

## **I522. Matakana 2 Precinct**

### **I522.1. Precinct Description**

The Matakana 2 Precinct is located to the north of Matakana village, on the corner of Leigh Road and Takatu Road, Matakana. The precinct is comprised of approximately 20 hectares.

The purpose of the Matakana 2 Precinct is to enable the ongoing operation and expansion of the Matakana Country Park, by permitting the use of the site for community events and tourist and visitor activities.

The precinct limits activities to those with a rural and/or tourist theme to recognise its use as a 'country park'. Subdivision in this precinct is also controlled so that the Matakana Country Park continues to be managed and operated as a single entity, and some expansion of activities is provided for in the precinct.

The underlying zoning of land within this precinct is Rural - Mixed Rural Zone.

### **I522.2. Objectives**

- (1) Community activities are provided for and enabled.
- (2) Rural tourist and visitor activities are provided for and to create social and economic opportunities.
- (3) The rural character and appearance of the Matakana 2 Precinct is maintained.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

### **I522.3. Policies**

- (1) Provide for existing and enable new community, rural tourist and visitor activities.
- (2) Ensure that any subdivision enables community, rural tourist and visitor activities.
- (3) Ensure that any subdivision for visitor accommodation does not compromise community, rural tourist and visitor activities.
- (4) Encourage development and land uses that maintain the rural character and appearance of the country park.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

### **I522.4. Activity table**

The provisions in any relevant overlays, zone and the Auckland-wide provisions apply in this precinct unless otherwise specified below.

Table I522.4.1 Activity table specifies the activity status of land use, development and subdivision activities in the Matakana 2 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

**Table I522.4.1 Activity Table**

<b>Activity</b>		<b>Activity status</b>
<b>Use</b>		
Commerce		
(A1)	Restaurants and cafes	P
(A2)	Markets	P
(A3)	Retail	P
(A4)	Visitors accommodation	RD
Community		
(A5)	Public amenities	P
(A6)	Community facilities	P
(A7)	Rural tourist and visitor activities	P
(A8)	Rural tourist and visitor activities that do not comply with Standard I522.6.6	RD
<b>Development</b>		
(A9)	New buildings	C
<b>Subdivision</b>		
(A10)	Subdivision around the Activity Areas identified in the Matakana 2: Precinct plan 1.	RD
(A11)	Subdivision not complying with Standard I522.6.10 and the Matakana 2: Precinct plan 1	NC
(A12)	Subdivision in Activity Area 9 identified in the Matakana 2: Precinct plan 1	D
(A13)	Subdivision within any Activity Area identified in the Matakana 2: Precinct plan 1 other than Activity Area 9	NC

**I522.5. Notification**

- (1) An application for resource consent for a controlled activity listed in Table I522.4.1 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table I522.4.1 Activity table and which is not listed in I522.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

## **I522.6. Standards**

The overlay, zone and Auckland-wide standards apply in this precinct unless otherwise specified below.

The following standards do not apply to this precinct:

- H19.10.2 Building height
- H9.10.14 Markets
- E39.6.5.1 Subdivision in the Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal Zone and Rural – Rural Conservation Zone

All activities listed as permitted or restricted discretionary in Table I522.4.1 Activity table must comply with the following standards.

### **I522.6.1. Markets**

- (1) Markets must be limited to a weekly farmers market on Sundays.
- (2) The trading hours of markets must be limited to 7.00am until 1.00pm.
- (3) Activities associated with the markets must not take place before 6.00am.
- (4) Stalls involved in the markets must primarily sell items produced by the stall holder which may include fresh and processed goods, small holding livestock, art work, crafts and pottery.
- (5) Signage must be restricted to free standing signs only and must be displayed only on the day that the market is operating.
- (6) The number of stalls must not exceed 100.
- (7) The location of the farmers markets must generally be in accordance with the Matakana 2: Precinct plan 1

### **I522.6.2. Retail**

- (1) Retail activities must be limited to the sale of arts and crafts and locally made products. This may include shops with an operational function (e.g. cheese making).
- (2) The total sum of the shop gross floor area must not exceed 225m<sup>2</sup>.
- (3) Where the activity is for retail purposes only, and does not include an area for making the products sold, the activity must be limited to 75m<sup>2</sup> gross floor area.
- (4) Where the activity is to operate as a working shop, i.e. with an operational function, the activity must be limited to a maximum of 150m<sup>2</sup> gross floor area including working and retail.
- (5) The hours of operation must be limited to Monday to Sunday 9.00am to 5.00pm between the months of May to September inclusive. The hours of operation must be limited to Monday to Sunday 9.00am to 7.00pm between the months of October and April inclusive.

- (6) Retail activities must be located generally in accordance with the Matakana 2: Precinct plan 1.

#### **I522.6.3. Community Facilities**

- (1) Community facilities must only include one museum and one place of worship (church) located in the precinct.
- (2) The museum must be limited to the showing of vintage, classic and racing cars, historic farm implements and horse drawn carts only. The museum must have the right to charge an entry fee and sell related merchandise and memorabilia.
- (3) The museum hours of operation to the public must be limited to between Monday to Sunday 9.00am to 5.00pm daily between the months of May to September, and 9.00am to 7.00pm daily between the months of October and April inclusive.
- (4) The museum must be located generally in accordance with the Matakana 2 Precinct Plan 1.
- (5) The use of the church building must be limited to religious uses for a rural community church including weddings, church services, baptisms, funerals and other fellowship-related activities.
- (6) The place of worship must be located generally in accordance with the Matakana 2: Precinct Plan 1.

#### **I522.6.4. Restaurants and cafes**

- (1) Restaurants and cafes activities must be limited to one restaurant and one café located in the precinct.
- (2) The restaurant must provide seating for no more than 100 people.
- (3) The hours of operation of the restaurant and café must be limited to 7.00am till midnight any day of the week
- (4) The restaurant and café must be located generally in accordance with the Matakana 2 Precinct Plan 1.

#### **I522.6.5. Public amenities**

- (1) Public amenities in the precinct include the following activities:
  - (a) a children's outdoor playground and miniature train track; and
  - (b) a memorial garden and memorial pet garden
- (2) The playground and memorial garden must be located generally in accordance with the Matakana 2: Precinct plan 1.

#### **I522.6.6. Rural tourist and visitor activities**

- (1) Rural tourist and visitor activities must be limited to one animal petting zoo for farm animals and one aviary for the housing of domesticated bird species located in the precinct.

- (2) The animal petting zoo for farm animals and aviary must be located generally in accordance with the Matakana 2: Precinct plan 1.

**I522.6.7. Visitors accommodation within Area 4 identified in the precinct plan**

- (1) Visitors accommodation (including manager's accommodation) must be limited to Adventure (Budget) Accommodation associated with on-site adventure or outdoor education activities (team building or similar activities) and must provide for no more than 40 people.
- (2) Accommodation (including manager's accommodation) must be provided in a maximum of 12 single storey cabins.
- (3) Communal facilities (e.g. kitchen/dining/ablution) must be provided in a combined single storey building.
- (4) Kitchen facilities must not be provided within cabins.

**I522.6.8. Visitors accommodation within Activity Area 9 identified in the precinct plan**

- (1) Visitors accommodation (including manager's accommodation and a conference facility) must be limited to accommodation and catering for no more than 60 people.

**I522.6.9. Buildings**

- (1) Buildings must not exceed 9 metres in height, except for buildings with a roof pitch of 25° or more where the maximum height must be 9 metres plus an additional non-habitable roof space of 1.5 metres (total 10.5 metres).
- (2) The design of outdoor areas must accommodate the permitted activities in the precinct.

**I522.6.10. Subdivision**

- (1) Subdivision must be for the purpose of creating a separate certificate of title (site) for one of the ten Activity Areas shown on the Matakana 2: Precinct plan 1.
- (2) There must be a consent notice registered on each new title stating the following:
  - (a) there must be no residential activity on any new site (except the manager's accommodation within Activity Areas 3, 4 and 9 on the Matakana 2: Precinct plan 1;
  - (b) each new site can only be used for the activities shown in each Activity Area on the Matakana 2: Precinct plan 1; and
  - (c) in respect of Activity Area 6 on the Matakana 2: Precinct plan 1, that the Church is protected as a building of historic heritage.
- (3) Activity Area 3 is designated the manager's site and there must be land covenants registered against any new certificate of title created requiring the

owners of any new site to enter into a management agreement with the owner of Activity Area 3 so that the requirements of Standard I522.6.10(2)(b) above can be enforced.

- (4) The owners of any new site must grant the Council an encumbrance to recognise the right of the Council to also enforce any breach of the land covenants referred to in Standard I522.6.10(2)(b) above.

## **I522.7. Assessment – controlled activities**

### **I522.7.1. Matters of control**

The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application, in addition to the matters specified for the relevant controlled activities in the overlay, zone or Auckland-wide provisions:

- (1) buildings siting, scale, design and external appearance;
- (2) landscaping and screening;
- (3) access and servicing; and
- (4) traffic, parking, loading and access

### **I522.7.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for controlled activities, in addition to the assessment criteria specified for the relevant controlled activities in the overlay, zone or Auckland-wide provisions:

- (1) the extent to which the siting (including clustering of existing and new buildings), scale and external appearance of structures including their colour and materials are consistent with the surrounding rural character and the rural design of the existing buildings;
- (2) whether buildings and structures are screened in such a way that is sensitive to the surrounding rural character and are visually unobtrusive;
- (3) whether appropriate landscaping is provided along the road edge(s) to screen development and form a cohesive landscaping theme over the precinct area;
- (4) whether sufficient car parking and adequate area are provided for safe manoeuvring into and out of the site;
- (5) the extent to which additional and cumulative effects on the roading network, of traffic generation, access, parking and loading arrangements are avoided, remedied or mitigated; and
- (6) whether the proposal include the provision of all services, infrastructure and utilities necessary to manage environmental effects.

## **I522.8. Assessment – restricted discretionary activities**

### **I522.8.1. Matters of discretion**

The Council will consider the relevant assessment criteria below for controlled activities, in addition to the assessment criteria specified for the relevant controlled activities in the overlay, zone or Auckland-wide provisions:

- (1) visitor's accommodation and activities that do not comply with relevant standards:
  - (a) the ownership and management structure;
  - (b) character and scale;
  - (c) location of buildings;
  - (d) infrastructure;
  - (e) access and parking; and
  - (f) amenity
- (2) rural tourist and visitor activities that do not comply with the relevant standard;
  - (a) the type of activity proposed;
  - (b) compatibility with existing activities;
  - (c) number, timing and duration of visitors;
  - (d) visitor requirements;
  - (e) facilities provided;
  - (f) amenity values;
  - (g) impacts on neighbouring sites; and
  - (h) access and parking.
- (3) subdivision:
  - (a) access, parking and traffic management;
  - (b) provision of infrastructure;
  - (c) methods for effluent treatment and disposal;
  - (d) availability and identification of building platforms;
  - (e) landscape amenity;
  - (f) protection and enhancement of existing and proposed waterways, ponds, wetlands and riparian margins; and

- (g) legal restrictions on land uses and further subdivision within each new site.

#### **I522.8.2. Assessment criteria**

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) visitor's accommodation and activities that do not comply with relevant standards:
  - (a) the extent to which the ownership and management structure will ensure that the accommodation will only be used by visitors and not for permanent residential occupation;
  - (b) whether the proposed activity is consistent with the surrounding rural character in terms of its, scale, intensity, design and external appearance;
  - (c) whether the visitor accommodation in Activity Area 3 is physically separate and distinct from any visitor accommodation in Activity Area 4 and in particular displays a rustic rural character;
  - (d) the extent to which the location of the proposed activity enable the site to retain the feeling of openness and sense of rural character in the immediate and surrounding rural area;
  - (e) whether the location of buildings and landscaping are carried out in a manner which minimises potential adverse effects on adjoining properties and reinforces the separation between visitor accommodation in Activity Area 3 and visitor accommodation in Activity Area 4;
  - (f) the extent to which buildings are located towards the centre of the site so as to minimise potential adverse effects on adjoining properties;
  - (g) whether the method and design of water supply, sewage treatment and disposal and site drainage are appropriate to ensure that the proposed activity does not result in adverse effects on the environment (including the surrounding land and waterways and wetlands);
  - (h) the extent to which the activity, including the design, location and provision of access and parking have an adverse effect on the safe and efficient operation of the surrounding road network;
  - (i) whether adequate area are provided to allow safe manoeuvring into and out of the site;
  - (j) whether sufficient onsite parking are provided to meet the needs of the proposed activity, without adverse effects on the safety and efficiency of the road network;



- (k) whether parking areas are designed to be sympathetic to the surrounding rural character i.e. by using bollards and unsealed surfaces instead of sealed parking areas with defined carpark spaces; and
  - (l) the extent to which the activity or location of buildings and associated infrastructure have an adverse effect on the amenity values of neighbouring properties, e.g. by way of noise, light, glare and whether appropriate mitigation measures are provided if adverse effects are generated.
- (2) rural tourist and visitor activities that do not comply with the relevant standard;
- (a) the extent to which the activity will meet the needs of rural tourists and visitors;
  - (b) the extent to which the activity is compatible with existing activities;
  - (c) the extent to which the number, timing and duration of visitors can be accommodated on the site;
  - (d) the extent to which the requirements of the tourists and visitors can be provided in a safe manner;
  - (e) the extent to which the proposed activity is consistent with the surrounding rural character in terms of its, scale, effects and intensity;
  - (f) the extent to which the activity will avoid, remedy and mitigate significant adverse effects on the environment and neighbouring properties; and
  - (g) the extent to which access and parking can be safely provided without significant adverse effects on existing and planned activities and the surrounding road network.
- (3) subdivision
- (a) whether the proposed subdivision provides adequate access to the proposed sites including parking provisions, internal road capacity and egress/ingress from the main entrances. Access to the proposed sites should avoid adverse effects on the road network;
  - (b) whether appropriate infrastructure for power and telephone are available to the proposed site;
  - (c) whether an approved effluent treatment and disposal system are provided on the proposed sites to serve the identified activity as shown on the Matakana 2: Precinct plan 1;
  - (d) whether appropriate building platforms are available to achieve the identified activity shown on the Matakana 2: Precinct plan 1;

- (e) whether a landscape management plan is provided to demonstrate the provision of landscape amenity areas fronting the road boundaries of the site and identifying open spaces and planting within the site;
- (f) whether a waterways management plan is provided to demonstrate the protection and enhancement of water quality in all existing and proposed waterways, ponds and wetlands, and demonstrates a planting management plan for all riparian areas and wetlands using appropriate native species; and
- (g) whether appropriate legal mechanisms are proposed to restrict further subdivision of sites including unit title subdivision, residential activity and other activities unless these activities are enabled by the Matakana 2 Precinct.

#### **I522.9. Assessment – discretionary activity subdivision**

The Council will consider the following matters when considering a discretionary activity for subdivision for visitor accommodation in Activity Area 9 of the Matakana 2 Precinct:

- (1) the appropriateness of the ownership and management structures proposed including consideration of;
  - (a) whether or not they achieve the objectives and policies for the Matakana 2 Precinct;
  - (b) the extent to which the use of the accommodation will be limited to visitors and will not be available for permanent residents;
  - (c) the efficiency and effectiveness of what is proposed;
  - (d) whether or not the provision of the visitor accommodation is enabled;
  - (e) covenants, encumbrances, consent notices and other legal instruments on any new titles created to manage the long term use for visitor accommodation; and
  - (f) body corporate rules, management and other agreements that may bind the parties to ensure that there is no permanent residential accommodation apart from the managers accommodation.

#### **I522.10. Special information requirements**

There are no special information requirements in this precinct.

**I522.11. Precinct plans**

**I522.11.1 Matakana 2: Precinct plan 1**

