

10a.11 Land unit - Commercial 1 (Oneroa village)

10a.11.1 Introduction

This land unit applies to the retail and commercial area of Oneroa village on Waiheke.

The characteristics of the land unit are:

- Generally small scale retail and other commercial activities (shops, cafés, restaurants and offices) located in one to two storey buildings on small sites.
- Some community facilities (Artworks, Red Cross).
- A variety of small to medium scale tenancies.
- Most buildings are located on or close to Ocean View Road (and often include verandahs and landscaping).
- Relatively high volumes of traffic.
- Most of the activities within the land unit are connected to, or able to be connected to, the Owhanake wastewater treatment plant.

Oneroa village is a busy shopping centre which is a focal point for local residents, shopping, recreation and socialising. Its location within walking distance of Matiatia and on a major transport route to the eastern parts of the island means that it has a major role in servicing the needs of residents, commuters and visitors.

Oneroa is also situated in a dominant location on a ridge overlooking, and with pedestrian and vehicle connections to, Oneroa Beach.

The above characteristics contribute to the high amenity value of the village.

Overall, Oneroa is an important retail and commercial centre with a high level of amenity.

10a.11.2 Resource management issues

The significant resource management issues which need to be addressed in the Plan are:

1. How to enable retail and employment opportunities within Oneroa in a manner which protects and enhances the high amenity value and 'village' character of the centre.
2. How to ensure that commercial activity within Oneroa village does not negatively impact on other activities within the land unit or adversely affect the character and amenity of adjoining island residential land units.

10a.11.3 Objectives and policies

10a.11.3.1 Objective

To enable a vibrant, varied and safe retail environment within Oneroa village where the scale, form and location of buildings provides a high level of amenity.

Policies

1. By requiring new buildings or additions and alterations to existing buildings to be assessed to ensure consistency with design guidelines for Oneroa (refer to [appendix 12 - Oneroa village design guidelines](#)).
2. By requiring retail activities to locate on the ground floor to ensure an active and continuous retail frontage is maintained.
3. By requiring, on sites which adjoin Ocean View Road, that new buildings adjoin and face this road, to ensure an active and continuous retail frontage.
4. By requiring verandahs to be provided as shelter for pedestrians [on the northern side of Ocean View Road](#).

10a.11.3.2 Objective

To allow for appropriate commercial growth and development within Oneroa village.

Policies

1. By recognising that within Oneroa village, wastewater disposal is not a constraint to future development as long as any waste disposal needs can be met within the terms of the notice of requirement for, the Owhanake wastewater treatment plant.
2. By providing for a range of commercial and residential activity within the village.
3. By recognising the differences in the northern and southern sides of Ocean View Road and providing each side with individual development controls."

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10a.11.3.3 Objective

To ensure that any adverse environmental effect of business activity on other activities within the land unit or on adjoining island residential or recreation land units is avoided or no more than minor in extent.

Policies

1. By requiring noise standards on all activities and internal noise controls for dwellings within the land unit.
2. By imposing additional controls on the location and size of buildings where they adjoin or face island residential or recreation land units.

10a.11.4 Resource management strategy

The resource management strategy for the land unit is to allow a diverse range of retailing and commercial activities while controlling the design, scale and form of buildings to ensure that they are of a high amenity value and do not adversely affect adjoining island residential land units.

This will be undertaken by requiring that the construction of, or addition to, buildings within the land unit undergo a resource consent process.

10a.11.5 Rules - activity table

Activities	Status
The construction and relocation of buildings, including buildings used for any of the other activities listed in this table ¹	RD
Alterations and additions to the exterior of existing buildings including buildings used for any of the other activities listed in this table. However this does not apply to minor alterations and additions as defined in part 14 - Definitions ¹	RD
Accommodation for care	P
Accommodation for retired, elderly or disabled people	P
Art galleries and museums	P
Boarding house or hostel	D
Care centre	P
Commercial carparking	D
Community facilities	P
Dwelling (one per site)	P
Educational facilities	P
<u>Emergency services facilities</u>	<u>RD</u>
Entertainment facilities	D

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Activities	Status
Function facilities	D
Funeral parlour	D
Healthcare services	P
Motor vehicle sales	D
Multiple dwellings	D
Office	P
Restaurant, cafe and other eating places	P
Retail premises	P
Service station	D
Tavern	P
Tourist complex	D
Visitor accommodation	D

Legend

P = Permitted

RD= Restricted discretionary

D = Discretionary

Notes:

1. In this land unit, the activities of constructing or relocating buildings, or undertaking exterior alterations and additions to existing buildings, are to be treated as separate from the activity of using buildings for any of the permitted activities listed in the table. Therefore, even when an activity is permitted in this table, a resource consent may still be required for any construction or relocation of, or any exterior alteration or addition to, the building used for the activity. The relationship between buildings and other activities listed in activity tables is explained further in [clause 4.3](#).
2. The activities of earthworks and vegetation clearance are treated as development controls and are therefore not listed in this table.

10a.11.6 Rules - standards and terms for multiple dwellings

An application for multiple dwellings will only be considered as a discretionary activity where one or more of the following criteria are met:

1. The resulting number of dwellings on the site will be no more than that which would occur if the site were subdivided in accordance with the rules in [part 12 - Subdivision](#) applying to this land unit (with one dwelling per site).
2. An application is made at the same time for subdivision resulting in the amalgamation of sites such that the number of dwellings on the new site created would be no greater than that which could be achieved through locating a dwelling on each of the original sites.
3. The dwellings are for papakainga housing.
4. The land has been owned co-operatively by a number of individuals since prior to 29 September 1992.

Proposals which do not meet these standards are a non-complying activity.

10a.11.7 Rules - development controls

The development controls listed below apply to all activities whether or not those activities are otherwise permitted, restricted discretionary, discretionary or non-complying. Infringements to these development controls will be considered as development control modifications as set out in [clause 10c.3](#).

[For the purpose of applying some development controls, the land unit has been divided into the](#)

northern and southern sides of Ocean View Road. The location of these two areas is identified on figure 10.1(a).

As well as the specific controls set out below, there are additional controls set out in **part 10c - Development controls for land units and settlement areas** which also apply to this land unit.

10a.11.7.1 Building location – northern side

Buildings on the northern side of Ocean View Road on sites with frontage to Ocean View Road must:

1. Be built up to the Ocean View Road boundary for the entire length of the road frontage of the site.
2. Provide a verandah along the full extent of the site frontage. The verandah must:
 - a. Be so related to its neighbours as to provide continuous pedestrian cover.
 - b. Have a minimum height of 3m and a maximum height of 4m above the footpath immediately below.
 - c. Be set no further back than 600mm in plan view from the kerbline.

This provision is supplementary to and not in substitution for any of the council's bylaw requirements relating to verandahs.

3. Contain display areas or windows on a minimum of 75 per cent of the site frontage at road level.
4. Provide a visual connection with the coast and foreshore by incorporating either:
 - a. A balcony or terrace which fronts the coast and foreshore and is accessible from the footpath OR
 - b. A view shaft through the building, from the road frontage to the coast and foreshore OR
 - c. Any other building feature that preserves and enhances the connection with the coast for the public.

Explanation

The building location controls seek to ensure that buildings on the northern side of Ocean View Road maintain and enhance the connection with the coast. It is intended that a continuous frontage be achieved with verandahs required as protection for pedestrians. The purpose of the visual connection requirement is to maintain a public link with the coast and to ensure that buildings are designed with attention to both the coastal aspect and the road frontage.

10a.11.7.2 Frontage control – northern side

Within buildings on sites with frontage to the northern side of Ocean View Road, residential activities must not be located at street level (except for entrances or access to such activities) unless retail fronts the street and the non-retail activity is located behind it.

Restaurants, cafes and other eating places will be considered as retail for the purpose of this rule.

Explanation

The frontage control seeks to ensure that residential activities are located appropriately to maintain an active retail ground floor and to ensure the retail character of Oneroa village is maintained.

This rule will retain the vitality, connectiveness and interaction of Oneroa village while allowing non-retail activity in appropriate locations.

10a.11.7.3 Height – northern side

Buildings on the northern side of Ocean View Road:

1. Must not exceed a maximum height of 6.5m, where the building adjoins the Ocean View Road frontage.

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Deleted: 10a.11.7.3 Internal noise control for residential units ¶

1. All dwellings must be designed and constructed so as to provide an indoor design level of balanced noise criterion (NCB) 30 in any habitable room assuming the building is exposed to a noise level of 55dBA L_{eq} at the boundary of the site. ¶

2. The NCB level of 30 must be achieved with windows and doors open unless adequate alternative ventilation is provided to the requirements of clause G4 of the New Zealand Building Code. ¶

3. Building elements (ie walls, floors) which are common between different activities must be constructed to prevent noise transmission to the requirements of clause G6 of the New Zealand Building Code. ¶

4. After completion of the construction of the dwelling(s), and before the issue of the code compliance certificate, the consent holder must submit a report to the satisfaction of the council, which is signed by a suitably qualified acoustic engineer, which certifies that the dwelling(s) have been built in compliance with the noise and ventilation requirements above. ¶

Explanation¶

Residential development within Oneroa village is to be designed to ensure that a level of acoustic amenity is provided within the bedrooms and other habitable rooms of residential activities from other activities within the same development and activity in the surrounding area. ¶

10a.11.7.4 Noise control between activities ¶

1. The L_{eq} noise levels and maximum level (L_{max}), arising from any activity, measured ... [1]

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2. This may be increased to a maximum height of 9m where the ground level is greater than 3m below that at the boundary with Ocean View Road.

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3. Must maintain a single storey frontage at street level.

Explanation

As the topography drops away to the northeast there is potential for greater building heights which will not affect views of Oneroa Beach and Oneroa Bay. The purpose of this rule is to encourage terraced buildings which follow the topography of the site.

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10a.11.7.4 Building location – southern side

Buildings on the southern side of Ocean View Road must:

1. Maintain a discontinuous and varied frontage
2. Contain display areas or windows on a minimum of 75 per cent of the site frontage at road level.
3. Provide a minimum of 5 per cent of the site area for public use as open space in the form of courtyards, landscaped plaza(s), or arcades to maximise the connection with the coast and useable space.

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10a.11.7.5 Frontage control – southern side

Within buildings on sites with frontage to the southern side of Ocean View Road, residential activities must not be located at street level (except for entrances or access to such activities).

Restaurants, cafes and other eating places will be considered as retail for the purpose of this rule.

Explanation

The frontage control seeks to ensure that residential activities are located appropriately to maintain an active retail ground floor and to ensure the retail character of Oneroa village is maintained.

This rule will retain the vitality, connectiveness and interaction of Oneroa village while allowing non-retail activity in appropriate locations.

10a.11.7.6 Height – southern side

Buildings on the southern side of Ocean View Road must not exceed a maximum height of 8m.

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Explanation

As the topography drops away to the northeast there is potential for building heights to be greater than those on the northern side. This will not affect views of Oneroa Beach and Oneroa Bay. The purpose of this rule is to encourage terraced buildings which follow the topography of the site.

10a.11.7.7 Internal noise control for residential units

1. All dwellings must be designed and constructed so as to provide an indoor design level of balanced noise criterion (NCB) 30 in any habitable room assuming the building is exposed to a noise level of 55dBA L_{eq} at the boundary of the site.
2. The NCB level of 30 must be achieved with windows and doors open unless adequate alternative ventilation is provided to the requirements of clause G4 of the New Zealand Building Code.
3. Building elements (ie walls, floors) which are common between different activities must be constructed to prevent noise transmission to the requirements of clause G6 of the New Zealand Building Code.

4. After completion of the construction of the dwelling(s), and before the issue of the code compliance certificate, the consent holder must submit a report to the satisfaction of the council, which is signed by a suitably qualified acoustic engineer, which certifies that the dwelling(s) have been built in compliance with the noise and ventilation requirements above.

Explanation

Residential development within Oneroa village is to be designed to ensure that a level of acoustic amenity is provided within the bedrooms and other habitable rooms of residential activities from other activities within the same development and activity in the surrounding area.

10a.11.7.8 Noise control between activities

1. The L_{eq} noise levels and maximum level (L_{max}), arising from any activity, measured at or within the boundary of any adjacent site (not held in common ownership) classified as commercial 1 must not exceed:

<u>Hours</u>	<u>Noise levels</u>
<u>7am - 10pm</u>	<u>L_{eq} 60dBA</u>
<u>10pm - 7am</u>	<u>L_{eq} 55dBA L_{max} 75dBA</u>

2. Where the activity affects a residential use in another land unit, the noise controls in clause 10c.5.4 apply.

Explanation

Excessive noise occurring for a continuous period or duration can be damaging to public health and can have an adverse effect on the amenity of the receiving environment.

10a.11.7.9 Access

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All buildings on sites along Ocean View Road with front, rear or side access to the northern or southern service lanes must be designed, constructed and maintained to achieve full service access from the adjacent service lane.

Explanation

The intent of this control is to avoid the proliferation of driveways accessing sites directly from Ocean View Road which has the potential to adversely affect the pedestrian amenity of the village.

10a.11.7.10 Screening

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Where any outdoor storage, refuse disposal area, service or parking area adjoins or directly faces a road or land that is classified as island residential or recreation, such areas must be screened from the road or the island residential or recreation land unit by:

1. A solid wall or fence not less than 1.8m in height, built of concrete, brick, stone, timber or other solid material, or;
2. Densely planted indigenous vegetation which is capable of reaching a minimum height of 1.8m and will screen the area throughout the year.

Explanation

Imposing a screening control on common boundaries between these areas can lessen the amount of noise, dust, glare and litter spreading from the generating site. It reduces the visual impact of unsightly areas of storage and parking, and can establish a sense of privacy from visual and physical intrusion.

10a.11.11 Assessment matters

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For applications for resource consent refer to [part 11 - Assessment matters](#) for:

- Matters of discretion and notification requirements applying to the construction and relocation of buildings and to exterior alterations and additions to existing buildings.
- Assessment criteria for discretionary activities.

10a.11.12 Relationship with rules in other parts of the Plan

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[Part 14 - Definitions](#) must be referred to as it is likely to contain definitions of terms used in this part of the Plan.

The following parts of the Plan should also be referred to as they may contain rules which apply to a particular site or proposal:

[Part 4 - General rules](#)

[Part 5 - Network utility services](#)

[Part 6 - Financial contributions](#)

[Part 7 - Heritage](#)

[Part 8 - Natural hazards](#)

[Part 9 - Hazardous facilities and contaminated land](#)

[Part 10c - Development controls for land units and settlement areas](#)

[Part 12 - Subdivision](#)

[Part 13 - Connectivity and linkages](#)

10a.11.7.3 Internal noise control for residential units

1. All dwellings must be designed and constructed so as to provide an indoor design level of balanced noise criterion (NCB) 30 in any habitable room assuming the building is exposed to a noise level of 55dBA L_{eq} at the boundary of the site.
2. The NCB level of 30 must be achieved with windows and doors open unless adequate alternative ventilation is provided to the requirements of clause G4 of the New Zealand Building Code.
3. Building elements (ie walls, floors) which are common between different activities must be constructed to prevent noise transmission to the requirements of clause G6 of the New Zealand Building Code.
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Explanation

Residential development within Oneroa village is to be designed to ensure that a level of acoustic amenity is provided within the bedrooms and other habitable rooms of residential activities from other activities within the same development and activity in the surrounding area.

10a.11.7.4 Noise control between activities

1. The L_{eq} noise levels and maximum level (L_{max}), arising from any activity, measured at or within the boundary of any adjacent site (not held in common ownership) classified as commercial 1 must not exceed:

Hours	Noise levels
7am - 10pm	L_{eq} 60dBA
10pm - 7am	L_{eq} 55dBA L_{max} 75dBA

2. Where the activity affects a residential use in another land unit, the noise controls in [clause 10c.5.4](#) apply.

Explanation

Excessive noise occurring for a continuous period or duration can be damaging to public health and can have an adverse effect on the amenity of the receiving environment.