Village Centre Zone – Commercial Policy Area, shall be the same as those specified in Rule 6.5.5.1 of the Industrial Rules.
- (ii) Noise controls for the Mahurangi East Seaside Village Centre – Light Industrial Policy Area, shall be the same as those specified in Rule 6.5.5.1 of the Industrial Rules.

Rule
11.20.3.12
Cultural &
Heritage

Cultural and Heritage Resources

- (i) A cultural and heritage inventory and assessment report shall be prepared before any earthworks commences on any site within the Zone.
- (ii) Regard shall be given to the provisions of *Section 2D and Section 15* in the District Plan when preparing a cultural and heritage inventory and assessment report, and when undertaking any other work arising from the assessment report.

Rule
11.20.3.13
Household
Units

Household Units

- (i) No household unit shall occupy the ground floor level except for an entry lobby or access to parking.
- (ii) Each household unit shall provide an area of open space comprising either an unenclosed balcony, deck, garden or terrace which shall:
 - (a) be a minimum area of 6m² and a minimum dimension of 2 metres;
 - (b) be provided in the form of individual balconies and decks directly adjacent to, accessible from, and for the sole use of an individual household unit;
 - (c) not to be obstructed by buildings, parking spaces, shared vehicle access or manoeuvring areas.

Explanation and Reasons

The Council envisages, multi-unit housing located above shops and other commercial activities. This form of housing often appeals to individuals who do not wish the maintenance responsibilities associated with traditional single family homes and outdoor living areas. The prime amenity values for these individuals is proximity to shops, community services, public transport, and recreational features. For this reason, the Rules require only a minimum amount of outdoor living space, in essence an area equivalent to a large balcony.

At the same time there will be some occupants, including families, who require a greater area of outdoor living space. These outdoor living spaces are to be free of buildings and vehicles since these would diminish the very amenity values these areas are intended to provide.

Rule
11.20.3.14
Other Rules

Relevant rules from the following Sections in the District Plan are also relevant:

- Section 2D - Strategy for Maori Interests*
- Section 13 - Vehicle Parking, Loading and Access*
- Section 14 - Subdivision and Development*
- Section 15 - Conservation and Environment*
- Section 17 - Natural Hazards*
- Section 18 - Community Development*
- Section 19 - General Provisions Relating to All Zones*

Rule
11.20.3.15 **Financial Contributions**

Refer to *Plan Change Number 62* of the District Plan.

Rule
11.20.3.16 **Subdivision**

Activities

Rule
11.20.3.16.1 The subdivision of land in the Special 20 (Mahurangi East Seaside Village Centre) Zone is a Restricted Discretionary Activity.

Rule
11.20.3.16.2 The subdivision of land shall comply with the provisions of *Section 14 – Subdivision and Development*, and Rule 5.6 for Commercial Zones, and Rule 6.6 for Industrial Zones.

Rule
11.20.3.16.3 Any subdivision not complying with Rule 5.6 for Commercial Zones (Commercial Policy Area) and Rule 6.6 for Industrial Zones (Industrial Policy Area) shall be a Discretionary Activity.

Rule
11.20.3.16.4 Discretionary Activity subdivisions shall be assessed against those matters over which discretion is retained as set out in Rule 5.7 for the Commercial Zones and Rule 6.7 for Industrial Zones, and those relevant matters set out in Section 14 – Subdivision and Development.

Rule
11.20.3.16.5 In addition to the above Rules 11.20.3.16.1, 11.20.3.16.2, 11.20.3.16.3, and 11.20.3.16.4 :

- Subdivision shall make provision for such covenants and easements as are necessary to enable the remaining undeveloped land within the Zone to be developed and used in accordance with a Comprehensive Urban Design and Development Site Plan submitted in support of a development proposal.

Explanation and Reasons

These subdivision controls are necessary to ensure that subdivision does not occur which would compromise the comprehensive development of the sites in accordance with a Comprehensive Urban Design and Development Site Plan.

Rule 11.20.4 **RESTRICTED DISCRETIONARY ACTIVITY:
MATTERS FOR DISCRETION AND ASSESSMENT**

Rule

11.20.4.1 All Buildings and Carparks and Signs (including the erection of new buildings and accessory buildings and signs, or the relocation or changes to the footprint or height or external additions and alterations to existing buildings and accessory buildings and signs) for any Permitted Activity or any Restricted Discretionary Activity.

Rule

11.20.4.2 **Matters for Discretion**

Matters for
Discretion

(a) In accordance with sections 76(3B) and 105(3A) of the Act, the Council restricts its discretion to the ~~following~~ matters in (b) below when considering resource consent applications for the ~~above described~~ Restricted Discretionary Activities described in 11.20.4.1 above. ~~And the Council~~ may impose conditions in respect of each of the matters and applicants shall provide a Comprehensive Urban Design and Development Site Plan (CUDDP) to assist the Council to assess the application. The CUDDP will be considered without public notification, or the need to obtain the written approval of, or to serve notice on, affected persons provided the proposed activity described in 11.20.4.1 meets all Development Controls and Performance Standards in Rule 11.20.3.

The content of a Comprehensive Urban Design and Development Site Plan is defined in Rule 11.20.3.1, and all resource consent applications will provide such information in order to enable Council to assess those matters for discretion as explained below.

Council would encourage applicants to liaise with Council in the early stages of design work, prior to the above plan being commissioned, so that proposals can be worked through in a collaborative manner.

(b) Matters for Discretion

- comprehensive urban design and development site plan
- village scale and character
- urban design and streetscape
- site layout and linkages
- design, style, colours, materials and external appearance of buildings, including signage and verandahs
- landscaping and screening and storage
- traffic and pedestrian movement within and between different areas in the zone, including vehicle movements to and from the site onto public roads
- parking layout
- protection of water quality of the adjacent Mahurangi River and Harbour.

Rule

11.20.4.3 **Assessment Criteria**

Consistent with (i) Objectives and Policies Whether the objectives and policies of the Mahurangi East Seaside Village Centre Zone, as set out in 11.20.1.3 and 11.20.1.4 above, are observed.

CUDDP (ii) Whether the information included in a comprehensive urban design and development site plan is sufficient to enable a full assessment of all matters

for discretion identified in Rule 11.20.4.2 (b) and according to the assessment criteria in Rule 11.20.4.3.

Contribution To Seaside Village	(iii)	Whether the design and position of buildings and associated development features on the site will complement and enhance the village scale and character intended for the built environment in the Zone and contributes to a pedestrian friendly village environment.
Character		
Urban Design & Streetscape	(iv)	Whether the overall urban design and streetscape in and around the Zone is enhanced through : <ul style="list-style-type: none"> (a) The application of quality urban design which reflects and enhances the distinctive character of the centre and local environment. (b) A design that strengthens the positive characteristics in the area, thus contributing to the identity of the centre as a Seaside Village. (c) The appropriateness of new buildings and spaces to their location, thus adding value to the centre as an attractive tourist and community focal point. (d) The visual appearance of the proposal to the street and local surrounds, including attention to building setbacks, fencing and street design, and the contribution that vegetation makes to the appearance of the street.
Site Layout Linkages	(v)	Whether the site layout makes good use of the site to promote integrated relationships and good linkages with adjacent properties, and also where appropriate with other nearby properties, so as to contribute to an overall village character that is pedestrian friendly.
	(vi)	Whether the design, style and external appearance of buildings including signage and verandahs enhances the desired aesthetic qualities and desired character intended to be achieved by the Zone, through the use of:
Design & Style	(a)	A design and style that promotes small scale building elements.
External Finishes	(b)	External finishes on walls and roofs that promote the use of recessive colours and low reflective glass so that the buildings will better blend in with the surrounding environment especially as much of the Zone is located on a ridgeline which has a large visual catchment.
Building Facades	(c)	Building facades that promote the use of modulation, articulation or architectural relief along the street frontage or carpark frontage at all levels e.g. a change in building mass, features such as pilasters, windows, shutters, balconies, and changes in surface texture and detail.
Buildings to face Carpark or Road	(d)	Building frontages that face directly onto either a carparking area of more than four cars, a vehicle or pedestrian accessway, or a road.
Building Frontages Contain Clear Glass	(e)	Building frontages at ground floor level that contain the main customer entrance and windows with clear glazing covering as a guideline 40% of the surface of the building façade at ground level.

- | | |
|-------------------------------------|--|
| Roofs | (f) Roofs that are pitched at a minimum slope of 20 degrees, except in the case of canopies, verandahs and rooftop projections such as lift towers, chimney, air conditioning units and ventilation units, <u>and excepting</u> that for any supermarket building and any other building for a legally established activity over 400m ² G.F.A. around the main entry area only some form of pitched roof façade will be provided in an integrated design with the remainder of the building. |
| Signage | <p>(g) Signage which, in addition to compliance with the controls for signs given in Rule 11.20.3.9, shows that:</p> <ul style="list-style-type: none"> • a comprehensive signage plan for all signs has been considered; • within the signage plan, the size and location of each sign will contribute to, and not detract from, the visual character of the Zone • within the signage plan, the extent that each sign will be visually integrated with all other signage on the site itself and within the Zone so that there is a coherent approach relative to the site itself and to the Seaside Village Centre |
| Verandahs | <p>(h) Verandahs which, in addition to compliance with the controls for verandahs given in Rule 11.20.3.10, demonstrate that :</p> <ul style="list-style-type: none"> • the verandahs proposed will contribute to, and not detract from, the desired character of the Zone. • the verandahs proposed will assist in tying together the varied architectural facades of buildings, particularly with those buildings on adjacent sites. • lighting is provided under verandahs to help encourage pedestrian usage at night in main pedestrian walkway areas. • particularly in the Commercial Policy Area, verandahs are provided along the entire building frontage so as to provide continuous verandah cover that links with adjacent properties in areas where strong pedestrian linkages are required. |
| Landscaping
Screening
Storage | <p>(vii) Whether Landscaping and Screening and Storage has been given careful consideration, and contributes to enhancing the aesthetics of the area, through:</p> <p>(a) Protecting the water quality of the Mahurangi River and Harbour, achieved through the provision of required carpark swales and plantings.</p> <p>(b) Providing landscape planting and open space areas that will enhance the amenity values of the site and enhance the streetscape and surrounding area, assist in mitigating adverse effects from a collection of commercial buildings positioned together, and contribute to the visual character of a seaside village centre.</p> <p>(c) Ensuring that the types of planting used is appropriate to the area including emphasis on the use of ecosourced plants.</p> |

- (d) Using appropriate site screening that is designed and located in such a way that the amenity values of adjacent residential, rural or recreation zoned land are not diminished by effects such as the glare from vehicle lights or excessive noise from vehicles stopping and starting or visual exposure to outside rubbish and storage areas.
- (e) Using appropriate rubbish storage methods, including secure covers and purpose made containers, which are screened from street and/or residential and community, open space reserve areas.
- (f) Providing street furniture appropriate to the site and area, which could include the use of public seating, rubbish bins, protective bollards, cycle stands, flag poles, etc.
- (g) Providing detailed landscaping and screening information in the form of a plan at a scale of at least 1:100 showing the areas to be landscaped, plant species, spacing and numbers of plants, and the indication of positions for appropriate street furniture.

Traffic and Pedestrians

- (viii) Traffic and pedestrian movement within and between different areas in the Zone and from public roads will be considered in terms of:
 - (a) Whether the internal roading network is safely and conveniently integrated with the surrounding road network;
 - (b) Whether the traffic generated by the proposed activity will adversely affect the safe and efficient operation of the surrounding road network, which is a matter to be satisfied by submitting a traffic engineering assessment with appropriate traffic management methods to assist with the safe and efficient movement of vehicles within the site and at accessway junctions with public roads.

The traffic engineering assessment will need to report on :

- Accessibility of the site to public roads;
 - Current traffic problems in the area e.g. high accident location;
 - Existing and probable future traffic volumes on adjacent roads;
 - Ability of the adjacent existing or planned roading systems to handle increased traffic and the feasibility of improving the roading system to handle increased traffic;
 - Traffic congestion and pedestrian / vehicle conflict likely to be caused by the proposal;
 - Vehicle access to and from the site that ensures adequate sight distances, prevents congestion caused by ingress and egress of vehicles to the proposed site, and is sufficiently separated from pedestrian access to ensure the safety of pedestrians.
- (c) Whether the development encompasses safe and conveniently positioned pedestrian walkways to enable movement around the site, between different areas of the Zone if this is desirable and practical, and particularly between adjacent properties by providing appropriate linkages.
 - (d) Particularly in the Commercial Policy Area, whether the development incorporates small scale pedestrian precincts adjoining pedestrian walkways and shopping areas to provide public rest areas.

- (e) Whether pedestrian access to and through areas of the Zone are protected and removed from vehicle traffic as much as it is practical
- (f) Whether the proposal complies with Rule 11.20.3.5 for Vehicle Accessways in the Zone.

Parking Layout

- (ix) Parking Layout will be considered in terms of:
 - (a) Whether consideration is given to the provisions of landscaping within the carpark to break up the wide expanse of a sealed area.
 - (b) Whether sufficient parking is provided to meet the expected numbers of vehicles using the site including loading requirements.

Water Quality

- (x) Water Quality of the Mahurangi River and Harbour will be considered in terms of:
 - (a) Whether protection methods are utilized to protect the quality of the water in the nearby Mahurangi River and Harbour;
 - (b) Whether the design of the swales required for the carparking areas is sufficient to protect the adjacent area of river and harbour from stormwater runoff pollution arising from the carpark and building areas in the Zone;
 - (c) Whether there is the need for additional stormwater capture, treatment and disposal on-site to ensure that the water quality of the river and harbour are not adversely affected;
 - (d) Whether new buildings, alterations and extensions to existing buildings use unsealed metal roofing surfaces such as galvanized iron or zincalume roofs which are prohibited surfaces as these exposed metal roofing surfaces contain contaminants which wash off into nearby natural waterways. However, such roofs can be painted and maintained in this state to avoid this issue, or other roofing materials can be used

ADVICE NOTE: Development in the Zone must also comply with the *Proposed Auckland Regional Plan : Air Land and Water 2001* which requires stormwater discharge consents.

Rule 11.20.4.4

Signs not complying with Council's Signs Bylaws, and signs not being included in a comprehensive urban design and development site plan.

Rule 11.20.4.5
Matters for Discretion Signs

Matters for Discretion – Signs

- (a) In accordance with sections 76(3B) and 105(3A) of the Act, the Council restricts its discretion to the following matters in (b) below when considering resource consent applications for the above described Restricted Discretionary Activities in 11.20.4.4 and the Council may impose conditions in respect of each of the matters.
- (b) Matters for Discretion
 - Size, height and location of the sign.
 - Aesthetic appearance of the sign.
 - Safety.
 - Clarity of information.
 - Benefit to the community.
 - Cumulative effects.

Rule

11.20.4.6 **Assessment Criteria**

- | | | |
|---------------------------|-----|--|
| Visual dominance | (a) | Whether the sign will be visually dominant in its surroundings for the reason of size or location. |
| Visual amenity | (b) | Whether the sign would adversely affect the visual amenity values of a particular locality. |
| Adverse effects on safety | (c) | Whether the design and location of the sign would introduce an element of danger to a locality, including roads. |
| Avoids confusion | (d) | Whether the sign would help to avoid confusions. |
| Assists the community | (e) | Whether the sign improves the level of information to the community in which it is located, and also whether the sign would result in any other form of benefit to the community. |
| Additional signs | (f) | Whether the sign is a necessary addition to existing signs in a location, and whether the sign would cumulatively introduce adverse effects into a location, including adverse visual effects, and adverse effects on vehicle and pedestrian safety. |

Explanation and Reasons

Signs are useful tools for providing information, and for advertising a service or goods. They can also have adverse effects on public access, safety, amenity values, and the character of the District Centre. These rules acknowledge the need for signs, but place controls to avoid, remedy or mitigate the actual and potential effects of such signs in the District.

Rule

11.20.4.7 **Matters for Discretion – Service Stations**Matters forDiscretion

Service Station (a) In accordance with sections 76(3B) and 105(3A) of the Act, the Council restricts its discretion to the following matters in (b) below when considering resource consent applications for the above described Restricted Discretionary Activities in 12.8.20.4.7 and the Council may impose conditions in respect of each of the matters.

(b) Matters for Discretion

- Traffic and pedestrian movement
- Shop frontage and pedestrian shelter facilities
- Location of the ordering and collection points, and delivery points
- Screening
- Noise
- Hours of operation.

Rule
11.20.4.8

Assessment Criteria

- (a) Whether the movement of vehicles will adversely affect the safe and convenient movement of pedestrians, and in particular whether pedestrian access and mobility to and within the retail area will be adversely affected.
- (b) Whether a break in shop frontage or verandah cover will adversely affect either the amenity values of the retail area or pedestrians using the area.
- (c) Whether the traffic generated will adversely affect the safe and efficient operation of the adjoining road network.
- (d) Whether there is sufficient space on-site for queuing and manoeuvring of vehicles particularly tanker trucks.
- (e) Whether the ordering and collection and delivery points are located away from Residential or Rural Zone boundaries to minimise any adverse effects on amenity values.
- (f) Whether the drive-through facilities incorporate screening to protect land in adjoining Residential or Rural Zones, so that the amenity values of those areas are not diminished by glare from vehicle lights or noise from vehicles stopping and starting.
- (g) Whether the proposed hours of operation have the potential to create a noise nuisance for adjoining Residential or Rural Zones.

Explanation and Reasons

The vehicle oriented nature of a drive-through facility like a Service Station means that it could have an adverse effect on the amenity values of nearby residential and retail areas, on the safe movement of pedestrians, and on the safe and efficient operation of the adjoining road network and carparking areas. The assessment criteria has regard to such matters so as to control any adverse effects.

Rule 11.20.5	DISCRETIONARY ACTIVITIES : ASSESSMENT CRITERIA
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Rule

11.20.5.1

General Assessment Criteria

Without limiting the exercise of its discretion, for all Discretionary Activity resource consent applications in the Special 20 (Mahurangi East Seaside Village Centre) Zone, the Council will have regard to the following Assessment Criteria and any relevant Discretionary Activity Assessment Criteria in any other chapter of this Plan, and the relevant matters set out in section 104 of the Act and the Council may impose conditions in respect of these matters:

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|-----------------------------------|-----|--|
| | (a) | The Assessment Criteria listed in Rules 11.20.4.3 |
| Development Controls | (b) | Whether the activity complies with the Development Controls and Performance Standards in Rule 11.20.3. As a general guide the activity should comply with those controls and standards unless it is not appropriate to do so because of inherent site characteristics, particular site development considerations, or unusual environmental factors. |
| Amenity Values of Adjoining Sites | (c) | Whether the activity will have an adverse effect on the amenity values of adjoining land zoned Residential, Rural, or Recreation. |
| Screening | (d) | Whether the site is screened in such a way that the amenity values of adjoining land zoned Residential, Rural, or Recreation are not diminished by effects such as the glare from vehicle lights or noise from vehicles stopping and starting, or the visual pollution from unsightly rubbish storage and service areas. |
| Amenity Values Within Site | (e) | Whether the activity will have an adverse effect on the amenity values within the business area in which it is proposed to be located, particularly on the amenity values of the Commercial Policy Area. |
| Noise & Vibration | (f) | Whether noise or vibration will be generated at levels which will be a health hazard to people within the area or will detract from the amenity values of the area and adjacent land zoned Residential, Rural, or Recreation. |
| Amplified Music | (g) | Whether amplified music is to be provided and whether measures such as building design incorporate noise attenuation methods, to ensure that adverse noise effects do not detract from the amenity values of nearby land zoned Residential, Rural, or Recreation. |
| Operation Hours | (h) | Whether the proposed hours of operation have the potential to create a nuisance for occupants of nearby land zoned Residential, Rural, or Recreation from noise and the movement of people and vehicles entering and leaving the site. |
| Health & Safety | (i) | Whether the activity will expose people to high levels of risk to health or safety. |
| Safety | (j) | Whether the personal safety of the employees and customers of activities in the area may be at risk because of the hazardous or noxious nature of activities occurring on the site, and whether measures are proposed to minimise any potential adverse effects. |
| Street Frontage | (k) | Whether any continuous street frontage theme or verandah cover would be broken. |

Pedestrians	(l)	Whether the activity would have adverse effects on the safety and convenience of pedestrians.
Parking	(m)	Whether sufficient on-site parking and loading is provided to meet the needs of the proposed activity.
Entry and Exit	(n)	Whether the entry and exit points to the site are safe, including regard to any safety hazards which may arise on the public roads as a result of additional vehicle traffic arising at the entry and exit points, and proposed mitigation methods if safety hazards are identified.
Road Network	(o)	Whether the traffic generated by the proposed activity will adversely affect the safe and efficient operation of the adjacent road network.
Ecosystems	(p)	Whether the activity will have an adverse effect on significant areas of vegetation or ecosystems.
Air Quality	(q)	Whether the activity will generate dust, smoke, fumes or other discharges to the air which potentially would detract from the amenity values of the area.
Odour	(r)	Whether the activity will create odours which are potentially either objectionable or offensive and likely to be detected at any boundary, and which may detract from the amenity values of the area, particularly for the occupants of nearby land zoned Residential, Rural, or Recreation.
Reverse Sensitivity - noise, odours	(s)	Whether the proposed activity may be adversely affected by the activities occurring in the surrounding area, particularly the effects of noise, odours, an air discharges.
Reverse Sensitivity - buffers	(t)	Whether adequate measures, such as buffers, separation distances, screening or building design, are proposed to isolate the activity from adjoining activities.
Reverse Sensitivity - On Permitted Activities	(u)	Whether the proposed activity will compromise the ability of Permitted Activities to operate by creating an expectation of higher environmental standards than required by the Zone
Cultural Heritage	(v)	Whether the activity will have an adverse effect on the cultural heritage resources on or near the site.
Traffic, Parking, Entry & Exit		See the Discretionary Assessment Criteria in <i>Section 13 – Vehicle Parking, Loading and Access.</i>