

Date: 3 February 2011

COUNCIL DECISIONS VERSION OF PLAN CHANGE 34

(Note: in relation to the plan change as notified, all deletions are struck through and additional text is underlined)

**PINE HARBOUR MARINA ZONE
PROPOSED PLAN CHANGE NO. 34
TO THE MANUKAU DISTRICT PLAN
PURSUANT TO THE FIRST SCHEDULE TO
THE RESOURCE MANAGEMENT ACT 1991**

SCHEDULE

1 REPLACE

Planning Map No. 57 with the attached map.

2 AMEND

Amend Chapter 17 Table of Contents by adding the following heading:

'17.15 PINE HARBOUR MARINA'

3 AMEND

Amend Chapter 17 by inserting 17.15 PINE HARBOUR MARINA as follows:

'17.15 PINE HARBOUR MARINA

17.15.1 Introduction

Pine Harbour Marina (Pine Harbour) at Beachlands was established following a planning application in 1985 and currently consists of a marina with 570 berths, hard stand, boat park facilities, car parking and a number of buildings housing a range of commercial and industrial activities. A strip of Council owned Public Open Space 3 zoned land runs along the landward side of the marina edge and is used for ~~parking and pedestrian access.~~ recreation, access to the public boat ramp, parking and the ferry terminal access to the ferry berth. A public boat ramp is located at the eastern end of the Marina and is accessed via a road through the Public Open Space 3 zoned land.

Since 2003 a passenger ferry service has operated from Pine Harbour with services to the Auckland City central business district, Waiheke Island and Rakino Island.

Although at the time of its establishment Pine Harbour was located within an essentially rural area and isolated from the Beachlands settlement, residential development now overlooks the Marina and the Formosa Golf Course has also been established off Jack Lachlan Drive close to Pine Harbour.

Pine Harbour is now closely linked with the Beachlands settlement and ~~is served by local ferries has become a passenger transport node with potential to expand as a passenger transport node and for other to further expand services for further expansion.~~ There has also been a significant change in land use activities, including residential accommodation development, wanting to locate adjacent to marinas in the Auckland Region.

The Pine Harbour Marina Zone provides for the mixed use development of 11.58ha of land clustered around the existing Pine Harbour Marina. The area covered by the Pine Harbour Marina zone is in single ownership which will allow for the continued comprehensive development of the area.

The Pine Harbour Marina Zone provides the planning framework to give effect to the following vision for Pine Harbour Marina - ~~This vision is~~ "To create a thriving community clustered around a world class marina".

17.15.2 Resource Management Issues

Issue

- 17.15.2.1** ~~The transition of M~~**Marinas and adjoining land in the Auckland Region from primarily boat storage facilities to an integrated mix of residential, commercial, retail and marine-related uses can result in both positive and negative effects. A sound comprehensive planning framework is required to provide for this integration and in particular Continued development of these areas to avoid potential conflict between land uses. requires a sound planning framework**

~~In recent years marinas and adjoining land have come under increasing pressure to provide for a greater mix of uses than just boat storage and marine-related industries.~~

Marinas in the Auckland Region have come under increasing pressure to provide for a greater mix of uses other than boat storage and marine-related industries. Marinas are also increasingly performing the role of transport nodes for ferry services, in accordance consistent with the Auckland Regional Growth Strategy. ~~To perform this role they~~ If they become passenger transport nodes they need to be located close to a residential customer base. ~~In addition, the provision of passenger transport service and needs to be developed undertaken~~ in a manner such that avoids adverse effects on the amenity values of surrounding land uses. ~~can be managed.~~

The land requirement for marina related industries and services at ~~marinas such as~~ Pine Harbour will continue to change due to market demand and the more efficient utilisation of land and facilities. The future development of Pine Harbour ~~therefore~~ needs to provide for marine related industries and services but at the same time ~~also allow~~ provide for the appropriate development of land not required for such uses.

~~The transition,~~ Comprehensive planning to manage intensification and ~~establishment~~ integration of additional land use activities in the future will result in a high quality living mixed use environment for residents and visitors. ~~like.~~ At the same time there is the potential for conflicts between existing and future land uses and the generation of potential adverse effects on adjacent land. ~~Therefore~~ Future development of Pine Harbour needs to consider ~~these~~ potential issues ~~and~~ to ensure they are addressed, while at the same time not compromising the operation of existing activities.

Issue

- 17.15.2.2** **Marinas and associated land holdings are a limited resource in the Auckland Region and future development needs to be undertaken in a comprehensive and efficient manner.**

The areas of the Auckland coastline suitable for new marina developments are limited while other matters such as roading access, cost, land availability and public acceptance also limit the number of potentially new marina developments in the Auckland Region.

It is therefore important that existing marinas and associated adjoining land are developed in a comprehensive manner to maximise the efficient use of the land. As both marina related activities and community requirements changes over time, marinas need to be able to continually evolve and develop to meet current and likely future requirements.

Issue

17.15.2.3 The future development of Pine Harbour needs to be integrated with the existing and potential adjoining land uses (including Beachlands settlement), transportation networks, public open space and the stormwater catchment.

Although Pine Harbour was originally established when the surrounding land uses were rural, Pine Harbour is now on the southern fringe of the Beachlands settlement with further residential housing (the Tui Brae subdivision) and Formosa Golf Course on the southern boundary.

It is therefore important that development and land uses within Pine Harbour recognise that Pine Harbour now forms part of Beachlands settlement. Furthermore, the form of development within Pine Harbour needs to integrate with transport, roading and public open space connections beyond the boundaries of Pine Harbour so that strong pedestrian, cycle and vehicular (including bus) connections are developed between Pine Harbour and Beachlands.

Pine Harbour forms part of a stormwater catchment. Stormwater management within Pine Harbour needs to both reflect and integrate with stormwater management in the wider catchment.

Issue

17.15.2.4 Inappropriate subdivision, use and development ~~or land uses~~ may adversely affect the character of the coastal environment and may limit public access to, and recreational use of, the coastal marine area.

Around New Zealand the coastal environment is highly valued for its scenic, cultural and ecological values. Section 6(a) of the Resource Management Act 1991 (RMA) requires the Council

'... to recognise and provide for the following matters of national importance:

The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development.'

The establishment of Pine Harbour Marina and the adjoining land has resulted in the modification of the natural character of the coastal environment. On-going development of Pine Harbour Marina both in terms of any future marina expansion and further development of the landward component of the Marina has the potential to further modify the current character of the coastal environment. ~~However, appropriate design and on-going management of activities, including stormwater management, within Pine Harbour can ensure adverse effects are avoided and/or mitigated while enabling the further development, expansion and on-going use of Pine Harbour.~~

Marinas can provide a high level of amenity and the intensification of the use of land adjacent to marinas for a range of residential, commercial, retail and marina related activities can maximise the benefits obtained from these amenity values. New Zealanders have historically had strong connections with the coastal environment and there continues to be a strong demand for residential accommodation adjoining coastal areas (including marinas) and an associated demand for retail and commercial activities. ~~Therefore~~ There can be sound resource management benefits in providing for the intensification of activities adjoining existing marinas provided it can be undertaken in such a manner that adverse effects on the character of the coastline are avoided or mitigated.

With respect to public access to and along the coastal marine area, Section 6(d) of the Resource Management Act requires the Council to

' recognise and provide for the following matter of national importance:

The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers.'

A comprehensive planning framework is required for the D~~development and use of land within Pine Harbour needs to ensure that there are strong pedestrian, cycle and vehicular connections between the public roading network and surrounding Public Open Space 3 zoned land and the coastal marine area and open space areas. Pine Harbour has historically provided open space areas and open access to the public.~~

The development of Pine Harbour Marina as a visitor destination as well as a complementary addition to Beachlands settlement has the potential to enhance the recreational use of the coastline through the appropriate use and design of buildings, pedestrian access and open spaces.

Issue

17.15.2.5 Appropriate design and development can have positive effects on the coastal environment, landscape and urban character, amenity values and overall identity of Pine Harbour and the surrounding area.

The balance and physical relationship between built form and those elements that contribute to the character of the coastal environment need to be considered when planning and implementing future development. Scale, location, overall appearance and timing of this development will need to consider the balance between buildings, open space and natural elements to ensure future development does not result in significant adverse effects on the surrounding coastal environment.

The configuration and physical appearance of buildings should reflect the surrounding context and their internal function ~~and should while promoting~~ the potential range of uses within Pine Harbour, as well as contributing to its overall identity as a passenger transportation node and marina environment.

Provision of well designed built form (including and implemented open space and streets) can contribute positively to the experiential quality of the site and ~~collectively the create~~ a balance between built and natural form. ~~and issues of scale, location and physical appearance of buildings. should aim to minimise adverse effects on the existing amenity values.~~

Issue

17.15.2.6 Appropriate opportunities need to be provided for passenger transport along with supporting land uses so that Pine Harbour can function as the passenger transport node for Beachlands and the surrounding area.

A passenger ferry service has operated at Pine Harbour since 2003 and services the Auckland City central business district, Waiheke Island and Rakino Island. The predominant users of this ferry service are residents of the Pohutakawa Coast commuting to the Auckland City central business district.

The redevelopment of Pine Harbour provides an opportunity to enhance the landward component of this passenger ferry service and provide for the facilities needed to establish a bus connection between the ferry service and the wider area (Clevedon, Maraetai and Whitford). The facilities are expected to include, in collaboration with the Council, “park and ride” opportunities, a ferry feeder service with a bus stop conveniently located nearby the ferry terminus, and facilities for cyclists.

The future development of Beachlands will provide opportunities for direct pedestrian, cycle and vehicular links between Beachlands and Pine Harbour. Development within Pine Harbour should both complement and enhance these links with a strong emphasis on creating a pedestrian friendly environment.

Issue

17.15.2.7 There are constraints on water and wastewater provision for Pine Harbour that must be addressed in relation to future development.

The rate of development of Pine Harbour in accordance with the Pine Harbour Development Plan is dependant on the availability of wastewater treatment capacity and potable water supply.

The current capacity of the Beachlands-Maraetai Waste Water Treatment Plant and the existing potable water supply is sufficient to service Stage 1. The development of further stages of the Pine Harbour Development Plan ~~is~~ may be dependent on agreement from Council to utilise existing waste water treatment capacity, the future upgrade of the Beachlands-Maraetai Treatment Plant or the approval of an alternative wastewater treatment and disposal method.

Potable water supply for development in the Zone is expected to be from groundwater. Groundwater is a finite resource and inefficient taking and use of groundwater can limit the number of users that can benefit from the groundwater resource; taking more water than is needed, wasting water, poor matching of water use with actual needs and supply system losses all reduce the amount of water available for other people to use and can also unnecessarily increase the volume of wastewater

needing disposal. Accordingly there is a need to use groundwater efficiently so as to maximise its consumptive benefits for present and future potential users through conditions of any water take consent

17.15.3 OBJECTIVES

Objective

17.15.3.1 To allow the staged development of an integrated mix of residential, commercial and marine-related activities that:

- **creates and sustains an ~~appealing~~ attractive marina based community**
- **provides for the on-going provision of marine industry and marina related services**
- **provides for the efficient transition of land use activities in areas not required for marine industry or marine related services**
- **addresses potential effects on the ~~current~~ character of the coastal environment and the surrounding area**

This objective relates to Issues 17.15.2.1, 17.15.2.2, 17.15.2.3, 17.15.2.4 and 17.15.2.5.

Objective

17.15.3.2 To enable Pine Harbour to function as an efficient passenger transport node for the community by providing for an appropriate development density and mix of land use activities which promotes use of passenger transport.

This objective relates to Issue 17.15.2.3 and 17.15.2.6.

Objective

17.15.3.3 To ensure the development of Pine Harbour is integrated with both the existing and likely future urban form of the Beachlands settlement. ~~including the roading, and stormwater management networks.~~

This objective relates to Issue 17.15.2.3.

Objective

17.15.3.4 To promote the safe and efficient movement of pedestrians, cycles and vehicles within Pine Harbour and between Pine Harbour and Beachlands village and to maintain and enhance public access to and along the adjoining Public Open Space 3 zoned land and the coastal marine area.

This objective relates to Issue 17.15.2.4 and 17.15.2.6.

Objective

17.15.3.5 To create an ~~appealing~~ attractive environment to live, work and relax in by maintaining and enhancing amenity values through the appropriate placement and design of buildings and open spaces.

This objective relates to Issue 17.15.2.5.

Objective

17.15.3.6 To ensure the efficient and effective provision of all stormwater infrastructure, including, where there is a connection to the wider catchment stormwater infrastructure, integration with the wider catchment.

This objective relates to Issue 17.15.2.3.

Objective

17.15.3.7 To achieve a safe, and efficient, transport network that is integrated and connected with the existing and planned transportation network.

This objective relates to Issue 17.15.2.3.

Objective

17.15.3.8 To ensure the sustainable supply of potable water to service all development and to ensure that the dependence on groundwater is minimised through the integration of water conservation and efficiency measures into the design of development within the zone as required by conditions of any water take consent

This objective relates to Issue 17.15.2.7.

Objective

17.15.3.9 To ensure the efficient and effective provision of wastewater, in particular the ability to connect to the Beachlands-Maraetai Wastewater Treatment Plant.

This objective relates to Issue 17.15.2.7.

17.15.4 POLICIES

Policy

17.15.4.1 Adopt a Pine Harbour Development Plan to ~~control~~ manage the future development of the landward component of Pine Harbour Marina in order to establish and sustain a marina based community ~~that shall be~~ comprised of an integrated mix of land use activities.

This policy seeks to achieve Objective 17.15.3.1 and 17.15.3.2.

Explanation/Reasons

To maximise the efficient use of the Pine Harbour land holdings, to allow for the timely provision of utility services and in order to create a marina based community, development needs to be in accordance with the Pine Harbour Development Plan rather than undertaken in an ad-hoc manner. This development needs to provide for a mix of uses which are provided for as permitted, controlled or restricted discretionary activities.

Methods

- Zoning (including the use of precincts)
- Rules - Development and Performance Standards
- Rules - Matters for Control
- Pine Harbour Development Plan
- Relevant Council Design Guidelines
- Assessment Criteria

Policy

17.15.4.2

17.15.4.2 ~~Development density and activities should promote the use of passenger transport and in particular the ferry service.~~

Increased development densities and activities should promote the use of passenger and non vehicular modes of transport.

This policy seeks to achieve Objective 17.15.3.2.

Explanation/Reasons

The area covered by the Pine Harbour Marina Zone is of a size and topography which will allow residents to access the ferry service by foot or cycle. The long-term viability of Pine Harbour as a passenger transport node can in part be achieved by allowing for medium density residential development and by providing for a range of land use activities which will promote Pine Harbour both as a marina based community and as a visitor destination.

Methods

- Zoning (including the use of precincts)
- Rules - Development and Performance Standards
- Rules - Matters for Control
- Pine Harbour Development Plan
- Relevant Council Design Guidelines
- Assessment Criteria
-

Policy

- 17.15.4.3 The layout and form of buildings, roads and open space within Pine Harbour is to:**
- a) integrate with the existing and likely future form of Beachlands settlement (including alignment of roads);**
 - b) address potential adverse effects on adjoining land uses;**
 - c) Assist with the implementation of transportation connections between Beachlands and Pine Harbour, including financial contributions in accordance with Chapter 8: Transportation;**
 - d) assist with the integration of passenger transport services;**
 - e) create opportunities for multi-functional, safe, passive or active recreation; and**
 - f) ensure ongoing public access to the coastal marine area.**

This policy seeks to achieve Objective 17.15.3.3.

Explanation/Reasons

The future development of Pine Harbour has the potential to both provide a far greater degree of integration with the Beachlands settlement while at the same time having a potential adverse effect on immediately adjoining land uses. It is therefore important to consider both the integration of the built form with the existing and future adjoining land uses while ensuring future roading connections between Beachlands and Pine Harbour can be established.

Methods

- Zoning
- Rules - Development and Performance Standards
- Rules - Matters for Control
- Pine Harbour Development Plan
- Relevant Council Design Guidelines
- Assessment Criteria

**Policy
17.15.4.4**

The design of any development should take into account:

- the surrounding character of the coastal and urban environment and its associated amenity values.
- transportation connections and circulation for vehicles (including buses), pedestrians and cyclists.
- the design, scale, bulk and location of buildings to complement existing and planned development, including the maintenance of amenity values and avoidance or mitigation of amenity conflicts as the development proceeds.
- the interface between private development (including car parking), open space and the public realm.
- the need to provide for visible and usable green spaces (grassed and planted areas) including through minimum site dimensions, minimum yard requirements and promoting basement car parking.
- provision of walkways providing pedestrian linkages through the zone.
- safety and security.
- promotion of access to Public Open Space 3 zoned land and the coastal marine area.
- stormwater management.
- public transport users.
- any relevant Council Design Codes.

This policy seeks to achieve Objectives 17.15.3.2, 17.15.3.4 and 17.15.3.5.

Explanation/Reasons

A good design will lead to a high amenity value within Pine Harbour and stronger connections with the existing and future surrounding urban areas and will assist in creating an appealing marina based community.

Methods

- Zoning (including the use of precincts)
- Rules - Activity Table
- Pine Harbour Development Plan
- Assessment Criteria
- Relevant Council Design Guidelines

**Policy
17.15.4.5**

A range of activities should be provided for at a scale complementary to the amenity values of Pine Harbour which may change over time in accordance with the objectives of the Zone.

This policy seeks to achieve Objectives 17.15.3.1, 17.15.3.2 and 17.15.3.5.

Explanation/Reasons

Marinas and associated land holdings are a limited resource in the Auckland Region with competing uses. This policy aims to ensure the land resource is sustainably managed to allow for a range of appropriate activities which will change over time.

Methods

- Zoning (including the use of precincts)
- Rules - Activity Table
- Pine Harbour Development Plan
- Assessment Criteria
- Relevant Council Design Guidelines
-

Policy

17.15.4.6 Potential adverse effects (including reverse sensitivity) of any development and activities at Pine Harbour on the character of the coastal environment and on the amenity values of the surrounding area should be avoided, remedied or mitigated.

This policy seeks to achieve Objectives 17.15.3.1 and 17.15.3.3.

Explanation/Reasons

Development and activities at Pine Harbour have the potential to generate noise, dust and fumes which adversely affect the amenity values of adjoining sites and the wider area. Visual amenity may be adversely affected by poor site layout and inappropriate development.

Methods

- Rules - Development and Performance Standards

Policy

~~**17.15.4.7 Ensure the location and scale of development; provision of open space; pedestrian connections and the overall approach to development fosters a high level of amenity for residents and visitors.**~~

~~*This policy seeks to achieve Objectives 17.15.3.4 and 17.15.3.5.*~~

~~**Explanation/Reasons**~~

~~*To enhance the amenity value of Pine Harbour and to make it an attractive and appealing livable area, it is important that the scale of buildings and their locations are sensitively designed and are at an appropriate scale.*~~

~~*The provision of a high quality residential environment, through appropriately designed and located living and open space areas, is critical in developing an appealing, safe and sustainable residential community within Pine Harbour.*~~

~~**Methods**~~

- ~~• Zoning (including the use of precincts)~~
- ~~• Rules - Development Controls~~

~~**Policy**~~

~~17.15.4.8 — Open spaces should be provided within Pine Harbour for both residents and visitors.~~

~~This policy seeks to achieve Objective 17.15.3.5.~~

~~**Explanation/Reasons**~~

~~The provision of open spaces is fundamental to encourage visitors and therefore public interest and presence in the area and also to provide a high level of amenity for residents.~~

~~**Methods**~~

- ~~• Zoning (including the use of precincts)~~
- ~~• Rules - Activity Table~~
- ~~• Rules - Development Controls~~

~~**Policy**~~

17.15.4.7 Subdivision and land use activities shall be designed in such a way as to provide a wastewater connection to the Beachlands-Maraetai Wastewater Treatment Plant.

This policy seeks to achieve Objective 17.15.3.6.

Explanation/Reasons

To ensure that all new sites can accommodate the land uses/developments provided for within the Pine Harbour Marina Zone in an environmentally appropriate manner it is necessary to set “bottom lines” for all new developments. This policy seeks to ensure Pine Harbour can accommodate residential activities as provided for within the Pine Harbour Marina Zone, in an environmentally appropriate manner and it can be appropriately serviced for wastewater.

Methods

Assessment Criteria

Policy

17.15.4.8. Subdivision and land use activities shall be designed in such a way as to provide for a sustainable supply of potable water to meet the servicing demands of the expected activities on the site. Water conservation and efficiency measures will be controlled through water take requirements, including any Water Supply Demand Management Plan required to be prepared in accordance with the consent requirements.

This policy seeks to achieve Objective 17.15.3.7.

Explanation/Reasons

To ensure that all new sites can accommodate the land uses/developments provided for within the Pine Harbour Marina Zone in an environmentally appropriate manner it is necessary to set “bottom lines” for all new developments. This policy seeks to ensure Pine Harbour can accommodate residential activities as provided for within the Pine Harbour Marina Zone, in an environmentally appropriate manner and it can be appropriately serviced for water supply.

Methods

Assessment Criteria

17.15.5 IMPLEMENTATION

- The Pine Harbour Development Plan has been established for the future development of the landward component of Pine Harbour. The Pine Harbour Development Plan recognises the change in land use activities which are occurring on the landward components of marinas in New Zealand and also that Pine Harbour is now on the urban fringe of the Beachlands settlement.
- The key attributes of the Pine Harbour Development Plan are:
- The staged development of 11.58ha of land around an existing Marina.
- The creation of a central “village like” hub around a reclaimed waterway and open space area.
- A central hub that promotes business in a mixed use environment, comprising commercial, retail and residential use.
- The retention of a marine industry and servicing area.
- A passenger transport node for bus and ferry services.
- Connecting people to the coastal marine area.
- A movement network that connects to the wider Beachlands community.
- A recognition of the natural setting.
- ~~Provides for a staged development.~~
- The integration of buildings, street pattern and open spaces with the existing and future form of the Beachlands settlement.
- The minimisation of above ground car parking through the provision of basement parking for apartments.
- A stormwater system which can be integrated with the ICMP and approved network discharge consent applying to the zone.
- The Pine Harbour Development Plan has been divided into a number of precincts which provide for a range of differing activities and have different development and performance standards.

17.15.5.1 Regulatory Methods

17.15.5.1.1 Zone and Precincts

A special purpose zone is applied to Pine Harbour Marina to ~~allow~~ provide for the implementation of the Pine Harbour Development Plan (Figure 17.15.1). Within the Pine Harbour Marina Zone there are ~~40~~ eight precincts and a stormwater management area.

The zone allows for the on-going development of Pine Harbour and the establishment of a range of activities beyond the traditional uses of marine related industries and marina services (including boat storage). Figure 17.15.2 identifies the first area of Pine Harbour (Stage 1) which will be developed. The development of the remainder of Pine Harbour will be undertaken in stages as demand and infrastructure provision allows. It is estimated that a 20 year period may be required for the implementation of the Pine Harbour Development Plan.

17.15.5.1.2 Activity Types

17.15.5.1.2.1 Permitted Activities

The range of permitted activities in the Pine Harbour Marina Zone differ between the various precincts and reflect the intended purpose of that precinct. Those activities which are permitted avoid significant adverse effects on the environment in neighbouring areas.

17.15.5.1.2.2 Controlled Activities

Poorly planned and designed industrial, commercial and residential activities in the Pine Harbour Marina Zone have the potential to have adverse effects on the environment. By reserving control over the development of these activities through the resource consent process, any potential adverse effects on the environment will be avoided, remedied or mitigated.

17.15.5.1.2.3 (Restricted) Discretionary Activities

A Restricted Discretionary Activity status has been applied to those activities that may be appropriate in certain locations, when of a certain scale and appropriately designed. A resource consent is required for these activities and their potential effects on the environment will be assessed during the consenting process.

17.15.5.1.3 Development and Performance Standards

Development standards are the rules that apply to the bulk and location of buildings and structures. Performance standards control the effects, such as noise, generated by activities undertaken within or outside buildings. Different development and performance standards have been applied to the residential, commercial and services precincts. No development and performance standards have been set for the other precincts as minimal development is expected in these precincts and any building development will be subject to a resource consent application as a non-complying activity.

17.15.5.1.4 Matters for Control and Matters for Discretion

Controlled activities are subject to Rules - Matters for Control. Applications for controlled activity resource consents are assessed against the assessment criteria which relate to those matters. Similarly, discretionary activities over which the Council has restricted the matters for its discretion, (restricted discretionary activities), are assessed against the matters for discretion set out in the Chapter. The matters for control and the matters for discretion are intended to address the potential adverse effects of the activities listed as controlled and restricted discretionary.

17.15.6 Anticipated Environmental Results

From the identification of the resource management issues and the objectives, policies and rules for the Pine Harbour Marina Zone the expected environmental outcomes are: ~~identified as follows:~~

- The comprehensive development of the landward component of Pine Harbour to create a marina based community which is also integrated with the wider Beachlands settlement.
- An orderly transition of land use activities within part of Pine Harbour from hardstand areas and marine based industrial activities to mixed use as market demand dictates and infrastructure can be provided.
- The reinforcement of Pine Harbour as the passenger transport node for Beachlands.
- The continued creation of a high level of amenity so that Pine Harbour is an appealing place to live, work and relax.
- Potential conflicts between different land use activities are avoided, remedied or mitigated.
- Well designed and maintained open spaces which provide for a diverse range of uses.
- Public use and enjoyment of Pine Harbour and the adjoining Public Open Space 3 zoned land is increased.
- Residents and visitors to Pine Harbour experience a sense of place and identity.
- An integrated stormwater management system that takes account of the receiving environment.

17.15.7 Procedures for Monitoring

In order to assess the suitability and effectiveness of the objectives, policies and methods in achieving the anticipated environmental results contained in the Pine Harbour Marina Zone, the Council will develop a monitoring programme (see Chapter 1, Section 1.7.3) which may include the following monitoring procedures:

- Monitoring complaints and enforcement action regarding the operation of activities occurring within Pine Harbour.
- Co-operating with the Auckland Regional Council in the monitoring of the coastal environment within and immediately adjoining the Pine Harbour Marina Zone.
- The monitoring of reverse sensitivity effects arising (if any).

- The monitoring of the appropriateness and usability of public access and open space areas.

17.15.8 Description and Explanation of Zone and Precincts

The Pine Harbour Marina Zone provides for the development of the landward component of Pine Harbour Marina into a marina based community. The zoning allows for the continuation of marina related industries while also promoting a range of additional land use activities. The zoning gives effect to the Pine Harbour Development Plan which has been prepared to provide for future development to occur in a staged manner and in a form where integration with the Beachlands settlement (including provision for a road connection with Karaka Road in the event the existing road reserve located at the Karaka, Sunkist Bay Rd intersection is not developed and any future planned additions to the roading network) is achieved.

The Pine Harbour Marina Zone is divided into ~~ten~~ eight precincts each with differing land uses and development and performance standards. Within two of the precincts (Gateway Apartments and Village Apartments) there are additional overlays. The mixed use overlay identifies where it is intended that the ground floor of the apartment blocks are used for a range of commercial uses (including retail and offices). The Additional Height Overlay identifies those areas where a greater building height is permitted which will provide for the construction of marker buildings in key locations.

A Stormwater Management Area is also identified which has an underlying zone of Pine Harbour Marina. This covers the existing stormwater pond and the area which may be required for the future expansion of this pond along with the existing watercourse. The long-term objective is to investigate the rehabilitation of the watercourse with riparian planting on either side where practicable. This may present opportunities to introduce walking tracks which may connect to any similar tracks beyond the site. The Stormwater Management Area rules in Chapter 9 apply to this area. Where land is no longer required for stormwater management purposes the land shall be administered in accordance with the provisions of the adjoining precinct. The Stormwater Management Area is to remain in private ownership and is not required to be vested in Council.

The ~~ten~~ eight precincts are:

Northern Terraces

The Northern Terraces Precinct covers the northern part of the site. This precinct slopes moderately to the south and is bounded by existing, primarily two-storey detached housing on the east and north, and to the south by the Village Apartments precinct. This precinct is the transitional area between the existing Beachlands residential housing area and the higher density precincts within Pine Harbour.

To ensure this transitional quality and integration with the existing Beachlands urban area, the housing in this area is to be two-storey terrace housing.

The street layout should provide for new streets near the north and western boundaries of this precinct to be one house lot width back from the boundaries. This is to ensure that the amenity value of the existing properties sharing those boundaries is not diminished by being located between two streets and that the new streets within the precinct have activated edges provided by new terrace houses on both sides.

The street pattern is to be fine grained and intimately scaled to suit the smaller scale of the proposed housing in this precinct. Where practicable there will be no more than nine houses in any row and each row shall have sufficient articulation of form to ensure interesting and diverse streetscapes. The houses at each end of rows shall be individually designed to address the street so as not to present side walls to the street.

Gateway Integrated Housing

The Gateway Integrated Housing Precinct is located on the northern side of Jack Lachlan Drive as it enters Pine Harbour. This small precinct occupies a narrow strip of land between Jack Lachlan Drive and a stream running down the valley to Pine Harbour. The site has a northerly aspect and good outlook across the riparian corridor.

This housing stock needs to provide a transition upon entering Pine Harbour while at the same time reflecting the existing Tui Brae subdivision on the opposite side of Jack Lachlan Drive. Houses in this precinct should be arranged such that views across the riparian corridor are shared by the occupants and the public using Jack Lachlan Drive.

The bulk and form of the individual buildings should be such that they are compatible with the detached dwellings in nearby Tui Brae, whilst providing a medium density solution. A two-storey duplex typology is one means of achieving that outcome.

To achieve an appropriate design response to Jack Lachlan Drive as well as providing suitable private amenity space for the future occupants each house with frontage to Jack Lachlan Drive shall have its main entrance in view from the road. This will ensure a similar relationship is achieved with the road as that proposed for the Beachlands Village New Avenues Area further east along Jack Lachlan Drive.

Rear boundary treatments where they adjoin the Stormwater Management Area should be composed of a semi transparent boundary definition such as pool type fencing. Such a treatment if supported by a suitable soft landscaping treatment will create a more 'natural' edge with the Stormwater Management Area as well as create reasonable levels of privacy for residents.

Gateway Apartments

- Mixed Use Overlay
- Additional Height Overlay
- Additional Height Constraint Overlay

The Gateway Apartment Precinct is the “gateway” into the main Pine Harbour marine community and will consist of buildings up to ~~four~~ five story storeys high. Within the Mixed Use Overlay area the ground floor of the apartment buildings are to be designed to allow for either retail/commercial or residential use. The use of these ground floors may change over time depending on the demand for retail/commercial space.

Within the Additional Height Overlay a maximum height of ~~49m~~ 18m is proposed, which allows for apartments of five storeys. These buildings are key marker buildings which require the design to clearly address each street frontage. The additional height will be used to articulate the prominence of the corners.

~~Within the Height Constraint Overlay, development will be limited to a maximum height of 12m in order to provide a graduation of building scale leading up to the Additional Height Overlay area.~~

Buildings in the western half of this precinct will likely be on the routes between passenger transport services, so consideration will be given to providing all weather cover where practical.

Apartment design is encouraged to be consistent with the appropriate Council Design Guidelines.

Village Apartments

- Mixed Use Overlay
- Additional Height Overlay
- Additional Height Constraint Overlay

The Village Apartments Precinct is the main medium density residential precinct and will consist of apartments up to five stories. Within the Mixed Use Overlay area the ground floor of the apartment buildings are to be designed to allow for either retail/commercial or residential use. The use of these ground floors may change over time depending on the demand for retail/commercial space. Buildings within this area are required to have active frontages to street and plaza boundaries

Within the Additional Height Overlay a maximum height of ~~24~~ 18m is proposed, which allows for apartments of ~~six~~ five storeys. These buildings are key marker buildings, which require the design to clearly address each street frontage. The additional height will be used to articulate the prominence of the corners.

~~Within the Height Constraint Overlay, development will be limited to a maximum height of 15m in order to provide a graduation of building scale leading up to the Additional Height Overlay.~~

Buildings in the western half of this precinct will likely be on the routes of travel of patrons of the ferry service, so consideration should be given to providing all weather cover where practical.

Additionally, buildings in this same western sector shall be located such that there is an open space of 15m width on an axis parallel to the south-eastern edge of the Village and the southern frontages shall abut the Village Square in order to define the public space.

Apartment design is encouraged to be consistent with the appropriate Council Design Guidelines.

Marine Commercial

The Marine Commercial Precinct covers the existing commercial building and the additional area which may be required for future commercial buildings servicing the marina and marine-related uses.

~~This precinct is located adjacent to the current ferry berthing area. terminal~~

~~The existing Ranger House building is two storeys high but the~~ This precinct allows buildings up to ~~three~~ two storeys high. This precinct does not provide for residential accommodation (except for residential accommodation for people required to live on the site).

Buildings in this precinct front to the existing Public Open Space or Village Square. It is important that they are located such that they form a strong edge condition to define those open spaces.

Wherever possible there should be active frontages to all sides of the ground floor spaces of buildings in this precinct and the design of the buildings should observe Crime Prevention Through Environmental Design principles to enhance the safety of the open spaces.

Consideration should be given to providing all weather cover over pedestrian routes where practical. Colonnades or verandahs along the north and north-east sides of these buildings would be one means by which this could be met.

In order to minimise obstruction of views through to the marina, there should be significant gaps between buildings in this precinct to allow view shafts.

Surface carparking is allowable in this precinct, however, landscaping shall be used to visually break up large areas of parking.

Marine Services

The Marine Services Precinct provides for marine industry and marina-related services much of which is already established. This precinct has a maximum building height of 9m and a building restriction line which will ensure coastal views from the established residential area along Pine Harbour Parade are generally retained.

This precinct does not provide for residential accommodation (except for residential accommodation for people required to live on the site).

New buildings (excluding boat racks) should where possible be located to minimise obstruction of views and outlook from dwellings in the Village Apartment Precinct.

Boat racking, should where possible be located such that boat hard-standing is able to be positioned between the racks and dwellings within the Village Apartment Precinct, in order to mitigate the visual effect of the racks.

Stormwater Management

~~The Stormwater Management Precinct Area covers the existing stormwater pond and the area which may be required for any future extension of this pond. The area surrounding the pond is to be retained in a mix of grass and vegetation and can be used for passive recreation purposes. Future development in this area should consider the possibility of introducing The Stormwater Management Area includes the current waterway~~

Village Square

Overlooking the Marina and to be bordered by a range of mixed use buildings, the Village Square is to operate as a multi-functional area and is the “green heart” of Pine Harbour. The green itself will be largely free of landscape interventions or buildings and can be used for a range of passive recreational activities, as a seating area for adjoining restaurants/cafes, for temporary market type events or displays and entertainment.

The Village Square Precinct incorporates a possible future plaza area between the mixed use areas of the Gateway and Village Apartments and will be the pedestrian extension of the future main road which will run into Pine Harbour from Beachlands. This plaza is likely to be paved and could incorporate a range of landscape features and will provide a strong focal connection through to the

Marina itself. The plaza will be used as a thoroughfare, for passive recreation and as the outdoor seating area for adjacent retail activities.

Future Harbour

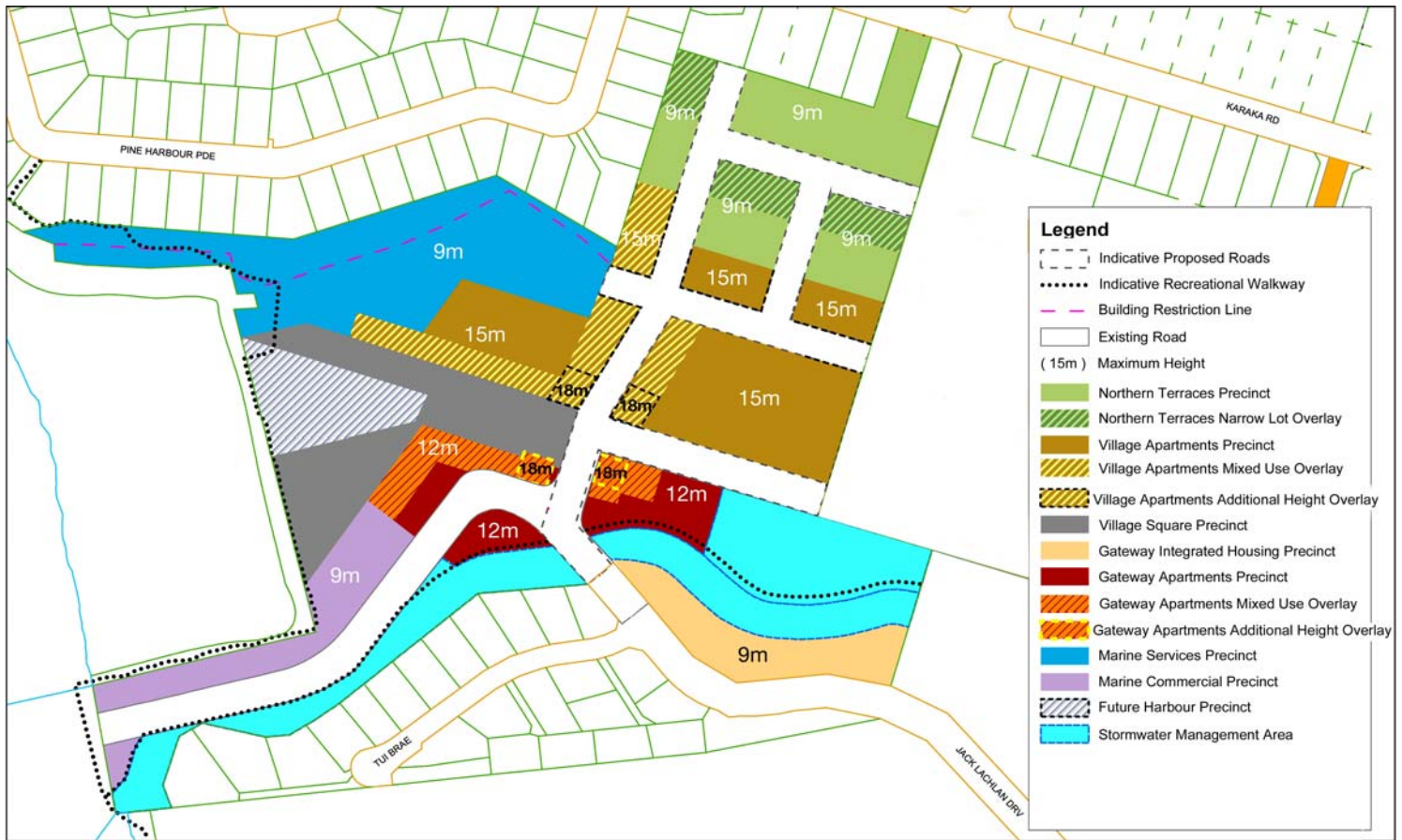
The Future Harbour Precinct covers the area to be excavated to extend the Marina. The northern edge shall have a wharf edge character fronted by a walkway and buildings. The southern edge shall have a marine edge character front by the northern edge boardwalk of the Village Square. The eastern corner is terraced from the plaza area of the Village Square.

Provision is made in this zone for the excavation as it will occur before inundation and therefore before it becomes part of the coastal marine area.

Riparian Margin

~~The Riparian Margin Precinct covers the current waterway. The long-term objective is to investigate the rehabilitation of the concrete-lined channel back into a natural watercourse with riparian planting on either side where practicable. This may present opportunities to introduce walking tracks along it which may connect to any similar tracks created beyond the site further up into the catchment.~~

FIGURE 17.15.1: PINE HARBOUR DEVELOPMENT PLAN



17.15.9 Rules – Activities

~~17.15.9.1 Pine Harbour Development Plan~~

~~17.15.9.2 Staging~~

17.15.9.3 Activities in the Pine Harbour Marina Zone

Activities in the Pine Harbour Marina Zone shall comply with the following:

- (a) A ferry terminus shall continue to be provided at all times.
- ~~(c)~~ All permitted activities in Rule 17.15.9.3.42 - Activity Table shall comply with Rules 17.15.9.43 ~~to~~ 17.15.9.44 (Development and Performance Standards).
- ~~(d)~~ All controlled activities in Rule 17.15.9.3.42 - Activity Table shall comply with Rules 17.15.9.43 ~~to~~ 17.15.9.44 (Development and Performance Standards) and Council shall exercise control over those matters specified in Rule 17.15.10.
- ~~(e)~~ All Restricted Discretionary Activities in 17.15.9.3.42 Activity Table shall be assessed against those matters to which the Council has restricted its discretion in Rule 17.15.11.
- ~~(f)~~ Any activity not listed in Rule 17.15.9.3.42 - Activity Table and not otherwise provided for in the District Plan is deemed to be a non-complying activity.
- ~~(g)~~ An application for resource consent for a Controlled and Restricted Discretionary Activity that complies with development and performance standards will not require public notification under Section 95A of the Resource Management Act 1991, nor will there be any affected persons under Section 95B of the Resource Management Act 1991, unless special circumstances exist, or the applicant requests that the application be notified under Section 95A (2) (b) of the Act.

~~Unless special circumstances exist, a resource consent application for a controlled activity or a restricted discretionary activity listed in 17.15.9.3.1 (Activity Table) shall not be notified, and the written approval of affected persons need not be obtained.~~
- ~~(h)~~ Resource consent applications for residential accommodation buildings can either be considered individually or as part of an application for Integrated Intensive Housing.
- ~~(i)~~ For notification procedures under the Resource Management Act 1991 see Rules 5.2.2, 5.2.3, 5.2.4 and 5.3.3.1 of Chapter 5 - General Procedures and Rules.

Rule

17.15.9.3.42 Activity Table

Note: In the table below, the terms used have the following meanings:

P = Permitted Activity

C = Controlled Activity

RD = Restricted Discretionary Activity

N/C = Non-Complying Activity.

Refer to Figure for Precincts	Northern Terraces	Gateway Integrated Housing	Gateway Apartments	Village Apartments	Marine Commercial	Marine Services	Stormwater Management	Village Square	Future Harbour	Riparian Margin
<u>Any activity that does not meet the development and performance standards in Rule 17.15.9.3 (except Rule 17.15.9.3.1(c) where RD status applies)</u>	<u>N/C</u>	<u>N/C</u>	<u>N/C</u>	<u>N/C</u>	<u>N/C</u>	<u>N/C</u>		<u>N/C</u>	<u>N/C</u>	
The erection of any new building or the external alteration or extension to any existing building (excluding minor cosmetic alterations or repairs which do not change the design and appearance of the exterior of the building)	C	C	C	C	C	C	<u>N/C</u>	<u>N/C</u>	<u>N/C</u>	<u>N/C</u>
The erection of any new building or the external alteration or extension to any existing building (excluding minor cosmetic alterations or repairs which do	RD	RD	RD	RD	RD	RD	<u>N/C</u>	<u>N/C</u>	<u>N/C</u>	<u>N/C</u>

not change the design and appearance of the exterior of the building) where the relevant development and performance standards are not complied with.										
<u>Any amendment to the location / design of a development where the site has subsequently been given a subdivision consent</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>		<u>RD</u>	<u>RD</u>	
Minor cosmetic alterations or repairs which do not change the design and appearance of the exterior of the building and internal restoration, repair or alterations.	P	P	P	P	P	P	P	P	P	P
The demolition or removal of any building or part of a building.	P	P	P	P	P	P	P	P	P	P
A single household unit needed for a person whose responsibilities	P	P	P	P	P	P	N/A	N/A	N/A	N/A

require them to live on the site.										
Artworks, open air markets and displays.	N/C	N/C	N/C	N/C	N/C	N/C	N/C	P	N/C	N/C
Bed and Breakfast Accommodation.	P	P	P	P	N/C	N/C	N/C	N/C	N/C	N/C
Cafes, taverns, restaurants, tea rooms and take away food premises.	N/C	N/C	C in Mixed Use Overlay Areas otherwise N/C	C in Mixed Use Overlay Areas otherwise N/C	C	N/C	N/C	N/C	N/C	N/C
Car parking	P	P	P	P	P	P	N/C	N/C	N/C	N/C
Charter boat operations.	N/C	N/C	R(D) in Mixed Use Overlay Areas otherwise N/C	R(D) in Mixed Use Overlay Areas otherwise N/C	P	P	N/C	N/C	N/C then P once harbour constructed.	N/C
Childcare services and facilities.	N/C	N/C	R(D) in Mixed Use Overlay Areas otherwise N/C	R(D) in Mixed Use Overlay Areas otherwise N/C	N/C	N/C	N/C	N/C	N/C	N/C
Clubrooms.	N/C	N/C	R(D) in Mixed Use Overlay Areas otherwise N/C	R(D) in Mixed Use Overlay Areas otherwise N/C	C	N/C	N/C	N/C	N/C	N/C
Commercial services.	N/C	N/C	N/C	N/C	C	C	N/C	N/C	N/C	N/C
Community and healthcare services and facilities.	N/C	N/C	C in Mixed Use Overlay Areas otherwise N/C	C in Mixed Use Overlay Areas otherwise N/C	N/C	N/C	N/C	N/C	N/C	N/C
Convenience shop.	N/C	N/C	C in Mixed Use Overlay	C in Mixed Use Overlay	P	N/C	N/C	N/C	N/C	N/C

			Areas otherwise N/C	Areas otherwise N/C						
Display, lease, hire or sale of marine vessels.	N/C	N/C	R(D) in Mixed Use Overlay Areas otherwise N/C	R(D) in Mixed Use Overlay Areas otherwise N/C	P	P	N/C	N/C	N/C then P once boat harbour operational.	N/C
Excavation works associated with the creation of new water space which will become part of the coastal marine area.	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	C	N/C
Exhibition centres and museums.	N/C	N/C	C	C	C	N/C	N/C	N/C	N/C	N/C
Facilities directly associated with marine recreation not specified as a permitted or controlled activity.	N/C	N/C	RD in Mixed Use Overlay Areas otherwise N/C	RD in Mixed Use Overlay Areas otherwise N/C	RD	P	N/C	N/C	N/C then P once boat harbour operational.	N/C
<u>Ferry Terminus</u>	<u>N/C</u>	<u>N/C</u>	<u>N/C</u>	<u>N/C</u>	<u>RD</u>	<u>RD</u>		<u>RD</u>	<u>RD</u>	
Helistop.	N/C	N/C	N/C	N/C	RD	P <u>D</u>	N/C	N/C	N/C	N/C
<u>Homes for the Aged accommodating up to 15 persons inclusive of owner, family and staff.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N/C</u>	<u>N/C</u>		<u>N/C</u>	<u>N/C</u>	
<u>Homes for the aged accommodating</u>	RD	RD	RD	RD	<u>N/C</u>	<u>N/C</u>		<u>N/C</u>	<u>N/C</u>	

more than 15 persons.										
Hotels and conference facilities.	N/C	N/C	C in Mixed Use Overlay Areas otherwise N/C	C in Mixed Use Overlay Areas otherwise N/C	N/C	N/C	N/C	N/C	N/C	N/C
Integrated intensive housing	C	C	C	C	N/C	N/C	N/C	N/C	N/C	N/C
Locker storage facilities for marine vessels.	N/C	N/C	N/C	N/C	C	P	N/C	N/C	N/C	N/C
Marina and yachting administration and ticketing facilities.	N/C	N/C	N/C	N/C	P	P	N/C	N/C	N/C	N/C
Marine-related retail sale activities (including the sale of marine vessels).	N/C	N/C	RD in Mixed Use Overlay Areas otherwise N/C	RD in Mixed Use Overlay Areas otherwise N/C	P	P	N/C	N/C	N/C	N/C
Maritime education facilities.	N/C	N/C	RD in Mixed Use Overlay Areas otherwise N/C	RD in Mixed Use Overlay Areas otherwise N/C	P	P	N/C	N/C	N/C	N/C
Manufacture, servicing, maintenance and repair of marine vessels.	N/C	N/C	N/C	N/C	N/C	P	N/C	N/C	N/C	N/C
Offices.	N/C	N/C	C in Mixed Use Overlay Areas otherwise N/C	C in Mixed Use Overlay Areas otherwise N/C	P	P N/C	N/C	N/C	N/C	N/C

<u>Offices ancillary to the manufacture, servicing, maintenance and repair of marine vessels</u>	<u>N/C</u>	<u>N/C</u>	<u>N/C</u>	<u>N/C</u>	<u>P</u>	<u>P</u>		<u>N/C</u>	<u>N/C</u>	
Personal and other services.	N/C	N/C	C in Mixed Use Overlay Areas otherwise N/C	C in Mixed Use Overlay Areas otherwise N/C	C	N/C	N/C	N/C	N/C	N/C
Public toilets, shelter and changing rooms.	N/C	N/C	N/C	N/C	P	P	N/C	N/C	N/C	N/C
Residential activities <u>NB the residential buildings themselves require a resource consent</u>	P	P	P	P	N/C	N/C	N/C	N/C	N/C	N/C
Retail sale activities (except marine-related) (with a gross floor area of 90m ² or less).	N/C	N/C	P in Mixed Use Overlay Areas otherwise N/C	P in Mixed Use Overlay Areas otherwise N/C	C	N/C	N/C	N/C	N/C	N/C
Retail sale activities (except marine-related) (with a gross floor area of greater than 90m ²).	N/C	N/C	RD in Mixed Use Overlay Areas otherwise N/C	RD in Mixed Use Overlay Areas otherwise N/C	R(D)	N/C	N/C	N/C	N/C	N/C
Storage and sale of fuel and oil for	N/C	N/C	N/C	N/C	N/C	P	N/C	N/C	N/C	N/C

marine vessels.										
Storage of marine vessels.	N/C	N/C	N/C	P	N/C	P	N/C	N/C	N/C	N/C
Travellers accommodation.	RD	RD	C	C	N/C	N/C	N/C	N/C	N/C	N/C
Signs.	Refer Chapter 5 General Procedures and Rules									
Temporary activities.	Refer Chapter 5 General Procedures and Rules									
Land modification, development subdivision.	Refer Chapter 9 Land Modification, Development and Subdivision Refer to Rule 9.8.3.4 for Stormwater Management Areas and Riparian Management Precincts									
Hazardous facilities and substances.	Refer 10.1 Hazardous Facilities and Waste Management									
Network utility services.	Refer Chapter 7 Utility Services									
<u>Roads</u> , parking, access and loading.	Refer Chapter 8 Transportation									
Home enterprises.	Refer Section 5.18.5 Chapter 5 General Procedures and Rules									

17.15.9.4-3 Development and Performance Standards

Rule

17.15.9.4-3.1 Staging

~~The rate of development of Pine Harbour in accordance with the Pine Harbour Development Plan is dependant on the availability of wastewater treatment capacity and potable water supply.~~

~~The current capacity of the Beachlands-Maraetai Waste Water Treatment Plant and the existing potable water supply is sufficient to service Stage 1. The development of further stages of the Pine Harbour Development Plan is dependant on agreement from Council to utilise existing waste water treatment capacity, the future upgrade of the Beachlands-Maraetai Treatment Plant or the approval of an alternative wastewater treatment and disposal method. Likewise, resource consent for additional water take from the existing water bore may be required to service Pine Harbour beyond Stage 1.~~

17.15.9.2.1 Staging Rules

- ~~(a) Activities and the location of these within the Marine Services Precinct will change over time. At the time of the design of the first residential apartment immediately adjoining the Marine Services Precinct, a review of current operational practices and their location within the Precinct will need to shall be undertaken by Pine Harbour Marina Ltd (or its successors) and a Marine Services Management Plan prepared. This Management Plan is to be submitted as part of the first application for any residential apartment block immediately adjoining the Marine Services Precinct and used as the basis for assessing any potential reverse sensitivity issues under Rule 17.15.10.1.2(a)(xii) or 17.15.11.1.2(a).~~
- ~~(b)(a) The first stage of the development of Pine Harbour in accordance with the Pine Harbour Development Plan shall be the area referred to as Stage 1 in Figure 17.15.2. Stage 1 can be developed on the basis that the total wastewater connection equivalents of 200 people are not exceeded within Pine Harbour.~~
- ~~(c)(b) Development, which requires wastewater or potable water, of further stages beyond Stage 1 of the Pine Harbour Development Plan is a restricted discretionary activity until such time that the provision of additional wastewater and portable services has been provided. Any resource consent application for such a development shall be assessed in accordance with Rule 17.15.11.3 and 17.15.11.4 in addition to any other rules the development is required to be assessed under.~~
- ~~(d) At the time of the first consent that incorporates any new road Pine Harbour Marina Ltd (or its successors) shall nominate the route of a road connecting the ferry terminus area with Karaka Road, the route of bus access to the ferry terminus area and the route of heavy vehicle access to the Marine Services Precinct.~~
- ~~(e) Any development after 1 November 2010 within the Pine Harbour Marina Zone beyond 500m² of non-residential use or 12 residential units shall include provision for the construction of a public road connection between the ferry terminus area and Karaka Road.~~

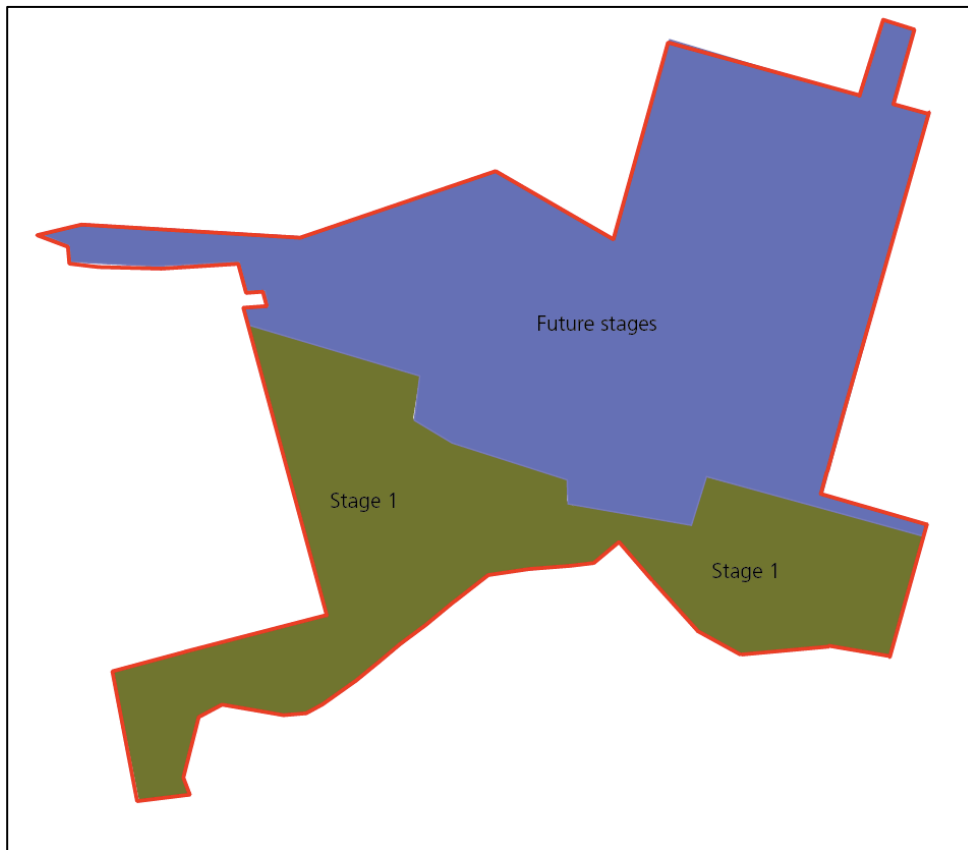


FIGURE 17.15.2 STAGING PLAN

Rule

17.15.9.4 3.2: Development Standards for Buildings

The following development and performance standards (Table A and Rules 17.15.9.53.3 to 17.15.9.43.12) apply to all permitted and controlled activities.

~~Development standards are listed for the four residential and the marine commercial and services precincts only as no buildings are provided for as permitted or controlled activities in the other precincts.~~

TABLE A DEVELOPMENT STANDARDS`

Control Standard	Northern Terraces	Gateway Integrated Housing	Gateway Apartments	Village Apartments	Marine Commercial	Marine Services
Number of Floors	Minimum – 2 Maximum – 2 + 1 (for habitable roof space)	Minimum – 2 Maximum – 2 + 1 (for habitable roof space)	Minimum – 2 Maximum – 4 3 in non-overlay area and 5 in overlay area.	Minimum – 4 2 Maximum – 5 4 in non-overlay area and 6 5 in overlay area.	Minimum – 2 Maximum – 3 2	N/A
Maximum Height	9m	9m	<u>12m</u> 16m in non-overlay areas. 19m 18m in additional height overlay area. 12m in additional height constraint overlay area.	<u>15m</u> 18m in non-overlay areas. 21m 18m in additional height overlay areas. 15m in additional height constraint overlay area 1.	12m <u>9m</u>	9m

Threshold Condition (ground floor above adjacent footpath)	N/A	N/A	Minimum - 0.5m Maximum - 1.25m	Minimum - 0.5m Maximum - 1.25m	N/A	N/A
Site Width	<p>Maximum - 4.0<u>20</u></p> <p>Minimum – 4.5m <u>6.5m</u> except within the narrow lot overlay areas this can be reduced to 4.5m and (b) a total of 20% of lots outside the narrow lot area can be reduced to 4.5m provided that:</p> <p>i) <u>no more than three narrow lots are contiguous and within one contiguous street frontage; and</u></p> <p>ii) <u>no more than one unit within a group may contain a garage door facing a street and</u></p> <p>iii) <u>A habitable room must face the street.</u></p>	<p>Minimum – 4.5m<u>6.0m</u></p> <p>Maximum – 4.0<u>25m</u></p>	N/A	N/A	N/A	N/A
Site Depth	<p>Minimum – 18m<u>22m</u> if <u>garages incorporated in street facing elevation.</u></p> <p>30m if <u>garages provided and accessed from rear lane.</u></p>	<p>Minimum – 18m<u>22m</u> if <u>garages incorporated in street facing elevation.</u></p> <p>30m if <u>garages provided and accessed from rear lane.</u></p>	N/A	N/A	N/A	N/A
Front Setback	<p>Minimum 2m. Maximum 5m</p> <p>Except garages which are to have a minimum setback of</p>	<p>Minimum 2m. Maximum 5m</p> <p>Except garages which are to have a minimum setback of 0.5m from the</p>	<p>Minimum – 0m. Maximum – 1m.</p>	<p>Minimum – 0m. Maximum – 1m.</p>	<p>Minimum – 0m. Maximum – 1m.</p>	<p>0m</p>

	0.5m from the building frontage and 5m minimum setback from the front boundary.	building frontage and 5m minimum setback from the front boundary.				
Rear Setback	5m <u>8m</u> .	<u>Minimum 8m</u>	N/A The separation distance between balconies or windows of primary living spaces in directly opposing buildings shall not be less than 20m and shall otherwise be not less than 15m. Facades with no glazing shall be not less than 10m apart.	0m The separation distance between windows of primary living spaces of directly opposing buildings shall be not less than 20m and shall otherwise be not less than 15m. Facades with no glazing shall be not less than 10m apart.	N/A	No building beyond the building restriction line.
Side Setback	N/A <u>Minimum 6m side to side separation for detached dwellings</u>	Minimum 5m.	N/A The separation distance between balconies or windows of primary living spaces in directly opposing buildings shall not be less than 20m and shall otherwise be not less than 15m. Facades with no glazing shall be not less than 10m apart.	N/A The separation distance between balconies or windows of primary living spaces in directly opposing buildings shall not be less than 20m and shall otherwise be not less than 15m. Facades with no glazing shall be not less than 10m apart.	N/A	N/A
Maximum Permitted Site Coverage	60% For lots less than 200m ² – <u>65%</u> For lots greater than 200m ² – <u>50%</u>	60% For lots less than 300m ² – <u>50%</u> For lots greater than 300m ² – <u>40%</u>	75%	75%	80%	400% <u>50% of the entire area of the Precinct.</u>
Maximum Impermeable Area	85% For lots less than 200m ² – <u>85%</u> For lots greater than 200m ² – <u>70%</u>	85% For lots less than 300m ² – <u>75%</u> For lots greater than 300m ² – <u>65%</u>	100%	100%	100%	100%

Minimum Permeable Area	45% For lots less than 200m ² – 15% For lots greater than 200m ² – 30%	45% For lots less than 300m ² – 25% For lots greater than 300m ² – 35%	N/A	N/A	N/A	N/A
Minimum Private Open Space per lot	50m ² For houses of 2 bedrooms or less – 40m ² . For houses of more than 2 bedrooms – 80m ² .	50m ² 100m ² which can be comprised of more than one space provided each space is not less than 40m ²	Ground floor apartments – 15m ² . Other floors – 5m ² for single bedroom apartments and 8m ² for all other apartments.	Ground floor apartments – 15m ² . Other floors – 5m ² for single bedroom apartments and 8m ² for all other apartments.	N/A	N/A
Building Frontage Control	The width of garaging shall not exceed 50% of site width.	The width of garaging shall not exceed 50% of site width.	N/A	N/A	N/A	N/A
Driveway Width Control	The amount of road frontage taken up by driveways, accessways or car parking areas at the front boundary shall be limited to 3.5m. Driveways, accessways and carparking may splay from the front boundary up to a width no greater than 50% of the total width of the road frontage.	The amount of road frontage taken up by driveways, accessways or car parking areas at the front boundary shall be limited to 3.5m. Driveways, accessways and carparking may splay from the front boundary up to a width no greater than 50% of the total width of the road frontage.	N/A	N/A	N/A	N/A
Minimum floor to ceiling height	Ground floor – 2.7m Other floors – 2.4m	Ground floor – 2.7m Other floors – 2.4m	Ground floor – 3.0m Other floors – 2.4-7m	Ground floor – 3.0m Other floors – 2.4-7m	N/A	N/A
Maximum Fencing Height in the front yard	900mm	900mm	900mm	900mm	900mm	900mm

Note: Development standards in the above table are listed for the four residential and the marine commercial and services precincts only as no buildings are provided for as permitted or controlled activities in the other precincts.

Explanation/Reasons

A range of possible floor numbers along with a maximum permitted height have been provided to guide the expected level of development while at the same time addressing the visual amenity values of the coastal environment and views from the surrounding elevated residential areas. A range of heights has been provided for to ensure a monotonous roof line does not result and also to ensure more prominent buildings can be developed in key locations.

Lot widths and depths and front setbacks have been set for the Northern Terraces and Gateway Integrated Housing Precincts which are likely to be developed for terrace housing or duplexes respectively. These controls will ensure each lot is of an adequate size while at the same time controlling, in part, potential adverse effects on adjoining sites or the streetscape.

Controls on building coverage, impermeable areas and permeable areas have been set for the Northern Terraces and Gateway Integrated Housing Precincts where a lower density of development is required and outdoor private open spaces are to be provided. Although a 100% maximum impermeable area is provided in the in the Gateway Apartments, Village Apartments, Marine Commercial and Marine Services, to allow for total coverage over these areas by the basement car parking, a maximum 75% above ground site coverage for individual precincts is ~~required~~ provided for. This will allow for the development of open space on the basement car parking "roof" as part of the development within these precincts.

Note: for the purposes of Pine Harbour "Impermeable area" means any buildings or surface on the land which creates a physical barrier to water penetration on the surface of any part of the land but shall not include paths less than 1m in width.

Rule

17.15.9.5 3.3 Design Controls for Individual Apartments

- (a) Individual apartments shall be designed to meet the following minimum gross floor area standards:

Studio or One Bedroom – 45m².

The minimum gross floor area for studio and 1 bedroom accommodation units may be reduced by 5m² where a balcony of 5m² or greater is provided.

Two Bedrooms – 70m².

Three or more bedrooms – 90m².

The minimum gross floor area for 2 and 3 or more bedroom accommodation units may be reduced by 8m² where a balcony of 8m² or greater is provided.

- (b) In any one residential apartment building containing in excess of 20 residential units, the combined number of studios and one bedroom units shall not exceed 70% of the total number of apartments within the building.

Explanation/Reasons

A minimum gross floor area for residential apartments has been set to ensure an appropriate level of internal amenity is achieved within each unit.

Rule

17.15.9.63.4 Noise

Rule

17.15.9.63.4.1 Sound Insulation of Residential Buildings

All residential units shall be designed and constructed to provide an indoor noise level of no more than 35dBA L_{eq} in any 15 minutes in every bedroom and 45dBA L_{eq} in any 15 minutes in any other habitable spaces with ventilation windows open, based on the noise levels standard in Table B below as applicable.

Rule

17.15.9.6.4.2 Noise Limits

Every activity in the Pine Harbour Marina Zone shall be conducted so as to ensure that the noise levels in Tables A and B are not exceeded:

Table A – Noise Levels at Adjoining Zones

ACTIVITY	AVERAGE MAXIMUM LEVEL			MAXIMUM
	L_{eq} dBA MONDAY TO SUNDAY			L_{MAX} dBA
	7.00AM – 6.00PM (0700- 1800)	6.00PM – 10.00PM (1800- 2200)	AT ALL OTHER TIMES	10.00PM– 7.00AM (2200- 0700)
Any Residential zoned site.	50	45	40	65
For any Rural Zoned Site - At the notional notional boundary of any dwelling.	45	40	35	65

Table B – Noise Levels within the Pine Harbour Marina Zone

ACTIVITY	AVERAGE MAXIMUM LEVEL			MAXIMUM
	L_{eq} dBA MONDAY TO SUNDAY			L_{MAX} dBA
	7.00AM – 6.00PM (0700- 1800)	6.00PM – 10.00PM (1800- 2200)	AT ALL OTHER TIMES	10.00PM– 7.00AM (2200- 0700)
At any site boundary	55	50	45	70

- (a) The noise levels shall be measured and assessed in accordance with the requirements of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics – Environmental Noise*.

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

- (b) Notwithstanding the noise standards above, the Council may invoke the powers conferred on it under the relevant sections of the Resource Management Act 1991 to control any noise which has become an objectionable element or nuisance.
- (c) Provided that the standards set out in ~~Rule 17.15.9.6.2~~ Tables A and B may be exceeded on days of special events within the Pine Harbour Marina Zone subject to the following conditions:
- (i) The measured noise level of up to six special events in any one calendar year, not exceeding six hours duration for any one event, shall not exceed:
 - 75dBA L_{40eq} for five events between 9:00am and 11:00pm and;
 - 75dBA L_{40eq} on New Years Eve between 9:00am and 12:30am the following day.
 - (ii) Such special events shall be notified to the Manukau City Council at least seven working days prior to the dates of those events.

Explanation/Reasons

To achieve a satisfactory acoustic environment, maximum allowable levels of noise which are compatible with various human activities such as speech, communication and sleep have been defined and included in the Plan. Different noise levels have been set for the adjoining Residential and Rural Zones as well as internally to reflect the different sensitivities of these environments.

Rule

17.15.9.73.5 Natural Hazards

All buildings shall be sited clear of the 1% annual exceedence probability flood path of any stream system.

Explanation/Reasons

A building separation distance from the stream system helps to protect buildings from flood damage, and promotes the efficient functioning of the stormwater system.

Rule

17.15.9.83.6 Odour, Dust, Fumes and Smoke

(a) Odour

Activities must not create offensive or objectionable odour able to be detected at or beyond the boundary of the site. In the event of an offensive or objectionable odour occurring to such an extent that it has, or is likely to have an adverse effect on people, places or resources, such action shall be taken as may be necessary by the owner and or occupier to remedy the situation to the satisfaction of the Council.

(b) Dust, Fumes and Smoke

Activities shall not create a dust, fume or smoke nuisance. In the event of an event occurring to such an extent that it has, or is likely to have an adverse effect on people, places or resources, such action shall be taken as may be necessary by the owner and or occupier to remedy the situation to the satisfaction of the Council.

Explanation/Reasons

The reason for adopting dust, fume, smoke and odour controls is to provide a practicable means of controlling situations which are not satisfactorily regulated by controls on air discharges.

Flexibility is needed so that various alternatives can be used to avoid or reduce the problem. The control adopted recognises both the subjective nature of the task and the need to provide for flexibility to take whatever action is needed to solve the problem.

Rule

17.15.9.93.7 Vibration

All activities shall comply with the Vibration Rule (5.18.4.1) in Chapter 5 - General Procedures and Rules.

Rule

17.15.9.403.8 Artificial Lighting

Refer Rule 5.18.2 in Chapter 5 - General Procedures and Rules.

Rule

17.15.9.443.9 Hazardous Facilities and Substances

Refer Chapter 10.1 Hazardous Facilities and Substances.

Rule

17.15.9.423.10 Signs

Refer to Chapter 5 - General Procedures and Rules.

Rule

17.15.9.3.11 Erosion / Sediment Control

- (a) All provisions in Chapter 9 – Land Modification and Subdivision shall apply
- (b) All earthworks shall be undertaken in general accordance with the Erosion / Sediment Control Measures in Appendix 17A.

Rule

17.15.9.3.12 Retail Sales

The total gross floor area used for retail sales (except marine related) within the Pine Harbour Marina Zone shall not exceed 1500m².

Explanation/reasons

A limitation on retail floorspace is imposed to ensure that retail activities at Pine Harbour are at a scale complementary to the amenity values of that area and the wider Beachlands locality.

Note: To avoid doubt, the limitation on “Retail Sales” does not include Restaurants or Cafes.

~~17.15.9.135 Subdivision – Controlled Activity~~

~~Subdivision to create a lot for any controlled or restricted discretionary activity (under Rule 17.15.9.3.2 Activity Table) where resource consent has been obtained shall be a controlled activity.~~

17.15.10 Matters for Discretion – Controlled Activities Rules – Matters for Control

All controlled activities shall comply with the development and performance standards in Rule 17.15.9.43 to 17.15.9.44. In addition, the Council retains control over the following matters for specified activities.

Rule

17.15.10.1 Erection of any New Building (except for Integrated Intensive Housing), and/or the External Alteration or Extension of any Building

Rule

17.15.10.1.1 Council reserves control over the following matters in respect of each of the above activities and may impose conditions in respect of each

- (a) Design and external appearance of buildings.
- (b) Public access through Pine Harbour Marina.
- (c) Landscape treatment.
- d) Car parking.
- (e) Servicing.
- (f) Provision, layout and design of roads

Rule

17.15.10.1.2 When assessing an application for a Controlled Activity resource consent for the above activity Council will have regard to the following assessment criteria ~~(where relevant)~~ and any relevant matters set out in Section 104 of the Act:

(a) Design and External Appearance of Buildings

- (i) Whether the location and design of any servicing elements have been incorporated into facades.
- (ii) Whether any signage is integrated with the architecture of the building.
- (iii) Whether building frontages at street level contribute to public safety and if building entrances are visible and easily identifiable from the street and directly accessible from street level and incorporate elements to provide for pedestrian shelter.
- (iv) Whether building facades provide interest and contribute positively to the streetscape (where relevant).
- (v) Whether roof profiles are designed as part of the overall building form and avoid the creation of a monotonous roof line. This may include the integration of mechanical plant and lift towers into the overall rooftop design.
- (vi) Whether the design of buildings located on the corner of streets positively articulate the corner.
- (vii) Where relevant, whether internal living spaces within buildings maximise outlooks onto the marina and/or open spaces (including the stormwater management and riparian areas).
- (viii) Whether the design of vehicle ingress and egress to basement car parks is designed in a safe manner and located to reflect the road function.
- (ix) Whether building frontages are designed as far as practical to avoid multiple service and vehicle accessways.
- (x) Whether there is adequate storage space and containers for the collection of rubbish and recyclable material and whether it is in a location which is easily accessible to occupants and collection vehicles.
- (xi) For sites directly adjoining a different zone, consideration of the interface of the between the subject site and the adjoining zone must be shown.
- (xii) Where relevant, consideration needs to be given to reverse sensitivity issues which may arise from existing marine-related industries or other marina activities. In some cases this may need to include consideration of additional acoustic treatment, visual screening, security and landscaping.
- (xiii) Whether the building design and location is consistent with the form and character of the precinct it is located within as described under Rule 17.15.8.

(b) Public Access

- (i) Whether the building location and design maintains public access (including pedestrian access) to the coastline and to and along areas of open space including Public Open Space zoned land.
- (ii) Whether the design contributes to the provision of a safe and attractive walking and cycling environment.
- (iii) Where relevant, whether the design contributes to the integration of passenger transport services.

- (c) Landscape Treatment
 - (i) Whether open spaces provide for appropriate recreational and/or amenity values which complement the adjoining land use activities.
 - (ii) Whether landscaping is consistent with other landscaping through Pine Harbour and adjoining Public Open Space zoned land.
- (d) Servicing
 - (i) Refer to Chapter 9 Land Modification, Development and Subdivision.
 - (ii) Consistency with the Water Supply Demand Management Plan prepared in accordance with the requirements of any relevant groundwater take permit and any other requirements of the groundwater take permit.
- (e) Residential Apartment Design Guide
 - (i) In respect of residential apartments, the provisions of the MCC Residential Apartment Design Guide (May 2010) (and any subsequent updates) shall apply.
- (f) Car parking and access
 - (ii) Whether access and egress to parking and for goods delivery vehicles is safe and avoids traffic conflict. Refer also to the Assessment Criteria in Chapter 8 under Rule 8.25.
- (g) Roads (note – these criteria are additional to those that apply in Chapter 8)
 - (i) Whether roads are provided in general accordance with the Indicative Road pattern as shown on the Pine Harbour Development Plan Figure 17.15.1.
 - (ii) Whether the roading pattern aligns with any existing or planned roads on adjoining sites.
 - (iii) Whether roads are positioned having regard to the maintenance of viewshafts through the zone.
 - (iv) Whether roads are designed to integrate with the development of adjoining sites.
 - (v) Whether adequate provision is made for a road connection between the Pine Harbour Marina Zone and Karaka Road.

17.15.10.2 Rule Integrated Intensive Housing

Rule

- 17.15.10.2.1** Council reserves control over the following matters for Integrated Intensive Housing and may impose conditions in respect of each:
- (a) Neighbourhood design including linkages, street layout, street frontages, interfaces with adjoining land use activities, public access, vehicle access, open space, parking, landscape provision;
 - (b) Site and building design including site size, balconies, building frontages, landscape provisions and vehicle access; and
 - c) Car parking.
 - (d) Servicing.

(e) Provision, layout and design of roads

Rule

17.15.10.2.2 ~~When assessing an application under this rule the Council will have regard for Integrated Intensive Housing, the Council will have regard to the "Design Code for Intensive Housing" (Appendix 1 to Chapter 13) except Sections A10, B1 Standards, B3 Standards and B4 Standards) and to the following assessment criteria and any relevant matters set out in Section 104 of the Act and may impose conditions in respect of each:~~

~~(a) Neighbourhood and Site Design~~

- ~~(i) Matters within the "Design Code for Intensive Housing" (Appendix 1 to Chapter 13) except Sections A10, B1, Standards, B3 Standards and B4, Standards. Whether the "Design Code for Intensive Housing" has been complied with as an integrated document.~~
- ~~(ii) Whether landscaping is consistent with other landscaping through Pine Harbour and adjoining Public Open Space zoned land.~~
- ~~(iii) Whether the building designs and locations are consistent with the form and character of the precinct they are located within as described under Rule 17.5.8.~~

(a) Design Guidelines

- (i) Whether regard has been had to the 'Design Code for Intensive Housing' contained in Appendix 1: Chapter 13 Residential Areas.
- (ii) In respect of residential apartments, the provisions of the MCC Residential Apartment Design Guide (May 2010) (and any subsequent updates) shall apply.

(b) Site Layout

- (i) Whether the configuration of the units is consistent with and relates to the predominant surrounding urban form.
- (ii) Whether the site configuration ensures buildings have a positive relationship to the street and in particular whether buildings are orientated to overlook the street with main unit entrances fronting the street and garaging located away from the street frontage.
- (iii) Whether vehicle access provided is functional and safe.
- (iv) Whether the siting of buildings, structures, including carparking areas and private open space, maintains an acceptable level of privacy for adjoining household units.
- (v) Whether the private open space is located and designed to ensure easy access from living areas, good exposure to sunlight, and maintain the amenity of the streetscape. The principal private open space at ground level between dwelling fronts and streets should be minimal. Where provided it should be designed so as to create a visual connection between the dwelling and the street.
- (vi) Whether the private open space is appropriately screened from the private open space areas of other household units.

(c) Building Design and External Appearance

- (i) Whether the design and external appearance of buildings including scale and articulation, orientation and spacing complements other buildings in the vicinity.

- (ii) Whether the bulk, or repetitive form of the buildings is likely to detract from the visual amenity of the residential neighbourhood.
- (iii) Whether building orientation, the location of windows and entrances and/or the provision of screening devices maintains an acceptable level of privacy between units and for adjoining neighbours.
- (iv) Whether garages, garage doors or carparking on the site dominates the appearance of the site development when viewed from the street or private ways. In general, they should be recessed behind the front building line and integrated in the building design in a way that does not dominate the street frontage or private ways.

(d) Landscape Elements

- (i) Whether the proposal ensures the retention of any significant existing trees, vegetation or landforms.
- (ii) Whether the location, scale and design of landscaped areas effectively contributes to the amenity of the site and the wider area.

(e) Car parking and access

- (i) Whether access and egress to parking and for goods delivery vehicles is safe and avoids traffic conflict. Refer also to the Assessment Criteria in Chapter 8 under Rule 8.25.

(f) Roads (note – these criteria are additional to those that apply in Chapter 8)

- (i) Whether roads are provided in general accordance with the Indicative Road pattern as shown on the Pine Harbour Development Plan Figure 17.15.1.
- (ii) Whether the roading pattern aligns with any existing or planned roads on adjoining sites.
- (iii) Whether roads are positioned having regard to the maintenance of viewshafts through the zone.
- (iv) Whether roads are designed to integrate with the development of adjoining sites.
- (v) Whether adequate provision is made for a road connection between the Pine Harbour Marina Zone and Karaka Road.

~~(b)~~(g) Servicing

- (i) Refer to Chapter 9 Land Modification, Development and Subdivision.
- (ii) Consistency with the Water Supply Demand Management Plan prepared in accordance with the requirements of any relevant groundwater take permit and any other requirements of the groundwater take permit.

Rule

17.15.10.3

Cafes, restaurants, taverns, tearooms take-away food premises, clubrooms, hotels and conference facilities, exhibition centres and museums, convenience shop, locker storage facilities, travellers accommodation, retail sale activities, commercial services, community and healthcare services and facilities, offices and personal and other services

Rule

17.15.10.3.1 Council reserves control over the following matters for the above activities and may impose conditions in respect of each:

- (a) Design and external appearance of any building.
- (b) Relationship with adjoining activities.
- (c) Car parking and access.
- (d) Servicing.
- (e) Provision, layout and design of roads

Rule

17.15.10.3.2 When assessing an application for the above activities, the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act and may impose conditions in respect of each:

- (a) Design and external appearance
 - (i) Whether the design and external appearance of any building is in context with the surrounding development and is consistent with the form and character of the precinct it is located within as described under Rule 17.5.8.
 - (ii) Whether the design and external appearance of any building required for the activity maintains or enhances the streetscape or precinct it is located within.
- (b) Relationship with adjoining activities.
 - (i) Where relevant, consideration needs to be given to sensitivity issues which may arise from existing marine-related industries, other marina activities and/or adjoining residential activities. In some cases this may need to include consideration of additional acoustic treatment, visual screening, security and landscaping.
- (c) Car parking and access
 - (i) Whether access and egress to parking and for goods delivery and service vehicles is safe and avoids traffic conflict. Refer also to the Assessment Criteria in Chapter 8 under Rule 8.25.
- (d) Servicing.
 - (i) Refer to Chapter 9 Land Modification, Development and Subdivision.
 - (ii) Consistency with the Water Supply Demand Management Plan prepared in accordance with the requirements of any relevant groundwater take permit and any other requirements of the groundwater take permit.
- (e) Roads (note – these criteria are additional to those that apply in Chapter 8)
 - (i) Whether roads are provided in general accordance with the Indicative Road pattern as shown on the Pine Harbour Development Plan Figure 17.15.1.
 - (ii) Whether the roading pattern aligns with any existing or planned roads on adjoining sites.

(iii) Whether roads are positioned having regard to the maintenance of viewshafts through the zone.

(iv) Whether roads are designed to integrate with the development of adjoining sites.

(v) Whether adequate provision is made for a road connection between the Pine Harbour Marina Zone and Karaka Road.

Rule

17.15.10.4 Excavation works associated with the creation of future harbour

Rule

17.15.10.4.1 Council reserves control over the following matters for the above activity and may impose conditions in respect of each:

- (a) Design and external appearance.
- (b) Public Access.

Rule

17.15.10.4.2 When assessing an application for the above activity, the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act and may impose conditions in respect of each:

- (a) Design and external appearance
 - (i) Whether the design and external appearance of the future harbour is in context with the surrounding development.
 - (ii) Whether there is a strong connectivity between the future harbour and the adjoining land uses and in particular the Village Square.
- (b) Public Access
 - (i) Whether adequate provision has been made for pedestrian access along the future harbour and whether this provides safe and convenient access to boats.

17.15.11 Matters for Discretion - Restricted Discretionary Activities

~~For restricted discretionary activities, Council retains discretion over the following matters.~~

17.15.11.1. All Restricted Discretionary Activities listed under Rule 17.15.9.2.

When assessing an application under this rule the Council restricts the exercise of its discretion to the matters outlined in Rule 17.15.10.1.1 and will have regard to the assessment criteria outlined in Rule 17.15.10.1.2 and any relevant matters set out in Section 104 of the Act:

17.15.11.1.1 The Council restricts the exercise of its discretion to the following matters when assessing an application for resource consent for restricted discretionary activities listed under 17.15.9.3-42 and may impose conditions in respect of each of them:

- (a) Design and external appearance of buildings and relationship to adjoining activities.
- (b) Public access through Pine Harbour Marina.
- (c) Landscape treatment.
- (d) Car parking.
- (e) Servicing.
- (f) Provision, layout and design of roads
- (g) Effects on the current and future function of the Marine Services Precinct for marine service activities

17.15.11.1.2 When assessing an application under this rule the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

~~17.15.11.2 When assessing an application for restricted discretionary activities listed under 17.15.9.3.1 in the Pine Harbour Marina Zone, the Council will have regard to the following assessment criteria and any relevant matters set out in section 104 of the Act, and may impose conditions in respect of each of them:~~

- (a) Design and external appearance of buildings and relationship to adjoining activities
 - (i) Those matters listed under Rule 17.15.10.1.2(a).
- (b) Public access through Pine Harbour Marina
 - (i) Whether the building location and design maintains and enhances public access (including pedestrian access) to the coastline and to and along areas of open space including Public Open Space zoned land.
 - (ii) Where relevant, whether the design contributes to the integration of passenger transport services.
- (c) Landscape Treatment
 - (i) Whether open spaces provide for appropriate recreational and/or amenity values which complement the adjoining land use activities.
 - (ii) Whether landscaping is consistent with other landscaping through the Marina and adjoining Public Open Space zoned land.
- (d) Car parking and access
 - (i) Whether access and egress to parking and for goods delivery vehicles is safe and avoids traffic conflict. Refer also to the Assessment Criteria in Chapter 8, Rule 8.25.
- (e) Servicing
 - (i) Refer to Chapter 9 Land Modification, Development and Subdivision.
 - (ii) Consistency with the Water Supply Demand Management Plan prepared in accordance with the requirements of any relevant groundwater take permit and any other requirements of the groundwater take permit.
- (f) Residential Apartment Design Guide

(i) In respect of residential apartments, the provisions of the MCC Residential Apartment Design Guide (May 2010) (and any subsequent updates) shall apply.

(g) Roads (note – these criteria are additional to those that apply in Chapter 8)

(i) Whether roads are provided in general accordance with the Indicative Road pattern as shown on the Pine Harbour Development Plan Figure 17.15.1.

(ii) Whether the roading pattern aligns with any existing or planned roads on adjoining sites.

(iii) Whether roads are positioned having regard to the maintenance of viewshafts through the zone.

(iv) Whether roads are designed to integrate with the development of adjoining sites.

(v) Whether adequate provision is made for a road connection between the Pine Harbour Marina Zone and Karaka Road.

17.15.11.3 All Restricted Discretionary Activities Under Rule 17.15.9.3.1 (Staging)

17.15.11.3.1 The Council restricts the exercise of its discretion to the following matters when assessing an application for resource consent for a restricted discretionary activity listed under 17.15.9.23.1 and may impose conditions in respect of each of them:

- (a) The ability for adequate wastewater services to be provided for the development.
- (b) The ability for adequate potable water services to be provided for the development.

17.15.11.43.2 ~~When assessing an application under this rule for a restricted discretionary activity listed under 17.15.9.2.1 in the Pine Harbour Marina Zone, the Council will have regard to the following assessment criteria and may impose conditions in respect of each of them:~~

- (a) The ability for adequate wastewater services to be provided for the development:
 - (i) Adequate wastewater connections for the development can be provided. This can be achieved by Council having implemented a wastewater connection development contribution policy for Beachlands (or similar), the completion of the upgrading of the Beachlands-Maraetai Wastewater Treatment Plant, through an approved alternative wastewater treatment option or by Council approving the use of existing wastewater treatment capacity.
- (b) The ability for adequate potable water services to be provided for the development:
 - (i) Adequate potable water can be provided for the development.
 - (ii) Consistency with the Water Supply Demand Management Plan prepared in accordance with the requirements of any relevant groundwater take permit and any other requirements of the groundwater take permit.

Rule

17.15.11.4 Ferry Terminus

Rule

17.15.11.4.1 Council reserves control over the following matters for a Ferry Terminus and may impose conditions in respect of each:

- (a) Location and design of ferry terminus including associated activities
- (b) Integration of ferry terminus with surrounding development
- (c) Integration with bus stop and park and ride facilities

Rule

17.15.11.4.2 When assessing an application under this rule the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act and may impose conditions in respect of each:

- (i) Whether the following facilities can be provided in association with the ferry terminus.
 - a bus stop that enables passengers to transfer directly to the shelter at the ferry terminus;
 - a road network which enables bus services to get to the bus stop at the ferry terminus;
 - shelter for ferry passengers;
 - facilities for storing cycles;
 - facilities for drop off and pick up at the ferry terminus
- (ii) Whether the ferry terminus is to be developed and operated in a way that does not compromise achievement of the Objectives for the relevant Precinct.

17.15.12 Matters for Discretion – Specified Discretionary Activity (Helistop)

In deciding whether to grant or refuse consent for the above discretionary activity application and imposing conditions if consent is granted the Council shall have regard to the following matters and any relevant matters contained in Section 104 of the Act.

- (a) Whether the helistop is appropriately located for its intended purpose;
- (b) Whether the helistop will create significant adverse effects on the ability of the Marine Services Precinct to provide for marine service activities
- (c) Whether the operation of the helistop will create significant adverse effects on residential amenity within and beyond the zone.

17.15.13 SUBDIVISION

Rule

17.15.13.1 General

Subdivision in any part of the Pine Harbour Marina Zone shall comply with the following:

- a) Subdivision to create a lot for any Controlled or Restricted Discretionary Activity (under Rule 17.15.9.2 Activity Table) where resource consent has been obtained shall be a controlled activity.
- b) Any application for subdivision that does not comply with 17.15.13.1(a) shall be a Non-Complying Activity.

- c) An application for resource consent for a Controlled Activity, that complies with the development and performance standards, will not require public notification under Section 95A of the Resource Management Act 1991, nor will there be any affected persons under Section 95B of the Resource Management Act unless special circumstances exist, or the applicant requests that the application is notified under Section 95(2)(b) of the Act.

Rule

17.15.13.2 Subdivision Development and Performance Standards for Controlled Activities

Rule

17.15.13.2.1 General

Rules in Chapter 9 – Land Modification, Development and Subdivision shall apply, except as specified in the following rules.

Rule

17.15.13.2.2 Matters for Discretion

For Controlled Activity subdivision (under Rule 17.15.13.1(a)) restrictions and assessment criteria refer Rule 17.15.10 and Rule 17.15.11

Add New Definition to Chapter 18 Definitions

Ferry Terminus

means a place at which ferries berth for the arrival or departure of ferry passengers, and includes all associated activities and buildings.

4 AMEND (Note: Recommend that the provisions below as contained in the notified Plan Change be adopted)

Make the following changes to Chapter 5 General Procedures and Rules

Rule 5.14.9.3 Signs in the Residential, Rural, Future Development and the Special Zones (except the Quarry, Boat Harbour, Pine Harbour Marina and Health Care Activities Zone) contained in Chapter 17 of the District Plan.

Rule 5.14.9.5 Signs in the Business, Flat Bush Town Centre, Flat Bush Neighbourhood Centre, Quarry, Boat Harbour, Pine Harbour Marina and Health Care Activities Zone.

Rule 5.18.3.7 Table D – Helicopter Landing Area – Noise Performance Standards

Category	Affected Area	Ldn dBA	Lmax dBA
1	Residential, Papakainga, Maori Purposes sites other than those described in category 2 below. Rural (notational boundary)	50	65
2	Residential, Papakainga, Maori Purpose sites located adjacent to Business Zone 1, and where the background noise level is 50dBA or greater when measured during the period 0700-1800.	55	70
4	Business 2 – 4, <u>Pine Harbour Marina</u>	65	N/A
5	Business 5 - 6	70	N/A

Rule 5.18.4.1 To ensure that vibration from business activity does not cause a significant nuisance, no activity shall create vibration exceeding the following average levels:

- (i) At or within the boundary of any adjacent site zoned Residential, Papakainga, Pine Harbour Marina or Maori Purpose.

Rule 5.18.5. Home enterprise in the Residential, Rural, Future Development, Papakainga, Maori Purpose, Mangere, Puhinui Heritage and Mangere Puhinui Rural Zones, Flat Bush Zones (except Public Open Space Zones) and Pine Harbour Marina Zone.

5 AMEND

Make the following changes to Chapter 8 Transportation

Rule 8.27 Schedule 8A

ACTIVITY	PARKING SPACES TO BE PROVIDED
Household Units <u>except in the Gateway and Village Apartment precincts of the Pine Harbour Zone</u>	2 for every household unit
<u>Household Units in the Gateway and Village Apartment precincts of the Pine Harbour Zone</u>	1 for every 1 bedroom or studio unit 1.5 for every 2 bedroom unit 2 for every 3 or more bedroom unit <u>Plus (for all units) 1 visitors car park for every five units.</u>

6 AMEND

Make the following changes to Chapter 10-1 Hazardous Facilities and Substances

Rule 10.1.8.2.5 Buffer for Sensitive Land Uses

- (b) The width of the buffer distance applied on the inside of the zone within which the hazardous facility is located if adjacent to a more sensitive land use zone is as follows.

ZONE	BUFFER APPLICATION ON THE INSIDE OF THE LAND USE ZONE IF ADJACENT TO A MORE SENSITIVE LAND USE ZONE
Explosives	100m
Mineral Extraction Business 6	30m
Business 5 Rural 1 (Special Rural 1) Mangere – Puhinui Rural Auckland International Airport	20m
Business 1, 2, 3, 4 Rural 2, 3, 4 Hospital Zone Boat Harbours Papakainga Pine Harbour Marina	10m

- (c) The Effects Ratio trigger level to be applied within the buffer distances of the zones within which hazardous facilities are located, if adjacent to more sensitive land use zones are as follows:

MORE SENSITIVE ZONE	EFFECTS RATIO TRIGGER LEVEL APPLIED IN THE BUFFER DISTANCE
Business 6	1.5
Business 5 Rural 1 (Special Rural 1) Mangere – Puhinui Rural Auckland International Airport	1
Business 4 Rural 2 Hospital Zone Papakainga	0.75
Business 2, 3 Rural 4 Open Space 2, 3, 4	0.5
Business 1 Rural 3 Mangere – Puhinui Heritage Community Health Facilities Community Health Support	0.2
Residential Settlement Serviced Residential Settlement Unserviced Main Residential Integrated Intensive Housing Residential Heritage 1 – 8 Open Space 1, 5 Future Development Education Purposes Maori Purposes Pine Harbour Marina	0.05

7 AMEND

Make the following changes to Chapter 17.7 Boat Harbour Areas

Rule 17.7.1 Introduction

Special facilities are located for the mooring and servicing of boats in two coastal areas of the City - Half Moon Bay in Pakuranga and Pine Harbour in Beachlands. The boat harbour areas are a limited resource to be sustainably managed.

Additional marina facilities have been established adjacent to the original Half Moon Bay Marina by the Bucklands Beach Yacht Club and the area now includes Subritsky's Landing which provides commercial shipping services to the Hauraki Gulf.

The Pine Harbour Marina at Beachlands was established following a planning application in 1985 and an extension was approved following a further application in 1988. A special zone, Pine Harbour Marina, was made operative in XXXX which replaces the Boat Harbour Area around Pine Harbour except for that area occupied by the Tui Brae residential subdivision.

Business facilities and services associated with a marina are provided for at Pine Harbour in the Pine Harbour Marina Zone and within the adjacent Business 1 zone at Half Moon Bay Marina.

17.7.5.1.1 Zone

A special purpose zone ~~is~~ was initially applied to the two ~~boat harbour areas~~ established marinas in the City, the Half Moon Bay and Pine Harbour marinas. ~~These are two facilities which have been designed to satisfy a growing demand for boating and water recreation. As a result of changing demand for land use activities on the landward component of the Pine Harbour Marina a new zoning, Pine Harbour Marina, was made operative in XXX to replace the Boat Harbour area at Pine Harbour except that area which has been developed as the Tui Brae residential subdivision.~~

The Boat Harbour zone now delineates the area in which the potential adverse effects of boat harbour development within the Half Moon Bay Marina will be avoided, remedied or mitigated by methods contained in the zone provisions. Although the Boat Harbour Area still applies to the Tui Brae residential area adjacent to Pine Harbour, it is unlikely that boat harbour related activities will establish in this area.

17.7.8 Description and Explanation of Zone

The Boat Harbour zone applies to the Half Moon Bay Marina and ~~Pine Harbour Marinas~~ a small area of residential land adjoining Pine Harbour Marina. The landward component of Pine Harbour Marina is zoned Pine Harbour Marina. The zone recognises the continued use and development of ~~these two marinas~~ Half Moon Bay Marina but seeks at the same time to avoid or mitigate any potential adverse effects on adjoining land uses which would be more than minor.

17.7.9.2 Activity Table

Convenience shop in the Pine Harbour Boat Harbour Zone only	P
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17.7.11.9

Subdivision - Controlled Activity

Subdivision to create a lot for any permitted activity in Rule 17.7.10.2 Activity Table and for one of the following activities where a resource consent for the activity has been obtained shall be a controlled activity:

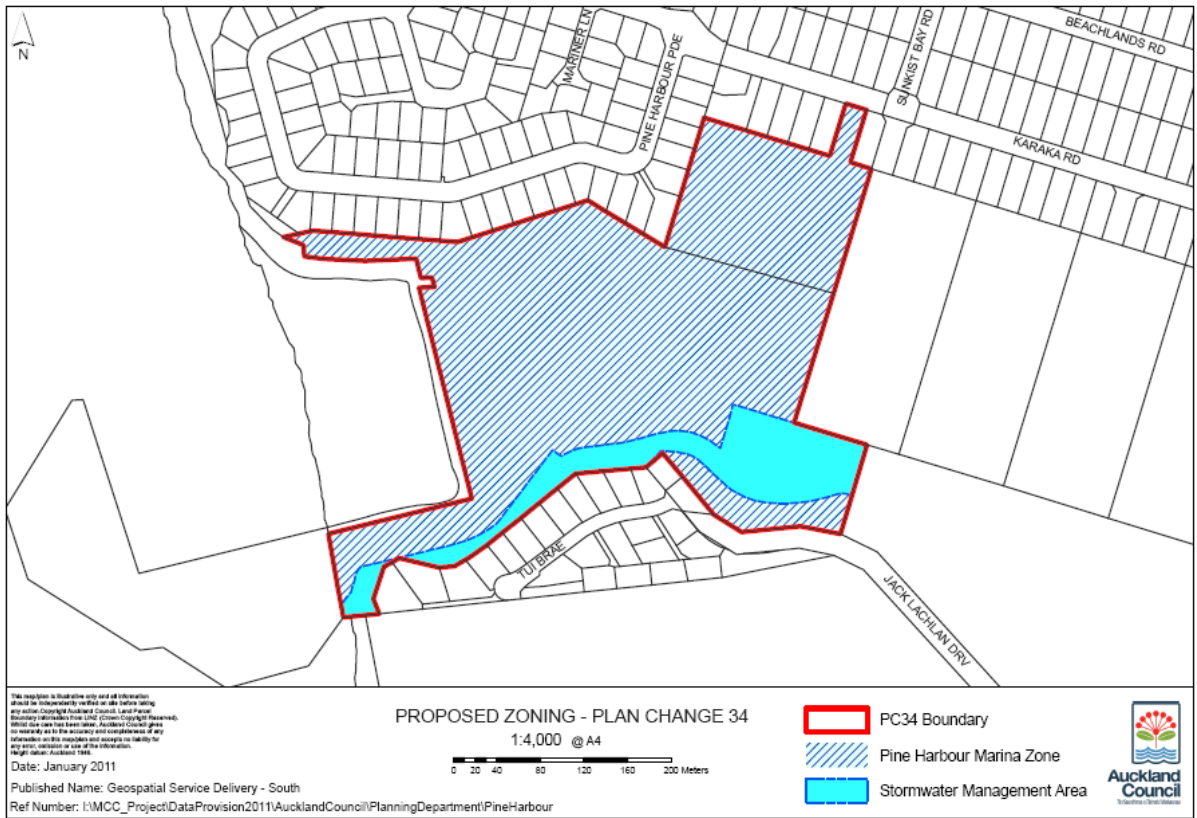
- (i) Premises for the administration of a marina complex;
- (ii) The display, lease, hire or sale of pleasure craft;
- (iii) Locker and storage facilities;
- (iv) Manufacture of boats and boating equipment;
- (v) Berthing, warehousing and ancillary facilities for boats on Lot 1 DP 97518 and Lot 1 DP 96205;
- (vi) Club premises;
- ~~(vii) Shops in the Pine Harbour Marina Zone;~~
- (viii) Residential or motel accommodation in the Pine Harbour Boat Harbour Zone;
- ~~(ix)~~ (viii) Facilities directly associated with marine recreation.

8. Add New Definition to Chapter 18 Definitions

Ferry Terminus

means a place at which ferries berth for the arrival or departure of ferry passengers, and includes all associated activities and buildings.

Pine Harbour Zoning Map



Appendix 17A

EROSION AND SEDIMENT CONTROL MEASURES

For Earthworks the following erosion / sediment control measures are to be employed.

EROSION AND SEDIMENT CONTROL MEASURES

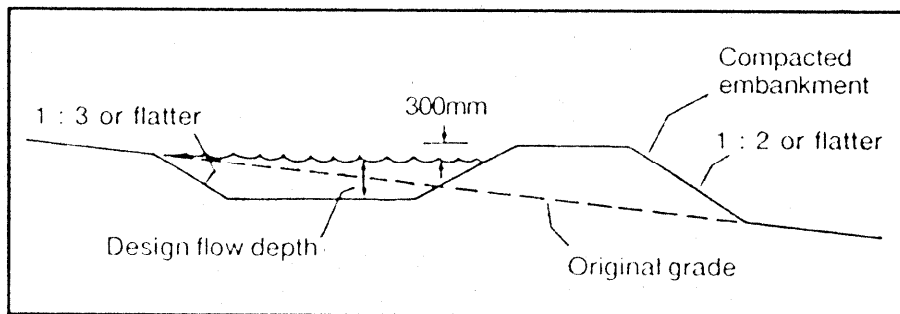
1. Mitigate sediment runoff by employing erosion / sediment control measures as follows:
 - Expose only as much ground as needed at any one time
 - Provide run off diversion channels or contour drains to divert clean water away from the site onto stable ground (grassed or sealed)
 - Install a stabilised entrance way
 - Where a building is constructed, ensure that stormwater from the roof is appropriately connected to stormwater systems as soon as the roof is constructed.
 - Regrass / revegetate / stabilise all exposed areas that are not to be worked for more than a 7 day period.
2. Use one or more of the following erosion or sediment control measures for the capturing of silt (see diagrams below):
 - Silt fences
 - Vegetations buffer strips
 - Earth bunds
 - Sediment ponds
 - Pit dewatering (pumping water from the site)
3. Ensure that any sediment control measure is cleaned out before it is 50% full of sediment, and make sure that this material is deposited in a manner that ensures that it cannot runoff into any water bodies or coastal waters.
4. Ensure that maintenance of all erosion and sediment control measures is undertaken as required.
5. Ensure stockpiles of earth are wholly on the construction site and are placed behind a sediment control measure.
6. All silt control measures to be put into place prior to the commencement of the earthworks and to be retained until the site is permanently protected against erosion. (Note: while it is desirable that most controls will be put into place prior to works commencing, there will be some measures that will need to be installed and maintained during the activity).
7. Replace topsoil and regrass / revegetate the exposed ground, or cover up with a mulch, as soon as possible. If working during the winter months (May to September) then mulching will be necessary to ensure a satisfactory vegetative cover is established.

DIAGRAMS OF EROSION AND SEDIMENT CONTROL MEASURES

EROSION CONTROL MEASURES

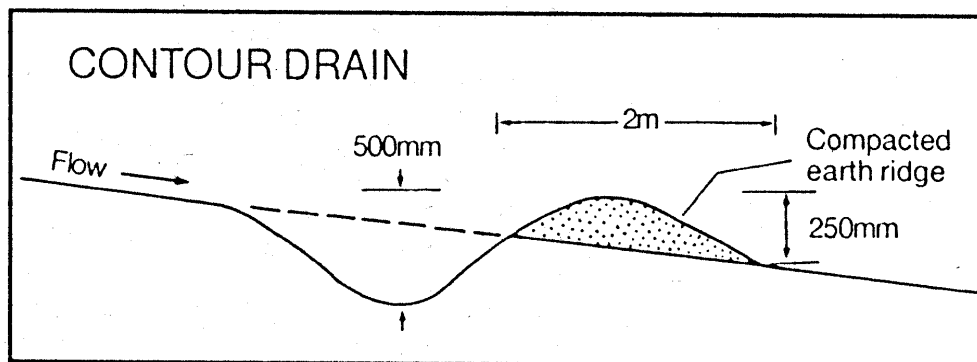
RUN OFF DIVERSION CHANNELS

- Used to protect work areas from up-slope run off
- Water from channel can be discharged to areas of vegetation
- Can be used to divert water to other sediment retention systems
- Have shallow grades on channel to prevent scouring (1%-2%)
- May need to be stabilised against erosion by regressing



CONTOUR DRAINS

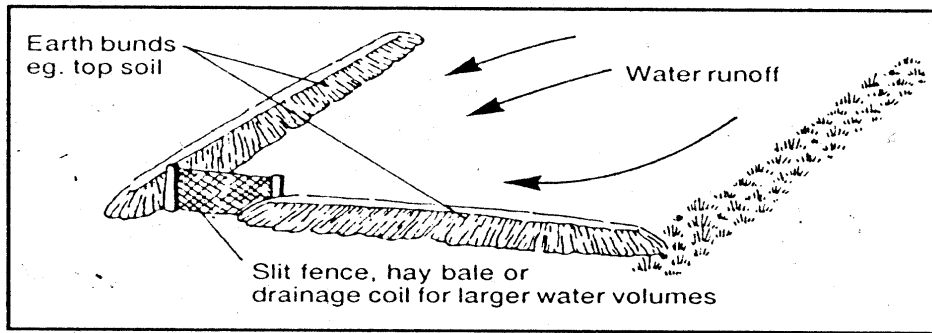
- Use across earthworks to break up slope
- Use more than one drain on steeply sloping sites
- Decrease spacing of drains as slope increases
- Water can be discharged to vegetation or into sediment control structures



SEDIMENT CONTROL MEASURES

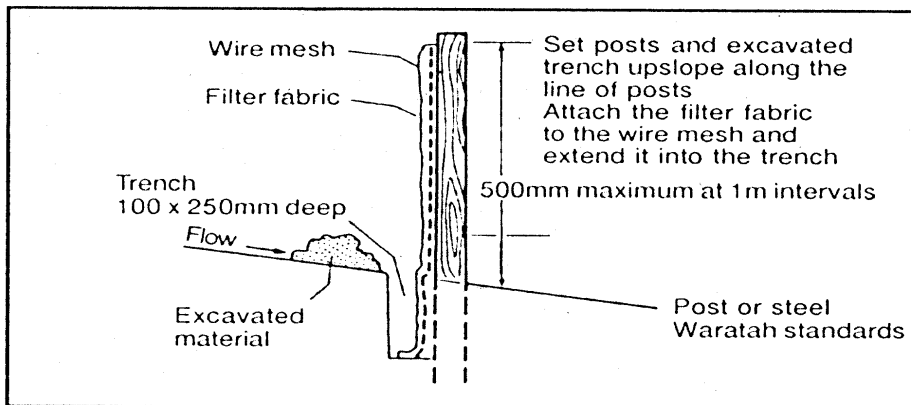
EARTH BUNDS

- Construct across slope to control and detain run-off
- Use near edge of site to prevent sediment from leaving area
- Can use topsoil from site to create bund



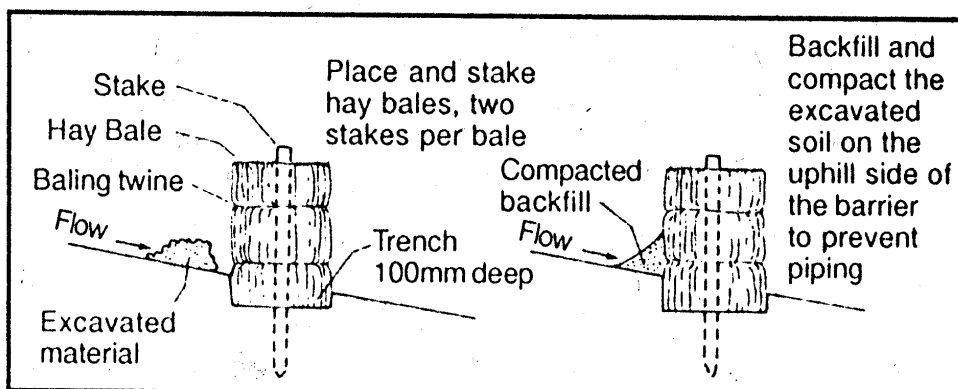
SILT FENCES

- For small disturbed areas or low slope angles
- Use more than one on steeply sloping sites
- Decreased spacing between fences with increasing site slope
- Filter fabric is stretched between posts at max spacing of 1 metre



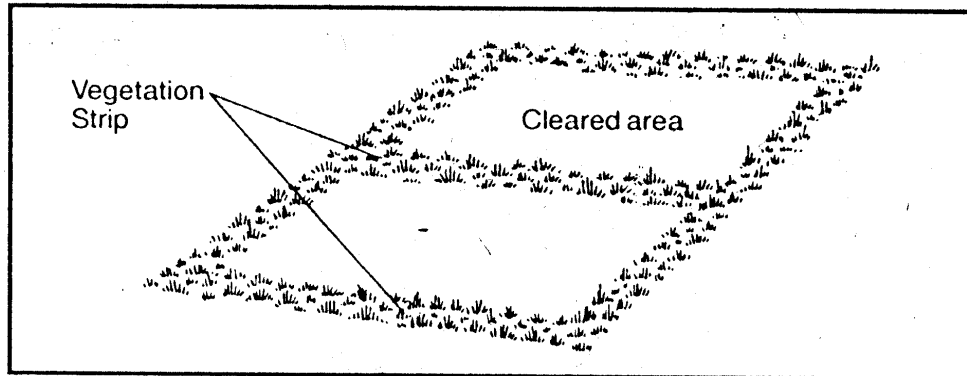
HAY BALES

- For small sites and short term control
- Should be dug into ground, tied together and anchored by staking
- Regular inspection and maintenance is essential



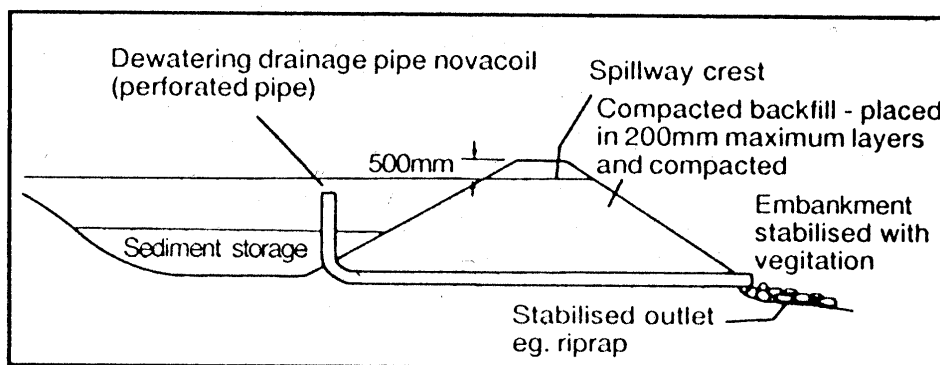
VEGETATION BUFFER STRIPS

- Should always be provided along watercourses
- To filter sediment from overland flow where run off rates are low and not concentrated
- Use more than one buffer strip on steep slopes
- Decrease buffer strip spacing with increasing slope
- To keep machinery away from watercourses



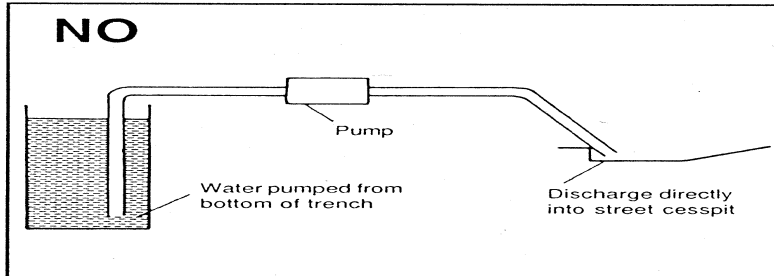
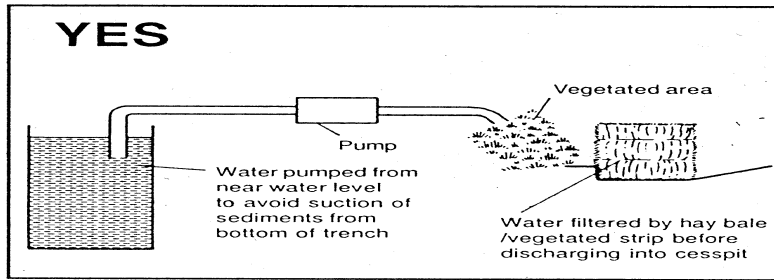
SEDIMENT PONDS

- Do not construct in streams
- Size as 1-2% of site area (ie. $1.2\text{m}^3 / 100\text{m}^2$)
- Clean out sediment regularly
- Must have dewatering / drainage facility



PUMPING WATER FROM THE SITE

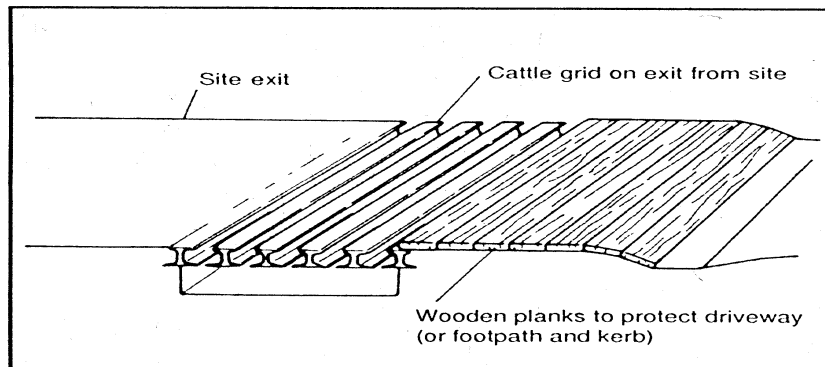
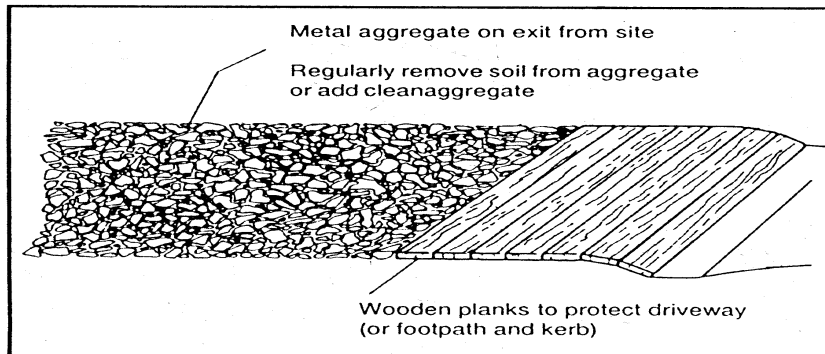
If it is necessary to remove water from trenches or other areas of the site, then this should be done in a manner to prevent sediment in the water from entering any drain or watercourse. Water should not be taken from the bottom of any trench and sediment should be properly filtered out from the dirty water by an appropriate means (e.g. vegetative buffer strips). Once the sediment has settled within the trenches water can then be discharged to a cesspit or grassed area, or a watercourse if no other disposal point is available.

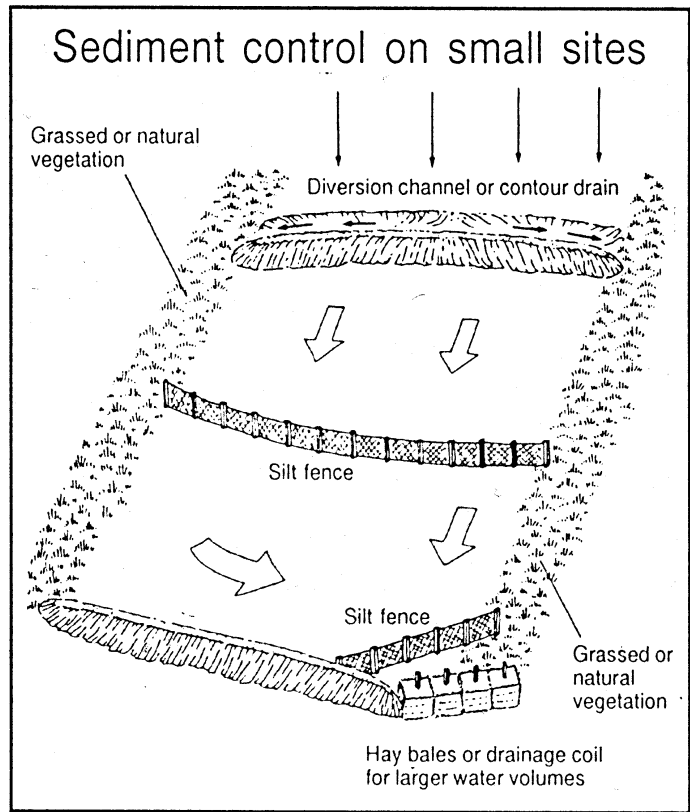


KEEPING THE ROAD CLEAN

It is important that soil from the site is not spread onto the road by vehicle tyres. To prevent this from occurring a stabilised entranceway must be built. The simplest method is to spread metal aggregate on all exit ways from the site where soil will have a chance to gall off before the vehicle enters the road. Other methods for large sites are cattle grids or a wheel wash. The site manager or site owner is responsible for cleaning up any spilt soil or other materials that get onto the road from the site.

Remember also to protect the footpath, berm and kerb from damage by crossing vehicles.





EXPLANATION

This Appendix covers smaller scale earthworks that are Permitted Activities in relation to the district plan. Apart from building platform formation, such 'small site' earthworks are generally for the purpose of driveways, landscaping, paving, or tracking for rural tracks. Small site activities are of concern if no erosion or sediment controls are in place because any sediment generated eventually discharges onto nearby properties, to waterways, or to drains and stormwater systems.

Depending on the location of these works, they can have a direct influence on the receiving environment, an effect that is compounded by the cumulative impact of many operations. In most cases the volume of sediment discharges may be minor, however, it is the cumulative effects that have the potential to be significant to particular environmental qualities. For example, after the Auckland Regional Council has consented earthworks of a 100 lot subdivision, accommodate house platforms, driveways, paths etc. The impact of one property owner re earthworking their site without proper controls is minor however, the cumulative impacts from 100 property owners re-earthworking without controls can be significant in terms of sediment generated. It is this cumulative effect that is of most concern.