



12 SPECIAL ZONES

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SPECIAL ZONES

12.1

INTRODUCTION

Within the District there are a number of instances when a particular range of activities are present on a site or where a particular style or intensity of development is appropriate, but that range of activities cannot be controlled, or the style or intensity of development cannot be achieved, within the provisions of the standard zones in the Plan. The special zones have been developed as a method of dealing with those instances. The range of activities and the nature of the provisions is different in the various zones but the intention of each zone is to provide "purpose built" provisions enabling the particular activity or types of activities envisaged to occur in a manner representing sustainable management. The special zones are spread throughout the District and cover land used for activities such as airfields, residential aviation parks, an historic village, a marine laboratory complex and a Seaside Village Centre, for example. There are also special zones for the predominantly residential areas at Gulf Harbour on the Whangaparaoa Peninsula and the Omaha South Area, south of Broadlands Drive at Omaha. Both these predominantly residential areas are to be developed in a comprehensive and integrated manner, and warrant special provisions in order to achieve this. There are also special zones in Matakana and Point Wells/Omaha Flats. This chapter addresses those instances where specific zones and zone rules are appropriate. [\[Amendment 63\]](#)

12.2

RESOURCE MANAGEMENT ISSUES

Issue

12.2.1

General Issues For All Special Zones

The quality of the natural environment may be adversely affected by those activities occurring on land within Special Zones.

The activities which occur in Special Zones, particularly industrial type activities, can have adverse effects on water and air quality and soils. Similarly, activities occurring in special zones in areas of high natural environmental quality, such as those near the coast or rivers, can have adverse effects on water quality.

Such water pollution can occur from contaminants entering the stormwater system. Poor yard practices, accidental spills and lack of awareness in the workforce of environmental consequences of actions, are the main causes of water pollution.

In situations where the special activities are immediately adjacent to a water body, the land edge can be used for storage of equipment and substances which can result in pollution and litter.

Water quality issues are also dealt with in *Chapter 17 - Hazardous Substances and Contaminated Sites* and in *Chapter 19 - Utilities*.

Air pollution from activities can affect public health, cause local nuisances and



detract from the amenity values of an area.

Issue
12.2.2

The amenity values within special zones and areas adjoining special zones, may be adversely affected by activities, including the erection of buildings, visual effects, noise, dust and odour, loss of visual and aural privacy, glare , effects on road safety, and reverse sensitivity issues.

The interface between special zones and adjoining areas, especially residential areas, is the point where the effects are often most keenly felt and can raise reverse sensitivity issues. Reverse sensitivity issues emerge in relation to the Special Zones mainly because of the contrasting nature of the activities undertaken in the Special Zones and the adjoining areas. It is a significant issue as it threatens the ability of the Special Zones to meet the Zone's objectives. In particular, business type activities can affect the amenity values of residential areas. The potential adverse effects can arise from the scale and intensity of development, the number of vehicle movements, and hours of operation. The adverse effects which can be generated vary, depending on the nature of the activity ie. whether it generates noise, vibration, air pollution, dust, odour, glare, visual impacts, traffic congestion, parking problems and reduced pedestrian safety. Similar effects could also occur where the special zones are adjacent to countryside living areas.

The amenity values within special areas, such as those with historic, landscape or village significance, can also be adversely affected by activities occurring within the zone. For example, new buildings could affect the established character of a particular area.

Issue
12.2.3

Issues within the Special 11 (Hall Farm Development) Zone, Special 14 (Puhoi Historic Village) Zone and Special 16 (Omaha South Development) Zone.

Issues 8.2.1 to 8.2.5 inclusive in *Chapter 8 - Residential* are relevant in relation to these Zones.

Issue
12.2.4

Specific Issues

Specific issues (where these occur) are identified in the Individual Special Zone provisions.

Issues from other chapters

Readers should note that issues from the following chapters are also relevant in relation to the Special Zones:

- Chapter 5 - Cultural Heritage*
- Chapter 17 - Cultural Heritage*
- Chapter 18 - Urban Land Modification and Vegetation Protection*
- Chapter 19 - Utilities*
- Chapter 20 - Hazardous Substances and Contaminated Sites*
- Chapter 21 - Transportation and Access*
- Chapter 22 - Financial Contributions and Works*
- Chapter 23 - Subdivision and Servicing*



12.3

OBJECTIVES

Refer to specific Special Zones for objectives.

12.4

POLICIES

Refer to specific Special Zones for policies.

12.5

STRATEGY

The strategy is to recognise that there are a number of activities in the District which constitute sustainable development, but which are not in keeping with the character of the surrounding land. There are also several areas which have special character and values, and the effect of activities on these areas needs to be managed in a manner not provided for by a "standard" zoning. This is achieved through the identification of Special Zones. The Special Zones work in two ways. One is to incorporate rules to address the potential adverse effects of the "out of keeping" activities. The other is to incorporate rules to ensure protection of the special character and values existing in special areas. More detail on the rules for each zone are set out in the sections dealing with the specific zones, which follow.

12.6

IMPLEMENTATION

12.6.1

District Plan Regulatory Methods

12.6.1.1

Zones

The special areas and activities have been incorporated into Special Zones, to recognise the way in which characteristics of the activities occurring differ from those in the surrounding areas.

12.6.1.2

Effects Based Activity Types

Permitted Activities within the Special Zones are those which, provided that they comply with specified development controls and performance standards, are considered unlikely to generate adverse effects on the environment.

Controlled Activities are those which are unlikely to generate adverse effects, but which may have particular elements which require the Council to exercise discretion and impose conditions. These generally relate to the design and appearance of buildings.

Restricted Discretionary Activities are those which may be appropriate in the zone, but which comprise elements that may generate adverse effects. It is to these elements that the Council has restricted the exercise of its discretion and may impose conditions.

Discretionary Activities may be appropriate in the zone and are assessed against assessment criteria included in the Plan, the objectives and policies of



the Plan and the relevant matters set out in the Act.

Any activity which is not Permitted, Controlled, Restricted Discretionary, or Discretionary is Non-complying Activity.

12.6.1.3

Development Controls and Performance Standards

These are the rules which apply to the development of buildings and structures and the activities within the Special Zones. They are intended to ensure that activities achieve the environmental standards desired in each zone and between the Special Zones and surrounding zones.

Development controls include height and height in relation to boundary limits, and yard and landscaping requirements, to ensure that the scale, location and appearance of buildings does not generate adverse effects on the amenity values of adjoining sites.

Performance standards, for example, noise rules, aim to ensure that the activities which occur do not create adverse effects on the environment.

12.6.1.4

Financial Contributions

Financial contributions, dealt with in detail in *Chapter 22 - Financial Contributions and Works*, are an important method for ensuring that some of the environmental effects of development are able to be dealt with, by obtaining money and works from developers as development occurs.

12.6.2

Other Regulatory Methods

The Council will continue to use bylaws to control the management of the adverse effects of activities.

12.6.3

Other Methods

12.6.3.1

Education

This method encompasses the publication of "state of the environment" reports, information pamphlets and design guidelines, and the holding of public meetings and urban design workshops. Essentially, it involves persuading developers and other resource users to act in a manner which is environmentally responsible and achieves the resource management objectives and policies set out in the Plan.

Provision of Works and Services and Land Acquisition

Depending on the location of a Special Zone, the Council may carry out works and services to achieve its resource management objectives. Capital works and land acquisition need to be signalled in the Council's Annual Plan, with significant long term expenditure being dealt with in a Strategic Plan. These processes are open to public debate and are subject to a political process, rather than the legal process involved in the preparation of a District Plan.



12.7

ANTICIPATED ENVIRONMENTAL RESULTS

The anticipated environmental results from the implementation of the above objectives policies and methods are:

- (a) A high standard of amenity values in special areas and areas adjoining the special activities.
- (b) The quality of the natural environment not diminished by special activities or activities in special areas.
- (c) The continued natural functioning of coastal processes and enhanced access to the coast at Omaha Spit.
- (d) Development and subdivision not adversely affected by natural hazards in special areas.
- (e) The sustainable management of natural and physical resources in a manner which recognises and provides for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.
- (f) The dominance of Warkworth as a District Centre, and the Mahurangi East Seaside Village Centre as a local suburban “character” centre of high amenity and design.
- (h) Fostering a garden seaside settlement in Point Wells, the preservation of farming and horticultural activity at Omaha Flats integrated with limited settlement activity. [\[Amendment 63\]](#)

