

# SECTION 11:

# BUSINESS ZONES

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The Plan Change G: Aokautere Urban Growth Decision points have been incorporated into the Operative District Plan and are identified by red text.

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# 11. BUSINESS ZONES

## 11.1 Introduction

### 11.1.1 FUNCTION OF BUSINESS AREAS

Business areas are primarily places of employment, exchange of goods and services, and social interaction. As well as providing a social focal point for the community, business areas are places where large numbers of people go to work, to do business, to shop or to be entertained.

Business areas provide for the community's social and economic wellbeing by providing an important focal point, which helps to create a sense of place for the City. Efficiency benefits are gained from a centralised shopping area, providing a central point for the community to travel to and shop, rather than making multiple cross-City trips to purchase goods and services from individual retail stores.

The City's business areas are a substantial physical resource in their own right. Business activities make an important contribution to the social and economic welfare of the City. In this regard, it is important that business areas remain vital and viable, and that existing land, buildings and infrastructure are efficiently used. The physical resources of the City's business areas are found in publicly and privately funded infrastructure such as roads; buildings; community and cultural facilities; street amenity works and reserve areas. In particular, considerable expenditure of public money has provided for major infrastructure and amenity improvements within the city centre, based on maintaining and enhancing a vital and vibrant city centre. Well-designed retail and other commercial developments, together with public spaces, have an important role in maintaining and improving the environmental quality and attractiveness of the City's business areas.

### 11.1.2 REGIONAL AND LOCAL CONTEXT OF BUSINESS AREAS

Palmerston North City, with a population of approximately 82,000 people (as at 2012), is the 8<sup>th</sup> largest local authority in New Zealand and accounts for a 1.9% share of the New Zealand population. The City's share of economic activity is significantly higher than its population share, which is reflected in the higher Palmerston North City share in national data for employee numbers, employee earnings, visitor numbers and retail sales. The City is the 10<sup>th</sup> largest local authority for employment, with 20% of its workforce living outside the City. The Palmerston North retail sector accounts for 17% of total employment in the City and 11% of the City's earnings. The City accounts for 2.4% of the national retail workforce (number of jobs) and 2.7% of retail earnings (salaries, wages and self-employment income).

Data collected between 2000 and 2010, shows Palmerston North has been steadily increasing its share of national retail employee earnings and retail turnover, reflecting the growth of Palmerston North as a significant regional retail centre. To give context, Palmerston North, given its extent and regional influence, represents the largest provincial retail catchment in New Zealand.

The City's business areas function as a regional commercial centre for the Manawatu region, providing an extremely wide range and choice of leading retailers in all categories. There is a very full representation of retail banners and a substantial depth of retail space in the City's business areas. Below this the City contains local business areas that are dispersed throughout the City's residential neighbourhoods and play a convenience role serving local suburban catchments.

### **11.1.3 NATURAL HIERARCHY OF BUSINESS AREAS**

The compact shape of the City's urban development has discouraged the growth of significant suburban retail and service nodes on the periphery of the City, outside of the local convenience-based services and retail located throughout the City's suburban areas. Retailing and associated commercial activities have therefore focused around the historical city centre and gradually expanded from the core to form a naturally evolving hierarchy of business areas radiating from the centre of the City.

Business activity is concentrated within a hierarchy of four distinct business areas of the City. The hierarchy of business areas include the inner Central Business District (CBD), the outer CBD, the fringe, and local business areas. The Central Business Area (CBA) is made up of the inner CBD, outer CBD and fringe business areas.

The highest level business area is the inner CBD, commonly referred to as the city centre. Palmerston North's city centre lies at the hub of the City, with its core centrally focused on the Square. It is characterised by compact and contained urban form, and represents the prime retail, office, entertainment, cultural and pedestrian related retail focus of the City. The pedestrian focused area is characterised by a concentration of diverse business activities that are complemented by important amenity features such as the Square. The city centre represents the commercial heart of the City.

The outer CBD is located around the periphery of the city centre and extends out along arterial roads that function as main entrances to the City. The outer CBD is extensive in area and is located on generally larger lots when compared to the finer grained subdivision pattern of the city centre. The built environment is characterised by low-rise and space extensive development with on-site parking, and convenient access to arterial roads. Activities are generally vehicle orientated in nature and consist of a diverse range of retail, office, commercial service and light industrial activities.

The outer CBD functions as a less intensive, less integrated and more directly vehicle orientated extension of the inner CBD. It functions as an integral part of the CBD by providing for a scale and form of activities that are not able to be accommodated in the inner CBD.

The third level business area within the hierarchy is the fringe business area. The fringe business area is located on the northern periphery of the outer CBD. Similar to the outer CBD area, the fringe extends along an arterial and main road entrance to the City (Rangitikei Street) and is characterised by larger lots. Since 2008, the area is transitioning from traditional commercial service, light industrial and vehicle sales and service activities to vehicle orientated, space extensive retail activities.

A key feature of the CBD is the strong spatial connectivity between the three business areas with the city centre located at its core – collectively they form part of a cohesive central business district.

The fourth level of business activities within the hierarchy are the City's local business areas. The primary purpose of the City's local business areas is to provide for the day-to-day shopping and service needs of surrounding residential areas. The City's local business areas are local centres that include a range of small shops, professional services, and in some cases a small supermarket of a local nature, serving their surrounding suburban catchment.

In general terms, the City's business areas provide complementary environments of a pedestrian orientated city centre, fringed by larger, more directly vehicle orientated, business areas, and supported by peripheral suburban centres.

### **11.1.4 DISTRICT PLAN APPROACH TO MANAGING BUSINESS AREAS**

The District Plan strategy for the City's business areas is underpinned by the overall objective to

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achieve the sustainable use and development of physical resources within the City's business areas. The strategy seeks to promote the efficient use and continued viability of existing physical resources through the existing hierarchy of established business areas within the City.

Since the mid-1990s, the nature and scale of retailing formats changed. There has been a significant shift towards a larger scale, vehicle orientated, and more autonomous retailing format. The growth in retail floor space within the City has trended towards the provision of large format retailing in the outer CBD and fringe business areas, and industrial areas of the City.

The conflict between the increasing popularity of large format retail activities locating in the fringe of the City's business and industrial areas, and the traditional grouping of shops and services in the pedestrian oriented city centre has the potential to undermine the established hierarchy of business areas within the City.

The inability of the city centre to provide suitable sites for large format retail has meant that areas supported by pedestrian orientated, core retailing activities are vulnerable to the adverse effects associated with significant ad hoc retail dispersal to the fringes of the City. A major dispersal of retailing and associated activities from the city centre could potentially lead to the inefficient use of existing physical resources, and consequentially result in the decline in the pedestrian amenity of the city centre.

To reinforce the existing hierarchy of business areas the Plan actively manages the distribution, scale, and form of business activities throughout the City. The hierarchy of business areas are managed so that large format retailing formats are enabled in a way that does not create retail dispersion from the city centre.

The Plan envisages the greatest diversity, scale and intensity of activities to occur in the city centre. It should provide the greatest concentration and scale of buildings and promote a pedestrian focused retail environment which maintains the compact, convenient and vibrant character of the area. It is anticipated that retailers and associated service activities requiring larger floor areas and convenient access to arterial roads will locate in the outer CBD and fringe business areas. Conversely, smaller scale convenience-based retail and services that serve suburban catchments are anticipated to locate within the dispersed local business areas.

The framework of regulatory controls governing the City's business areas remains flexible and responsive to the on-going change in methods of delivery of goods and services by businesses. However, the regulatory controls manage this dynamic in a way that does not disenfranchise the community through the undermining of existing physical resources.

## 11.2 Business Zone Resource Management Issues

The following resource management issues have been identified in the Business Zones:

1. The need to enable a wide and diverse range of business activities, and to accommodate changes within a dynamic commercial and economic environment.
2. The inefficient use of existing infrastructure and development within the City's business areas.
3. The maintenance of a compact, intensely developed, vibrant and pedestrian-orientated retailing precinct in the city centre.
4. The vulnerability of the city centre to the adverse environmental and resource effects associated with ad hoc retail dispersal.
5. A lack of an integrated approach to managing retail activity which differentiates the complementary business areas could result in unanticipated adverse effects,

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particularly on the amenity of the city centre.

6. The impact of new building development and alterations to existing buildings on the special character, amenity and heritage values of the city centre and local business areas.
7. Managing the adverse effects of activities and/or development on neighbouring residential areas.
8. Large format retailing activities can potentially have greater levels of adverse effects on nearby streets and adjacent residential environments when compared to smaller retail activities.
9. Provision of safe, accessible and convenient pedestrian linkages.
10. The adverse environmental effects of large buildings have a more lasting and dominant presence in the urban environment and a potentially greater influence on urban design outcomes in the City's business areas than smaller developments.
11. Maintaining the convenience and opportunities offered by local business areas in serving their local catchments.
12. Within the City's local business areas, the potential for poor connectivity between the activities within the neighbourhood centres and between those centres and the local catchments they serve.

### **Explanation**

*As described in the introduction, the City has a natural hierarchy of business areas. An important element of the Plan's objective to sustainably manage the use and development of business area resources is the consolidation and strengthening of the existing hierarchy of business areas, as a critical element to achieving the objective of maintaining the vitality and viability of the city centre.*

*It is important that the City's business areas are able to accommodate a wide and diverse range of business activities. Enabling a broad range of activities promotes the efficient use of physical resources that flows from the co-location of complementary activities. This approach also provides flexibility for the market to respond to an increasingly dynamic and globalised marketplace.*

*The resource management issues above tend to focus on this issue of avoiding retail dispersion and encouraging a compact central city to ensure that the existing physical resource is most sustainably managed.*

*The City has at present a very compact pedestrian-orientated city centre area. Within this area, there is a strong concentration of retail, entertainment, cultural, civic and office activities which are complemented by a range of service activities. These activities, with the buildings and structures in which they are located, represent a significant physical resource for the City, which has over the years had important implications for the development of the City as a whole. The concentration of retail activities in particular, and the lack of dispersed retail centres on the periphery of the City, has assisted in maintaining the compact form of the City. This has been complemented by the promotion of infill throughout the residential area, which has helped to avoid unconstrained peripheral growth and the energy inefficient journeys which such growth promotes. It also assists in ensuring that the already developed physical resource within the city centre is put to the best use and does not remain empty and unused as it would if peripheral retail centres were allowed to develop.*

*There is a strong mix of heritage buildings throughout the city centre, particularly within the Coleman Place, George and Cuba Street Heritage Area. Many of the existing buildings are visual reminders of the past which add to the sense of diversity and attractiveness of the city centre. It is important that new building development does not compromise the context, setting and streetscape of heritage buildings and areas within the city centre.*

*The issues also address the need to manage the adverse effects of buildings and business activities on adjoining sensitive residential areas. Buildings and business activities can, if not appropriately managed, give rise to adverse effects on neighbouring residential areas. This can include the effects of building height, form and design, and the effects of activities such as noise, hours of operation and traffic generation. The environmental effects from large format retail activities on nearby*



*residential areas are of a greater scale and intensity when compared to the effects of smaller business activities. It is recognised that this interface needs to be carefully managed so that residential amenity is maintained.*

*Many of City's business areas are made up of large blocks. Pedestrian links between the city centre and fringe business areas should where possible be strengthened, in particular with adjoining fringe areas with pedestrian links from residential areas.*

*Experience in Palmerston North demonstrates that large buildings can be poorly designed and sited, significantly compromising the quality of the public environment. Poor urban design outcomes are more obvious where they are associated with large scale buildings, which contain high intensity use and are often visually dominant.*

*Within the Local Business Zone, the issues are similar but on a correspondingly smaller scale. These areas are important in providing retailing services to adjoining residential areas and in providing "start-up" premises for smaller businesses. The growth in larger scale retailing has put pressure on the viability of such areas and consequently a major issue is the need to ensure the on-going viability and use of the resources within the Local Business Zone.*

## 11.3 Overarching Business Zone Objective and Policies

### OBJECTIVE 1

**To enable the sustainable use and development of physical resources by reinforcing the existing hierarchy of business areas within the City.**

### POLICIES

- 1.1 To apply a hierarchy of business zones as follows:
  - Inner Business Zone
  - Outer Business Zone
  - Fringe Business Zone
  - Local Business Zone.
- 1.2 To reinforce the existing hierarchy of business zones as an important element of the District Plan's strategy to sustainably manage the use and development of physical resources.
- 1.3 To ensure an integrated approach is taken to managing retail activity by maintaining clear distinctions between the component business zones of the City's business areas.
- 1.4 To enable a sustainable distribution, scale and form of business activities which meet the economic needs of businesses, and provide the community with convenient access to goods, services, and opportunities for social interaction.

#### **Explanation**

*The sustainable use and development of physical resources underpins the Plan's resource management approach within the City's business areas. An important element of this approach is the existing hierarchy of complementary business zones. The component zones within the hierarchy include the Inner Business Zone (also referred to as the "city centre"), Outer Business Zone, Fringe Business Zone, and Local Business Zone. The sustainable management of the City's Business Zones involves an integrated approach to managing the distribution, scale, and form of business activities to meet commercial and social needs of the City. (Objective 1)*

*The primacy of the Inner Business Zone within the hierarchy of business zones reflects its role as the commercial heart of the City. The Plan provides for the greatest diversity, intensity and scale of use and development to occur in the Inner Business Zone. The Outer Business Zone provides for a less*

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concentrated form of space extensive, low-rise and vehicle orientated development. The diverse range of retail, office, light industrial and commercial service activities complements the function of the neighbouring Inner Business Zone. The third component of the hierarchy of business zones is the Fringe Business Zone. As part of the integrated approach to managing retail activities within the City's business zones the Fringe Business Zone provides for large format retail activities but not on a scale that adversely affects the Inner Business Zone's function as the primary retailing precinct in Palmerston North. (Policy 1.1)

The last component of the business zone hierarchy is the Local Business Zone. The Local Business Zone provides business areas that serve the City's suburban areas. The primary purpose of the Local Business Zone is to provide for the day to day shopping and service needs of surrounding residential areas. In this regard, the local business centres identified within the Local Business Zone provide local employment opportunities and an accepted service function within the City's residential areas. The Zone controls the size of business activities so that space extensive business activities do not crowd out the provision of a wide range of smaller locally focused retail services. (Policy 1.1)

The Plan seeks to achieve the sustainable use and development of physical resources by reinforcing the existing hierarchy of business areas within the City. To achieve this, the Plan seeks to manage the distribution, scale and form of business activity in a way that meets the needs of both businesses and the community. A supporting component of this approach is to ensure an integrated approach is taken to managing the distribution, scale and form of retail activity throughout the City's business zones. (Policies 1.2 to 1.4)

## 11.4 Inner Business Zone

### Introduction

The structure of business zone provisions collectively promote the maintenance of the Inner Business Zone as the commercial heart of the City. Inner Business Zone provisions recognise that a high quality public environment attracts people and consequently contributes to social vitality and commercial success of the city centre.

The Inner Business Zone, commonly referred to as the city centre, is centrally focused on the Square and is contained within the Ring Road, being Walding/Grey Streets; Princess Street; Ferguson Street and Pitt/Bourke Streets. In contrast to the Outer Business Zone, the Inner Business Zone does not share an interface with residential areas.

Palmerston North's Inner Business Zone is unique in New Zealand, in that, at its very heart, there is a large reserve – The Square. The city centre has developed around The Square, resulting in a relatively dispersed commercial centre. The Zone is characterised by a mixture of high and low rise office development of mixed age and style.

The urban form of the Inner Business Zone is contained, compact, and exhibits a relatively fine grained subdivision and land use pattern. The Zone contains a diverse range of pedestrian oriented activities. It is characterised by a variety of comparative retailing including specialist or boutique retailers; supermarket; food; and destination specific retailers; a wide range of entertainment activities; major civic buildings; and the Square – an important amenity feature and focal point for the city centre. Public investment in the Square has enhanced the memorability of the city centre, creating a visual focus on landmark elements within the core of the City, including; the World War I Memorial; the Statue of Te Peeti Te Awe Awe; the Clock Tower; and the Coronation Memorial. The Square also contributes to the cultural expression and recreational potential of the City.

Parts of the Inner Business Zone have their own distinct character due to the concentration of like activities. In particular, the Zone has an identifiable south-eastern retail focus in the form of the Plaza and a north-eastern retail area extending along Broadway Avenue. A substantial fringe area in the north-eastern part of the Inner Business Zone is occupied by the Universal College of Learning (UCOL), which brings diversity and enhanced vitality to the city centre. It is unique in that it functions as a student precinct within an otherwise commercially focused business area. UCOL is a significant investor and important contributor to the success of the city centre.

Core retailing is not strong to the west of the Inner Business Zone, activities are predominantly a mix of retail; cafes; restaurants; personal and professional services; community; and civic activities. The George Street area contains a distinctive fine grained land use pattern of boutique retail and café activity anchored by the Palmerston North City Library and Harvey Normans. Civic and cultural activities are concentrated on the block to the west of the Council building, bounded by the Square, Pitt, Main and Church Streets. This area represents an important centre of cultural activity for the City.

To date the success of the Inner Business Zone has been largely attributable to:

- Its relatively contained and compact form as evidenced by the significant concentration of commercial buildings and activities located within the Inner Business Zone;
- A critical mass of diverse retail, community, education, civic and office activities;

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- Substantial public and private expenditure invested in buildings and infrastructure such as public space, roading, vehicle parking, public art and streetscape improvements (e.g. The Square, Broadway Avenue, George Street, and the south-western side of the Square between Church and Main Streets), and social, education, and cultural facilities (e.g. Library, Te Manawa, Universal College of Learning and Square Edge);
- Convenient access for pedestrians, cyclists and motor vehicles;
- Limited barriers to new business entry and an adequate level of vacant floor space or under-utilised land available for re-use or redevelopment;
- The absence of strong competition from competing suburban centres, this being a consequence of previous commercial containment policies which recognise the adverse impacts associated with permitting extensive peripheral retail development to occur.

In order to ensure that the city centre is managed in an efficient and sustainable manner, the District Plan focuses on the maintenance and reinforcement of these key attributes. Consequently, the extent of the Inner Business Zone has been contained so that development is concentrated in and around the Square. The Zone has a tightly defined geographical area, which promotes a compact and pedestrian focused environment with high levels of public space amenity.

The Inner Business Zone provides for a wide and diverse range of business activities while continuing to ensure high standards of environmental quality are maintained. With regard to land use, the Zone exerts minimal direct control over the location of activities. Performance standards are set for noise, lighting, signs, hazardous substances, and storage areas, to promote acceptable standards of environmental quality.

However, where new building development is proposed, the District Plan requires private development to contribute to a high quality public environment. Targeted rules deal with the siting, design and appearance of new buildings so that the desirable qualities of existing urban form are maintained or enhanced. The District Plan has strengthened provisions relating to street edge treatment of buildings within all parts of the Inner Business Zone and requires all activities to contribute to the quality and attractiveness of the wider street environment.

In the north western area of the Square, there is a collection of heritage buildings that together form a coherent group of buildings of a similar age, general style, form and scale. The area, bounded by The Square, George Street, Coleman Place, and north Cuba Street comprises a Heritage Area and specific rules require new development to be compatible with the existing built form of the area and its heritage buildings.

As the commercial heart of the City, the Zone emphasises the importance of buildings positively addressing the Square. This approach supports investment in and around the Square and takes advantage of the existing public investment in its quality, and its function of hosting activities that contribute to the life of the City.

Since the mid-1990s, the expansion of large format retailing in the Outer, Fringe and Industrial Zones of the City has geographically expanded the City's retail base. In recognition of this trend, the Plan actively manages possible adverse distributional effects associated with future retail dispersal away from the city centre.

Noise levels in the Inner Business Zone are designed to allow most activities to occur. However, noise sensitive activities (including residential accommodation) are required to provide acoustic insulation to mitigate potential reverse sensitivity effects that may constrain business activities commonly associated with the city centre.

## 11.5 Inner Business Zone Objectives and Policies

Within the broad framework of the City View objectives in Section 2, and the Overarching Business Zone Objective, the following specific objectives and policies apply to the Inner Business Zone:

### OBJECTIVE 1

**To enable a wide range and diversity of business, community and cultural activities in the Inner Business Zone while managing the adverse effects of incompatible activities.**

### POLICIES

- 1.1 To provide for a wide range of activities within the Inner Business Zone provided the performance standards specified in the Plan are satisfied.
- 1.2 To promote the ability to change the use of buildings by ensuring frequent entries are provided at the street edge and the provision of ground level stud heights that are sufficient to allow for retrofitting for other uses.
- 1.3 To require that any residential activity within the Inner Business Zone be above ground floor level.
- 1.4 To ensure that all residential accommodation within the Inner Business Zone is designed with a high level of amenity.
- 1.5 To ensure that appropriate on-site measures are taken to protect residential and any other noise sensitive activities that locate within the Inner Business Zone from any intrusive noise effects.
- 1.6 To discourage the establishment of activities which will have an adverse effect on the amenity values associated with the Inner Business Zone.

#### **Explanation**

*A diversity of uses makes an important contribution to the vitality and viability of business areas. Providing for a wide range of activities offers the market a broad range of business opportunities. Enabling a diverse range of activities provides flexibility for business activities to adapt to change in a rapidly changing and dynamic marketplace. The existence of a diverse range of activities such as retailing, entertainment, office, educational, cultural and residential use attracts a broad range of people and ensures the city centre is attractive and occupied over a greater part of the day. This makes the city centre more interesting, safer, and creates an atmosphere that will help to attract and retain people to Palmerston North. (Objective 1 and Policy 1.1)*

*An important consideration in building design is the adaptability of a building over time to accommodate a range of different uses. The provision of frequent entries at the street edge and a greater ground to first floor interstorey height helps to facilitate future change of use at the street edge, particularly retail use. A floor to floor height that allows for a variety of activities will give a sense of spatial generosity and help to ensure that building frontages at the street edge are capable of accepting a range of uses including retail or food and beverage outlets. This will typically be higher than the floor height necessary for upper floors and should provide enough space and configuration that allows future installation of an extract ventilation system. This approach recognises that a greater ground to first-storey height is both typical and traditional along main streets in city centres. (Policy 1.2)*

*Residential activity ensures there are people in the city centre throughout the day and night and contributes to safety and support for local retail services. Residential activity provides locations and choice for user groups such as students who will help vitalise the city centre. However, to attract and retain residents within the city centre, dwellings should provide a high level of internal amenity. Residential activity at ground level is discouraged because it compromises the quality of the street edge. Residential development is required to provide acoustic insulation to mitigate potential reverse sensitivity effects that may constrain business activities commonly associated with the Inner Business*

Zone. (Policies 1.3, 1.4 and 1.5)

*It is important that the high standard of functional and visual amenity provided for within the city centre is maintained. To counteract the potential erosion of amenity that might arise as a consequence of allowing a relatively unrestricted range of activities to establish in the Inner Business Zone, activities which are offensive in nature or which involve industrial processes are restricted or discouraged. (Policy 1.6)*

## OBJECTIVE 2

**To enable the efficient use and continued viability of the existing physical resources of the Inner Business Zone.**

### POLICIES

- 2.1 To maintain and enhance the multi-functional nature of the city centre by providing for a diverse range of activities within the Inner Business Zone.
- 2.2 Ensure that retail activity remains a core function of the city centre and continues to underpin the vitality and viability of the Inner Business Zone.
- 2.3 To require as a key aspect of maintaining the continued vitality and economic viability of the Inner Business Zone well designed public spaces and buildings which are:
  - Fit for purpose
  - Comfortable
  - Safe
  - Attractive
  - Accessible
  - Durable.
- 2.4 To control the establishment of vehicle intensive activities where traffic generation is likely to have adverse effects on the safety and efficiency of the transport network and on the amenity of the Inner Business Zone.

#### **Explanation**

*The overarching business zone objective seeks to achieve the sustainable use and development of physical resources by reinforcing the existing hierarchy of business zones within the City. As the highest level business zone within the hierarchy, containing a significant level of private and public investment, it is important that the physical resources of the Inner Business Zone are efficiently used and continue to be viable. (Objective 2)*

*The Inner Business Zones functions as an economic and social node for the City. The city centre provides for a diverse range of commercial, civic, cultural, entertainment, recreational and residential activities. The multi- functional nature of the Zone provides economic opportunity and employment while also contributing to the City's sense of place and cultural expression. (Policy 2.1)*

*Recognising retail activity as a core activity of the city centre, the Plan places emphasis on the Inner Business Zone as the primary business centre for the City and seeks to ensure retail development elsewhere in the City does not undermine the economic and social function of the city centre. (Policy 2.2)*

*A key aspect of maintaining the continued vitality and economic viability of the Inner Business Zone is the provision of an urban environment that encourages people to want to work, live, visit and shop there. Well- designed public spaces and buildings are critical to securing and sustaining the on-going economic and social benefits associated with the function of the city centre. (Policy 2.3)*

*Pedestrian priority in the city centre means high traffic generating activities need to be carefully managed. Supermarkets, shopping malls and department stores are all forms of retail activity which are high generators of vehicle traffic. Development should be located and designed in such a way that potential adverse effects on the road network, particularly traffic movement, efficiency and*

safety, and adverse effects on pedestrians and passenger transport users are appropriately managed. (Policy 2.4)

## OBJECTIVE 3

**The Inner Business Zone is the economic, social and cultural focus of the City and provides for the greatest diversity, scale and intensity of activities and development.**

### POLICIES

- 3.1 To enable the greatest diversity, scale and intensity of activities to occur in the Inner Business Zone.
- 3.2 To provide for the greatest concentration and scale of buildings to occur in the Inner Business Zone.
- 3.3 To promote an enhanced pedestrian orientated mixed use environment that maintains the compact, convenient and vibrant character of the Inner Business Zone.
- 3.4 To reinforce the compactness and convenience of access within the Inner Business Zone.

#### **Explanation**

*The Inner Business Zone is recognised as the principal retail, administrative and entertainment hub for the City and the wider region. The city centre has the largest concentration of commercial and administration activities in the City. It is also notable for its important civic and cultural facilities, and heritage buildings. There has been substantial investment in the Inner Business Zone by both private and public sector interests in the past, in a wide range of activities. As a result, the city centre has a diverse range of activities occurring within it. The effects of those activities in terms of scale and cumulative effects are unique within Palmerston North. Maintaining the Inner Business Zone as the principal economic, social and cultural focus of the City recognises the existing built infrastructure and social function of the city centre. (Objective 3 and Policy 3.1)*

*The Inner Business Zone's central focus on the Square; its compact and contained urban form; concentration of buildings; and its pedestrian-orientated retail and cultural activities provides a city centre that is a physical focal point in the geographical centre of Palmerston North. This has a significant degree of visual prominence given the flat setting of the City. Maintaining the opportunity for the greatest concentration and scale of buildings to establish in the city centre will enhance its role as the economic, social and cultural focus of the City. A supporting component to maintaining the primacy of the Inner Business Zone is providing for opportunities for the greatest diversity, scale and intensity of development and activities to occur in the city centre. (Policies 3.2 and 3.3)*

*A compact primary pedestrian area in the city centre ensures that activities meeting the needs of workers, shoppers, visitors and tourists are easily accessible and within comfortable walking distance from each other. Full utilisation of development opportunities is encouraged within a compact, defined area of the city centre for the convenience of all users, particularly at ground floor level. This promotes a convenient and safe environment within the core city centre. (Policy 3.3)*

*The Inner Business Zone is at the heart of the City geographically and with respect to the grid patterned road network and is easily accessible from all areas of the City. The development of a compact city centre within a consolidated urban area, with opportunities for public transport is an energy efficient way of using energy for movement of people within Palmerston North. (Policy 3.4)*

## OBJECTIVE 4

**The Inner Business Zone has a pedestrian focused environment that is pleasant, safe, convenient, compact and interconnected.**

### POLICIES

- 4.1 To provide a high level of pedestrian convenience and safety while minimising the adverse environmental effects of vehicle traffic.

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- 4.2 To ensure that a core pedestrian area is provided in the Inner Business Zone that is compact, conveniently interconnected, pleasant, safe and has a high level of landscape design.
- 4.3 To ensure that building development in the Inner Business Zone maintains and enhances a safe, convenient and pleasant pedestrian environment.
- 4.4 To promote building frontages that include publicly relevant activity and strong visual connections with the street.
- 4.5 To require buildings and development on large blocks to provide attractive and safe mid-block pedestrian linkages between known or predicted destinations.

### **Explanation**

*The central city is where most people are on foot. In this regard, convenient, relatively close spaced and safe routes are required to provide good pedestrian access to central city activities. The core pedestrian area is located around the Square, Broadway Avenue, Church Street, Main Street, George Street and Coleman Place and contains existing pedestrian facilities orientated towards pedestrian activities. (Objective 4)*

*A compact primary pedestrian area in the Inner Business Zone ensures that activities meeting the needs of workers, shoppers, visitors and tourists are easily accessible and within comfortable walking distance from each other. A well-defined pedestrian environment that is compact, convenient, interconnected, pleasant and safe is critical to the on-going vitality and viability of the Inner Business Zone. A compact pedestrian area also provides opportunities and advantages for business activities. Compactness provides convenience, which is essential for attracting people to the city centre and promoting street life. Well considered landscape design encourages connectivity through the provision of quality paving and hard landscaping elements. The economic and social interests of the City as a whole are promoted by providing a compact and convenient pedestrian area in the city centre. (Policies 4.1 and 4.2)*

*The Inner Business Zone is characterised by a wide range of business activities. However, this mix of use and the associated vehicle traffic and servicing operations can lead to a loss of pedestrian amenity and potential conflict between pedestrians and traffic. It is important that buildings and activities do not cause adverse impacts on pedestrian access, safety, interconnectedness, and convenience in the city centre. (Policy 4.3)*

*Building frontages with strong visual connections with the street that offer views into publicly relevant activity such as retail, main entry lobbies and other spaces strengthen pedestrian amenity in the Inner Business Zone. Publicly relevant activities are generally accessible to the public during the working day. Servicing and other 'back of house' activities are not publicly relevant, nor are functions within a building that require visual privacy. (Policy 4.4)*

*An important component of providing for a pedestrian focused environment in the Inner Business Zone is the provision of mid-block pedestrian links, particularly on large blocks. Mid-block links provide convenient pedestrian access throughout the city centre and encourage people to walk rather than use their cars for simple walking journeys. Mid-block links become very important with very large developments that often occupy large blocks. In order to promote accessibility, and a safe and convenient environment for pedestrians in the city centre, mid-block links should be promoted where appropriate, for example where a block is larger than 120 metres in any direction. It is also important that mid-block links contain qualities associated with activity at edges, sunlight exposure and safety to ensure the link is of a high quality. (Policy 4.5)*

## **OBJECTIVE 5**

**Activities and development recognise and enhance those characteristics, features and areas within the Inner Business Zone that contribute positively to the City's distinctive character and sense of place.**

### **POLICIES**

- 5.1 To promote a sense of place in parts of the Inner Business Zone that have a recognisable identity.



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- 5.2 To preserve the present compact and convenient urban form of the Inner Business Zone.
- 5.3 To encourage tall buildings to be located within the Inner Business Zone.
- 5.4 To promote building development in the Inner Business Zone which respects the historic character of surrounding buildings or heritage areas.
- 5.5 Recognise the value and contribution of education and training activities undertaken by the Universal College of Learning and to facilitate the potential intensification and expansion of its activities, including minor ancillary works, while ensuring a high quality public environment is achieved.

### **Explanation**

*Many parts of the Inner Business Zone contain distinctive and memorable groups of buildings, streets and areas that contribute the City's identity. These areas include:*

- *The Square*
- *The UCOL campus*
- *The North West Square Heritage Area*
- *The main entry axes of Main and Rangitikei Streets and Fitzherbert Avenue*
- *Broadway Avenue*
- *Te Manawa*
- *Heritage buildings at the eastern end of Church Street including - the Former Club Hotel; First Church of Christ Scientist; Manawatu Kilwinning Lodge; Former Baptist Church (Abbey Theatre); and St Andrews Church.*
- *Heritage buildings at the western end of Church Street including – Square Edge, All Saints' Church and The Grand Hotel.*

*It is important that development and activities recognise and enhance those characteristics, features and areas within the city centre that contribute to the City's identity. (Policy 5.1)*

*Preserving a compact urban form alongside encouraging the tallest buildings to locate in the city centre will help maintain and enhance the concentration of activities within the Inner Business Zone. This approach fosters a diverse mix of conveniently co-located uses. Concentration of activity and people supports the small scale retail activity that occurs here and complements larger retailers. Tall buildings here will also signal the centre of the city. (Policies 5.2 and 5.3)*

*Heritage buildings contribute to the identity of the city centre and are typically characterised by relatively narrow frontages and small floor plates that contribute both visual interest and accommodate diversity of activity with small business occupants. (Policy 5.4)*

*The Universal College of Learning (UCOL) is unique in that it functions as a major education provider within an otherwise commercially focused business area. UCOL provides education and training services rather than commercial activities. Expansion of UCOL and other education providers can enhance the vitality and function of the city centre. Development should be appropriate for the intended educational and training use while ensuring a quality public environment is achieved. In terms of the wider built environment, a mix of building types and treatments for non-commercial facilities adds to the richness and diversity of the city centre. For these reasons special provision is made for UCOL within the Inner Business Zone. (Policy 5.5)*

## **OBJECTIVE 6**

**All buildings in the Inner Business Zone contribute to a high quality public environment, particularly those buildings fronting the Square.**

## **POLICIES**

- 6.1 To enhance the public environment of the Inner Business Zone by guiding the design of

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new building development, and enhancing the accessibility and usability of buildings, and their relationship with public space and publicly used private space.

- 6.2 To require high quality building design within the Inner Business Zone that acknowledges, and responds to, the context of the site and surrounding environment.
- 6.3 To enhance the visual quality and design of ground floor level developments fronting streets, public space and pedestrian thoroughfares, in particular to require all buildings to be built to the street edge, and characterised by active street edge treatments, particularly those sites fronting The Square.
- 6.4 To require the provision of continuous shelter along all Pedestrian Streets (see Appendix 20A.4, Land Transport Section), and ensure pedestrian shelter is provided in a way that creates an environment that will attract pedestrians.
- 6.5 To ensure that in providing pedestrian shelter any adverse effects on the architectural integrity of a building to which the shelter is being affixed, and any effects on public amenity, public safety and the informal surveillance of public spaces are managed.
- 6.6 To ensure the design of new buildings and any addition or alteration of existing buildings reduces the actual and potential threats to personal safety and security, and that public spaces, including privately owned spaces that are characterised by patterns of public use, are suitably designed and lit.

### **Explanation**

*A high quality public environment attracts people and consequentially contributes to social vitality and commercial success. Streets and public spaces can be degraded by either a single poor development, or alternatively the incremental effect of a number of substandard developments. In particular, buildings form the edges of public space, and the quality of this edge must be considered in all cases. The quality of the public environment has impacts on perceptions of vitality and safety in the city centre. (Objective 6)*

*All buildings in the Inner Business Zone, particularly sites fronting the Square, should front the street in a manner that creates a high quality street edge treatment. A core principle within the Inner Business Zone is to require the front of buildings to be built to the edge of streets. Large or random edge setbacks should be avoided. Departure from this core principle is a matter of discretion. Common alignment and construction to the street edge will reinforce the local street grid and local system of public open spaces. Any departure should be to create a positive open space for public use. The Square is at the heart of the City. The importance of buildings and activities positively addressing the Square centres around maximising the amenity benefits of being close to or with outlook over the Square and its environs and contributing to enlivening these areas with people and activity. It is important that businesses are able to take advantage of the existing public investment in the Square's quality and its potential to host activities that contribute to the life of the City. (Policies 6.1, 6.2 and 6.3)*

*Pedestrian shelter is an important amenity consideration in the Inner Business Zone and is an important contributor to ensuring a high quality public environment is provided in the city centre. However, the provision of pedestrian shelter should not compromise the architectural integrity of a building, public amenity and safety, and the informal surveillance of public space. (Policies 6.4 and 6.5)*

*Urban design measures can minimise or reduce threats to personal safety and security. Certain design features such as potential for informal supervision of public space from within buildings and good lighting will contribute to a sense of safety and actual safety. Eliminating areas which might be used for concealment or entrapment also reduces the opportunity for crime to occur. (Policy 6.6)*

## OBJECTIVE 7

**Tall and large buildings in the Inner Business Zone are characterised by quality design outcomes that ensure the avoidance of adverse effects on the visual character and amenity of surrounding buildings, streetscape and public areas.**

### POLICIES

- 7.1 To manage the adverse effects of building mass and height, including impacts on the visual character and amenity of surrounding buildings, streetscape and public areas.
- 7.2 To manage building mass in conjunction with building height to ensure high quality design outcomes.
- 7.3 To require high quality design outcomes for any building that is higher than the 15 metre height standard threshold for the Inner Business Zone.
- 7.4 To require consideration of wind mitigation measures during the early stages of building design and ensure that such measures are contained within the development site.

#### **Explanation**

*Larger or taller buildings have greater visual effects and demand a greater attention to achieving good design outcomes. Recent experience in Palmerston North demonstrates that large buildings can be poorly designed, degrading the public environment. Very large buildings exceed a number of thresholds above which effects individually begin to be problematic, and which cumulatively can be significant. Buildings that are much larger or taller than those around have the potential, if not well designed, to cause significant adverse effects on neighbouring activities and surrounding streets and public spaces. These are more highly visible and typically occupy more of the street edge. (Objective 7)*

*The Plan takes a targeted approach to managing the environmental effects of tall and or large buildings. In this regard, buildings over 400m<sup>2</sup> and or taller than 15 metres in height require a restricted discretionary consent. The design of tall and or large buildings should have regard to issues such as; building mass and height; scale in relation to smaller neighbours; frontages and active edges; relation to streets and other public spaces; through site pedestrian links; and wind effects. The design of large and tall buildings should ensure buildings relate positively to the character of their setting; avoid visual dominance; provide attractive, accessible, safe and convenient mid-block links; and create visual interest and aesthetic coherence when viewed from the street and other public spaces. (Policies 7.1 to 7.3).*

*As buildings rise above neighbours the risk of creating adverse wind effects at ground level increases. New buildings and additions over the 15 metre height threshold are required to be designed in such a way as to avoid adverse wind speeds at ground level, and a wind tunnel test is required to demonstrate compliance with these requirements. (Policy 7.4)*

## OBJECTIVE 8

**New buildings in the Inner Business Zone are energy efficient and environmentally sustainable.**

### POLICIES

- 8.1 To promote a sustainable built environment, involving the efficient end use of energy and the use of renewable energy, especially in the design of new buildings and structures.
- 8.2 To ensure all new buildings provide appropriate levels of natural light to occupied spaces within the building.
- 8.3 To enhance the quality and amenity of residential buildings in the Inner Business Zone by ensuring occupants have adequate access to daylight and sunlight.

#### **Explanation**

*The Council has, through its Sustainable City Strategy, Urban Design Strategy and Economic Well-*

*Being Strategy, made a commitment to encourage energy efficiency and the use of renewable energy. With respect to the Inner Business Zone, this may be in the form of new development incorporating sustainable and energy efficient building design principles, and the use of renewable energy sources for space and water heating, and electricity generation. This may involve using passive design principles such as considering the orientation of openings to assist with solar heating, screening and shade cooling, and natural light and ventilation. Many of these activities may not require resource consent, but the Council recognises its responsibilities in terms being a role model and advocate to encourage the use of renewable energy and energy efficiency.*

## OBJECTIVE 9

**To retain and protect heritage buildings and areas and respect the setting of heritage items and identified heritage areas in the Inner Business Zone.**

### POLICIES

- 9.1 To identify heritage areas that include groups of buildings, structures, spaces and other features which collectively have historic heritage.
- 9.2 To protect buildings, structures, spaces and other features that contribute to the value of heritage areas from demolition, destruction or relocation.
- 9.3 To maintain and enhance the heritage values, qualities and character of identified heritage areas.
- 9.4 To ensure additions and alterations to existing buildings, any new buildings or subdivision do not compromise the context, setting and streetscape value of adjacent heritage buildings and areas, through the management of building bulk and height.

#### **Explanation**

*The Council has recognised the city centre as a heritage resource. The Plan contains methods that give greater recognition to heritage buildings and areas by ensuring new development does not compromise the context, setting and streetscape value. In particular, the North West Square Heritage Area recognises the importance of retaining this distinctive area in order to enrich the public built environment and enhance the special character of the City. The Heritage Area provisions protect the heritage values of existing groups of buildings and ensures that new development contributes to the qualities and values of the heritage area.*

## 11.6 Inner Business Zone Rules

### 11.6.1 RULES: PERMITTED ACTIVITIES

#### R11.6.1.1 Permitted Activities

Any Activity Except For:

- Those Specified as Restricted Discretionary Activities or Discretionary Activities
- Offensive Activities, Industrial Activities, Crematoria and Residential Development at Ground Floor Level which are Non-Complying Activities

is a Permitted Activity, provided that the following performance standards are complied with:

#### **Performance Standards**

##### **(a) Lighting**

##### **Car Park Lighting**

- i. All external car parking areas must provide lighting designed and installed in accordance with the P11a lighting subcategory of AS/NZS Standard 1158.3.1:2005.

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- ii. Designated external car parking spaces specifically intended for people with disabilities must provide lighting designed and installed in accordance with the P12 lighting subcategory of AS/NZS Standard 1158.3.1:2005.
- iii. All internal car parking building areas must provide internal lighting designed and installed in accordance with AS/NZS Standard 1680.2.1:2008.

### Pedestrian Lighting

- iv. All verandas must provide pedestrian lighting designed and installed in accordance with the P2 lighting subcategory of AS/NZS Standard 1158.3.1:2005.
- v. All public and private pedestrian routes must provide pedestrian lighting designed and installed in accordance with the P2 lighting subcategory of AS/NZS Standard 1158.3.1:2005.

### Negative Effects of Exterior Lighting

- vi. All exterior lighting must be designed and installed to ensure compliance with AS Standard 4282.

### White Light

- vii. All exterior lighting must use “white light” sources.

#### **Explanation**

*Storage areas and particularly those used for the storage of waste, can detract from the visual amenity of public areas such as footpaths, roadways or reserves. While servicing might occur at the street edge, waste and storage areas should not be visible. If small areas are required for servicing or storage, these should be enclosed within the building.*

#### **Explanation**

*The lighting rules are designed to ensure that places available for public use are safely illuminated, and that the amenity of residential dwellers in any zone is reasonably protected. In all cases, the Council will seek to ensure public space is safely illuminated and that adverse effects of glare from lighting sources are appropriately managed.*

### **(b) Storage Areas**

- i. No outdoor storage areas are permitted at the street edge.
- ii. No outdoor or indoor storage areas are permitted to be visible from the street edge.

### **(c) Loading and Access**

- i. Compliance with R20.4.2(a) Vehicle Access.
- ii. Compliance with R20.4.2(e) and (f) Loading Space Provision and Design.

### **(d) Vehicle and Cycle Parking**

- i. Compliance with R20.4.2(b)(i) Parking Spaces for People with Disabilities.
- ii. Compliance with R20.4.2(b)(iii) Maximum Parking Provision Standards for the Inner Business Zone.
- iii. Compliance with R20.4.2(d) Formation of Parking Spaces.
- iv. Compliance with R20.4.2(g) Cycle Parking Provision and Design

**(e) Car Park Landscape Design**

Compliance with R20.4.2(c) Car Park Landscape Design.

**NOTE TO PLAN USERS**

Most activities in the Inner Business Zone are not required to provide on-site vehicle parking, but where parking is provided compliance is required with R20.4.2(a), R20.4.2(b)(i), R20.4.2(b)(iii), R20.4.2(c), R20.4.2(d), and R20.4.2(e) and (f).

**(f) Signs**

Compliance with R6.1.5.

**Explanation**

*Signs are essential to the city's commercial character and activity. They communicate information, add vitality and provide a sense of direction. However, while they can enhance the cityscape, they can also diminish it. Advertising signs can be categorised into those that identify the building or activity; advertising related to the activity on the site; and 'third party advertising' signs. If related to the activity, signage can assist with way finding, and contribute to user understanding of the city. If not, like third party advertising, signage can compromise legibility, and risks visual cacophony.*

**(g) Hazardous Substances**

Compliance with the provisions of Section 14 Hazardous Substances.

**(h) Noise**

Compliance with R11.6.6.1.

**NOTE TO PLAN USERS**

Also refer to: R23.6.2(i) – Radiofrequency Field Exposure.

**R11.6.1.2 Construction, External Alteration or Addition to a Building**

The Construction, External Alteration or Addition to a Building is a Permitted Activity provided the following Performance Standards are complied with:

**NOTE TO PLAN USERS**

Plan users are advised to check the Schedule of Buildings and Objects of Cultural Heritage Value to ensure that the building is not subject to the additional provisions of the Cultural Heritage Section. In the North West Square Heritage Area all new buildings, any external alteration or addition to an existing building are Restricted Discretionary Activities – see R11.6.2.5.

**Performance Standards for Permitted Activities:**

**(a) Maximum Floor Area**

- i. The construction of all buildings with a total gross floor area of up to 400m<sup>2</sup> are permitted.
- or
- ii. In respect to existing buildings, any external additions or alterations involving an additional total gross floor area of up to 400m<sup>2</sup> are permitted.

Except where –

In the North West Square Heritage Area all new buildings, any external alteration or addition to an existing building are Restricted Discretionary Activities.

**Explanation**

*The overall image and attractiveness of the street environment is an important factor in attracting people to the Inner Business Zone. The 400m<sup>2</sup> maximum floor area provision reflects the desirable and anticipated finer grain of activity in the Inner Business Zone, and the greater design sensitivity of this intensely developed and high amenity area. Most developments in the city centre are relatively small in scale and successfully integrate into their setting without compromising the street edge or amenity.*

*However, large development is the exception. Large development has been variable in its design outcomes and has led to poor urban environments. While providing for small scale development as a permitted activity, the 400m<sup>2</sup> maximum floor area provision also establishes a threshold that allows urban design matters to be taken into account when assessing land use consents for large development.*

**(b) Maximum Building Height**

- i. Any buildings or structures must comply, in terms of maximum height, with R13.4.7.1.

**Explanation**

*This performance standard sets a maximum height for any buildings or structures within the Inner Business Zone to prevent penetration of the Airport Protection Surfaces as set out in R13.4.7.1.*

- ii. The maximum permitted height of a building is 15 metres.  
Except that-
- iii. For tertiary education providers (as defined in the Education Act 1989) roof-top services and plant rooms may extend to 18 metres on the block bounded by Rangitikei, Queen, Princess and King Streets.

**Explanation**

*While many buildings around and close to the Square rise above 15 metres, the majority of buildings in the Inner Business Zone are less than 15 metres high. Any building that rises significantly above those around will tend to be prominent in view and will cast longer shadows over streets and neighbouring sites as well as risk increased wind effects. Unless buildings are well-designed, as their height increases above neighbours, they may become unduly visually dominant and may cause adverse effects on daylight and privacy for neighbours. Any building or part of a building above 15 metres high therefore triggers a more detailed set of discretionary assessment criteria to allow these effects to be addressed.*

*The additional building height provided for tertiary education providers accommodates the optimal four storey development of educational facilities in one of the most intensively occupied blocks within the Inner Business Zone and allows for articulation of the skyline above.*

**(c) Maximum Building Height Adjoining a Scheduled Building**

- i. Except in the North West Square Heritage Area, the maximum permitted height of any building or structure on a site which adjoins a scheduled building is no more than one storey higher than the scheduled building within a distance of 5 metres of the street frontage and along the common boundary or 15 metres, whichever is the lower.
- ii. The maximum permitted height of any building or structure on a site which adjoins the North West Square Heritage Area is no more than one storey higher than a neighbouring building in the North West Square Heritage Area within a distance of 5 metres of the common boundary.

**Explanation**

*The fundamental way of managing the visual effects of new buildings to adjoining or adjacent scheduled buildings and areas is to manage the relationship of building scale. When considering character, relative rather than absolute height is important. Buildings of a height that greatly exceed*

*an adjoining scheduled building that gives an area its valued character will detract from that character.*

**(d) Minimum Building Height**

- i. The permitted minimum height of any building or structure is 8 metres.  
Except where –
- ii. All or part of a building or structure fronts the Square the permitted minimum height is 12 metres.

**Explanation**

*The purpose of the minimum height standard is to encourage sufficient height at the building frontage to provide street definition and provide a sense of containment which contributes to the pedestrian amenity values of the street. The minimum building height standard also provides for reasonable spatial definition, relating building height to the width of the Square while not compromising sun and light to the Square.*

*Away from the Square in other parts of the Inner Business Zone, building development is characterised by single story buildings built to a two storey scale. This gives street definition and allows smaller buildings to sit comfortably beside taller buildings, maintaining the visual coherence of the street wall. Low single story development in this area would be out of character with the existing built environment.*

**(e) Ground Floor Height**

On Pedestrian Streets, the permitted ground floor height of any building is to be not less than 1.3 times the floor to floor height of upper floors and is to extend the full width of the frontage and back a distance of not less than 12 metres.

**Explanation**

*The purpose of the ground floor height provision recognises that a greater ground to first storey height is both typical and traditional along city centre streets. Greater first storey height helps accommodate a range of different future uses at ground floor level including food and beverage related retail. It also promotes active edges and facilitates change.*

**(f) Maximum Frontage Width**

On Pedestrian Streets, the permitted maximum width of ground floor tenancies is 10 metres.

**Explanation**

*The maximum frontage width reflects the existing fine grained frontage and lot widths within the Inner Business Zone. Because inactive frontages lack visual appeal and create an uninviting environment for pedestrians at the street edge wider frontages are subject to a higher level of scrutiny. The existing fined- grained nature of development is a critical component that contributes to the quality and attractiveness of the wider street environment.*

**(g) Building Frontages**

- i. All buildings will be built to the front boundary at ground floor level and provide at least one pedestrian entrance at the street.
- ii. No building will create a featureless façade or blank wall at the ground level street frontage wider than 3 metres. A featureless façade or blank wall is a flat or curved wall surface without any openings or glazing.

**(h) Display Windows and Glazing**

- i. All buildings on Pedestrian Streets will provide display windows at ground floor level. This requirement does not preclude the provision of doors and supporting columns



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intruding into the area of display windows.

- ii. No display window or entrance to a building is permitted to be blocked off from view from the adjacent public space by the use of opaque roller shutter doors, opaque screens or similar structures or screening.
- iii. Transparent or semi-transparent security grills are permitted.
- iv. All buildings will provide clear glazing for at least 75% of its height for at least 75% of the ground floor building frontage.

Except where –

The building is not on a Pedestrian Street, the requirement in (iv) above may be reduced by one third.

### **Explanation**

*It is important to promote a pedestrian focused environment in the Inner Business Zone. Many of the Pedestrian Streets identified in Figure 20A.4 are characterised by what is essentially a fine grained and non- interrupted building frontage. This active edge provides an environment for pedestrians which is accessible, convenient and coherent and which, if broken, could adversely affect the vitality and visual qualities of the Inner Business Zone.*

*Requiring buildings to be built to the street front with a high degree of openings and glazing (and conversely limited blank walls) is intended to reinforce the existing pattern of public space and street edge definition and activity at the street edge. This approach provides for convenient pedestrian access, visual interest for pedestrians from shops, cafes and adjacent activities, and enhances the vitality of both the pedestrian environment and adjoining business activities.*

### **(i) Corner Sites**

On any corner site the main entrance to the building will be to a primary street or at the corner.

### **Explanation**

*For the purpose of corner sites, "Primary Streets" in the Inner Business Zone are The Square, Rangitikei Street, Main Street, Fitzherbert Avenue and Broadway Avenue (Note, there is no hierarchy within "Primary Streets"). Corner buildings are visually prominent and have an extended street frontage. This requires particular attention to the way they address the street. Placing the main entrance to the main frontage of the building facing the primary street or at the corner will reinforce the existing street hierarchy and contribute to on-going activity along the Primary Street. At the same time, the secondary frontage will also be visually prominent, and in order to maintain active edges to the street all ground floor frontages should contain shopfronts.*

### **(j) Entrance Lobbies**

On Pedestrian Streets, no entrance lobbies to upper level offices and residential accommodation at the ground floor frontage of a building are permitted to be more than 4 metres in width.

### **Explanation**

*The purpose of the width of entrance lobby provision is to avoid inactive frontages and to maintain the fine grained development pattern in the Inner Business Zone. Wide entrance lobbies have the potential to break the continuity of activity at the street edge and undermine the vitality of the pedestrian environment and adjoining business activities.*

### **(k) Verandas**

- i. On Pedestrian Streets, verandas will be constructed along the full length of any building frontage facing a street, pedestrian mall, pedestrian walkway, or public space and will be connected to any adjoining verandas.

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- ii. Verandas will be setback 600mm from the face of any kerb.
- iii. Where a street is not a Pedestrian Street and a veranda is not required along the length of the building frontage, a cover over all main pedestrian entrances will be provided that covers the width of the entrance opening for a depth not less than 2 metres.
- iv. Continuous veranda cover is not required over the entrance to mid-block pedestrian links.

### **Explanation**

*Shelter encourages pedestrian use which in turn is beneficial for local retail activity. Verandas provide optimum shelter at the street edge so that the central city is comfortable to use in all weather conditions. Continuous veranda cover to provide shelter and shade is an important amenity consideration within the Inner Business Zone, particularly along Pedestrian Streets which experience high levels of pedestrian movement. The setback requirement is to avoid damage from passing trucks or buses.*

## **(l) Ground Level Parking**

- i. On Pedestrian Streets, no ground level parking areas are permitted within 10 metres of the street edge.
- ii. Where a street is not a Pedestrian Street, ground level parking areas are permitted within 10 metres of the street edge along no more than 40% of the frontage width.

### **Explanation**

*In combination with the requirement to build to the street edge, the ground level parking provision allows for a reasonable depth of activity at the front of the site. This approach will encourage active edge development at the street which is an important element in maintaining the vitality and viability of the Inner Business Zone.*

## **(m) Vehicle Parking, Loading, Site Access and Car Park Landscape Design**

Compliance with R11.6.1.1(c), (d) and (e).

### **R11.6.1.3 Tertiary Education Providers: Minor Ancillary Structures and Works**

Despite R11.6.1.1 and R11.6.1.2, other than R11.6.1.2(c), any structure ancillary to the activities of a tertiary education provider (as defined in the Education Act 1989) that meets one or both of the following criteria is a Permitted Activity:

- (a) Structures not exceeding 50m<sup>2</sup> gross floor area or footprint whichever is greater.
- (b) Works affecting no more than 20 metres of frontage of an existing building provided that existing glazing at street level shall not be permanently reduced by more than 40%.

and without limitation includes the following types of activities:

- Bus shelters
- Bike sheds
- Storage bins and screening
- HVAC equipment and screening
- BBQ facilities
- Covered parking meter bays
- Guard shelters
- Artworks

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- Wind lobbies
- External elevator shafts
- Window screening

Where (a) or (b) are not met, such minor ancillary structures and works shall be considered under R11.6.1.1 or R11.6.1.2 as applicable.

## 11.6.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

### R11.6.2.1 Activities which do not comply with the Permitted Activity Performance Standards

Activities which do not comply with the Permitted Performance Standards (in R11.6.1.1) in relation to:

- (a) Lighting
- (b) Storage Areas
- (c) Loading and Access
- (d) Vehicle and Cycle Parking
- (e) Car Park Landscape Design

are Restricted Discretionary Activities with regard to:

- The safe and efficient operation of the roading network
- Effects on nearby residential activities
- Public safety
- Visual amenity
- Pedestrian linkages and amenity
- Provision of opportunities for people to use active and non-vehicular modes of transport
- Efficient, convenient and safe access

In determining whether to grant consent and what conditions to impose, if any, the Council will, in addition to the City View objectives in Section 2, and the Overarching Business Zone and Inner Business Zone objectives and policies, assess any application in terms of the following assessment criteria:

### Assessment Criteria

#### (a) Lighting

- i. The extent to which exterior lighting is lit to an appropriate standard to ensure public and user safety, security and comfort.
- ii. Whether the local ambience of the area is maintained.
- iii. The extent to which residents in any zone, or other nighttime property users, are not adversely affected by the obtrusive effects of exterior lighting.
- iv. The extent to which road users are not adversely affected by the obtrusive effects of exterior lighting.

#### **Explanation**

*Artificial lighting is essential to provide for safety, amenity and security, and to enable work, recreational and entertainment activities to occur beyond daylight hours. However, unless artificial lighting is used with care it can adversely affect neighbouring properties and public spaces, through*

*light spill or glare, and can give rise to adverse effects for traffic safety. The safety and the perception of safety and security is a key factor in determining the attractiveness of the city and whether certain user groups, women and the elderly in particular, are likely to use parts of the city.*

**(b) Storage Areas**

- i. Whether changes in topography or other mitigation measures will provide appropriate screening from public areas.
- ii. The extent to which a high quality of street edge amenity is maintained.

**Explanation**

*Because the range of activities and the form of development within the Inner Business Zone is so diverse variations to the way storage areas are provided may be considered. The expectation is that the high standard of amenity experienced at the street edge in the Inner Business Zone is not compromised.*

**(c) Loading and Access**

- i. The extent to which the standards for loading and access can be varied without endangering public safety, particularly pedestrian safety, and effects on the safe and efficient operation of the road network are avoided, remedied or mitigated.
- ii. Whether suitable alternative provision for loading or access can be made.
- iii. Whether proposed activities will generate a demand for loading facilities.
- iv. The extent to which the topography, size or shape of the site, the location of any natural or built structures on the site or other requirements, such as easements, rights-of-way or restrictive covenants, impose constraints which make compliance impracticable.
- v. The extent to which loading areas are located away from the street edge and accessed from the rear of sites.
- vi. The extent to which the location and width of access points minimise impact on the quality of the street edge and maintains pedestrian priority.
- vii. Subject to traffic and urban design assessment, vehicle access across Pedestrian Street frontages is acceptable where:
  - This forms part of a mid-block pedestrian link if one has not already been provided in the general vicinity; and
  - It is part of a Comprehensive Integrated Retail Development over 10,000m<sup>2</sup>; and
  - Where pedestrian amenity of the street is maintained; and
  - Where the safe and efficient operation of the road network is maintained.

**Explanation**

*Servicing of buildings and activities is essential but should be unobtrusive and discrete. In the pedestrian focused Inner Business Zone, servicing is best located mid-block at the rear of sites. Where a site extends right across a large block and where public pedestrian connection would be desirable, access might be combined with a mid-block link.*

*Breaks in the street frontage should be avoided. Where servicing elements must be located at the street edge, they should be integrated into or screened by the building. Shared services and access lanes are encouraged where opportunities arise. Servicing may be required with small and narrow sites to be provided through the front door from the street edge in order to avoid compromising the quality of the street edge.*

**(d) Vehicle and Cycle Parking**

Non-compliance with R20.4.2(b)(i), (b)(ii)(a)(b) and (c).

- i. Whether the activities undertaken on or proposed for the site will generate a demand for additional parking and it can be shown that additional on-site parking is necessary for the development. In this regard, the Council will give particular consideration to the type of activity and the nature of the parking proposed. Short-stay customer parking will be favoured.
- ii. The extent to which impacts on the safety and convenience of pedestrian routes are minimised and pedestrian priority in the city centre is maintained.
- iii. The extent to which the adverse effects of additional traffic on the safe and efficient operation of the road network are appropriately managed.
- iv. The extent to which opportunities for people to use active and non-vehicular modes of transport are provided.

**Explanation**

*The Council's Integrated Parking Strategy guides the approach to parking provision throughout the City. The maximum parking restrictions associated with R20.4.2(b)(i), b(iii)(a)(b) and (d), are a trigger for discretionary consent, not an absolute. In the Inner Business Zone, it is anticipated that some developments will require on-site parking over the specified maximum. In these cases, applicants need to demonstrate that the additional parking is necessary for the efficient and effective operation of the development. It is also important that parking areas are provided in a way that enables the safe and efficient operation of the road network, and the continued pedestrian priority provided for in the city centre.*

Non-compliance with R20.4.2(b)(ii)(c)

- v. The extent to which any parking demands associated with the activity can reasonably be accommodated within the local public and on-street parking resource.
- vi. The assessment criteria contained in 11.9.3.1(d).
- vii. The extent to which impacts on the safety and convenience of pedestrian routes are minimised and pedestrian priority in the city centre is maintained.

**Explanation**

*It is anticipated that large comprehensive integrated retail developments will have the ability to provide the minimum level of parking required while still enabling an intensity of development appropriate to the Inner Business Zone environment. Where this is not possible, consideration of any adverse effects on the efficiency of the road network will be required, particularly in relation to the City ring road which runs through many parts of the Inner Business Zone. Applicants are also required to consider any adverse effects on the visual, streetscape and pedestrian environment within the context of the total parking demand and hours of operation of the activity. Provision is made for the consideration of the availability of public parking and shared private parking within the vicinity of the site.*

**(e) Car Park Landscape Design**

The assessment criteria contained in R11.9.3.1(e).

**R11.6.2.2 The Construction, External Alteration or Addition to a building which does not Comply with the Performance Standards for Permitted Activities**

The construction, external alteration or addition to a building which does not comply with the Performance Standards for Permitted Activities (in R11.6.1.2) in relation to:

- (a) Maximum Floor Area and or Maximum Building Height

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- (b) Maximum Building Height Adjoining a Scheduled Building
- (c) Minimum Building Height
- (d) Ground Floor Height
- (e) Maximum Frontage Width
- (f) Building Frontages (including entrance lobbies)
- (g) Display Windows
- (h) Corner Sites
- (i) Verandas
- (j) Ground Level Parking
- (k) Loading and Access
- (l) Vehicle and Cycle Parking
- (m) Car Park Landscape Design

are Restricted Discretionary Activities with regard to:

- External design and appearance
- Building mass and height
- Scale relation to existing smaller neighbours
- Building frontages and active edges
- Relation to streets and other public spaces
- Safety and security
- Mid-block pedestrian links
- Wind effects
- Location and treatment of loading and access
- Site Layout
- Visual amenity
- Pedestrian shelter, amenity, and safety
- Building adaptability
- The safe and efficient operation of the road network.
- Providing opportunities for people to use active and non-vehicular modes of transport.

In determining whether to grant consent and what conditions to impose, if any, Council will, in addition to City View objectives in Section 2 and the Overarching Business Zone, and Inner Business Zone objectives and policies, assess any application in terms of the following assessment criteria:

#### **NOTE TO PLAN USERS**

Where a proposal falls under R11.6.2.2(a), Maximum Floor Area and/or Building Height, then as well as assessing the non-compliance against R11.6.2.2(a), the Council will also assess any application under the remaining relevant assessment criteria in R11.6.2.2(b) to (m). Where a proposal falls under R11.6.2.2(b) to (m), only the assessment criteria triggered by the specific non-compliance will be assessed.

## Assessment Criteria

### (a) Maximum Floor Area and or Building Height

#### Building Mass and Height

- i. The extent to which the building maintains the continuity of street edge definition and maintains the amenity of the adjacent street.
- ii. The extent to which the building relates to the character of its setting and avoids visual dominance.
- iii. The extent to which the building contributes to the effect of signalling the centre of the city.
- iv. The extent to which new large buildings retain reasonable visual privacy and daylighting for adjacent city centre residential accommodation.
- v. The extent to which the roofs of large floor plate low-rise buildings that are viewed from elevated sites or otherwise prominent in view relate to the scale of buildings around and create visual interest.
- vi. The extent to which good sunlight access is maintained to the Square.
- vii. The extent to which the height of buildings fronting the Square provide good spatial definition and contributes to the coherence of this definition around the Square.

#### **Explanation**

*Recent experience in Palmerston North demonstrates that large buildings can be poorly designed, degrading the amenity values of the public environment. Very large buildings exceed a number of thresholds above which effects individually begin to be problematic, and which cumulatively can be significant.*

*Large buildings can be successfully integrated into the built environment if care is taken with placement and modelling of building form, with coherent high quality design and with their interface with the street. Active street edges and articulation of building form to moderate bulk should be incorporated.*

*Regardless of their height, the roofs of large floor-plate buildings can have significant visual impacts – especially when seen from elevated sites around the city. In this respect, low-rise buildings with large plan dimensions can produce more significant visual effects than tall buildings with small footprints. Modulation techniques may include visual subdivision of large roof planes; sculptural roof forms; and expression of structure or secondary form, such as service rooms and towers. The roof edges of such buildings are important when viewed from below, and consideration should be given to the composition of this edge, including its shape and visual rhythm.*

*Shading of streets is generally acceptable, however, to ensure the Square remains attractive in the long term, shading should be avoided over the central parts of the Square that are most likely to be occupied at or around the middle of the day in mid-winter. This corresponds to an area at or inside the inner pedestrian circulation path, which may be defined as being a line 20 metres in from the line of the edge of the perimeter carriageway around the Square.*

#### **Scale Relation to Existing Smaller Neighbours**

- viii. The extent to which large scale buildings are complemented by small scale and narrow frontages to achieve diversity and contribute to a fine-grained, active street edge.
- ix. The extent to which intermediate and transitional volumes and modelling of building form to achieve common alignments or modules are used to achieve a positive scale relationship with smaller neighbouring buildings.
- x. The extent to which frontage width and width of tenancies and frequency of entries at ground level positively relates to the width of narrower neighbours.

**Explanation**

*Large buildings can often sit comfortably in a context of much smaller buildings if careful consideration is given to scale relationship. Conversely, if not well-considered large buildings can visually dominate and create a lack of visual interest at the street edge. Scale relation between buildings requires that both building height and width are considered.*

*The use of intermediate scaled transitional volumes between large and small buildings, or the modelling of large buildings into discernible components with dimensions in common with smaller buildings can be successful. Setting the tallest or largest parts of buildings back from the street edge can also manage their impact on smaller neighbours at the street edge.*

*Modulation of the façade at street level and frequency of entries also helps to achieve scale relation with smaller neighbours. Where a street edge is characterised by verandas, and passers-by cannot read the height of a building, width of façade at ground level will be an important contributor to understanding of building size for people walking past the building.*

**Through Site Pedestrian Links**

- x. The extent to which large development that occupies large blocks provides attractive, accessible, safe and convenient mid-block pedestrian links between known or predicted destinations.
- xi. The extent to which large development is consistent with promoting a core pedestrian area within the Inner Business Zone that is characterised by a safe, convenient and pleasant pedestrian environments.
- xii. The extent to which the development provides for mid-block pedestrian links shown in Figure 11.3, Indicative Zone of Mid-Block Pedestrian Linkages.

**Explanation**

*Very large or very long blocks preclude easy pedestrian access and encourage people to use their cars for what would otherwise be simple walking journeys. This is often inconvenient and places unnecessary traffic on the road network. Providing mid-block connections assists people to move between activities and business destinations in the Inner Business Zone and also facilitates easy access from residential areas to important destinations. Mid-block connections may also reduce traffic on the road network as people find it more convenient to walk rather than take their car between city centre destinations. However, mid-block links should be provided only where they provide more convenient access between recognised destinations, and where they will be safe and not compromise the security of activity at their edges. This means ensuring clear sightlines along links, good lighting, and providing for informal surveillance from activity at the edges of the link. These links, which will typically be relatively narrow lanes rather than streets, could have shared surfaces.*

*They might have a dual function, also providing for service access to the rear of adjacent sites and/or vehicle access to carparking areas forming part of an integrated retail development. Refer to Figure 11.3 for Indicative Zone of Mid-Block Pedestrian Linkages. This diagram is intended to describe only a general location, recognising that the precise location of any link can only be determined in coordination with development planning for sites in the Inner Business Zone, and by exploring opportunities for links as they arise on various appropriately located sites.*

**Wind Effects**

- xiv. The extent to which buildings that are conspicuously taller than their neighbours impact on wind speed at the ground level.
- xv. The extent to which the building mitigates existing wind hazards and enhances the wind environment in public space.

**Explanation**

*As buildings rise above their neighbours the risk of creating adverse wind effects at ground level increases. Techniques can be applied to building design to ameliorate adverse wind effects where it is important to maintain a safe and high quality environment for pedestrians. An existing wind environment can often be enhanced with the design of new buildings. In some instances, relatively tall and large buildings exposed to prevailing wind direction may require wind tunnel testing to*



*demonstrate wind effects and their mitigation.*

**(b) Maximum Building Height Adjoining a Scheduled Building**

- i. The extent to which the building maintains continuity of street edge definition and visual coherence of the street wall.
- ii. The extent to which the height of the new building maintains a positive scale relationship with the adjacent scheduled building, and by various means including modelling of form and maintaining common alignments, avoids visually dominating it.

**Explanation**

*The purpose of the maximum building height for buildings adjoining scheduled buildings is to ensure that new development achieves a reasonable scale relationship with scheduled buildings. The purpose of this approach is to maintain the character and setting of scheduled buildings*

**(c) Minimum Building Height**

- i. The extent to which the building maintains continuity of street edge definition and visual coherence of the street wall.
- ii. To ensure the extent to which the building maintains and enhances a scale which contributes to the pedestrian amenity values of the street.
- iii. The extent to which the height of the building is consistent with the character of the existing built environment.

**Explanation**

*The purpose of the minimum height requirement is to create sufficient height at the building frontage to provide street definition and promote a sense of containment which contributes to the pedestrian amenity values of a street. It is important that a building achieves a reasonable scale and relationship with those around it. New development should take into account the existing context and seek to reduce negative impacts that may arise from an immediate change of scale.*

**(d) Ground Floor Height**

The extent to which ground floor height provides suitable clearance for both intended and reasonably likely future functions including retail and relates to the height of adjacent buildings.

**Explanation**

*The purpose of the ground floor height provision is to ensure a generosity of space is created to facilitate future change of use at the street edge and should comfortably accommodate retail. Ground floor height should provide the space and configuration that allows future installation of extract ventilation.*

**(e) Maximum Frontage Width**

The extent to which any ground floor frontage which is wider than those around provides visual interest and edge activity including multiple entries.

**Explanation**

*The fine grained development pattern of the city centre is an important component in maintaining the vitality and vibrancy of the Inner Business Zone. Frequent doors and windows, narrow frontage buildings and tenancies at the street frontage make frontages 'active', and add interest, life and vitality to the public realm. Importantly, the fine grained development pattern creates a human scale that creates visual interest, legibility and encourages pedestrian use.*

**(f) Building Frontages**

- i. The extent to which the design and external appearance of the building recognises and reinforces the core principle of the Plan to build to the street frontage and ensure all buildings contribute to a high quality public environment, particularly those buildings fronting the Square.
- ii. The extent to which the composition, modelling of building form and the detail of building facades creates visual interest and achieves aesthetic coherence when viewed from the street.
- iii. The extent to which buildings provide frontages including main entrances, openings and display windows, and or other appropriate treatments facing the edge of the street.
- iv. The extent to which blank walls at the street edge and conspicuously large high-level blank walls that are in prominent view from streets and other public spaces are avoided.
- v. Whether a break in shop frontage will adversely affect either the amenity values of the city centre or pedestrians.
- vi. The extent to which the building maintains continuity and coherence of street edge definition and coherence of alignment is maintained.
- vii. The extent to which visible and publicly relevant activity at the ground level contribute to the vitality and safety of the street.
- viii. The extent to which visual and physical connections are maintained between building interiors and adjoining streets and other public spaces to a degree appropriate to the location.
- ix. The extent to which shopfronts maintain visual transparency and contribute visual interest, and nighttime spill lighting to the street edge.
- x. The extent to which the building maintains light and outlook for its interior spaces and those of neighbouring buildings.
- xi. The extent to which plant and services, and associated enclosures are integrated into the building design and otherwise treated to enhance the appearance of the building.
- xii. The extent to which service access points are integrated into the development so as to minimise impact on the quality of the street edge. This may include control over the location and width restriction of service access points.
- xiii. The extent to which a significant reduction in glazing proportion or departure from frontage standards is addressed by appropriate enhancements to public amenity at the street edge.

**Building Setbacks**

- xiv. The extent to which any building setbacks from the street frontage create positive open spaces with high usability and aesthetic quality, and which contribute positively to the public space system in the city.
- xv. The extent to which a setback or contrasting alignment is justified by the building having a recognised public function, including community, cultural, civic, education or recreational activity, and the landscaping of such setbacks contributes to the quality of the public environment.
- xvi. The effects of not building to the street frontage on the pattern of adjacent activities

and the continuity of the street frontage.

- xvii. The extent to which mature trees in the public realm compensate for building setbacks by providing spatial definition.
- xviii. For large format and or vehicle orientated activities, the extent to which the surrounding environment is characterised by patterns of stand-alone buildings that are set back from the street edge.
- xix. For large format and or vehicle orientated activities, the extent to which any set back maintains the general pattern and coherence of street edge definition and creates positive open space that contributes to the wider system of public space.
- xx. Where street edge setbacks are necessary for drive-through or vehicle orientated activities, care should be taken with associated building design and landscaping to ensure the setback area is seen and experienced as positive open space.
- xxi. For large format and or vehicle orientated activities, the extent to which buildings set back from the street provide active edges fronting towards the street.
- xxii. For large format and or vehicle orientated activities where buildings are set back from the street edge, the extent to which pedestrian only or pedestrian priority areas are provided with kerbs or raised pedestrian facilities or material differentiation, and high quality on-site landscaping is provided.

**Explanation**

*The Council wishes to ensure that new building development and the external alterations or additions to existing buildings provide an active edge environment that facilitates convenient pedestrian access, provides visual interest for pedestrians, and enhancement of vitality for both the pedestrian environment and adjoining business activities.*

*Active street edges with shopfronts built to the street edge and entries on the frontage are the established pattern around the Square and in other parts of the city centre. The Council considers the quality of the street edge as being critical in creating the sort of environment that attracts pedestrian use and in turn maintains the viability and vitality of the city centre. Maintaining the visual relationship between building interiors and the adjoining streetscape; encouraging publicly relevant activity at the ground level; and the provision of entrances and openings facing the street edge are all important components to achieving a quality street edge.*

*It is important that all buildings contribute to a high quality public environment. A high quality public environment attracts people and consequently contributes to social vitality and commercial success. Streets and public spaces can be degraded by either a single poor development, or alternatively the incremental effect of a number of substandard developments. In particular, all buildings form the edges of public space and the quality of this edge must be considered in all cases.*

*It is critical that the external appearance of buildings promote a high quality public environment and that featureless facades or blank walls that are visible from the public realm are avoided. In particular, large blank walls should not occur at the street edge as these lack interest and activity, compromising the experience of the adjacent space and continuity of activity. A flat wall surface might contribute a small proportion of ground floor facades, but only if the quality of the street edge is not compromised as a result. A large, high-level wall is any blank wall above ground level that is large and conspicuous in public view. Such walls should be avoided because like those at ground level they contribute to visual monotony and lack visual interest. However, a large flat wall surface can in some circumstances be used to balance other more complex parts of a façade. It may provide contrast and visual relief or a scale relation to an adjacent larger building.*

*The quality of the street edge also impacts on perceptions of vitality and safety. Council expects the design and appearance of buildings to contribute to a high quality public environment by ensuring the composition and articulation of facades create visual interest and coherence at the street edge; maintenance of sunlight access to public space (including private space characterised by public use); and design that enables publicly relevant activity to be maintained at the street edge. Intensity of activity is most important along pedestrian streets. Narrow frontage widths at ground level create diversity and interest along the street and provide more reasons for pedestrians to use or visit the street. This contributes to its commercial and social success.*

Loading for small narrow sites may necessitate loading through the front door from the street edge to avoid compromising the quality of the street edge.

In certain parts of the Inner Business Zone large format and vehicle orientated retail plays a significant role. Where opportunities arise, it is important that the Inner Business Zone provides for these types of activities which support the viability and vitality of the city centre. Tertiary education includes activities that will require a variety of design responses with consideration of, for example, auditoria, special purpose laboratories, or workshop spaces. Nevertheless, the street edge should be characterised by active teaching, learning, entrance, and reception spaces. Special purpose buildings may necessitate variation to how a building fronts the street. In this case, the relationship of the building with the wider collection of buildings within the complex and in the vicinity needs to be considered.

Development needs to be provided for in a way that offers flexibility and recognition of the operating characteristics of large format, vehicle orientated activities, and tertiary education providers while ensuring a high amenity and pedestrian focused Inner Business Zone is retained.

A core principle within the Inner Business Zone is to require the front of buildings to be built to the edge of streets. Large or random edge setbacks should be avoided. Common alignment and construction to the street edge will reinforce the local street grid and local system of public open spaces. Any departure should be to create a positive open space for public use. Departure from this core principle is a matter of discretion particularly in relation to large format activity and tertiary education providers.

Assessment criteria (Building Frontages: xiii) recognises that it is sometimes very difficult to achieve activity along all parts of a street frontage, particularly where developments extend along multiple street frontages. Enhancements to public amenity may include integration of walls with bus stops, taxi stands, waiting areas, kiosks (e.g. hole in the wall), wall features, landscaping and or public art, and appropriate lighting.

**(g) Display Windows**

- i. Whether the lack of display windows will result in a break in the display frontage causing a loss of visual amenity and interest at the street edge.
- ii. Whether the lack of display windows will contribute to a cumulative effect of undermining the high level of street edge amenity expected throughout the Inner Business Zone.
- iii. The extent to which the development avoids perpetuating existing low levels of street edge amenity and ensures a high level of visual amenity is achieved.
- iv. Within tertiary education buildings the extent to which the publicly relevant educational activity that is part of the facility is located at and remains visible from the street edge.

**Explanation**

Display windows are considered important along pedestrian streets with high pedestrian traffic. They provide visual interest by displaying activity and people and contribute to the understanding of the City. The Council aims to have continuity along these streets but accepts there may be a limited number of unique situations where it is appropriate for display windows to be replaced by an alternative architectural treatment. These situations may include where buildings providing for educational activities are set back from the street, and performance auditoria, although in this circumstance entrance and lobby areas should be orientated to the street.

For development on corner sites, the display window requirements for the façade facing a secondary street might, depending on context, be reduced, but even in this circumstance, it will be important that shopfronts are maintained for street edge amenity. Where the existing built environment is not characterised by the provision of display windows or a high level of street edge amenity it is not acceptable for new development to perpetuate an existing low level of street edge amenity.

**(h) Corner Sites**

The extent to which corner buildings reinforce street corners with both built form and frontage orientation.

**(i) Verandas**

- i. The extent to which the veranda is integrated with the design of the building and maintains continuity of shelter with adjoining sites.
- ii. The effect of not providing a veranda upon the use, design and appearance of adjoining buildings.
- iii. Whether suitable alternative provision for pedestrian cover can be made.
- iv. Whether the design and appearance of the existing building is such that a veranda cannot be added without detracting from its appearance.
- v. Whether existing verandas on adjoining sites are such that the required continuity cannot be achieved.
- vi. The consistency of veranda provision and/or design with maintaining the heritage values of scheduled heritage buildings.

**Explanation**

*Verandas are important in providing shade and shelter for pedestrians. In this regard, they are an important amenity consideration in the Inner Business Zone. In some situations where verandas may not be needed the Council aims to ensure that suitable alternatives are provided.*

**(j) Ground Level Parking**

- i. The extent to which the building allows for screening activity at the street edge that will contribute to the vitality and active edge of the Inner Business Zone.
- ii. The extent to which the location and width of crossings minimise conflict with use of the footpath.
- iii. The extent to which on-site landscaping is used to create a high quality street edge.
- iv. Whether the accepted or desirable function of the street requires parking at the street edge.
- v. The extent to which the design of ground level parking is consistent with the principles of Crime Prevention Through Environmental Design (CPTED) including the following:
  - Is overlooked from buildings around it, in particular the building(s) it serves;
  - Allows for good lines of sight into and through the space;
  - Minimises potential for concealment;
  - Has lighting appropriate to site, location and timing of use;
  - Avoids potential for entrapment; and
  - Has points of entry and exit and a layout which are readily understandable for users.

**Explanation**

*The amenity values of the Inner Business Zone are of a high standard, matters of control are intended to ensure a high standard is maintained and enhanced. In particular, it is important that continuity of activity and amenity for pedestrians at the street edge is maintained to ensure the ongoing vitality and viability of the Inner Business Zone. Design of car parking areas should include features such as potential for informal supervision of public space from within buildings or good lighting that contributes to a sense of safety and actual safety. CPTED is a crime prevention philosophy based on proper design and effective use of the built environment that leads to a reduction in the incidence and fear of crime, as well as an improvement in the quality of life. It reduces criminal opportunity and fosters positive social interaction among legitimate users of space.*

**(k) Loading and Access**

The assessment criteria contained in R11.6.2.1(c).

**(l) Vehicle and Cycle Parking**

The assessment criteria contained in R11.6.2.1(d).

**(m) Car Park Landscape Design**

The assessment criteria contained in R11.9.3.1(e).

**R11.6.2.3 Car Parking Buildings and Structures are Restricted Discretionary Activities with regard to:**

- The safe and convenient movement of pedestrians
- Design and appearance
- Street edge amenity
- Safe and efficient operation of the road network.

In determining whether to grant consent and what conditions to impose, if any, the Council will, in addition to the City View objectives in Section 2 and the Overarching Business Zone and Inner Business Zone objectives and policies, assess any application against the relevant assessment criteria in R11.6.2.2(a) to (m) and in terms of the following assessment criteria:

**Assessment Criteria**

- i. The extent to which screening with activity and other architectural treatments eliminate or mitigate the potential visual monotony of parking buildings and structures.
- ii. Whether a break in the shop frontage or veranda cover will adversely affect the pedestrian safety, convenience, access and mobility to and within the Inner Business Zone.
- iii. Whether the movement of vehicles will adversely affect the safe and convenient movement of pedestrians and in particular whether pedestrian access and mobility to and within the Inner Business Zone will be adversely affected.
- iv. Whether the traffic generated will adversely affect the safe and efficient operation of the road network.
- v. The extent to which the design of the car parking building is consistent with Crime Prevention Through Environmental Design (CPTED) principles.

**Explanation**

*The vehicle orientated nature of parking facilities mean that they are likely to generate adverse effects on the amenity values of the city centre, particularly on pedestrian orientated retail areas. In the city centre parking facilities have the potential to create significant breaks in the fine grained development pattern of the street edge, interruption of veranda cover, and disruption to pedestrian convenience and safety.*

*Car parking buildings are usually large, monolithic, visually repetitive and dull. Where visible they can significantly compromise the quality and amenity of the street. The internal design and amenity of the building itself is also important. Unless car parking buildings are perceived by users as safe, convenient and attractive, they risk being underutilised. Design principles for achieving safety in car parking buildings include:*

- *Develop an ambience that reduces fear of crime.*
- *Ensure that an easily maintained and high quality environment is developed which projects an image of care and maintenance that promotes the high perception that space is claimed and observed.*

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- *Plan points of entry and exit to provide access control and manage or avoid unauthorised entry.*
- *Minimise potential for concealment and entrapment with floor plates that maximise visibility around the car-parking building and assist orientation and wayfinding.*
- *Provide good lighting and opportunity for formal and informal surveillance.*
- *Minimise the sensory aggravation associated with car parks by providing good ventilation, and surface treatments on ramps and at corners that eliminate screeching from tyres.*
- *Avoid creating blind corners and circuitous walkways and provide exit choices with potential to change direction mid-route, extensive glazing at stair lobbies and lifts that allow people to view the inside before choosing whether or not to enter.*

### **R11.6.2.4 Residential Accommodation is a Restricted Discretionary Activity with regard to:**

- Street edge amenity
- Internal amenity
- Private open space
- Storage
- Visual and acoustic privacy.

### **Performance Standards**

Residential Activities under R11.6.2.4 must comply with the following performance standards:

- (a) All Residential Accommodation must be above ground floor level.
- (b) The minimum gross floor area for Residential Accommodation must be 35m<sup>2</sup>.
- (c) Compliance with Noise Insulation and Ventilation R11.6.6.1(b), (c) and (e).
- (d) Compliance with R11.6.1.2(a) to (m), Construction, External Alteration or Addition to a Building.

In determining whether to grant consent and what conditions to impose, if any, the Council will, in addition to the City View objectives in Section 2 and the Overarching Business Zone and Inner Business Zone objectives and policies, assess any application in terms of the following assessment criteria:

### **Assessment Criteria**

- i. The extent to which residential occupation maintains appropriate continuity of publicly relevant activity at the street edge at ground level.
- ii. The extent to which dwelling unit floor space size provides reasonably acceptable living conditions for the intended type and number of occupants.
- iii. The extent to which the orientation and location of windows allows each dwelling unit to receive both daylight and reasonable sun.
- iv. The extent to which daylight, reasonable sun, and an outlook towards and over a street or other public space, or a generous on-site internal court or garden area, will be maintained from all dwelling units irrespective of existing and potential development on neighbouring sites.
- v. The extent to which noise from known or predictable adjacent noise sources is addressed by dwelling unit planning and construction.

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- vi. The impact of any residential development on the ability of existing or future commercial activities to operate or establish without undue constraint.
- vii. The extent to which general planning and configuration provides clear, logical circulation and safe, convenient pedestrian access to and from dwelling units.
- viii. The extent to which usable, sunny and private open space in the form of balconies or roof terraces directly accessible from the dwelling unit are provided to the majority of units.
- ix. The extent to which the provision for storage has been made both within and related to each dwelling unit.
- x. The extent to which service areas and storage has been provided for, considering the size and type of residential occupation of the building, including space for bicycles.

### **Explanation**

*The use of a minimum floor area will ensure that no residential unit is unsuitable for the minimum occupation of one (and probably two) people as an independent and separate household unit.*

*Certain characteristics such as outlook, amenity from sun and daylight, or access to a small balcony contribute to high quality inner city living. Maintaining reasonable amenity in the event of development of neighbouring sites is important and can readily be addressed if considered at the design stage of a development.*

*While outlook is important, and this should generally be towards a street or public space, there may be instances where a high quality ground level garden or courtyard, or roof-top space is provided within a development, and this could provide for sufficient outlook.*

*A provision has been placed on residential development requiring noise insulation to be provided. This is to ensure that residential activity is not unduly affected by noise events within the Inner Business Zone which could in turn lead to issues of reverse sensitivity that threaten the viability of commercial activities. Servicing including rubbish and recycling storage and collection should be provided where it is readily accessible but not obstructive at the street edge. Residential amenity is enhanced by having sufficient storage space, and this should be considered both within the unit, and within common but secure parts of the development.*

### **R11.6.2.5 The Construction of any new Building, External Alteration or Addition to Non-Scheduled buildings in the North West Square Heritage Area is a Restricted Discretionary Activity with regard to:**

- Design, height, scale and form of buildings
- Effect on heritage values of the area.

### **Performance Standards**

- i. The maximum height of any building will be no more than 3 stories
- ii. The maximum ground floor height of any building or structure will be no more than 4 metres.
- iii. The minimum ground floor height of any building or structure will be 3 metres.

In determining whether to grant consent and what conditions to impose, if any, the Council will, in addition to the City View objectives in Section 2 and the Overarching Business Zone, and Inner Business Zone objectives and policies, assess any application against the relevant assessment criteria in R11.6.2.2(a) to (m) and in terms of the following assessment criteria:

### **Assessment Criteria**

The extent to which the:

- height;



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- location (including any setback);
- orientation;
- scale;
- proportions;
- modulation and
- materials

of any new building, external alteration or addition are compatible with the predominant, original architectural style of the heritage area.

#### **Explanation**

*New buildings, external alterations or additions to existing buildings should maintain the character and setting of the Heritage Area. The built form and design elements of new buildings and additions should relate to the surrounding buildings. However, to avoid confusion as to which is old and which is new, any new building or addition should not imitate, replicate or mimic the surrounding historical styles.*

### **R11.6.2.6 The Demolition or Relocation of Street Character Buildings in the North West Square Heritage Area is a Restricted Discretionary Activity with regard to:**

- Effects on the heritage values of the area.

#### **NOTE TO PLAN USERS**

Buildings subject to R11.6.2.6, The Demolition or Relocation of Street Character Buildings in the North West Square Heritage Area, are identified in Figure 11.4.

In determining whether to grant consent and what conditions to impose, if any, the Council will, in addition to the City View objectives in Section 2 and the Overarching Business Zone, and Inner Business Zone objectives and policies, assess any application against the following assessment criteria:

#### **Assessment Criteria**

- i. The extent to which the building contributes to the heritage significance of the area.
- ii. Whether there has been any change in circumstances that has resulted in a reduction of the area's heritage significance since the area was identified in the Plan.
- iii. The extent to which the buildings and structures within the area have been damaged by any disaster.
- iv. Whether relocation is necessary to save a building or structure within the area from any natural conditions or disasters.
- v. Whether it can be demonstrated that no sustainable continued use of the buildings within the area is possible.
- vi. The extent to which proposed replacement of buildings are compatible to the original architectural style predominant in the heritage area and maintain the continuity of façade alignment of buildings in the vicinity.
- vii. Whether the site has or is likely to have significant archaeological values, and whether the effects on those values by the proposal can be adequately avoided, remedied or mitigated.

#### **Explanation**

*While a number of buildings within the Heritage Area are individually listed as heritage buildings and*

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*subject to the provisions of Section 17, there are other buildings that contribute to the significance of the Heritage Area. These buildings have some heritage value and their loss from the area requires consideration in terms of the overall effect this would have on the heritage values of the area. There may be circumstances under which the building must be removed for safety reasons or where there is no sustainable economic use of the building. In these situations, it must be clearly demonstrated why removal of the building is the best option.*

### **NOTE TO PLAN USERS**

To assist in the assessment of land use consent applications for R11.6.2.5 and R11.6.2.6, Appendix 1: North West Square Heritage Area provides a description of the heritage area and its heritage and cultural values at the rear of the Business Zone section.

## **11.6.3 RULES: DISCRETIONARY ACTIVITIES**

### **R11.6.3.1 Service Stations**

Service Stations (excluding Fuel Stops ancillary to a Supermarket) are Discretionary Activities

Service Stations under R11.6.3.1 must comply with the following performance standards:

#### **Performance Standards**

- i. All Service Stations will be located on Major or Minor Arterial Roads.
- ii. No Service Station will be located at the end of a Pedestrian Street.

In determining whether to grant consent and what conditions to impose, if any, the Council will, in addition to the City View objectives in Section 2 and the Overarching Business Zone, and Inner Business Zone objectives and policies, assess any application against the relevant assessment criteria in R11.6.2.2(a) to (m) and in terms of the following assessment criteria:

#### **Assessment Criteria**

- i. The extent to which on-site landscaping establishes an attractive appearance and complements public landscaping at or near the street edge and establishes conditions of visual interest and amenity within the development.
- ii. The extent to which growing conditions are provided for that will ensure the successful establishment, growth and on-going viability of planting.
- iii. The extent to which landscaping of onsite car parking establishes conditions of visual interest and amenity within the development and its margins.
- iv. The extent to which plant and services (e.g. air conditioning and rubbish storage) and its enclosure is integrated into the building design and otherwise treated to enhance the appearance of the building.
- v. The extent to which the development maintains and enhances the quality of the environment for pedestrians within the site and at the street edge, and whether entry and exit points to the site will have an adverse effect on pedestrian safety.
- vi. The extent to which the shop fronts of retail facilities face and are accessible from the street edge.
- vii. Whether the adverse effects of development on the safe and efficient operation of the road network can be effectively managed.

#### **Explanation**

*Decisions relating to the location and design of service stations in the city centre need to be carefully*

considered. The built character and vehicle orientated nature of service stations is generally not compatible with the high level of amenity and the pedestrian focus provided for in the city centre. In order to ensure that the effects of service stations on surrounding activities; streetscape; pedestrians; and the safe and efficient operation of the road network are thoroughly considered, service stations have been identified as a Discretionary Activity within the Inner Business Zone.

**R11.6.3.2 Any Activity or the Construction, External Reconstruction or Alteration of Buildings or Structures not provided for by R11.6.1.1, R11.6.1.2, R11.6.2.1, R11.6.2.2, R11.6.2.3, R11.6.2.4, R11.6.2.5, R11.6.2.6, R11.6.3.1 or R11.6.4.1**

Any activity or the construction, external reconstruction, or alteration of any building or structure which is not provided for by R11.6.1.1, R11.6.1.2, R11.6.1.3, R11.6.2.1, R11.6.2.2, R11.6.2.3, R11.6.2.4, R11.6.2.5, R11.6.2.6, R11.6.3.1 or R11.6.4.1 is a Discretionary Activity.

**11.6.4 RULES: NON-COMPLYING ACTIVITIES**

**R11.6.4.1 Offensive Activities, Industrial Activities, Crematoria and Residential Activities at Ground Floor Level**

Offensive Activities, Industrial Activities, Crematoria and Residential Activities at Ground Floor Level are Non-Complying Activities.

**Explanation**

Offensive Activities, Industrial Activities, Crematoria and Residential Activities at Ground Floor Level have a range of potential effects that could adversely affect the amenity qualities of the Inner Business Zone. The application of Non-Complying Activity status to these activities will ensure that any Offensive Activity, Industrial Activity, Crematoria or Residential Activities at Ground Floor Level has to demonstrate that it can satisfy the requirements of Sections 104 and 104D of the Resource Management Act 1991 prior to any approval being granted.

**11.6.5 RULES: NOTIFICATION**

**R11.6.5.1 Notification**

- i. The following activities must not be publicly notified: R11.6.2.2, R11.6.2.3, R11.6.2.4, R11.6.2.5, and R11.6.2.6.
- ii. The following activities must not be limited notified: R11.6.2.2, R11.6.2.3, R11.6.2.4, R11.6.2.5, and R11.6.2.6.

This rule shall only apply in relation to activities within R11.6.2.6 if, with the application for consent, the Applicant provides a written record of consultation with the New Zealand Historic Places Trust on the proposal.

**11.6.6 RULES: NOISE**

**R11.6.6.1 Noise**

**(a) Noise**

- i. Noise from any activity within the Inner Business Zone must not exceed the following limits at any point within any other site within the Inner Business Zone:

At any time 70 dB  $L_{Aeq(15mins)}$

Daily 11:00pm to 7:00am the following day 90 dBA  $L_{max}$

- ii. Noise from any activity within the Inner Business Zone must not exceed the following limits at any point within any site within the Outer Business Zone:

At any time 65 dB  $L_{Aeq(15mins)}$

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Daily 11:00pm to 7:00am the following day 90 dBA  $L_{max}$

- iii. Noise from any activity must not exceed the following limits at any point within any land zoned for residential purposes:

7:00am to 7:00pm 55 dB  $L_{Aeq(15mins)}$

7:00pm to 10:00pm 50 dB  $L_{Aeq(15mins)}$

10:00pm to 7:00am 45 dB  $L_{Aeq(15mins)}$

10:00pm to 7:00am (Nighttime  $L_{max}$ ) 75 dBA  $L_{max}$

- iv. Where it is impracticable to measure outside a building, the noise from any activity within the Inner and Outer Business Zones must not exceed the following limits, inside any residential units in any building on any other site within the Inner and Outer Business Zones:

Bedrooms 11:00pm to 7:00am the following day 35 dB  $L_{Aeq(15mins)}$

Bedrooms 11:00pm to 7:00am the following day 55 dBA  $L_{max}$

Other habitable rooms 40 dB  $L_{Aeq(15mins)}$

This must not allow any relaxation in the noise limits in (i), and (ii) of R11.6.6.1 (a).

**Explanation**

*The noise rules within the Inner Business Zone are designed to allow activities to make maximum noise while still providing a minimum level of control to residential activities in the area. Where noise sensitive uses (including residential activities) are proposed for the Inner Business Zone it is the responsibility of the designer, developer, owner and user to ensure that buildings are appropriately insulated against the higher levels of noise that are allowed. Residents in the city centre must accept that the objective for a busy and vibrant city centre may conflict with expectations for a quiet and peaceful residential environment.*

**(b) Noise Insulation**

Any habitable room in a building used or likely to be used by a noise sensitive activity within the Inner Business Zone must be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:

Bedrooms and sleeping areas  $D_{nT,w} + C_{tr} > 35$  dB

Habitable rooms  $D_{nT,w} + C_{tr} > 30$  dB

Compliance with this performance standard must be achieved by ensuring bedrooms and sleeping areas and habitable rooms are designed and constructed in a manner that accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

**(c) Ventilation**

Where bedrooms and sleeping areas with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

**Explanation**

Acoustic insulation is required for noise sensitive activities in buildings in the Inner and Outer Business Zones to mitigate the potential adverse effects of such uses and to lessen the potential for constraint that such uses can place on typical business and commercial activities commonly associated with the city centre. The ventilation requirement for bedrooms is required to ensure noise attenuation is not compromised if compliance with the requirements of the Building Code (G4) for natural ventilation is achieved by installing openable windows. The required air flow level is based on the minimum standard for habitable spaces set out in NZS 4303.

**(d) Outdoor Speaker Noise**

The noise in any public area (including streets and parks) generated by electronic sound systems must not exceed 80 dB  $L_{Aeq}$  over any 2 minute period when measured at the nearest location regularly trafficked by the public. In any event the measurements must be made no closer than 0.6 metres from any part of a loudspeaker and at a height no greater than 1.8 metres (representative of the head height of a passer-by).

The measured level(s) must be compared directly with the applicable noise limit without any adjustments for special audible characteristics. However, the measured level must be adjusted for any significant background sound in the area.

Temporary activities such as sporting, recreational, entertainment, cultural or similar events and outdoor gatherings are not subject to this noise standard. For such events Council will use its powers under the Resource Management Act 1991 to ensure that the general duty under sections 16 and 17 of the Act to avoid unreasonable noise and avoid, remedy or mitigate any adverse effects of activities on the environment is met.

**Explanation**

This noise rule is intended to limit excessive noise levels from bars and clubs in public places and to protect passers-by and people in the vicinity. The standard is aimed at loudspeakers generating high noise levels when located near to open doors and windows or when located outside the building. The rule also provides for individual noise makers to be targeted in the event that a number of bars for example are causing non-compliance issues at nearby site boundaries.

The sound level of 80 dB  $L_{Aeq}$  is selected because it allows the sound to be high without causing it to be uncomfortable to most persons on the street. There may still be some annoyance factor to passers-by depending on what is being played on the sound system and the sensibility of the recipient. The rule provides the main protection for actual sites and it is considered that the passers-by only need to be protected for the time that it takes them to walk away if they still find the sounds annoying.

**(e) Fixed Plant**

Noise emission levels from fixed plant must not exceed the following at or within the boundary of any site, or at the outside wall of any building on any site, other than the site from which the noise is emitted:

Any time	55 dB $L_{Aeq(15 mins)}$
11:00pm to 7:00am	75 dBA $L_{max}$

Except that these noise limits must not apply to fixed plant that is used solely for emergency purposes. Examples of such equipment are standby generator sets that are used to supply electricity only at times of electricity supply failure or for plant used during life threatening situations such as smoke fans or sprinkler pumps. This fixed plant is exempt from the noise limits provided that it:

- i. Operates for maintenance purposes between 8:00am and 5:00pm weekdays

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- ii. Operates for maintenance for a maximum of 2 hours per month
- iii. Complies with Noise R11.6.6.1 and R11.9.7.1.
- iv. Electrical generator sets can only be used on an emergency basis and must not be used to generate power for the national grid.

### **Explanation**

*There are generally more options available for mitigating noise from fixed plant equipment at the time of construction or altering a building. Emergency equipment is exempt from the more stringent noise limits because there is a high associated cost with ensuring generator sets meet stringent noise limits, especially when the overall operating hours are very low. Compliance with less stringent limits is appropriate for the rare times that this equipment needs to operate.*

## 11.7 Outer Business Zone

### Introduction

The Outer Business Zone is located on the periphery of the Inner Business Zone and encompasses an extensive area of land to the north (Rangitikei Street); west (Cuba and Main Streets); east (Broadway Avenue and Main Street); and a small area to the south (Fitzherbert Avenue and Ferguson Street). The Zone is located on the four main entrances to the City and offers convenient access to the city's arterial road network. It also shares a lengthy interface with neighbouring residential areas.

The Outer Business Zone's large lot subdivision pattern, and its close proximity to the arterial road network has resulted in development that is vehicle orientated, space extensive, and low rise in nature.

The Zone consists of a diverse range of retail, office, commercial service, education and light industrial activities that complement and support activities in the Inner Business Zone. This is evidenced by the dominance of such activities as:

- Large format retail (household appliance, furniture, and flooring);
- Supermarkets;
- Auto sales and service;
- Vehicle sales;
- Office based activities (professional, financial, and medical services);
- Government, education and community services;
- Commercial accommodation;
- Depots, storage and distribution; and
- Cafes, restaurants and takeaways.

The Zone is characterised by a clear segmentation of activities by area, being the northern, eastern, western and southern precinct areas. The northern Rangitikei Street precinct contains a concentration of large format retail, supermarkets and trade supply outlets. The dominant land use pattern in the eastern Broadway Avenue precinct is office based activities such as professional, financial, community, and governmental services.

In addition to large format retail and a large supermarket, the western precinct contains a distinct concentration of commercial service activities such as auto sales and service, depots, storage, and manufacturing. The smaller southern Fitzherbert Avenue precinct is characterised by a concentration of commercial accommodation, cafes, restaurants and office activities.

Since the mid-1990s a shift in the nature and scale of retailing formats to a larger scale, vehicle orientated, and more autonomous retailing format is clearly evident in the Outer Business Zone. Over this time, in excess of 29,000m<sup>2</sup> of large format retail floor space has been established in the Zone.

The large lot subdivision pattern of the Outer Business Zone has enabled the aggregation of land parcels large enough to provide for the large buildings and the anticipated parking demands of space extensive activities. Arterial roads provide good levels of service for vehicle orientated large format retail and offer prominent visual exposure on key entry roads to the City.

The expansion of large format retailing in the Outer Business Zone, and in other parts of the

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City, and the lack of opportunities in the city centre to provide suitable sites for large format retail has made the city centre vulnerable to the adverse effects associated with retail dispersal.

A key component of achieving the Business Zones' overarching objective is to ensure an integrated approach is taken to managing retail activity by maintaining clear distinctions between the City's hierarchy of business zones. The Plan reinforces the distinction between the Inner and Outer Business Zones in a number of ways:

- The Outer Business Zone contains retail merchandising area restrictions that reinforce the intention that the Zone should not attract any significant node or grouping of shops in a pedestrian-style environment, akin to the Inner Business Zone.
- The Outer Business Zone provides for a diverse range of space extensive, vehicle orientated retail, office, light industrial and commercial service activities that complement the function of the Inner Business Zone;
- The Outer Business Zone is a less intensive, less integrated and a more directly vehicle oriented commercial environment when compared to the more pedestrian focused, intensely developed and integrated Inner Business Zone;
- The Outer Business Zone reinforces the Inner Business Zone by providing for a scale and form of activities that are not able to be accommodated in the Inner Business Zone;
- Development in the Outer Business Zone requires on-site self-sufficiency while development in the Inner Business Zone is less self-reliant and makes use of public infrastructure such as on-street parking, loading and streetscape/public space amenity works; and
- The Plan enables the greatest diversity, scale and intensity of development to occur in the Inner Business Zone when compared to the more limited development envelope provided for in the Outer Business Zone.

The market has a choice as to whether they take advantage of the public infrastructure in the Inner Business Zone, or whether they become fully self-reliant and locate in the Outer Business Zone.

Urban design audits of the City's Inner and Outer Business Zones in 2003 and 2008 identified the importance of managing the visual effects created by large buildings. Without careful design, large building development can compromise the public environment. Providing quality street edge treatment of developments along all streets is important, particularly on sites fronting main entrances to the City. In response to this issue, the Council has taken a targeted approach and applied urban design controls to larger scale buildings. These controls actively manage the building scale, form and quality of street edge development.

The Outer Business Zone shares an extensive boundary with neighbouring residential areas. Due to the sensitive nature of the interface with residential areas, controls have been placed in the Plan to manage the adverse effects of buildings and activities on the neighbouring residential environment.

## 11.8 Outer Business Zone Objectives and Policies

Within the broad framework of the City View objectives in Section 2, and the Overarching Business Zone objective, the following objectives and policies apply to the Outer Business Zone:



## OBJECTIVE 1

**To enable a range of activities that efficiently use the physical resources of the Outer Business Zone.**

### POLICIES

- 1.1 To ensure new land use activities in the Outer Business Zone reinforce the existing characteristics of the zone which include:
  - Vehicle orientated and space extensive activities with on-site parking
  - Activities that are single purpose and destination specific in nature
  - Activities that exhibit a product type or service specific emphasis
  - Activities that are conveniently located and easily accessed from arterial roads
  - A diverse range of retail, office, education, light industrial and commercial service activities that complement the function of the Inner Business Zone.
- 1.2 To provide for a diverse range of activities within the Outer Business Zone subject to meeting the performance standards in the Plan.
- 1.3 To enable good quality residential activities in the Outer Business Zone while ensuring that appropriate on-site measures are taken to protect residential development from any intrusive noise effects.
- 1.4 To enhance the quality and amenity of residential buildings in the Outer Business Zone by ensuring occupants have adequate access to daylight and sunlight.
- 1.5 Recognise the value and contribution of education and training activities undertaken by the Universal College of Learning and to facilitate the potential for expansion of its activities and minor ancillary works while ensuring a high quality of public environment is achieved.

#### **Explanation**

*Maintaining the existing hierarchy of business zones is critical to achieving the sustainable use and development of the City's business area resources. Within this hierarchy, it is important that new business activities reinforce the existing characteristics and function of the Outer Business Zone. The distribution, scale and form of business activities in the Outer Business Zone meets the specific economic and locational needs of businesses in the City. In this regard, it is important that the Outer Business Zone continues to provide opportunities for business activities requiring space extensive premises with convenient access to the arterial road network and located in close proximity to the city centre. (Objective 1 and Policy 1.1)*

*The Outer Business Zone provides for a diverse range of activities. With the exception of crematoria and offensive activities, the Zone provides for a relatively unrestricted range of permitted activities, subject to specific performance standards to control environmental effects. Performance standards for parking; access; loading; lighting; signs; noise; outdoor storage and hazardous substances focus on controlling adverse effects associated with the operation of activities. Performance standards for the construction, alteration and addition to buildings focus on actively managing building scale, form and the quality of the street edge. (Policy 1.2)*

*The Council seeks to encourage residential activities and further promote the existing mixed land use pattern of the Outer Business Zone. The Zone is centrally located around the city centre, is adjacent to the arterial road network, and has convenient access to essential services, employment nodes and recreational facilities. These locational attributes will enable residential activity that offers convenience and choice to the market while helping to minimise travel distances and improve access to employment, services and recreation activities. Critical to the sustainable management of the Outer Business Zone's physical resources is the maintenance of its core function of providing for the development and operation of commercial activities. In this regard, it is important that noise sensitive residential development does not compromise the effective development and operation*

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*of commercial activities. To address the potential reverse sensitivity effects that may constrain commercial activities the Plan requires residential development to provide acoustic insulation as a means of mitigation. (Policy 1.3)*

*Residential use is typically sensitive to the level of daylight, and direct sun access is desirable. Ensuring adequate access to daylight and sunlight can readily be addressed if considered at the design stage of development. (Policy 1.4)*

*The Universal College of Learning (UCOL) is unique in that it functions as a major education provider within the Outer Business Zone. UCOL provides education and training services rather than commercial activities. Development should be appropriate for the intended educational and training use while ensuring a quality public environment is achieved. (Policy 1.5)*

**OBJECTIVE 2**

**The Outer Business Zone has a high level of functional amenity.**

**POLICIES**

- 2.1 To manage the adverse effects of business activities on each other or on other activities located within the Outer Business Zone.
- 2.2 To avoid the adverse effects of offensive activities, including crematoria in the Outer Business Zone by controlling their establishment.
- 2.3 To ensure development provides for a safe and convenient pedestrian environment.
- 2.4 To ensure that public areas (including privately owned spaces that are characterised by patterns of public use) are suitably lit.

**Explanation**

*It is important that activities within the Outer Business Zone are able to operate in a way that maximises the locational attributes of the Zone. A high level of functional amenity is enjoyed by activities that require convenient access to the arterial road network and a location in close proximity to the city centre. Given the wide range of commercial and industrial activities provided for by the Zone, it is important that a high level of functional amenity be maintained so that the sustainable management of physical resources is achieved. (Objective 2)*

*Business activities have the potential to generate effects relating to such matters as noise; parking; location of access/egress points; loading and storage areas which may impact on the level of functional amenity experienced by activities within the Zone. The Plan seeks to manage these effects through the use of targeted performance standards to achieve a high level of functional amenity within the Zone. (Policy 2.1)*

*To counteract the potential erosion of functional amenity that might arise as a consequence of allowing a relatively unrestricted range of activities to establish in the Outer Business Zone, crematoria and offensive activities have been discouraged. (Policy 2.2)*

*While the Outer Business Zone does not have the pedestrian focus of the city centre, development should support safe and convenient pedestrian environment. This is particularly important in car parking areas where safe and convenient pedestrian pathways to buildings should be provided for. Suitably lit public areas are important to ensure public and user safety, security and comfort. The design and siting of buildings should help reduce the potential impacts of crime and enhance personal and property safety. (Policies 2.3 and 2.4)*

**OBJECTIVE 3**

**The Outer Business Zone has a high level of visual amenity.**

**POLICIES**

- 3.1 To ensure that development fronting the Primary Road Network is of a high quality and enhances the main entrances into the City.

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- 3.2 To mitigate the visual effects of large unbroken areas of asphalt by ensuring car parking is visually attractive when viewed from both the private and public realms.
- 3.3 To ensure the visual effects of development are managed by requiring skilled landscape design to contribute to the quality and attractiveness of the wider street environment.
- 3.4 To maintain and enhance the identified character of particular retail areas in the Outer Business Zone.

### **Explanation**

*In addition to managing the amenity of residential areas adjacent to the Outer Business Zone, it is important that the standard of amenity within the Zone is maintained, and where possible, enhanced. (Objective 3)*

*Much of the Outer Business Zone fronts onto roads forming part of the Primary Road Network, which in many instances also function as main entrances to the City. The Council expects development fronting these key roads to maintain the existing alignment of the built environment and provide a quality street edge on main entrances into the City. (Policy 3.1)*

*The quality and attractiveness of the wider street environment is heavily influenced by the siting and design of buildings and the associated landscaping of parking areas. Skilled building design should promote the creation of visual interest at the street edge through façade composition and surface treatment. Buildings are required to provide frontages that include entrances and openings facing the street. Landscaping should establish an attractive appearance and complement public landscaping at or near the street edge and establish conditions of visual interest and amenity within the development, particularly within car parking areas. It is critical to ensure that landscaping works well with the intended built form. (Policies 3.2 and 3.3)*

*Over time, a number of small business areas have developed their own particular character which contributes to people's appreciation and enjoyment of them. It is important to maintain and enhance this character so that it can be enjoyed by future generations. In the Broadway and Terrace End areas, extensive veranda coverage, landscape planting, and street edge planting provide character. This combination of features provides for a high level of pedestrian amenity and visual attractiveness. (Policy 3.4)*

## **OBJECTIVE 4**

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**The amenity values of neighbouring residential areas are protected.**

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### **POLICIES**

- 4.1 To minimise the effects of building development or redevelopment on residential areas by avoiding:
  - Excessive building scale
  - Overshadowing
  - Inappropriate building bulk
  - Invasion of privacy
  - Light spill
  - Loss of access to daylight.
- 4.2 To manage the adverse environmental effects of business activities on the following attributes of residential amenity:
  - Visual amenity
  - Streetscape
  - Acoustic environment

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- Pedestrian and cyclist safety
  - Vehicular access and safety.
- 4.3 To promote the use of landscape or architectural design at the interface with residential areas to manage the visual effects of development.
- 4.4 To control building mass in conjunction with building height to manage the visual effects of development at the interface with residential areas.

### **Explanation**

*The Outer Business Zone shares an extensive interface with an adjacent residential zone. This interface is a particularly sensitive one as the effects associated with business activities have the ability to adversely impact on the use and enjoyment of neighbouring residential areas. The amenity values of sensitive residential areas could be adversely affected by factors such as; scale and intensity of activities; the design and external appearance of buildings and site layout; traffic generation; vehicle access; hours of operation; noise; parking; access to daylight; glare and vibration. Given the extent of this interface, and the relatively unrestricted range of activities permitted within the Zone, Council seeks to ensure that the adverse environmental effects associated with the development and operation of business activities are actively managed. (Policies 4.1 to 4.4)*

## **OBJECTIVE 5**

**Large buildings in the Outer Business Zone are designed to ensure their impacts on surrounding buildings, streetscape and public areas maintain or enhance the zone's visual character and amenity.**

## **POLICIES**

- 5.1 To manage the impacts of large buildings on the visual character and amenity of surrounding buildings, public areas and the streetscape.
- 5.2 To require large building development to provide design treatment at or facing the street edge and façade articulation that contributes to the quality and attractiveness of the wider street environment.
- 5.3 To maintain and enhance the amenity of the Outer Business Zone by controlling the bulk, location, external design and landscaping of large buildings.
- 5.4 Require all development to provide frontages including entrances and openings facing the edge of the Primary Road Network.
- 5.5 To promote large building development that maintains a high quality public environment while being safe, attractive and convenient for a diverse range of uses.
- 5.6 To avoid building development that is characterised by lengthy featureless blank walls, particularly buildings with frontage to the street.
- 5.7 To avoid blank secondary frontages and service areas at the street edge.
- 5.8 To ensure service and loading areas are not in prominent view of the street edge, particularly sites fronting the Primary Road Network.

### **Explanation**

*As described in the introduction, an important resource management issue that has arisen in the Outer Business Zone is the adverse environmental effects associated with large building development.*

*Large scale development can lead to a more lasting and dominant presence in the urban environment than smaller size development in the City. The Council expects large buildings to be designed in a way that ensures their impacts on surrounding buildings,*

streetscape and public areas maintain or enhance the visual character and amenity of the Zone. In particular, large buildings should be well designed and sited, and avoid large blank walls at or along the street edge; extensive paved parking areas; and poor relationship with the street frontage.

The potential negative streetscape implications of large development in the Outer Business Zone highlights the importance of applying design controls relating to building scale, form, and street edge treatment. The Council has taken a targeted approach and applied urban design principles to larger scale building development.

The restricted discretionary activity status for larger building development in conjunction with urban design related assessment criteria seek to achieve a consistent quality of urban design outcomes in the Outer Business Zone, particularly along the main entrance roads to the City. The Council has adopted a 500m<sup>2</sup> floor area threshold triggering a discretionary consent application that allows urban design matters to be considered when assessing a consent.

The expectation is that large scale development should positively address the street edge and create an attractive interface where the public and private realms meet. This is achieved by ensuring that aspects of development such as bulk, location, external design and landscaping work together to create an outcome that ensures impacts on the visual character and amenity of surrounding buildings, streetscape and public areas are appropriately managed. (Policy 5.1)

Facades of buildings should include appropriate modulation, design treatment and articulation. The creation of featureless blank walls, particularly at or near the street edge, should be avoided. In terms of creating visual interest and positively addressing the street, development should provide entrances and openings facing the street edge and ensure loading areas are not in prominent view of the street edge. Sustainable building design involves development that maintains a high quality public environment while being safe, attractive and convenient for a range of uses over time. (Policies 5.2 to 5.8)

## OBJECTIVE 6

**The Outer Business Zone provides for the development and operation of activities, while mitigating the impacts on the City's land transport network.**

### POLICIES

- 6.1 Business activity which is a high traffic generator should be located and designed in a manner which manages the potential adverse effects on traffic safety and efficiency.
- 6.2 To encourage business activities in localities adjacent to the Primary Road Network to maintain accessibility and to minimise traffic impacts on surrounding areas.
- 6.3 To ensure activities in the Outer Business Zone have sufficient on-site parking to meet the needs of employees and customers so that overspill parking does not adversely affect surrounding land use activities.

#### **Explanation**

A key locational attribute of the Outer Business Zone is its proximity and convenient access to the Primary Road Network. This locational attribute has encouraged the development and operation of business activities that require convenient access and egress from the adjacent road network.

The general development pattern of the Outer Business Zone is space extensive, vehicle orientated and low rise in nature. The dominant development pattern in the Zone is not intensive nor does it generally involve activities that involve high traffic generation. However, some larger business activities may have significant local effects on the safe and efficient operation of the road network.

The safe and efficient operation of the road network depends in part on the availability of convenient and safe parking, loading and manoeuvring facilities and access points. In all zones except the Inner Business Zone, land use activities are required to provide parking and loading

facilities on site. The number of parking spaces required in the Outer Business Zone aims for normal or reasonable requirements for staff, customers, or visitors. The Plan's rules relating to the number and placement of access points aim to protect the road network's function in the road hierarchy and to minimise disruption to the flow of traffic and adverse effects on the safety of other road users. (Policies 6.1 to 6.3)

## OBJECTIVE 7

**The form and scale of activities within the Outer Business Zone do not detract from the vibrancy and viability of the Inner Business Zone.**

### POLICIES

- 7.1 To promote a diverse range of space extensive, vehicle orientated retail, office, education, light industrial and commercial service activities as well as good quality residential that complement the function of the Inner Business Zone.
- 7.2 To reinforce the Inner Business Zone by providing for a scale and form of activities in the Outer Business Zone that are not able to be accommodated in the Inner Business Zone.
- 7.3 To reinforce the distinction between the Inner and Outer Business Zones by requiring all Outer Business Zone activities to be fully self-reliant in terms of on-site operations.
- 7.4 To ensure that all parking required for activities in the Outer Business Zone adjacent to the Fringe Business Zone be provided on-site.

#### **Explanation**

The overarching business zone objective seeks to achieve the sustainable use and development of physical resources by reinforcing the existing hierarchy of business zones. An important element in achieving this objective is to ensure that the form and scale of activities in the Outer Business Zone are managed in a way that maintains and reinforces the vibrancy and viability of the Inner Business Zone. (Objective 7)

The Outer Business Zone provides for the development of a diverse range of space extensive, vehicle oriented retail, office, education, commercial service and light industrial activities that complement and support the vitality and viability of the Inner Business Zone. The Zone is a less intensive and more directly vehicle oriented commercial environment when compared to the more pedestrian focused, intensely developed and integrated Inner Business Zone. In this regard, the Plan seeks to maintain and reinforce the existing distinction between the Inner and Outer Business Zones in terms of the distribution, scale and form of business activities in each Zone (Policy 7.1)

An important function of the Outer Business Zone is its ability to provide for a scale and form of activities that are not able to be accommodated in the Inner Business Zone. The Outer Business Zone provides opportunities for activities such as large format retailing, which struggle to find suitably large sites in the Inner Business Zone. In this way, the Plan seeks to reinforce the existing hierarchy of business zones by ensuring the Outer Business Zone is able to provide for a scale and form of activities that are not able to be provided in the Inner Business Zone. (Policy 7.2)

The Plan seeks to sustainably manage retail activity by ensuring an integrated approach is taken to managing retail by maintaining clear distinctions between the component zones of the City's business hierarchy. The Plan maintains this distinction by requiring development in the Outer Business Zone to be self-reliant in terms of on-site operations while development in the Inner Business Zone is able to make use of public infrastructure such as on-street parking, loading, pedestrian routes and streetscape/public amenity works. (Policy 7.3)

The Outer Business Zone land adjacent to the Fringe Business Zone land bounded by Featherston Street and Ngata Street is extensive in area and potentially could be developed for an intensive form of retailing activity which could result in adverse retail distributional effects on the city centre. To avoid such an occurrence, it is critical that any re-development of this Outer Business Zone land be undertaken in such a manner that is self-sufficient in its car parking needs. This is as opposed to relying on any parking areas established in the Fringe Business Zone assisting in meeting the parking needs of any future redeveloped area within the adjacent Outer Business Zone area identified in Figure

## 11.9 Outer Business Zone Rules

### 11.9.1 RULES: PERMITTED ACTIVITIES

#### R11.9.1.1 Permitted Activities

Any activity is a Permitted Activity except for:

- Those specified as Controlled Activities, Restricted Discretionary Activities or Discretionary Activities;
- Offensive Activities which are Non-Complying Activities.

provided that the following performance standards are complied with:

#### Performance Standards

##### (a) Maximum Number of Retail Activities Below 300m<sup>2</sup> of Merchandising Area

- i. Not more than one retail activity having a Merchandising Area below 300m<sup>2</sup> is permitted per site or development.
- ii. Performance standard (i) does not apply to:
  - Prepared Food and Beverage Outlets;
  - Restaurants;
  - Automotive and Marine Suppliers;
  - Service Stations;
  - Floor Covering Showrooms;
  - Building Suppliers;
  - Auction Rooms;
  - Farming and Agricultural Suppliers;
  - Garden and Patio Suppliers;
  - Office Product Suppliers;
  - Trade Suppliers; and
  - Retail Ancillary to Industrial or Commercial Service Activities.

#### **Explanation**

*The Outer Business Zone provides for a diverse range of activities, including small scale convenience and general merchandising retail. The purpose of the performance standard is to provide for the continued operation of small scale retail activities while discouraging development which could lead to the creation of a comparison shopping retail node similar in scale and pedestrian focus to the Inner Business Zone.*

##### (b) Lighting

- i. Compliance with R11.6.1.1 (a) (i), (ii), (v), and (vi).
- ii. Car park lighting may be turned off 30 minutes after the last business served by the car park closes.

**Explanation**

*The Outer Business Zone shares an extensive interface with the Residential Zone. The Plan seeks to manage the negative effects of exterior lighting on residential activities in all zones by avoiding light spill, glare, and other potentially obtrusive effects of exterior lighting.*

**(c) Storage Areas**

- i. Any outdoor storage area visible from any residential zone or public area will be screened from view by either a fence or wall of not less than 1.8 metres in height or dense planting of vegetation capable of growing 1.8 metres in height.
- ii. No storage area or yards are permitted at the street edge.

Where any area is used for the outdoor storage of goods it must comply with the following:

- iii. All activities must accommodate the storage of goods, materials, and waste products in a manner that does not conflict with vehicle access, manoeuvring, and parking.
- iv. Any outdoor storage area must be maintained with an all-weather dust free surface.
- v. No outdoor storage area must encroach onto the required parking, loading or planting areas.

**Explanation**

*Outdoor storage areas and particularly those used for the storage of waste, can detract from the visual amenity of neighbouring residential properties or public areas such as footpaths, roadways or reserves. Suitable screening and well maintained storage areas mitigate effects associated with rubbish and dust in storage areas. Screening of such areas should ensure that the standard of amenity experienced in the Outer Business Zone and in nearby residential areas does not deteriorate.*

**(d) Loading and Access**

- i. Compliance with R20.4.2(a) Vehicle Access
- ii. Compliance with R20.4.2(e) and (f) Loading Space Provision and Design.

**(e) Vehicle Parking**

- i. Compliance with R20.4.2(b) (i) Parking Spaces for People with Disabilities.
- ii. Compliance with R20.4.2(d) Formation of Parking Spaces.
- iii. Compliance with R20.4.2(g) Cycle Parking Provision and Design
- iv. Compliance with R20.4.2(h) Cycle Parking End of Trip Facilities

**(f) Car Park Landscape Design**

Compliance with R20.4.2(c) Car Park Landscape Design.

**(g) Servicing and Loading Hours**

Any Permitted Activity situated on any site which adjoins any part of a site in a residential zone or directly faces any part of a site in a residential zone, across a road, right-of-way, access strip, service lane or drain must only undertake the delivery of goods, product, waste or material and/or the distribution of goods, products or materials between 6:00 am and 10:00 pm.

Except that this rule must not apply where:

- i. On-site road access and manoeuvring area for vehicles involved in the delivery



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and/or distribution of goods, products or materials are located at least 80 metres from the boundary of the nearest property in a residential zone; and

- ii. Loading and unloading areas for vehicles involved in the delivery and/or distribution of goods, products or materials are located at least 80 metres from the boundary of the nearest property in a residential zone.

### **Explanation**

*Where properties in residential zones come in close contact with business areas these properties can be adversely affected by night-time delivery, distribution, and loading activities. For example, noise from idling vehicles or the opening and closing of doors. By controlling servicing and loading hours at the residential interface, it should be possible to reduce the disturbance to nearby residential neighbours.*

### **(h) Signs**

Compliance with R6.1.5.

### **(i) Hazardous Substances**

Compliance with the provisions of Section 14 Hazardous Substances.

### **(j) Noise**

Compliance with R11.9.7.1.

#### **NOTE TO PLAN USERS**

Also refer to:

R23.6.2(i) – Radiofrequency Field Exposure.

## **R11.9.1.2 Construction, External Alteration or Addition to a Building**

The Construction, External Alteration or Addition to a Building is a Permitted Activity provided the following Performance Standards are complied with:

#### **NOTE TO PLAN USERS**

Plan users are advised to check the Schedule of Buildings and Objects of Cultural Heritage Value to ensure that the building is not subject to the additional provisions of the Cultural Heritage Section.

## **Performance Standards**

### **(a) Maximum Floor Area**

- i. The construction of all buildings with a total gross floor area of up to 500m<sup>2</sup> are permitted.
- or
- ii. In respect to existing buildings, any external additions or alterations involving an additional total gross floor area of up to 500m<sup>2</sup> are permitted.

#### **Explanation**

*The Plan has taken a targeted approach and applied design principles to larger developments. Once a building exceeds 500m<sup>2</sup>, the scale of a building rapidly increases. In this regard, a 500m<sup>2</sup> maximum floor area has been set so that urban design matters can be taken into account when assessing resource consents for larger buildings.*

### **(b) Maximum Building Height**

- i. Any buildings or structures must comply, in terms of maximum height, with R13.4.7.

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- ii. The maximum permitted height of a building is 12 metres, except that roof-top services and plant rooms may extend to a maximum height of 15 metres.
- iii. Except at any boundary adjoining a site in a residential zone, the maximum height of any building where residential activity is planned is permitted to exceed the maximum building height limit specified in (b)(ii) above by 3 metres.
- iv. Any building on:
  - a. Lot 1 and Pt Lots 2, 3 and 4 DP 3584, Pt Sec 637 Tn of Palmerston North, and Pt Sec 641 Tn of Palmerston North, being 582 Main Street, Palmerston North must comply with R10.6.1.1(a) Height Recession Planes (i) to (v) and (b) Overlooking on the shared boundary with Lots 1 and 4 DP 56366 (Marece Court);
  - b. Pt Sec 643 Tn of Palmerston North, being 564 to 568 Main Street, Palmerston North, must comply with R10.6.1.1 (a) Height Recession Planes (i) to (v) and (b) Overlooking on the shared boundary with Lots 2 and 3 DP 56366 (Marece Court);
  - c. Any building on a site described in (a) and (b) above, will be located at least 3 metres from the common boundary with Marece Court properties.

### **Explanation**

*The 12 metre maximum height provision allows for a typical 3.6 metre floor to floor height with an additional 30% height at the ground floor if required. Building height beyond the 12 metre maximum triggers discretionary consent because development above this height will rise higher than the majority of development in the Outer Business Zone.*

*The ability to exceed the maximum building height provision for buildings planned for residential activity is to encourage residential intensification close to the city centre. Four storey development is unlikely to compromise the amenity of adjoining areas or public space, although excessive shading should be avoided at the interface with residential areas.*

*The application of the Residential Zone height recession plane in R11.9.1.2(b)(iv) will ensure the dimensions and spacing of commercial buildings on the neighbouring properties with Marece Court do not adversely affect residential amenity and character.*

### **(c) Height of Any Building Which Adjoins a Site in a Residential Zone**

Any building on a site adjoining a site in a residential zone must comply with R10.6.1.1(a) Height Recession Planes (i) to (v) and (b) Overlooking.

### **Explanation**

*The purpose of the recession plane provision is to ensure that the standard of amenity on the boundary is sufficient to ensure the protection of neighbouring residential amenity. The recession plane will ensure the dimensions, setback and spacing of commercial buildings adjoining residential zoned sites relate positively to the building forms typical of a residential neighbourhood.*

*The maximum floor area provision of 500m<sup>2</sup> triggers discretionary consent criteria for all developments likely to be of a scale that could be problematic in relation to the character of neighbouring areas.*

### **(d) Maximum Building Height Adjoining a Scheduled Building**

The maximum permitted height of any building or structure on a site which adjoins a scheduled building identified in the Plan is no more than one storey higher than the scheduled building within a distance of 5 metres of the street frontage and along the common boundary.

### **Explanation**

*The primary way of managing the visual effects of new buildings on adjoining or adjacent scheduled buildings is to manage the relationship of building scale. When considering character, relative rather*

*than absolute height is important.*

**(e) Separation Distance**

Any building on a site which adjoins any part of a residential zoned site will be located at least 3 metres from the common boundary.

**Explanation**

*A setback has been required from the Residential Zone boundary to help ensure the scale and size of commercial buildings do not unduly detract from the enjoyment, use and amenity of adjoining properties. It also allows the opportunity for locating landscaping to reduce the impact of buildings and assists with sunlight and daylight penetration. Sunlight access to residential dwellings is important for reasons of amenity and energy efficiency.*

**(f) Building Frontages**

- i. All buildings on sites fronting a Major or Minor Arterial Road, including buildings with frontage to those parts of Fitzherbert Avenue, Main Street and Rangitikei Street that are not categorised as a Major or Minor Arterial Road, and Broadway Avenue, will be built to the street boundary.
- ii. On all other roads, all buildings will be built to the front boundary along no less than 50% of the street boundary.
- iii. No building will create a featureless façade or blank wall at the ground level street frontage wider than 6 metres. A featureless façade or blank wall is a flat or curved wall surface without any openings or glazing.
- iv. All buildings will provide clear glazing for at least 75% of its height for at least 50% of the ground floor building frontage.

**Explanation**

*The requirement to build to the front boundary for sites with frontage to Arterial Roads recognises the importance of maintaining the existing alignment of the built environment. It also promotes the provision of quality street edge development on important entrance roads into the city.*

*On all other roads, the requirement to build to the front boundary along no less than 50% of the street boundary recognises the greater vehicle orientation of activities in the Outer Business Zone. Given the space extensive and vehicle orientated nature of development in the Outer Business Zone a lesser requirement is appropriate.*

*However, position of frontage relative to the street edge and alignment with neighbours remains important. It is critical that the external appearance of buildings promote a high quality public environment and that featureless facades or blank walls that are visible from the public realm are avoided. Where a proposal fails to articulate or eliminate wall surfaces that are featureless or blank a discretionary consent will be required.*

*Large blank walls at the street edge with a complete absence of glazing should be avoided. Importantly, the provision of shopfront glazing allows for ready change of use for buildings. If the primary activity behind the façade does not require street exposure then screening or non-privacy sensitive activities can be brought to the street edge. However, there may be circumstances where the extent of glazing may be appropriately reduced*

**(g) Pedestrian Cover**

A cover over all main pedestrian entrances at ground level will be provided that covers the width of the entrance opening for a depth of not less than 2 metres.

**(h) Ground Level Parking**

Ground level parking areas are permitted within 10 metres of the street edge along not more than 40% of the frontage width.

**Explanation**

*Allowing for carparking at the frontage provides for the increased vehicle orientation of most of the activity in the Outer Business Zone. However, establishing a threshold also provides for landscaping or building frontages at the street edge. There may be instances where a greater proportion of the street edge can acceptably be used for parking. This might be where, for example, the established precedent and character of the street is determined by well landscaped carparks at frontages and the street edge has low pedestrian use. Potential approval of this type of development is then through a discretionary consent process.*

**(i) Landscape Amenity**

Except as provided for under R11.9.1.2(k) (Outer Business Amenity and Character Areas), the following are Landscape Amenity performance standards associated with permitted activities:

**i. Street Frontage**

- Any building which does not have a frontage to either a site in a residential zone or is not built to the street frontage, and whose frontage is not a car parking area, will provide at least one specimen tree for every 7 metres of site frontage, or equivalent suitable landscape works.
- Any building which fronts a site in a residential zone and is not built to the street frontage, will provide, located at or on street frontage, at least one specimen tree for every 7 metres of site frontage.

**Trees**

- Trees will be planted so as to provide separation between on-site pedestrian and vehicle activities and pedestrian/vehicular activities taking place on the street.
- Trees will be well developed specimen trees, capable of growing to a height of 5 metres within ten years of planting.
- Where existing trees over 5 metres tall are to be retained along a frontage, these trees will be credited towards these requirements.
- Where trees are planted in a strip, this area must have a minimum width of two metres.
- Where trees are planted individually along a frontage, each tree must be planted in an area not less than 4m<sup>2</sup>.

**Suitable Landscape Works**

- The total area of landscape works will be not less than the frontage length multiplied by 2 metres and will be located at the street frontage.
- A minimum of 90% of any area proposed to meet part or all of the landscape works must comprise planting.
- Planting will include trees where these exist at the frontages of immediately adjacent sites but will otherwise include a combination of shrubs and ground cover (which may include lawn grass) with not less than half of the required planted area covered by shrubs.
- Any area of planting is not to be less than 4 m<sup>2</sup> in area and will have a minimum dimension of 1.5m measured to the edge of the planted area.
- Paved areas that are part of the area of landscape works will not be used for car parking and will be constructed from modular pavers or other high quality

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paving materials in a considered composition.

- Paving and other hard landscaping elements such as, for example, bollards, fences, poles or water features, and other sculptural elements will be planned in a way and built of materials that establish a visual link between the building and the frontage.

**Process**

- Frontage landscape works are required for all new buildings; in all situations where a building fronts a site in a residential zone; and to buildings which are being added to or altered only when the addition or alteration is located at, or prominently visible from, the site frontage.
- A plan of frontage landscape works will be prepared and submitted by the developer at the time of the construction, alteration or addition to a building. This plan must be approved by the Council in writing and subsequently implemented in full. This is to ensure that the requirements above are adequately satisfied.
- All planting must be completed before the buildings on the site are occupied or, where this is not seasonally practicable, within the first planting season after completion of the buildings.
- All landscaping areas must be well maintained at all times.

**ii. Perimeter Planting**

- An amenity strip of not less than 3 metres in width must be provided along the boundary of any site which adjoins a site in a residential zone.
- Planting of this strip must include specimen trees capable of attaining a height of 5 metres or more, planted at a minimum frequency of one tree every 7 metres along the length of the amenity strip.
- All planting must be completed before the buildings on the site are occupied or, where this is not seasonally practicable, within the first planting season after completion of the buildings.

**Explanation**

*Landscaping is an important contributor to the provision and maintenance of amenity both within the Business and Industrial Zones and at the interface between these zones and neighbouring residential areas. In addition to its amenity contribution, landscaping also provides a useful technique for mitigating adverse effects through, for example, softening the appearance of development (e.g. monotonous building form, parking areas); separating activities; and providing form, scale and texture that complement development.*

**(j) Vehicle Parking, Loading, Site Access and Car Park Landscape Design**

Compliance with R11.9.1.1(d), (e) and (f).

**(k) Outer Business Amenity and Character Areas**

On street frontages identified on Figure 11.1 as Outer Business Amenity and Character Areas veranda or landscape planting will be provided as follows:

**iii. Option Areas**

- Where a building is built to within 2.0 metres of the street boundary within the "Option Areas" identified in Figure 11.1 that building will provide a veranda which is connected to any adjoining verandas and which provides coverage along the full length of the building frontage.

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- Any such veranda will be set back 600mm from the face of any kerb.
  - Where a building within the “Option Areas” identified in Figure 11.1 is set back from the street boundary, the site will be provided with landscaping in accordance with Rule 11.9.1.2(i) as though it were a building fronting a residentially zoned site.
- iv. Modified Landscaping Areas
- Where a building is built to within 2.0 metres of the street boundary within the “Modified Landscaping Areas” identified in Figure 11.1 that building will provide a veranda which is connected to any adjoining verandas and which provides coverage along the full length of the building frontage.
  - Any such veranda must be set back 600mm from the face of any kerb.
  - Where a building within the “Modified Landscaping Areas” identified in Figure 11.1 is set back more than 1.5 metres from the street boundary, the site will provide landscaping in accordance with R11.9.1.2(i), with the exception that trees are not required where street tree planting already exists within the road reserve.

### **R11.9.1.3 Tertiary Education Providers: Minor Ancillary Structures and Works**

Despite R11.9.1.1 and R11.9.1.2, other than R11.9.1.2(d), any structure ancillary to the activities of a tertiary education provider (as defined in the Education Act 1989) that meets one or both of the following criteria is a Permitted Activity:

- a. Structures not exceeding 50m<sup>2</sup> gross floor area or footprint whichever is greater.
- b. Works affecting no more than 20 metres of frontage of an existing building provided that existing glazing at street level shall not be permanently reduced by more than 40%.

and without limitation includes the following types of activities:

- Bus shelters
- Bike sheds
- Storage bins and screening
- HVAC equipment and screening
- BBQ facilities
- Covered parking meter bays
- Guard shelters
- Artworks
- Wind lobbies
- External elevator shafts
- Window screening.

Where (a) or (b) are not met, such minor ancillary structures and works shall be considered under R11.9.1.1 or R11.9.1.2 as applicable.

## **11.9.2 RULES: CONTROLLED ACTIVITIES**

### **R11.9.2.1 Any activity or the Construction, External Alteration or Addition to a Building**

**on the property bounded by Church Street, West Street and Main Street described as:-**

Lot 4, DP35156, CT WN12A/1310 and Lot 5, DP35156, CT WN12A/1311

Are Controlled Activities with regard to:

- Design and appearance of buildings;
- Landscaping;
- Site Layout;
- The safe and efficient operation of the roading network;

And for residential activity also with regard to

- Remediation of contamination on the site

Provided that the following Performance Standards are complied with:

**Performance Standards**

Activities must comply with the performance standards of Rules 11.9.1.1 and 11.9.1.2, and the following additional performance standards. Where there is any difference between the additional performance standards and those set out in Rules 11.9.1.1 and 11.9.1.2, the additional standards must be those which apply:

**(a) Building Height, Bulk & Site Coverage**

- i. Site coverage must not exceed 50%. Where buildings exceed 30% site coverage, they must not exceed 15m in height.
- ii. Where building site coverage does not exceed 30%, no building may exceed a maximum height of 20m, except that, where three or more buildings are proposed, any individual building must not exceed 25 metres in height provided the average maximum height of all buildings is 20 metres.
- iii. All buildings and structures located within 15m of any road frontage must be contained within a 30° plane commencing at 7.75m above ground level inclined inwards at right angles in plan from the road boundary.

**(b) Building/Activity Setbacks**

- i. All buildings (excluding gutters, structural elements and architectural features) must be set back from the legal frontage by a minimum of:
  - 8 metres from the Main St frontage except that parts of buildings may be located no closer than 6m to the road frontage provided that the existing mature trees can be retained with only minor trimming. Those parts of the building that are setback closer than 8 metres must not exceed 50% of the total length of the building along the Main St frontage and must not exceed 3m in height.
  - 20 metres from the West St frontage
  - 2 metres from the Church St frontage.
- ii. Car parking areas must be set back from the legal frontage by a minimum of:
  - 6 metres from the Main St frontage
  - 6 metres from the West St frontage
  - 2 metres from the Church St frontage

**(c) Gross Floor Area**

- i. The gross floor area of retail activity must not exceed 10,500m<sup>2</sup> and may comprise individual retail activities or premises provided one of the criteria in (ii) is met.
- ii. No individual retail premise or activity can be or occupy less than 1200m<sup>2</sup> of gross floor area or the average gross floor area of individual retail premises or activities must be no less than 1500m<sup>2</sup> in extent.

**(d) Vehicle Parking, Loading and Site Access**

Compliance with the following performance standards of R20.4.2:

- 20.4.2(a) Vehicle Access;
- 20.4.2(b)(i) Parking Spaces for People with Disabilities;
- 20.4.2(c) Car Park Landscape Design
- 20.4.2(d) Formation of Parking Spaces;
- 20.4.2(e) and (f) Loading Provision and Design.

**(e) Retention of Existing Trees**

Existing trees at street frontages having a height of 8m or more must be retained unless removal is necessary to provide for vehicle entry and egress or because the trees are terminally damaged or diseased.

**(f) Maintenance of Existing Trees**

Any tree works are to be carried out by an arborist approved by the Head of Planning Services of the Palmerston North City Council and pursuant to a written proposal confirming the nature of the works proposed and the methods employed to protect the tree or trees in question.

**NOTE TO PLAN USERS**

The "site" for the purpose of applying the performance standards of R11.9.2.1 is defined as the complete and contiguous area comprised in Lot 4, DP35156, CT WN12A/1310 and Lot 5, DP35156, CT WN12A/1311, bordered by Church Street, West Street, and Main Street.

**Assessment Criteria**

In determining whether to grant consent and what conditions to impose, if any, Council will, in addition to the objectives and policies of the Outer Business Zone assess any application in terms of the following further policies.

- i. To avoid, remedy or mitigate the effects of activities on the amenity values and ambience of the surrounding environment, consistent with the business zoning and efficient development of the site.
- ii. To ensure compliance with the noise standards of R11.9.7.1 to avoid or mitigate noise disturbance on surrounding areas, particularly any residential areas.
- iii. Particular regard must be given to enhancing the streetscape character of Church Street, West Street and Main Street through landscape planting including, but not limited to, the planting of specimen trees, the provision of a landscape strip along the road frontage except at access points and by retaining existing mature frontage trees.
- iv. To avoid, remedy or mitigate any adverse effects associated with large areas of paved surface by the planting of trees within such areas.



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- v. To ensure that the effects of the location, design and appearance of any building or structure is adequately mitigated, having regard to the ambience and amenity values of the surrounding area.
- vi. Particular regard must be given to avoiding, remedying or mitigating any adverse effects associated with the scale and bulk of the building through the use of colour finishes (generally natural and recessive colours), materials, articulation of form and landscaping, designed to achieve visual interest, visual depth and modulation and a frontage landscape theme consistent with the scale of the site and that contributes to the extended pattern of landscaping through the City.
- vii. To avoid, remedy or mitigate the effects of additional traffic generated by activities on the site on the safety and efficiency of the road network.
- viii. To have particular regard to the safety of cyclists and pedestrians.
- ix. To ensure adequate provision is made for parking, access and maneuvering areas within the site.
- x. To ensure that where residential activity is proposed any contamination of the relevant parts of the site are remediated to a standard that is appropriate.
- xi. The elevated nature of the site at its West Street frontage is acknowledged and dealt with appropriately and sensitively to ensure that the appearance of vehicles and headlight glare does not detract from, or compromise, the gateway approach to the city centre or adversely affect neighbours in the West Street area, with any retaining walls and/or fences carefully and sensitively designed and screen planted so as to be an integrated landscape feature and element in the gateway approach.
- xii. The existing tree edge of the site is expanded along its West and Church Street frontages and specimen trees are planted within the on-site car park.
- xiii. The root zones of the existing specimen Poplar trees (i.e., underneath their canopies) on the West Street frontage are adequately protected, with the area within 5m of the tree trunks undisturbed by earthworks or by being sealed for parking/access to the greatest extent practicable.
- xiv. To ensure that in implementing the above policies the efficiency and functional requirements of the development and building are taken into account.

### **Explanation**

*Landscaping is an important contributor to the provision and maintenance of amenity values in respect of activities located on prominent road frontages. Landscaping mitigates adverse effects by, among other things, softening the visual impact of buildings and paved areas, by separating activities, and providing scale, form and texture that complement development.*

*By the use of recessive colour schemes, choice of materials and articulation of form in combination with landscaping the domination effects of large scale buildings on streetscape and neighbouring properties can be mitigated.*

*Performance standard (c) is intended to enable large format or bulk retailing and to prevent the unfettered use of the site for retailing activity of the type that occurs in the CBD where there is a range of individual or discrete retail activities, often in a single building.*

*Provision of an integrated car park will ensure its convenient and safe operation and maintain an open appearance of the site and reduce potential effects of large scale buildings on residential amenity and streetscape.*

*Access to and from a Major Arterial Road, such as Main Street, requires careful attention because the primary function of the road is to provide for the movement of large traffic volumes. The design, location and number of access points to a Major Arterial Road has a direct relationship to the safety*

and efficiency of the road.

Investigations have recorded that some soot and hydrocarbon contamination of the site remains from its former railway use. It has been established that contamination levels are acceptable for commercial development where most of the site will be sealed or built over. However, further investigation is necessary to determine what, if any, site remediation should be carried out to make the land suitable for residential activity.

### **R11.9.2.2 Non-notification of Controlled Activities**

Applications for Controlled Activities (R11.9.2.1) must not be publicly notified and there must be no limited notification.

## **11.9.3 RULES: RESTRICTED DISCRETIONARY ACTIVITIES**

### **R11.9.3.1 Activities which do not comply with the Permitted Activity Performance Standards**

Activities which do not comply with the Permitted Performance Standards (in Rules R11.9.1.1) in relation to:

- (a) Lighting
- (b) Storage Areas
- (c) Loading and Access
- (d) Vehicle and Cycle Parking
- (e) Car Park Landscape Design
- (f) Servicing and Loading Hours

are Restricted Discretionary Activities with regard to:

- Design and appearance
- The safe and efficient operation of the roading network
- Effects on residential amenity
- Visual amenity
- Public safety
- The provision of car parking.

In determining whether to grant consent and what conditions to impose, if any, the Council will, in addition to the City View objectives in Section 2 and the Overarching Business Zone and Outer Business Zone objectives and policies, assess any application in terms of the following assessment criteria:

#### **Assessment Criteria**

##### **(a) Lighting**

The assessment criteria contained in R11.6.2.1(a).

##### **(b) Storage Areas**

- i. The extent to which outdoor storage areas are sited and designed so that the visual amenity and the quality of streetscape in public or residential areas is maintained.
- ii. The extent to which outdoor storage areas are sited and designed to allow for the unfettered operation of access, parking, loading and maneuvering areas for vehicles.

**Explanation**

*The Outer Business Zone shares an extensive interface with the Residential Zone. Because the range of activities and the form of development within the Outer Business Zone is so diverse variations to the way outdoor storage areas are provided may be considered. However, it is critical that the visual amenity and the quality of streetscape in nearby residential areas is maintained.*

**(c) Loading and Access**

- i. The extent to which the standards for loading and access can be varied without endangering public safety and affecting the safe and efficient operation of the road network.
- ii. Whether suitable alternative provision for loading or access can be made.
- iii. Whether proposed activities will generate a demand for loading facilities.
- iv. The extent to which the topography, size or shape of the site, the location of any natural or built structures on the site or other requirements, such as easements, rights-of-way or restrictive covenants, impose constraints which make compliance impracticable.

**Explanation**

*The loading and access provisions promote efficient, convenient and safe access throughout the city's business zones. Appropriate on-site loading spaces, manoeuvre areas and access points are essential to ensure that activities can operate within the Zone with the minimum of disturbance to the operation of the road. Particular developments, however, may justify variations from loading and access provisions subject to consideration through the consent process.*

**(d) Vehicle and Cycle Parking**

- i. The extent to which failure to provide the required number of on-site carparks will result in adverse effects on the safe and efficient operation of the road network.

Whether the deficiency of on-site carparks will cause adverse effects on:

- ii. Visual amenity
- iii. Streetscape
- iv. Pedestrian and cyclist safety
- v. The extent to which it can be demonstrated that the total parking demand generated by the proposed development is less than the number of spaces required.
- vi. The extent to which the hours of operation relative to other uses on the site or on adjoining sites provide opportunities for shared carparking.

The extent to which appropriate off-site carparking is available in the locality and is readily accessible by being:

- vii. Within easy walking distance.
- viii. Does not require people to cross arterial roads to gain access to the activity. Parking may be provided on an alternative site, taking into account the following:

Parking may be provided on an alternative site, taking into account the following:

- ix. The extent to which the distance between the alternative parking site and the development is appropriate to the activity or service provided and whether it requires crossing of an arterial road.
- x. The extent to which the alternative site can be clearly associated or identified with

the activity.

- xi. The extent to which joint parking is acceptable, particularly where hours of operation for activities are different.
- xii. The desirability of avoiding vehicular access to the subject site on traffic or pedestrian safety grounds.

and provided that a legal agreement binds the alternative parking site to the development.

- xiii. The extent to which the parking is associated with pickup or drop off activities.
- xiv. The extent to which the effects of not providing on-site parking are cumulative in conjunction with inadequate parking provision by other developments on the site or in the vicinity.
- xv. The reduction in car parking in the Outer Business Zone area identified in Figure 11.2 does not enable the establishment of additional retail trading area that may potentially create adverse retail distributional effects on the Inner Business Zone.
- xvi. The extent to which opportunities for people to use active and non-vehicular modes of transport are provided

**Explanation**

*The provision of adequate parking, loading and access facilities are essential to the efficient and effective function of both the business activities in the Outer Business Zone and the road, particularly given much of the Outer Business Zone fronts arterial roads and the vehicle orientated nature of activities within the Zone. The ability of roads to carry traffic efficiently and safely depends to a large extent on the provision of vehicle parking, loading, manoeuvring, and particularly the access to and from properties. This becomes increasingly important as traffic volumes increase both on the road and for any activity. Sites that are developed near major intersections, particularly those with queued traffic, will need to consider the effects of traffic generated on the surrounding road network and all road users. Parking and loading space need to be provided in a manner that will minimise conflict with road users (including pedestrians), minimise detracting of neighbourhood amenity values, and be convenient for residents, staff and other users of the site. Spill-over parking from Outer Business Zone activities and the city centre into residential areas cause effects on safety, accessibility to properties and amenity of residential areas.*

**(e) Car Park Landscape Design**

- i. The extent to which the parking area is visually unobtrusive, integrated with good quality building and landscape design, and does not compromise the coherence and quality of adjacent spaces, nor the experience for pedestrians.
- ii. The extent to which planting within the parking area is designed and distributed to reduce the open expanse of asphalt and the apparent scale of the car park and improve the amenity for users and viewers of the car park.
- iii. The extent to which the layout and landscaping of on-site car parking establishes conditions of visual interest, amenity and safety within the development and its margins.

**Explanation**

*Given the vehicle orientated nature of activities in the Outer Business Zone, it is natural that car parking is a major feature of the Zone. Car parks can be quite extensive and barren given the expanse of unbroken seal. The amenity of the car park and the wider streetscape is enhanced when planting is incorporated into the layout, particularly the inclusion of trees. Planting should break up the expanse of seal, provide shade, and introduce an element that is taller than the car, thereby reducing the dominance of the vehicle. Tree planting should form a significant part within the car park, as it is trees that have the greatest effect in reducing the scale of extensively sealed parking*

areas.

**(f) Servicing and Loading Hours**

- i. The extent to which the adverse effects of noise and general disturbance created by the activity on any adjoining or adjacent land in the residential zone can be effectively mitigated.
- ii. The extent to which the disturbance to properties in the residential zone from the movement of vehicles to and from the site and within the site itself can be effectively mitigated.
- iii. The extent to which the limit on operating hours ensures that any disturbance to properties in the residential zone can be effectively mitigated.

**R11.9.3.2 The Construction, External Alteration or Addition to a Building which does not comply with the Performance Standards for Permitted Activities**

The construction, external alteration or addition to a building which does not comply with the Performance Standards for Permitted Activities (in R11.9.1.2) in relation to:

- (a) Maximum floor area and maximum building height
- (b) Height of any building which adjoins a site in a residential zone and separation distance
- (c) Maximum building height adjoining or fronting a scheduled building
- (d) Building frontages
- (e) Pedestrian cover
- (f) Ground level parking
- (g) Landscape amenity
- (h) Loading and access
- (i) Vehicle and Cycle parking
- (j) Car park landscaping
- (k) Veranda and landscaping in the Outer Business Amenity and Character Areas

are Restricted Discretionary Activities with regard to:

- External design and appearance
- Building mass and height
- Relation to streets and other public spaces
- Scale relation to existing smaller neighbours
- Site layout
- Parking areas
- Landscape amenity
- Pedestrian cover and linkages
- Effects on residential amenity
- Safety and security
- The safe and efficient operation of the road network.
- Providing opportunities for people to use active and non-vehicular modes of

**Explanation**

*Developments that are prominent due to their conspicuously large size or height have the potential to create commensurately large effects. While these developments are important for the economic viability and vitality of the City, it is equally important that they contribute to the environmental quality of the City's urban area. In all cases, the Council expects buildings to face the street edge and to positively contribute to the visual character and amenity of the surrounding area. Design techniques to avoid buildings visually dominating their surroundings may include breaking down the scale elements of the façade with modulation of form and variation of surface treatment.*

*Risk to light and amenity can occur with intensive development. The amenity of residential activity becomes increasingly important. This includes consideration of daylight access to dwellings, overlooking, privacy and outlook, all of which are impacted by the mass and height of buildings. Regardless of their height, the roofs of large floor plate buildings can have significant visual impacts – especially when seen from elevated sites around the City. Modulation techniques may include visual subdivision of large roof planes; sculptural roof forms; and expression of structure or secondary form, such as service rooms and towers. With good planning and design, large buildings do not need to compromise their setting, and can instead be an asset.*

transport.

In determining whether to grant consent and what conditions to impose, if any, the Council will, in addition to the City View objectives in Section 2 and the Overarching Business Zone and Outer Business Zone objectives and policies, assess any application in terms of the following assessment criteria:

**NOTE TO PLAN USERS**

Where a proposal falls under R11.9.3.2(a), Maximum Floor Area and Building Height, then as well as assessing the non-compliance against R11.9.3.2(a), the Council will also assess any application under the remaining relevant assessment criteria in R11.9.3.2(b) to (k). Where a proposal falls under R11.9.3.2(b) to (k), only the assessment criteria triggered by the specific non-compliance will be assessed.

**Assessment Criteria**

**Explanation**

*Movements on Outer Business Zone land which occur outside the specified hours have the potential to cause considerable disturbance to adjoining residential areas. Where the operational requirements of an activity require late night or early morning services, a careful assessment must be made to ensure any adverse effects can be mitigated.*

**a. Maximum Floor Area and Building Height**

**Building mass and height**

- i. The extent to which the building relates to the character of its setting and avoids visual dominance.
- ii. The extent to which new large buildings retain reasonable visual privacy and daylighting for adjacent Outer Business Zone residential accommodation.
- iii. The extent to which the roofs of large floor plate low-rise buildings that are viewed from elevated sites or otherwise prominent view relate to the scale of buildings around the site and create visual interest.
- iv. The extent to which plant and services (e.g. air conditioning and rubbish storage) and their enclosure is integrated into the building design, screened from public view or otherwise treated to enhance the appearance of the building.

**Scale in relation to smaller neighbours**

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- v. The extent to which large buildings are complemented by small scale and narrow frontages to achieve diversity and contribute to a fine-grained, active street edge where this is appropriate.
- vi. The extent to which intermediate and transitional modelling of building form to achieve common alignments or modules are used to achieve positive scale relationship with smaller neighbours.

### **Pedestrian Linkages**

- vii. The extent to which direct and safe public through-site pedestrian links are provided on very large blocks, where these provide a useful link between known or predicted destinations.

### **b. Height of any Building which Adjoins a Site in a Residential Zone and Separation Distance**

- i. The extent to which the building form adjoining sites in a residential zone relates to the dimensions, spacing and setbacks of the residential building forms typical of that neighbourhood.
- ii. The extent to which, where a development adjoins or faces residential zones, or creates the entrance to a residential street, large blank walls are avoided or appropriately screened.
- iii. The extent to which sunlight and daylight is maintained over neighbouring dwellings and important outdoor areas related to these.
- iv. Whether effects associated with overlooking lead to an actual or perceived loss of privacy for outdoor areas or dwellings of adjoining sites.
- v. Whether the topography of the site or surrounding land or the nature of the building development and planting on that land is such that the amenity of adjoining residential sites will be protected.
- vi. Whether the reduction in boundary separation distance can contribute positively to scale reduction and the appearance of the development on the Outer Business Zone site.
- vii. The extent to which landscaping within the boundary setback is necessary to maintain residential amenity or to reduce the visual impact of building.
- viii. The extent to which modulation of building form helps to achieve a scale transition to immediately adjacent residential buildings.
- ix. The quality and extent of landscaping in the setback.
- x. The extent to which eliminating the setback will lead to enhanced visual and acoustic privacy for residents.

**Explanation**

*In dealing with the issue of height of commercial buildings at the Residential Zone interface, there are a number of associated effects. The major effects which arise from the height of commercial buildings on sites which adjoin residential properties are:*

- i. *Effects on the penetration of sunlight and daylight to the neighbouring residential sites and buildings.*
- ii. *Effects associated with overlooking which may lead to actual or perceived loss of privacy for outdoor areas or dwellings on adjoining sites.*
- iii. *Effects arising from the physical bulk of a commercial building may lead to a loss of residential amenity and character due to dominance of scale that the commercial building imposes on a neighbouring residential site.*

*Possible building forms and sites near residential areas can be diverse and some developments may be appropriate which do not comply fully with the standards for Permitted Activities. The Council acknowledges that there may be instances where additional height is necessary or where it may be acceptable to build within the setback, but its intent is to protect adjoining residential areas from adverse effects that might be generated.*

**c. Maximum Building Height Adjoining a Scheduled Building**

The assessment criteria contained in R11.6.2.2(b).

**d. Building Frontages**

- i. The extent to which the composition, modelling of building form and the detail of building facades creates visual interest and achieves aesthetic coherence when viewed from the street.
- ii. The extent to which the building maintains the alignments of neighbouring buildings along the street edge, and the amenity of the adjacent street.
- iii. The extent to which the potential adverse effects of blank walls at the street edge and/or conspicuously large high-level blank walls that are in prominent view from streets and other public spaces are avoided or screened.
- iv. The extent to which visual and physical connections are maintained between building interiors and adjoining streets and other public spaces to a degree appropriate to the location.

**Building Setbacks**

- v. The extent to which a setback or contrasting alignment is justified by the building having a recognised public function, including community, cultural, civic, education or recreational activity, and the landscaping of such setbacks contributes to the quality of the public environment.
- vi. The effects of not building to the street frontage on the pattern of adjacent activities and the continuity of the street frontage.
- vii. Whether the building setback from the street frontage creates positive open spaces with a high usability and aesthetic quality, and which contribute positively to the public space system of the city.
- viii. The extent to which a setback of the building entrance avoids creating spaces which might provide for concealment.
- ix. The extent to which mature street trees in the public realm compensate for building setbacks by providing spatial definition.
- x. For large format and or vehicle orientated activities, the extent to which the surrounding environment is characterised by patterns of stand-alone buildings that



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are set back from the street edge.

- xi. For large format and or vehicle orientated activities, the extent to which any set back maintains the general pattern and coherence of street edge definition and creates positive open space that contributes to the wider system of public space.
- xii. For large format and or vehicle orientated activities, the extent to which any building set back from a street edge enhances the appearance of the site from the road and defines the street boundary with high quality landscaping.
- xiii. Where street edge setbacks are necessary for drive-through or vehicle orientated activities, care should be taken with associated building design and landscaping to ensure the setback area is seen and experienced as positive open space.
- xiv. For large format and or vehicle orientated activities, the extent to which buildings set back from the street provide active edges fronting towards the street.
- xv. For large format and or vehicle orientated activities where buildings are set back from the street edge, the extent to which pedestrian only or pedestrian priority areas are provided with kerbs or raised pedestrian facilities or material differentiation.

**Explanation**

*The Council wishes to ensure that new building development relates positively to the street edge and creates an attractive interface where the public and private realms meet. In particular, development should maintain visual and physical connections to the street by providing frontages that include entrances and openings facing the edge of streets. This is particularly important on Arterial Roads, including buildings with frontage to those parts of Fitzherbert Avenue, Main Street, Rangitikei Street and Broadway Avenue that are not categorised as an Arterial Road. The Council requires development to articulate or eliminate wall surfaces that are featureless or plain. Large blank surfaces should not occur at ground level at the street edge as these lack interest and activity, compromising the experience of the adjacent space. A flat wall surface might constitute a small proportion of ground floor facades, but only if the quality of the street edge is not compromised as a result. While a building may have primary frontage, other visible facades should include detail and openings and be treated similarly as frontages – albeit secondary ones.*

*Development needs to be provided for in a way that offers flexibility and recognises the operating characteristics of large format and vehicle orientated activities while ensuring a high level of visual amenity is achieved, particularly on Arterial Roads that function as main entrances to the City. The requirement to build to the front boundary for sites with frontage to Arterial Roads recognises the importance of maintaining the existing street edge alignment. Departure from this core principle is a matter of discretion.*

**e. Pedestrian Cover**

- i. Whether suitable alternative provision for pedestrian cover at the building entrance from the street can be made.
- ii. The extent to which the development maintains or enhances the quality of the environment for pedestrians at the street edge.

**Explanation**

*Shelter for pedestrians is an important amenity consideration. It is important to provide the shelter necessary at the building entrance for pedestrians. Cover at the building entrance is important for way finding and legibility because it signals the location of the entrance to the building.*

**f. Ground Level Parking**

- i. The extent to which parking is visually unobtrusive, integrated with good quality building and landscape design, and does not compromise the coherence and quality of adjacent spaces, nor the experience for pedestrians.
- ii. The extent to which on-site landscaping is used to create a high quality street edge.

- iii. Whether the accepted or desirable function of the street requires parking at the street edge.

**Explanation**

*In certain situations, ground level parking at the street edge is anticipated within the Outer Business Zone. There are existing vehicle orientated small businesses within the Zone which currently have car parking at or near the street edge. This may be acceptable where it does not compromise an adjoining development built to the street edge, and where high quality landscaping, both hard and soft, is used to create an appropriately high level of amenity.*

**g. Landscape Amenity**

- i. The extent to which on-site landscaping establishes an attractive appearance and complements public landscaping at or near the street edge and establishes conditions of safety, visual interest and amenity within the development.
- ii. The extent to which alternative provision of on-site amenity and landscaping maintains and enhances the amenity of the wider streetscape and residential areas.
- iii. The extent to which growing conditions are provided for that will ensure the successful establishment, growth and on-going viability of planting.

**Explanation**

*The specified approach to landscaping provision will not be practical in every instance. However, it is critical that alternative responses to landscaping provision positively contribute to on-site and wider streetscape amenity. The maintenance of landscaping, especially in the first twelve months, is critical to its actual success. Factors such as irrigation, wind protection and the growing medium are all critical to the successful establishment of landscaping.*

**h. Loading and Access**

The assessment criteria in R11.9.3.1(c).

**i. Vehicle and Cycle Parking**

The assessment criteria contained in R11.9.3.1(d).

**j. Car Park Landscape Design**

The assessment criteria contained in R11.9.3.1(e).

**k. Verandas and Landscaping in the Outer Business Amenity and Character Areas**

- i. Whether suitable alternative provision for pedestrian cover can be made.
- ii. The extent to which the integrity and aesthetic coherence of the street edge is maintained through maintaining existing patterns of either building to the street edge, or landscaped setbacks.
- iii. The extent to which landscape planting is able to retain or enhance the character of the street edge through the maintenance of edge continuity.

**R11.9.3.3 Any activity or the Construction, External Alteration or Addition to a Building which does not comply with Performance Standards for Controlled Activities, excluding non-compliance with performance standard (c) – Gross Floor Area, is a Restricted Discretionary Activity in regard to:**

- Design and appearance
- The safe and efficient operation of the road network
- Effects on residential amenity
- Visual amenity
- The provision of car parking
- The effects arising from the non-compliance with the performance standards that are not met by the activity

In determining whether to grant consent and what conditions to impose, if any, the Council will, in addition to the City View objectives in Section 2 and the Overarching Business Zone and Outer Business Zone objectives and policies, assess any application in terms of the following assessment criteria:

**Assessment Criteria**

- The assessment criteria contained in R11.9.2.1.
- The assessment criteria contained in R11.9.3.1.

**R11.9.3.4 Residential Accommodation is a Restricted Discretionary Activity with regard to:**

- Street edge amenity
- Internal amenity
- Private open space
- Storage
- Visual and acoustic privacy

**Performance Standards**

Residential Activities under R11.9.3.4 must comply with the following performance standards:

- a. The minimum gross floor area for Residential Accommodation must be 35m<sup>2</sup>.
- b. Compliance with Noise Insulation and Ventilation Rules 11.9.7.1(b), (c) and (d).
- c. Compliance with R11.9.1.2(a) to (k), Construction, External Alteration or Addition to Buildings.

In determining whether to grant consent and what conditions to impose, if any, the Council will, in addition to the City View objectives in Section 2 and the Overarching Business Zone and Outer Business Zone objectives and policies, assess any application in terms of the assessment criteria listed in R11.6.2.4.

**Explanation**

*The intention is to encourage diverse uses including good quality residential accommodation in both the Inner and Outer Business Zones. Good quality, liveable accommodation near the city centre helps make business zones attractive places to live, and in doing so offers housing choice and contributes to 24 hour occupation of the city centre.*

## 11.9.4 RULES: DISCRETIONARY ACTIVITIES

### R11.9.4.1 Discretionary Activities

Any activity or the construction, reconstruction or alteration of any building or structure which is not provided for by R11.9.1.1, R11.9.1.2, R11.9.1.3, R11.9.2.1, R11.9.3.1, R11.9.3.2, R11.9.3.3, R11.9.3.4 or R11.9.5.1 is a Discretionary Activity.

### R11.9.4.2 Crematoria

#### Crematoria are Discretionary Activities.

In determining whether to grant consent and what conditions to impose, if any, Council will, in addition to the City View objectives in Section 2, the Overarching Business Zone objective, and the Outer Business Zone objectives and policies, assess any application in terms of the following assessment criteria:

#### Assessment Criteria

- i. To avoid, remedy or mitigate the effects of noise, hours of operation and other environmental disturbance on the surrounding communities' amenity.
- ii. To avoid, remedy or mitigate potential or actual effects on cultural and social matters.
- iii. To avoid, remedy or mitigate the effects of the generation of additional traffic on the safe and efficient operation of the roading network and through appropriate provision of efficient and effective parking and access.
- iv. To avoid, remedy or mitigate the potential effects associated with the design and appearance of any building or structure in relation to the amenity for the surrounding community.

#### **Explanation**

*Crematoria have a range of potential effects that could adversely affect the amenity qualities of sites both within as well as adjoining the Outer Business Zone. Any application will need to demonstrate that it can satisfy the requirements of the Resource Management Act 1991.*

### R11.9.4.3 Maximum Number of Retail Activities below 300m<sup>2</sup> of Merchandising Area.

Retail Activity that does not comply with the Permitted Activity Performance Standard relating to the Maximum Number of Retail Activities below 300m<sup>2</sup> of Merchandising Area, but which complies with the Performance Standards below, is a Discretionary Activity:

#### Performance Standards

- a. Any retail development on a site must not contain more than two retail premises that each have a Merchandising Area below 300m<sup>2</sup>; and
- b. The number of retail premises below 300m<sup>2</sup> of Merchandising Area is accompanied by an equal or greater number of retail premises with 300m<sup>2</sup> of Merchandising Area or more for use by retailers; and
- c. The average size of the Merchandising Area of retail premises to which this standard applies must be no less than 300m<sup>2</sup> of Merchandising Area.

In determining whether to grant consent and what conditions to impose, if any, the Council will, in addition to the City View objectives in Section 2 and the Overarching Business Zone and Outer Business Zone objectives and policies, assess any application against the following assessment criteria:

## Assessment Criteria

- i. The extent to which the proposed activity, in conjunction with other established or consented activities within 150 metres of the edge of the site of the activity (irrespective of zoning) could encourage the establishment of a significant node of retail shops, in a pedestrian-style environment.

### **Explanation**

*The purpose of the discretionary rule is to reinforce the intention that the Outer Business Zone should not attract any significant node of retail shops in a pedestrian-style environment akin to the Inner Business Zone.*

*The business zone hierarchy seeks to maintain the retail primacy of the Inner Business Zone and reinforce its role as an important focal point for the community. This approach recognises that a significant amount of community and public sector infrastructure has been invested in the Inner Business Zone. Ensuring an integrated approach is taken to managing retail activity is a critical element in achieving the efficient use and continued viability of physical resources within the city centre.*

## 11.9.5 RULES: NON-COMPLYING ACTIVITIES

### R11.9.5.1 Non-Complying Activities

#### Offensive Activities are Non-Complying Activities

### **Explanation**

*Offensive Activities have a range of potential effects that could adversely affect the amenity qualities of the Outer Business Zone. The application of Non-Complying Activity status to these activities will ensure that any Offensive Activity has to demonstrate that it can satisfy the requirements of Sections 104 and 105 of the Resource Management Act 1991 prior to any approval being granted.*

#### R11.9.5.2 Maximum Number of Retail Activities below 300m<sup>2</sup> of Merchandising Area

Retail Activities that do not comply with the Permitted or Discretionary rules relating to the maximum number of retail activities having below 300m<sup>2</sup> of Merchandising Area are Non-Complying Activities.

### **Explanation**

*The establishment of a pedestrian-style retail node in the Outer Business Zone which is similar in nature and scale to that of the Inner Business Zone could lead to adverse distributional effects on the function and amenity of the city centre. Adverse cumulative effects may only become apparent in the long term and be largely irreversible once the effects have taken place. In this regard, the specific maximum number and merchandising controls for retail activity are necessary to avoid adverse distributional effects (including cumulative effects) on the vibrancy and vitality of the Inner Business Zone.*

## 11.9.6 RULES: NOTIFICATION

### R11.9.6.1 Notification

- i. The following activity addressed in this section must not be publicly notified: R11.9.3.2 and R11.9.3.4.
- ii. The following activity addressed in this section must not be limited notified: R11.9.3.2 and R11.9.3.4.

## 11.9.7 RULES: NOISE

### R11.9.7.1 Noise

#### (a) Noise

- i. Noise from any activity within the Outer Business Zone must not exceed the following limits at any point within any other site within the Inner and Outer Business Zones:

At any time 65 dB  $L_{Aeq(15mins)}$

Daily 11:00pm to 7:00am the following day 90dBA  $L_{max}$

Noise from any activity must not exceed the limits as set out in Inner Business Zone R11.6.6.1(a)(iii) at any point within any site zoned for residential purposes.

- ii. Where it is impracticable to measure outside a building, the noise from any activity within the Outer Business Zone must not exceed the following limits as set out in Inner Business Zone R11.6.6.1(a)(iv), inside any residential units in any building on any other site within the Inner and Outer Business Zones.

This must not allow any relaxation in the noise limits of R11.9.7.1(a)(i).

#### **Explanation**

The noise rules within the Outer Business Zone are designed to allow activities to make moderate noise while still providing a reasonable level of control to residential activities in the area. Where noise sensitive uses (including residential activities) are proposed for the Outer Business Zone it is the responsibility of the designer, developer, owner and user to ensure that buildings are appropriately insulated against higher levels of noise that are allowed. Residents in the Outer Business Zone must accept that some adverse noise impacts will be experienced from time to time. In this regard, it is important that residential development in the Outer Business Zone does not compromise the effective development and operation of business activities.

#### (b) Noise Insulation

Any habitable room in a building used by a noise sensitive activity within the Outer Business Zone must be protected from noise arising from outside the building by ensuring the external sound insulation level\* achieves the following minimum performance standard:

$$D_{nT,w} + C_{tr} > 30 \text{ dB}$$

Compliance with this performance standard must be achieved by ensuring habitable rooms are designed and constructed in a manner that accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

#### **Explanation**

Acoustic insulation is required for noise sensitive activities in buildings within the Outer Business Zone to mitigate the potential adverse effects on such uses and to lessen the potential for constraint that such uses can place on typical business or commercial activities commonly associated with the zone.

#### (c) Ventilation

Compliance with R11.6.6.1(c).

#### (d) Fixed Plant

Compliance with R11.6.6.1(e).

## Appendix I North West Square Heritage Area and Map

### Area Description

The heritage area comprises:

- The north side of Cuba Street between Campbell Street and Rangitikei Street;
- The south side of Cuba Street between George and Rangitikei Streets;
- Buildings on both sides of George Street;
- Buildings on both sides of Coleman Place;
- Buildings on the northern side of Main Street; and
- A number of buildings on the north west corner of The Square.

The area has high historical values being part of the early development of the city. It is associated with an important period of growth of the city and with the buildings' owners, occupants, architects and builders of this time. The area has a high level of consistency of age of construction, with most buildings having been built in the twentieth century before the Second World War.

The area has significant design values with a very high level of consistency of design style and detailing based on various forms of neo-Classicism. Most buildings are two stories high, six are single storied, two are three storied, and one is four storied. All are commercial buildings and have a consistency of façade design, materials, symmetry and relationship with the street. All have glazed shop front windows on the ground floor and discrete windows on the upper floors.

Many of the buildings have a high level of authenticity of above veranda façade with a number having a high level of authenticity of shopfront.

### Heritage Values

#### (a) Cultural values

##### Design values

The former CM Ross buildings in The Square, and Coleman Place are three and four storeys high, whereas all other buildings are either one or two storeys high.

Most buildings are built to the street boundary, creating a street wall defining the street and extend back to the rear boundary in varying dimensions. The exception to this is the former Hallenstein's building and the former plastics shop where both buildings project into the street space.

Proportions within the facade are generally similar whereby the facade is divided between ground floor glazing, a band of upper floor windows and high parapets with prominent cornice. While the height of the windows and their general proportion vary, the consistent high cornice and parapet gives general homogeneity in form of building. Regular and large areas of glazing as a proportion of the upper floor street elevation generally give a horizontal emphasis to the group when viewed as a whole, while individually this may not be the case. Italianate buildings generally have a small surface area of upper floor windows.

There is similarity between all buildings in the large proportion of glazing on the ground floor. Traditionally the shop front had a solid base of approximately 300 to 400 millimetres in height with the remainder of the window divided with a transom glazing bar a third of the height of the window from the top. This transom could then be further divided, emphasising the large open area of glass to the shopfront.

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All buildings have verandas of similar height; however, the height of the veranda front varied with style of building and area of signage.

The parapet form largely determines the silhouettes of the buildings. Most parapets are simple horizontal forms with several stepped and a very few original ornate pediments which still exist.

The style of many buildings is a form of Neo-Classical architecture. Most are simplified Italianate, Stripped Classical, Chicagoesque, or Neo-Georgian. Each of these styles has many similarities in terms of proportions of facade and facade elements, details, and surface treatment.

Design issues of symmetry, verticality or horizontality, details and decoration are largely determined by the style. The buildings are visually divided horizontally by verandas, which are a design element common to all buildings. The proportion of height between the lower and upper sections of the facade varies between one to one and one to one and a half. Much of the decoration has been removed from the buildings, however the strong horizontal emphasis of the parapets remains, and something of the horizontally rectangular facade is visible.

There is little consistency in actual height, however the difference in height from parapet to parapet is generally very little. This gives the street silhouette an attractive stepped top to the street 'wall'.

All buildings have their principal facade facing the street. Secondary facades, however, retain the same design and details.

As can be seen from the description above, there are many elements of commonality within the buildings. These range through architectural design elements of size, scale, mass, proportion, colour, materials, finishes, textures, silhouette, style, symmetry, openings, horizontality, verticality, decoration, and details.

There is also consistency in the relationship of the building to the street, buildings built parallel with the street and to the boundary, and both the major and secondary elevations addressing the street. This location of the buildings reinforces the grid pattern of the city.

The North West Square Heritage Area ranges in streetscape from the openness of the Square, to the varying widths of Coleman Place, the consistent narrow form of George Street and the wide boulevard style of Cuba

### **Historic Values**

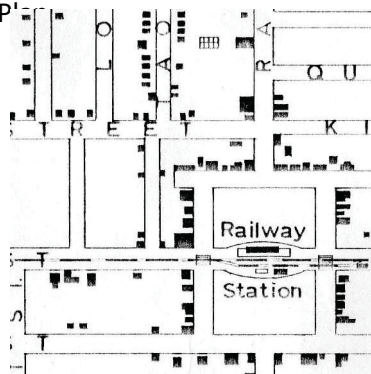
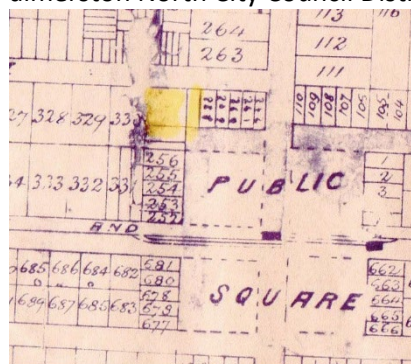
The streets in the North West Square Heritage Area were designed with the first layout of the city. Because the street alignment of the area has not changed since this first plan, the historic layout is retained.

Most of the buildings date from the Inter-War period, when there was considerable expansion in the economy of the city. Several earlier buildings, which date from the turn of century, similarly reflect the growth of the city in this period. One building was constructed post World War II.

Many of the buildings are good representative examples of significant periods of construction and reflect the changing taste in design style and use of materials.



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The yellow spot on the left map (from 1878) marks the Coleman Place corner – then non-existent. The map on the right (from 1881) shows the first stage of Coleman Place

### (b) Use Values

The area has use values for the educative potential deriving from its historic and cultural heritage values. The area reflects the early planning history of the CBD while its buildings are good examples of different forms of classically derived architecture in a coherent group. Most of the buildings are currently occupied and have a commercial use, while the former C M Ross building has been awarded for its adaptation to its current use as the City Library.

### (c) Contextual Values

#### Measure of value

The buildings proposed to be included in the area are almost wholly consistent in terms of style and, with the exception of the former C M Ross buildings and 10-15 The Square, are consistent in terms of scale, form, age, range of materials, original use and level of authenticity of the above veranda façade.

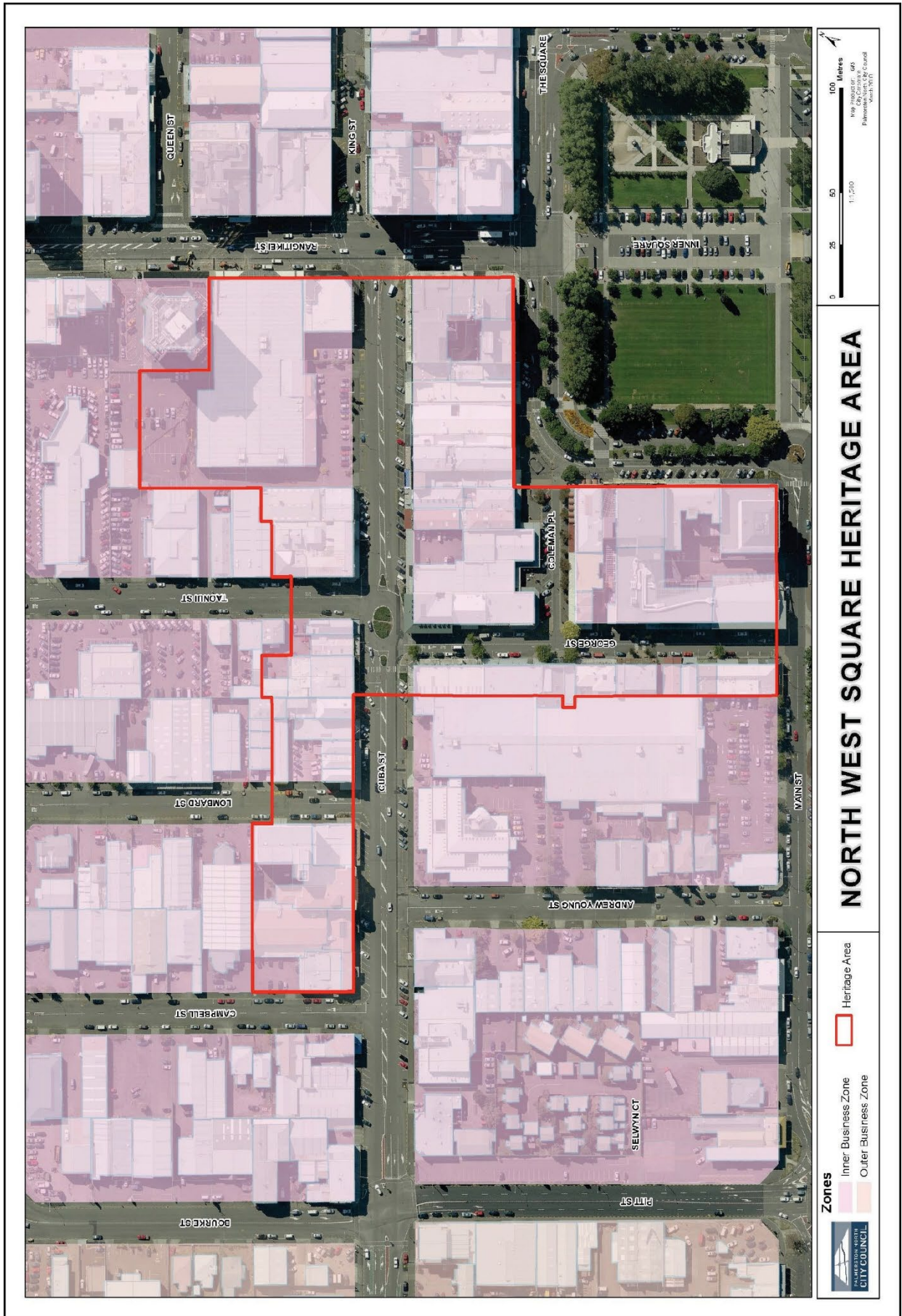
Collectively all these buildings form a coherent group in the North West Square area of the city.

#### Authenticity

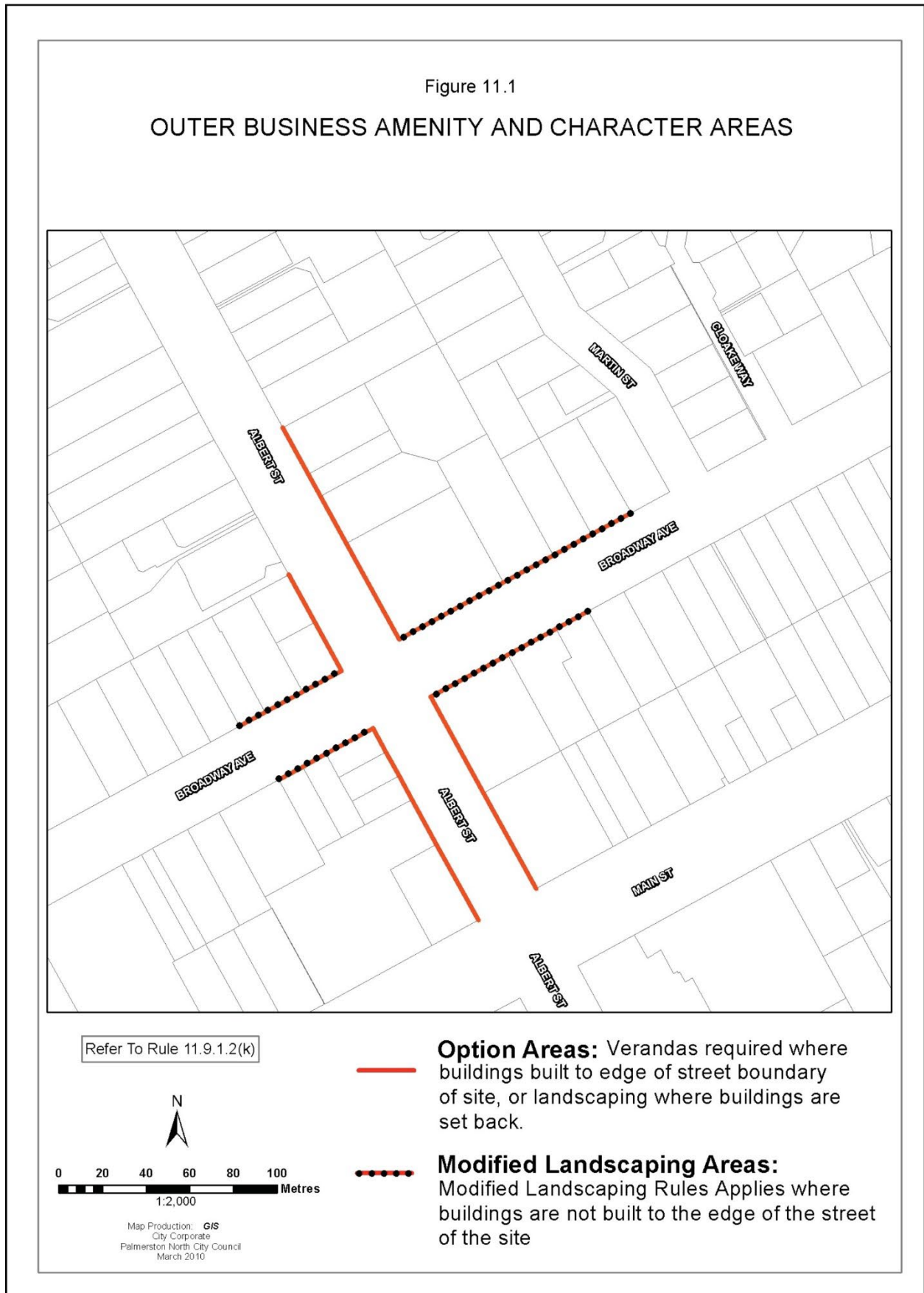
Individual buildings are assessed for authenticity, but, given the consistency in Edwardian and Inter-War period of construction with an almost contiguous collection of buildings, the group has a high level of authenticity of setting.

#### NOTE TO PLAN USERS

An applicant is advised to contact Heritage New Zealand if the presence of an archaeological site is suspected. Work affecting archaeological sites is subject to a consenting process under the Historic Places Act 1993. If any activity associated with this proposal, such as earthworks, fencing or landscaping, may modify, damage or destroy any archaeological site(s), an authority (consent) from Heritage New Zealand must be obtained for the work to proceed lawfully. The Historic Places Act 1993 contains penalties for unauthorised site damage.



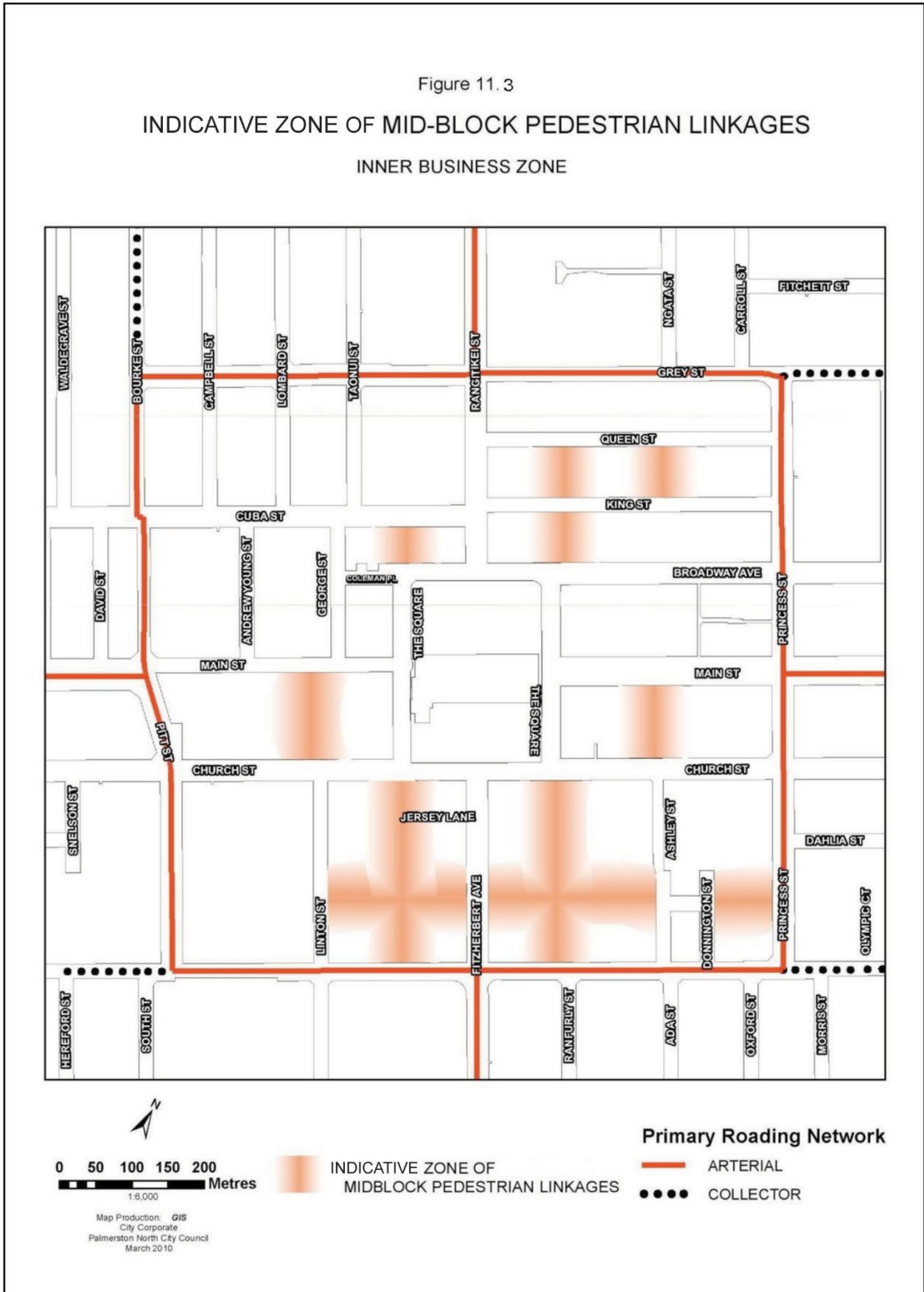
**Figure 11.1 Outer Business Amenity and Character Area**



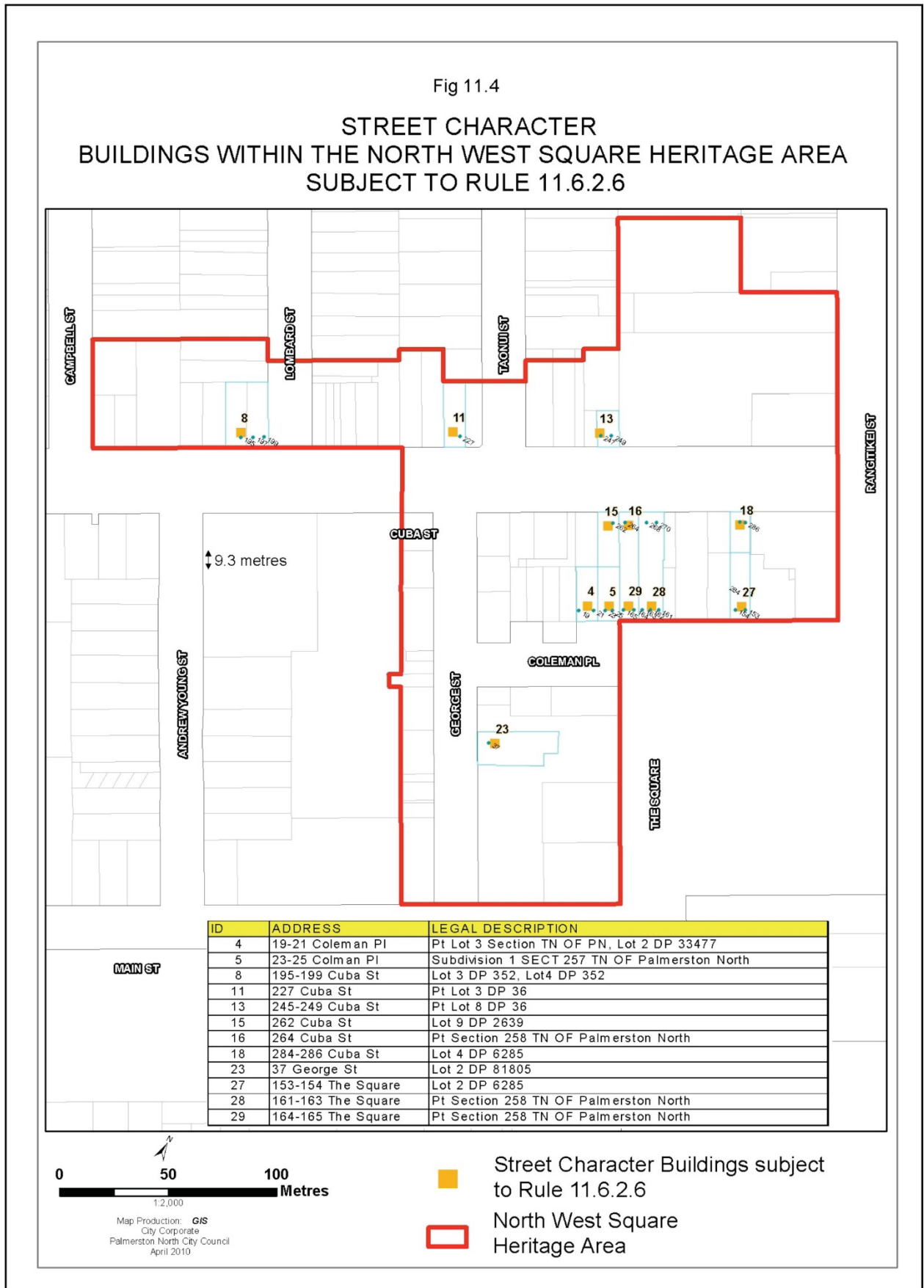
**Figure 11.2 Fringe Business Zone Area**



**Figure 11.3 Indicative Zone Of Mid-Block Pedestrian Linkages**



**Figure 11.4 Street Character Buildings within Northwest Square Heritage Area**



## 11.10 Local Business Zone

### Introduction

The Local Business Zone has a primary purpose of catering to the day-to-day shopping and service needs of its surrounding residential communities. Currently the Local Business Zone covers the Ashhurst business centre and the local business centres dispersed throughout the City's suburban areas; these include shopping centre developments through to local stores. Some of these centres are the result of historical development (e.g. Terrace End), while others have developed more recently to accommodate newer residential areas such as Riverdale, Westbrook and Milson, with the most recent developments being at Aokautere/Summerhill and Kelvin Grove.

The size of the catchment of surrounding residential communities and how they are to be serviced by Local Centres are a driving force behind the intention for the zone. Local catchments are determined in most cases by the amount of households surrounding a local centre radiating out from the centre itself. Supermarket developments can be part of the Local Business Zone and it is recognised that in these instances the local catchment serviced is wider than in a local centre where a supermarket is not present.

Future development in the Local Business Zone will consist of the redevelopment or extension of existing centres and sites and also new Greenfield development, in particular in the areas set aside for future residential growth.

Existing centres have been restricted in terms of their physical area and the size of business activity. This was done in order to ensure that the scale of business activity reflected the local status of the centre and that established residential neighbourhoods were protected from the further encroachment of central business activities. Council considers that this approach to local business area management remains valid and that it should be continued. The new approach of the zone is to enable change of use within existing local business facilities to ensure that these centres can be more responsive to changing needs or demands and ensure uptake is high within the zone.

The City's local business areas have established themselves relative to the size of the surrounding suburban catchment they serve and their location within the catchment. Over time four categories of neighbourhood centre have emerged:

- Large Neighbourhood Centres,
- Small Neighbourhood Centres,
- Local Stores, and
- Variant Business Centres.

To minimise adverse effects arising within the zone, and of local business activities on surrounding uses, performance standards will be maintained and have been further developed to safeguard residential areas from the potential impacts of business activities and/or associated development. New controls have been introduced to ensure good design outcomes are achieved within the Local Business Zone and the amenity and character of the areas they sit within are protected.

## 11.10.1 OBJECTIVES AND POLICIES

Within the broad framework of the City View objectives in Section 2, the following specific objectives and policies were identified for the Local Business Zone:

### OBJECTIVE 1

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**To enable the efficient use and continued vitality of the Local Business Zone by promoting activity that provides for the day-to-day shopping and service needs of local suburban catchments and the provision of attractive public open space.**

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### POLICIES

- 1.1 To recognise and provide for the different types of Local Business Zone areas as follows:
  - Large Neighbourhood Centres,
  - Small Neighbourhood Centres,
  - Local Stores,
  - Variant Business Centres.
- 1.2 To enable the on-going function of local business activities that are both convenient and provide a community focus for local residents.
- 1.3 To ensure that the activities which locate in the Local Business Zone reinforce the existing characteristics of the zone which include:
  - Activities that service and meet the day-to-day needs of local suburban catchments.
  - Activities that are conveniently located and have good connections to surrounding communities.
  - Activities which do not detract from the function of the Inner, Outer and Fringe Business Zones.
  - A diverse range of activities within local centres.
- 1.4 To promote a high quality pedestrian-orientated but vehicle accessible environment that maintains the compactness, convenience and vibrancy of the Local Business Zones.
- 1.5 To achieve a comprehensively planned and coordinated system of connections and other public open spaces that provide for safe and convenient access by a range of modes.
- 1.6 To ensure that public spaces (including privately owned spaces that are categorised by patterns of public use) are safe and attractive.
- 1.7 To require that any residential activity within the Local Business Zone be above ground floor level.
- 1.8 To promote the ability to change the use of buildings by ensuring regular entry points are provided at the street edge and the provision of ground level stud heights that are sufficient to allow for retrofitting for other uses.
- 1.9 To require as a key aspect of maintaining the continued vitality and economic viability of the Local Business Zone well designed public spaces and buildings which are:
  - Fit for purpose
  - Comfortable



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- Safe
- Attractive
- Accessible
- Durable.

1.10 To ensure a mix of small scale activities are provided in conjunction with developments that include a large scale anchor tenant activity.

### **Explanation**

The Local Business Zone contains four clear categories of use depending on the size of the surrounding suburban catchment they serve. These categories are Large Neighbourhood Centres, Small Neighbourhood Centres, Local Stores, and Variant Business Centres. With the exception of the Large Neighbourhood Centres, Local Business sites are generally quite limited in their area. Most offer a small range of retail services which provide convenient facilities for local residents. In some cases, centres are often complemented by a range of other non-retail activities including small repair services or community facilities such as libraries.

The zone offers local employment opportunities, in locations that can help to reduce work related journeys as employees may also live locally and can encourage the continued use of the often already developed land and building resources. This encouragement to the on-going use of buildings in these zones can help to sustain variety within centres in the Local Business Zone, thereby avoiding some journeys to use shops and other facilities in the City centre.

In the case of Ashhurst, the Large Neighbourhood Centre effectively forms the heart of the community which is enhanced by integration with a range of community facilities such as the Village Valley Centre. The centre is also quite diverse in nature and includes a number of small businesses providing important employment opportunities and convenient services for local residents.

Variant Business Centres represent activities in the city that have established in historical locations and do not fit neatly within any of the City's business zones. As a result, these centres, whilst not servicing a local catchment or playing a convenience retail role, have been absorbed by the Local Business Zone through specific provision for Variant Business Centres. These centres are scattered around the city and do not follow a pattern in their distribution. Such centres include activities that predominantly locate along major arterial roads and are vehicle orientated activities including, but not limited to, service stations, car sales yards and motels.

To date the City has been fortunate to have maintained a strong network of local shopping areas. It is Council's intention that the on-going role of these areas be reinforced and enhanced by widening the range of opportunities available. The Local Business Zone is also often the economic, social and cultural focus of the local neighbourhood, and is important from that perspective. There are linkages between the perceived quality of the environment at a centre, its attractiveness and its commercial success. For that reason, all buildings in the Local Business Zones should contribute to a high quality public environment.

## **OBJECTIVE 2**

**Neighbourhood centres in greenfield areas and on redeveloped sites are developed through a process of comprehensive planning, are conveniently located and accessible to the local community and exhibit high amenity values.**

### **POLICIES**

- 2.1 To locate and distribute activities of the appropriate type, scale and mix within Greenfield developments to optimise the likelihood of commercial success and vibrancy, and ensure all residents have access to local service activities within a reasonable walking distance.
- 2.2 To achieve planned and coordinated development through a process of comprehensive planning of new neighbourhood centres in Greenfield and redeveloped sites.

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- 2.3 To ensure neighbourhood centres on Greenfield and redeveloped sites provide a community focal point, and a high level of convenience and amenity.
- 2.4 To require large scale activities to be complemented by the provision of a range of activities in small scale tenancies.

**Explanation**

*The appropriate range and scale of activities in any large (or small) neighbourhood centre depends on the area served. Where a centre is provided, its size and location will depend on the wider context – availability of existing facilities and connections to these, as well as the population served.*

*Any large (or small) neighbourhood centre needs to be located where the activities intended are most likely to be successful. This is moderated by the requirement that the centre must also be at the centre of the neighbourhood it serves. Some parts of a greenfield growth area may be already served by existing adjacent facilities; however, all areas should be provided with local services within reasonable walking distance.*

*Greenfield development and site redevelopment offers the potential for coordinated and comprehensive planning. This ensures the street and public open space network, form and orientation of buildings are considered together to achieve the best results in each context. For example, comprehensive planning of car parking, both street-side and on-site, can lead to optimal convenience, efficiency and utilisation of parking which will help to keep the centre compact and avoid over-provision.*

**OBJECTIVE 3**

**To enable a wide range of business and community activities within the Local Business Zone while avoiding adverse effects.**

**POLICIES**

- 3.1 To provide for a diverse range of activities within the Local Business Zone subject to meeting performance standards.
- 3.2 To provide for a wide range of activities that meet the economic and social needs of the local community while reinforcing the function of the Local Business Zone.
- 3.3 To discourage the establishment of activities which will have an adverse effect on the amenity values associated with the Local Business Zone.
- 3.4 To manage the adverse effects of business activities on each other or on other activities located within the Local Business Zone.
- 3.5 To ensure development provides a safe and convenient pedestrian and vehicular environment.

**Explanation**

*Business activities have the potential to generate effects relating to such matters as noise; parking; location of access/egress points; and loading and storage areas which may impact on the level of amenity enjoyed by activities located within the business zone. To rectify this, appropriate safeguards have been introduced to ensure that any adverse effects are mitigated.*

*Over time, a number of small business areas have developed their own particular character which contributes to people's appreciation and enjoyment of them. It is important to maintain and enhance how this character contributes to surrounding environments so that such environments can be enjoyed by future generations that choose to locate within them.*

*To counteract the potential erosion of amenity that might arise as a consequence of allowing a relatively unrestricted range of activities to establish in the business zone, activities which are offensive or large in nature will be restricted.*

**OBJECTIVE 4**

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**The amenity values of neighbouring residential and recreation areas are protected.**

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**POLICIES**

- 4.1 To avoid, remedy or mitigate the adverse environmental effects which may arise from activities within the Local Business Zone on the amenity values of activities at the interface with the zone.
- 4.2 To minimise the effects of building development or redevelopment on residential areas by avoiding:
- Excessive building scale
  - Overshadowing
  - Inappropriate building bulk
  - Invasion of privacy
  - Loss of access to daylight.
- 4.3 To manage the adverse environmental effects of business activities on the following attributes of residential amenity:
- Visual amenity, including human scale and visual interest.
  - Streetscape quality
  - Acoustic environment
  - Pedestrian and cyclist safety
  - Vehicular access and safety.
- 4.4 To promote sensitive landscape or architectural design at the interface with adjoining residential areas to manage any adverse visual effects of development.

**Explanation**

*The existing Local Business Zones are in most cases located in the heart of residential areas, where they provide important and convenient local services and facilities. However, there is the potential for activities in the Local Business Zone to cause adverse effects on the surrounding area. It is important that these effects are addressed and as far as possible avoided. The most likely place at which these effects arise is at the residential interfaces where the two quite different activities come into closest contact. Therefore, it is at the interface that the greatest care must be taken.*

*While in existing Local Business Zones it is usually only possible to ameliorate the effects on the Residential area, where a new zone, or Greenfield area is established care can be taken to ensure that the two activity areas are made as compatible as possible at the outset.*

**OBJECTIVE 5**

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**The Local Business Zone has a high level of visual amenity, safety and comfort.**

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**POLICIES**

- 5.1 To require high quality building design within the Local Business Zone that acknowledges and responds to the context of the site and surrounding environment and contributes positively to the image of the neighbourhood and quality of experience of adjacent streets and other public open spaces.
- 5.2 To mitigate the visual effects of large areas of asphalt by ensuring car parking is visually attractive when viewed from both the public and private realms.

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- 5.3 To ensure the visual effects of development are managed by requiring skilled landscaping and urban design to contribute to the quality and attractiveness of the wider public environment.
- 5.4 To require all development to provide active frontages, including entrances and openings that face any street.
- 5.5 To avoid blank secondary frontages and service areas at the street edge.
- 5.6 To enhance the visual quality and design of ground floor level developments fronting streets, public space and pedestrian thoroughfares, in particular to require, depending on type of Local Business Zone, all buildings to be characterised by active and fine-grained street edge treatments.

### **Explanation**

*Each Local Business Zone area contributes to the sense of place of the local neighbourhood around it and, if identified as a centre, can substantially define the identity of the neighbourhood. Good quality environments, including a good mix of activities, attract people and encourage them to stay. Conversely, utilitarian centres tend to be used only for essential activity, and where people have no option.*

*The visual amenity of buildings and the spaces around and between buildings contributes to their attractiveness and functional amenity. At the immediate local level, large blank walls can be both monotonous and visually overwhelming, compromising neighbouring residential properties and the adjacent street.*

*The maximum frontage width reflects the existing fine grained frontage and lot widths within the Local Business Zones. Furthermore, active frontages at street edges are positively linked with increased occupation and use. As inactive frontages lack visual appeal and create an uninviting environment for pedestrians at the street edge, wider frontages are subject to a higher level of scrutiny. The existing fine-grained nature of development is a critical component that contributes to the quality and attractiveness of the wider street environment.*

## **OBJECTIVE 6**

**To provide for an attractive, high amenity, pedestrian focused Neighbourhood Centre that will service the Aokautere Greenfield Residential Area and help to create a sense of place, while being well integrated with the surrounding landscape, roading network, and pedestrian and cycle access.**

## **POLICIES**

- 6.1** Local business activities and buildings are developed and undertaken in general accordance with the Aokautere Neighbourhood Centre Precinct Plan (Map 7A.4C)
- 6.2** To require integration of the Aokautere Neighbourhood Centre with the surrounding neighbourhood by providing the roading and transport connections identified on the Aokautere Structure Plan (Map 7A.4A Street Hierarchy) and the Aokautere Neighbourhood Centre Precinct Plan (Map 7A.4C).
- 6.3** To ensure that buildings and tenancies are built entirely to the front boundary to create a continuous street frontage that encourages pedestrian activity at ground floor level.
- 6.4** To ensure that all residential accommodation within the Aokautere Neighbourhood Centre is designed with a high level of amenity.
- 6.5** To promote commercial street frontages with the following characteristics:
  - Doors and windows provide passive surveillance of, and visual and physical connection to, the street and public spaces.
  - Narrow storefronts with frequent entries at the street edge.

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- Primary building access from public footpaths.
- 6.6** To ensure the design and management of stormwater effectively integrates water sensitive design for management of runoff quality and quantity.
- 6.7** Ensure that development in the Aokautere Neighbourhood Centre does not proceed until the Primary Stormwater Elements which are necessary to service the development are in place.
- 6.8** Ensure construction of buildings, or earthworks or recontouring to enable the construction of buildings, does not proceed unless a geotechnical investigation has confirmed the appropriateness of the land for development and the recommendations of any technical reports to address land stability, uncontrolled fill and natural hazards including any recommended avoidance or mitigation measures, have been implemented in advance of development.

### 11.10.2 RULES: PERMITTED ACTIVITIES

#### R11.10.2.1 Permitted Activities

Any activity is a Permitted Activity except for:

- Those specified as Controlled Activities, Restricted Discretionary Activities or Discretionary Activities
- Offensive Activities, Industrial Activities, Crematoria, Residential Accommodation at Ground Floor Level which are Non-Complying Activities

Provided that the following Performance Standards are complied with:

#### Performance Standards

##### (a) Lighting

- i. Compliance with R11.6.1.1(a)(i)(ii),(iv),(v) and (vi)
- ii. Car park lighting may be turned off no earlier than 30 minutes after the last activity served by the car park ceases.

##### (b) Screening

- i. A solid close-boarded fence or wall of not less than 1.8m in height shall be erected on any boundary that adjoins a residential or recreational zone site;
- ii. Any area used for the outdoor storage of products, goods, materials or waste shall be screened along any boundary fronting or adjoining a residential or recreation zone property or the road by a close-boarded fence or wall of not less than 1.8m in height; this shall also be applied to gating across a vehicle access point.

##### (c) Signs

- i. Compliance with R6.1.5.
- ii. No signs shall be located above the veranda level of a building (see Figure 11.5A), within the Aokautere Neighbourhood Centre.

##### (d) Hazardous Facilities

Compliance with the provisions of Section 14 Hazardous Substances.

##### (e) Size of Function

No single business activity within an existing building shall exceed 300m<sup>2</sup> gross floor area.

##### (f) Residential Accommodation (excluding additions and alterations to existing dwellings).

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- i. No residential accommodation shall be located at the ground floor level.
- ii. Residential accommodation shall not be the dominant activity on the site.
- iii. Non-habitable accessory buildings that are ancillary to residential accommodation are permitted at the rear of the building and shall not exceed 10m<sup>2</sup>.

### **Explanation**

*A specific performance standard for residential accommodation has been included to allow for the mixed use of land zoned Local Business within the City. The intention of the performance condition is to recognise the need to provide for on-site accommodation at a scale which will not compromise the primary intent of the Local Business Zone to provide a convenient service to, or employment for, the surrounding community. Residential accommodation above the ground floor level also contributes a sense of visual presence and scale to a centre, natural surveillance and visual interest after dark whilst remaining in keeping with the surrounding residential areas.*

### **(g) Parking, Loading and Access**

Compliance with the following performance standards of R20.4.2:

- 20.4.2(a) Vehicle Access;
- 20.4.2(b)(i) Parking Spaces for People with Disabilities;
- 20.4.2(c) Car Park Landscape Design;
- 20.4.2(d) Formation of Parking Spaces;
- 20.4.2(e) and (f) Loading Space Provisions and Design.

### **(h) Servicing and Loading Hours**

Compliance with R11.9.1.1(g).

### **(i) Noise**

Compliance with R11.10.7.1.

### **Explanation**

*The intention of the Local Business Zone is to create a situation where a wide variety of activities can establish and provide a convenient service to, or employment for, the surrounding community. There will however be some effects which arise as the result of these activities which could have significant negative impacts on adjoining residential areas.*

*The rules detailed above are intended to control those adverse effects, e.g. the objectionable overspill of light, while leaving sufficient flexibility to encourage a wide range of activities. The limited area of most Local Business Zones and the necessity for them to still provide convenient local retailing means that it is important that one area is not taken up by a single activity. This has resulted in Council introducing a control over the amount of the area a single activity may take up in the Local Business Zone.*

### **NOTE TO PLAN USER**

Also refer to:

R23.6.2(i) – Radiofrequency Field Exposure.

R20.5.2 – Restricted Discretionary Activities – Drive Through Facilities

### **R11.10.2.2 The Construction, Alteration of, or Addition to Buildings**

The construction, alteration of, or addition to buildings and structures is a Permitted Activity except for:

- Those specified as Restricted Discretionary Activities, Discretionary Activities or Non Complying.

## Performance Standards

### (a) Maximum Floor Area

- i. The construction of all buildings with a maximum total gross floor area of 50m<sup>2</sup> are permitted.
- ii. In respect of existing buildings, the permitted size of any external alteration or addition is no more than 50m<sup>2</sup> or 20% of the existing gross floor area, whichever is smaller.

#### **Explanation**

*It is not inherently problematic for buildings to be constructed over this size and they are not to be discouraged. The intention of this rule is to act as a trigger to apply discretionary provisions to a development that exceeds this size. It is anticipated that as the size of a building increases, the potential effects increase, therefore this trigger gives Council the opportunity to apply a higher level of scrutiny and assessment criteria on these developments to ensure good outcomes are achieved that suit the environment they locate within. It also helps to ensure that a diverse range of activities is achieved in the Local Business Zone while avoiding a large activity crowding out a locally focused mix of activities.*

### (b) Building Height

- i. Any building or structure or part of a building or structure, built on any part of a site which adjoins a residential zone site, must comply with the residential height recession plane contained in R10.6.1.1 (a).
- ii. All other structures must not exceed 9m in height **unless located in the Aokautere Neighbourhood Centre (Map 7A.4C) where structures must not exceed 11m in height, except that 50% of a building's roof elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more as illustrated in Figure 11.5B below.**
- iii. Subject to (ii) above, all structures shall comply with the requirements of R13.4.7.1.

### (c) Ground Floor Height

The permitted ground floor height of any building is to be not less than 1.3 times the floor to floor height of upper floors and is to extend the full width of the frontage and back a distance of not less than 12 metres, or the depth of the building, whichever is the lesser.

### (d) Separation Distances

- i. Any building on a site which adjoins any part of a residential or recreational zone site will be located at least 3 metres from the common boundary.
- ii. Any building built to the frontage of a Local Business Zone site is also permitted to be built up to the side boundary adjoining a residential zone site for a distance of up to 15 metres back from the frontage.

### (e) Building Frontages

- i. Maximum Width:
  - The permitted maximum width of any ground floor level tenancy shall not exceed 7 metres.
- ii. Positioning:
  - a. Within areas identified as Large Neighbourhood Centres, all buildings are to be built to the front boundary of a site along no less than 50% of the street

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boundary, **except within the Aokautere Neighbourhood Centre Map (Map 7A.4C) where b. applies.**

- b. Within those areas identified as Small Neighbourhood Centres and Local Stores all buildings shall be built entirely to the front boundary.
- c. Within those areas identified as Variant Business Centres, there is no requirement to build to the front boundary.
- d. All buildings **and tenancies** required to be built to the front boundary shall provide at least one pedestrian entrance at the street.
- e. **Within the Aokautere Neighbourhood Centre (Map 7A.4C) all pedestrian entrances shall be provided at the street frontage (service lanes do not form street frontage for the purposes of this standard).**

### (f) Verandas

- i. Within Large Neighbourhood Centres, Small Neighbourhood Centres and Local Stores, verandas will **integrate with the shop frontage; be** constructed along the full length of any building frontage facing a street whether the building is built to the street edge or setback from it and will be connected to any adjoining verandas.
- ii. Verandas will be setback 600mm from the face of the kerb of any road carriageway or car parking area.
- iii. Within Variant Business Centres, a veranda is not required along the length of the building frontage, a cover over all main pedestrian entrances will be provided that covers the width of the entrance opening for a depth not less than 2 metres.

### (g) Shop fronts and Glazing

- i. Large Neighbourhood Centres, Small Neighbourhood Centres and Local Stores
  - All buildings shall have clear glazing for 75% of the height of the ground **primary** floor frontage and for no less than 75% of the ground **primary** floor frontage width, **except in the Aokautere Neighbourhood Centre (Map 7A.4C), where all buildings shall have clear glazing of no less than 60% and no more than 75% of the height of the ground floor primary frontage, and on corner sites, the proportion of clear glazing on the secondary frontage shall not be less than one third of the secondary frontage width. At the interface with Pacific Drive in the Aokautere Neighbourhood Centre (Map 7A.4C) all buildings shall have clear glazing for no less than 75% of the ground floor frontage**
  - Maximum length of a blank wall along a frontage shall be no greater than 3 metres.
  - No roller shutters are permitted along a retail frontage at any time.
  - **Within the Aokautere Neighbourhood Centre (Map 7A.4C) verandas and fascia must be individually distinguishable from those on adjacent buildings. (See Figure 11.5A).**
- ii. Variant Business Centres
  - Maximum allowed width of a shop front is 15 metres.
  - All tenancies shall have clear glazing for 75% of the height of the ground floor frontage and for no less than 50% of the ground floor frontage width.
  - Maximum length of a blank wall along a frontage shall be no greater than 6



**NOTE TO PLAN USERS**

The rules contained within R11.10.2.2(e)(ii), (f) and (g) that relate to Variant Business Centres are subject to the limitations identified within the definition for Variant Business Centre in Section 4, Definitions.

**(h) Ground Level Parking**

Compliance with R11.9.1.2(h).

**Explanation**

*Buildings in the Local Business Zone are usually quite different in size and style to those in the surrounding, mainly residential area. It is important therefore, that at the residential interface the size and general bulk of buildings is constrained to make them compatible with the adjoining dwellings. This also ensures there are minimal effects on overall amenity values. Where dwellings are built within the Zone it is important that they enjoy a good amenity standard to ensure they still represent a reasonable living environment.*

**(i) Landscape Amenity**

Compliance with R11.9.1.2(i) with the following exceptions:

a. Street Frontage

- Any building that is not built to the street frontage must provide at least one specimen tree for every 7 metres of site frontage, and a 2 metre deep planting strip for any length of un-built frontage greater than 5 metres.

b. Perimeter Planting

- An amenity strip of not less than 1.5 metres shall be provided along the boundary of any site which shares a common boundary with a residentially zoned site except where a building is allowed up to an adjoining boundary under R11.10.2.2(d).

**Explanation**

*For the purposes of interpreting R11.10.2.2(i), with regard to the bullet point under (a) above is to replace the first two bullet points under R11.9.1.2(i)i Street Frontage. With regard to the bullet point under (b) above, this is to replace the first bullet point under R11.9.1.2(i)ii Perimeter Planting. All other provisions under R11.9.1.2(i) are to be applied as written with no exceptions.*

*Landscaping is an important contributor to the provision and maintenance of adequate amenity at the interface between the Local Business Zone and neighbouring residential, recreational, or conservation and amenity areas. In addition to its amenity contribution, landscaping also provides a useful technique for mitigating adverse effects through, for example, softening the appearance of development (e.g. monotonous building form, parking areas); separating activities; and providing form, scale and texture that complement development.*

**NOTE TO PLAN USERS**

In relation to frontage planting the performance standards can be met by the planting of trees at a frequency of one per seven metres along the site frontage; or alternatively group planting the required number of trees at some point(s) along the frontage.

**(j) Aokautere Neighbourhood Centre Precinct Plan**

Development in the Aokautere Neighbourhood Centre shall be in general accordance with the Aokautere Neighbourhood Centre Precinct Plan. (Map 7A.4C)

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### (k) Natural Hazards within the Aokautere Neighbourhood Centre

Within the Aokautere Neighbourhood Centre all buildings shall be located on land that:

- is either Developable Land, or Limited Developable Land that is identified as Class D (Map 10.1A); and
- has been confirmed as appropriate for development in a geotechnical report that satisfies the requirements of R7A.5.2.2(a)(xix); and
- has had any land stability, uncontrolled fill and natural hazard mitigations recommended in the geotechnical report implemented.

### (l) Stormwater Management in the Aokautere Neighbourhood Centre

Within the Aokautere Neighbourhood Centre, all buildings shall be located on land:

- i. for which a Stormwater Management Plan has been prepared which meets the requirements of R7A.5.2.2(f); and
- ii. where all stormwater will be discharged to a catchment where Primary Stormwater Elements designed to manage stormwater and erosion from the fully developed contributing catchment up to the 1% AEP design storm event (accounting for climate change in accordance with the Palmerston North City Council Engineering Standards for Land Development) are installed and operational.

## 11.10.3 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

### R11.10.3.1 Activities which do not comply with the Permitted Activity Performance Standards

Activities which do not comply with the Permitted Performance Standards (in R11.10.2.1) in relation to:

- (a) Lighting
- (b) Screening
- (c) Size of Function
- (d) Residential Accommodation
- (e) Vehicle Parking
- (f) Loading and Access
- (g) Car Park Landscape Design
- (h) Servicing and Loading Hours.
- (i) Signs

are Restricted Discretionary Activities with regard to:

- Effects on residential amenity
- Effects on viability and choice of Local Business activities
- Public Safety
- Visual amenity
- Internal amenity

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- Street edge amenity
- The safe and efficient operation of the roading network
- The provision of car parking
- Efficient, convenient and safe access.

### Determination Clause

In determining whether to grant consent and what conditions to impose, if any, Council will, in addition to the City View objectives in Section 2, and the overarching Business Zone and Local Business Zone objectives and policies, assess any application in terms of the assessment criteria below. Also, where a proposal fails to comply with R11.10.2.1(e), Size of function, then as well as assessing the non-compliance against R11.10.3.1(c), the Council will also assess any application under the remaining relevant assessment criteria in R11.10.3.1(a),(b) and (e) to (h). Where a proposal fails to comply with one of R11.10.2.1(a) to (d) and (f) to (i), only the assessment criteria triggered by the specific non-compliance will be assessed.

### Assessment Criteria

#### (a) Lighting

The assessment criteria contained in R11.6.2.1(a)

#### (b) Screening

The assessment criteria contained in R11.6.2.1(b) and

- i. The extent to which outdoor storage areas are sited and designed so that the visual amenity and the quality of streetscape is maintained.
- ii. The extent to which outdoor storage areas are sited and designed to allow for the unfettered operation of access, parking, loading and manoeuvring areas for vehicles.

#### **Explanation**

*The Local Business Zone shares an extensive interface with the Residential Zone. Because the range of activities and the form of development within the Local Business Zone is so diverse, variations to the way outdoor storage areas are provided may be considered. However, it is critical that the visual amenity and the quality of streetscape in nearby residential areas is maintained.*

#### (c) Size of Function

- i. The extent to which a range of convenient services are provided to the surrounding local catchment.
- ii. The extent to which a large scale anchor tenant and a mix of smaller scale activities provide a diverse range of goods and services to the local catchment.
- iii. The extent to which crowding out of small scale activities by a dominant large scale activity is avoided.

#### **Explanation**

*Ensuring that a range of activities have the opportunity to locate within a Local Business centre reinforces the overall intention of the Local Business Zone which is to provide a variety of activities in convenient locations that meet the day-to-day needs of local suburban catchments.*

#### (d) Residential Accommodation

- i. The extent to which the presence of residential accommodation contributes to the scale and visual presence of a centre.

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- ii. The extent to which the development provides for a mix of activity that supports the purpose of the Local Business Zone and provides services to the local residential catchments.
- iii. The extent to which residential activity does not lead to the inefficient use and development of physical resources of the Local Business Zone.
- iv. The extent to which residential occupation maintains appropriate continuity of publicly relevant activity at the street edge at ground level.

### **Explanation**

*A mix of activities in the Local Business Zone includes supermarkets where the opportunity exists, residential accommodation and local service shops and offices. Residential Accommodation at an above ground level is seen as a positive addition to a Local Business centre as it contributes to residential choice and provides a sense of visual presence and scale to that centre and also natural surveillance and visual interest after dark. By requiring residential accommodation to be ancillary to the core Local Business activity this ensures that the overall intention of the zone is protected and the displacement of Local Business services does not occur.*

### **(e) Loading and Access**

The assessment criteria contained in R11.9.3.1(c), excluding assessment criterion 11.9.3.1(c) (iv).

### **(f) Car Park Landscape Design**

The assessment criteria contained in R11.9.3.1(e).

### **(g) Servicing and Loading Hours**

The assessment criteria contained in R11.9.3.1(f)

### **R11.10.3.2 The Construction, External Alteration of, or Addition to a Building which does not comply with the Performance Standards for Permitted Activities**

The construction, external alteration or addition to a building which does not comply with the Performance Standards for Permitted Activities (in R11.10.2.2, **excluding non-compliance with performance standard R11.10.2.2(j) Aokautere Neighbourhood Centre Precinct Plan, which is a discretionary activity under R11.10.4.1**) in relation to:

- (a) Maximum floor area, maximum building height
- (b) Ground floor height
- (c) Height of any building which adjoins a site in a residential zone and separation distance
- (d) Building frontages, shop fronts and glazing
- (e) Pedestrian cover and verandas
- (f) Loading and access
- (g) Car park landscape design
- (h) Ground level parking
- (i) Landscape amenity.
- (j) **Natural Hazards within the Aokautere Neighbourhood Centre.**
- (k) **Stormwater Management in the Aokautere Neighbourhood Centre.**

are Restricted Discretionary Activities with regard to:

- External design and appearance

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- Building mass and height
- Site layout
- Relation to streets and other public spaces
- Effects on residential amenity
- Scale relation to existing smaller neighbours
- Pedestrian cover
- Parking areas
- The safe and efficient operation of the road network
- Safety and security
- Landscape amenity.
- **Natural hazards**
- **Stormwater management**

### Performance Standards

All activities under R11.10.3.2 that involve the re-development of 50% or greater of the total area of a Local Business site, or any development on a greenfield site, must provide (as part of the resource consent application) a comprehensive development plan with regard to the design, layout and servicing of the Local Business Zone site. The Comprehensive Development Plan must consider and address, where relevant, the following issues:

- i. Intensity and concentration of activity at the Local Business centre;
- ii. Provision for a mix of activities, including residential and/or offices above ground, and good local services/amenities;
- iii. Large format tenancies integrated, placed and orientated to support smaller tenancies;
- iv. Planning that anticipates staged development and/or future growth, including how the development relates to neighbouring sites and areas;
- v. Provision of suitably scaled, high quality sunny and 'active' open space at the centre;
- vi. Multiple high quality connections to the surrounding street network, including the finest grain of pedestrian connections between spaces and relation to the public space system in the wider neighbourhood;
- vii. Formation of positively defined, shaped, high quality open spaces;
- viii. Provision for informal surveillance over all publicly accessible open spaces;
- ix. Development of a distinctive, memorable and context-appropriate sense of place;
- x. Extent and quality of hard and soft landscaping, including their consistency with the wider landscape network;
- xi. Convenient, efficient and coordinated car parking;
- xii. Building bulk and form that:
  - a. is coordinated and coherent,
  - b. contributes to a positive image for the centre, and
  - c. defines adjacent open spaces.

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- xiii. Ensuring safe, efficient operation of the roading network, both within and around the centre;
- xiv. Pedestrian safety and amenity within the centre
- xv. **Within the Aokautere Neighbourhood Centre, consistency with any relevant Precinct Plan or Structure Plan.**

### **Explanation**

*The total area of a Local Business centre is the full extent of the land zoned for Local Business in each locality, and that is collectively regarded as a centre. Buildings and activities consented under the CDP approach may be quite different in scale and size to those provided for under the permitted activity rules. This outcome is anticipated by the plan and the effects of such activities are assessed and managed through the preparation of a CDP and the resource consent process.*

*The above is not a prescriptive list of requirements, but an indication of the range of matters that may be relevant. Relevance will depend on site characteristics including the context of streets, connections and adjoining activity, and the scale and type of development to be covered by the CDP.*

*These issues will be considered to the extent that they are relevant in each situation. The degree of emphasis given to each will depend on specific context, with the intention of achieving a well-planned, coordinated outcome that satisfies the LBZ Objectives.*

*The extent of documentation required will be that necessary to describe the planning and design intention and demonstrate that the relevant issues are addressed by the CDP. That will vary from project to project depending on the type of centre, prominence of the site and the size of the area covered. It might include, but will not necessarily be limited to:*

- *Context plan, describing the development in the context of neighbouring sites and areas and showing activity, building form and location, streets and street landscaping.*
- *Site and context analysis which identifies important existing conditions.*
- *Site plan showing the general arrangement of buildings, activities, open spaces including streets, parking, servicing and movement.*
- *Description of the intended building form envelopes, potentially with description of shading effects on any notable public open spaces should these be provided.*
- *Indication of the intended activities and their location, and the location and type of visual and physical connections between buildings and public open spaces including streets.*
- *Design rationale, which provides the reasoning for the intended approach and describes how the relevant issues identified have been responded to.*

*There is no one optimal way of scoping or presenting the information for a CDP. The amount of information and type of approach will relate to the size and complexity of the project. Confirmation of relevant issues and precise information requirements should be discussed with the PNCC consents team early in the CDP formulation process.*

## **Determination Clause**

In determining whether to grant consent and what conditions to impose, if any, the Council will, in addition to the City View objectives in Section 2 and the overarching Business Zone and Local Business Zone objectives and policies, assess any application in terms of the assessment criteria below. Also, where a proposal fails to comply with R11.10.2.2(a), Maximum Floor Area and R11.10.2.2(b) Building Height, then as well as assessing the non-compliance against R11.10.3.2(a), the Council will also assess any application under the remaining relevant assessment criteria in R11.10.3.2(b) to (j). Where a proposal falls under R11.10.3.2(b) to (j), only the assessment criteria triggered by the specific non-compliance will be assessed.

## **Assessment Criteria**

### **(a) Maximum Floor Area and Maximum Building Height**

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The assessment criteria contained in R11.10.3.1(c), And

- i. The extent to which the building relates to the character of its setting, contributes to the quality of adjoining open spaces, and avoids visual dominance.
- ii. The extent to which new large buildings retain reasonable visual privacy and daylighting for adjacent residential accommodation.
- iii. The extent to which plant and services (e.g. air conditioning and rubbish storage) and their enclosure is integrated into the building design, screened from public view or otherwise treated to enhance the appearance of the building.

### Scale in relation to smaller neighbours

- iv. The extent to which large buildings are complemented by small scale and narrow frontages to achieve diversity and contribute to a fine-grained, active street edge where this is appropriate.
- v. The extent to which large buildings integrate forms, dimensions and/or alignments which establish a positive scale relationship with smaller neighbours.

### Pedestrian Linkages

- vi. The extent to which direct and safe public through-site pedestrian links are provided on large blocks, where these provide a useful link between known or potential destinations.

#### **Explanation**

*Developments that are prominent due to their conspicuously large size or height have the potential to create commensurately large effects. While these developments are important for the economic viability and vitality of the City, it is equally important that they contribute to the environmental quality of the City's urban area. In all cases, the Council expects buildings to face the street edge and to positively contribute to the visual character and amenity of the surrounding area. Design techniques to avoid buildings visually dominating their surroundings may include breaking down the scale elements of the façade with modulation of form and variation of surface treatment.*

*Risk to light and amenity can occur with intensive development. The amenity of residential activity becomes increasingly important. This includes consideration of daylight access to dwellings, overlooking, privacy and outlook, all of which are impacted by the mass and height of buildings. Regardless of their height, the roofs of large floor plate buildings can have significant visual impacts – especially when seen from elevated sites around the City. Modulation techniques may include visual subdivision of large roof planes; sculptural roof forms; and expression of structure or secondary form, such as service rooms and towers. With good planning and design, large buildings do not need to compromise their setting, and can instead be an asset to their neighbourhood.*

### **(b) Ground Floor Height**

- i. The extent to which the ground floor height provides suitable clearance for both intended and possible future functions within that building.
- ii. The extent to which the ground floor height relates to the height of adjacent buildings.

### **(c) Height of any Building which Adjoins a Site in a Residential Zone and Separation Distance**

The assessment criteria contained in R11.9.3.2(b).

### **(d) Building Frontages, Shopfronts and Glazing**

- i. The extent to which the potential adverse effects of blank walls adjoining residential sites, at the street edge and/or conspicuously large high-level blank walls that are in prominent view from streets and other public spaces are avoided or screened.

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- ii. The extent to which visual and physical connections are maintained between building interiors and adjoining streets and other public spaces to a degree appropriate to the location.
- iii. The extent to which a ground floor frontage that is wider than those in close proximity to it provides a visual interest and an active edge including multiple entries.
- iv. The extent to which large scale developments in Large and Small Neighbourhood Centres and also Local Stores are complemented by small scale and narrow frontages to achieve diversity and contribute to a fine-grained active street edge.
- v. The effects of not building to the street frontage on the pattern of adjacent activities and the continuity of the street frontage.
- vi. Whether the building setback from the street frontage creates positive open spaces with a high usability and aesthetic quality, and which contribute positively to the public space system of the city.
- vii. The extent to which a setback of the building entrance avoids creating spaces which might provide for concealment.
- viii. The extent to which eliminating the setback will lead to enhanced visual and acoustic privacy for residents.
- ix. For variant business and or vehicle orientated activities, the extent to which the surrounding environment is characterised by patterns of stand-alone buildings that are set back from the street edge.
- x. The extent to which any building set back from a street edge enhances the appearance of the site from the road and defines the street boundary with high quality landscaping.
- xi. For variant business and or vehicle orientated activities where buildings are set back from the street edge, the extent to which pedestrian only or pedestrian priority areas are provided with kerbs or raised pedestrian facilities or material differentiation.
- xii. **In the Aokautere Neighbourhood Centre (Map 7A.4C):**
  - a. How the construction, external alteration or addition to a building is in accordance with the Aokautere Neighbourhood Centre Precinct Plan.
  - b. How the composition, modelling of building form and the detail of building facades creates visual interest and achieves aesthetic coherence when viewed from the street.
  - c. Whether a break in shop frontage will adversely affect the amenity values of the neighbourhood centre.
  - d. How the building maintains the alignment of neighbouring buildings along the street edge, and the amenity of the surrounding streets.
  - e. How the entrance to a building or tenancy is easily distinguishable in the building façade through recessing the entrance or some other design approach.
  - f. How the commercial activity at the ground level contributes to the vitality, amenity and safety of the street and neighbourhood centre.
  - g. How glazing is organised with vertical proportions along the façade of any building using pilasters, mullions, glazing bars and stall risers. h.



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- h. How windows, including glazing bars, mullions and transoms are in proportion to the shop frontage and building as a whole.
- i. How signs, lighting and security measures are integrated into the overall design of the buildings and the Aokautere Neighbourhood Centre

**Explanation**

The Council wishes to ensure that new building development or redevelopment relates positively to the street edge and creates an attractive interface where the public and private realms meet. In particular, development should maintain visual and physical connections to the street by providing frontages that include entrances and openings facing the edge of streets. The Council requires development to articulate or eliminate wall surfaces that are featureless or blank. Large blank surfaces should not occur at ground level at the street edge as these lack interest and activity, compromising the experience of the adjacent space. A flat wall surface might constitute a small proportion of ground floor facades, but only if the quality of the street edge is not compromised as a result. While a building may have primary frontage, other visible facades should include detail and openings and be treated similarly as frontages – albeit secondary ones.

Development needs to be provided for in a way that offers flexibility and recognises the operating characteristics of large format and vehicle orientated activities while ensuring a high level of visual amenity is achieved. The requirement to build to the front boundary for sites recognises the importance of maintaining the existing street edge alignment. Departure from this core principle is a matter of discretion.

**(e) Pedestrian Cover and Verandas**

The assessment criteria contained in R11.9.3.2(e), and

- i. The extent to which the veranda is integrated with the design of the building and maintains continuity of shelter with adjoining sites.
- ii. The effects of not providing a veranda upon the use, design and appearance of adjoining buildings.
- iii. In the Aokautere Neighbourhood Centre (Map 7A.4) the extent to which any veranda integrates with the shop frontage and the character of the building and streetscape.
- iv. In the Aokautere Neighbourhood Centre (Map 7A.4) the extent to which lettering on signs visually dominates the veranda area and detracts from the amenity of the streetscape.

**Explanation**

Shelter for pedestrians is an important amenity consideration. It is important to provide the shelter necessary at the building entrance for pedestrians, however this is not necessary along the sides of buildings, or for buildings set well back from the street frontage. Cover at the building entrance is important for way finding and legibility because it signals the location of the entrance to the building.

**(f) Loading and Access**

The assessment criteria in R11.9.3.1(c).

**(g) Car Park Landscaping**

The assessment criteria contained in R11.9.3.1(e).

**(h) Ground Level Parking**

The assessment criteria contained in R11.9.3.2(f).

**(i) Landscape Amenity**

- i. The extent to which on-site landscaping complements public landscaping at or near the street edge and establishes conditions of safety, visual interest and

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amenity within the development.

- ii. The extent to which alternative provision of on-site amenity and landscaping maintains and enhances the amenity of the wider streetscape and residential areas.
- iii. The extent to which growing conditions are provided for that will ensure the successful establishment, growth and on-going viability of planting.

### (j) Natural Hazards in the Aokautere Neighbourhood Centre

How the development manages potential adverse effects associated with geotechnical constraints and natural hazards within the Aokautere Neighbourhood Centre through implementation of any geotechnical or engineering recommendations, including the level of geotechnical investigation carried out and whether that investigation satisfies the requirements of R7A.5.2.2(a)(xix), and the level of analysis and specific design requirements arising from the investigation with particular reference to:

- i. cut slope behaviour and slope stability analysis to develop appropriate set back distances from the crest of slopes for building platforms;
- ii. whether building platforms should be restricted in certain areas;
- iii. whether specific foundation designs are required in certain locations;
- iv. the management of earthworks and recontouring of land; and/or
- v. future stream erosion and potential for downcutting.

### (k) Stormwater management in the Aokautere Neighbourhood Centre

- i. Within the Aokautere Neighbourhood Centre, whether any building will be located on a site for which a Stormwater Management Plan has been prepared which meets the requirements of R7A.5.2.2(f), and
- ii. Whether stormwater from the development will be discharged to a catchment where Primary Stormwater Elements designed to manage stormwater and erosion from the fully developed contributing catchment up to the 1% AEP design storm event (accounting for climate change in accordance with the Palmerston North City Council Engineering Standards for Land Development), are installed and operational

#### **Explanation**

*The specified approach to landscaping provision will not be practical in every instance. However, it is critical that alternative responses to landscaping provision positively contribute to on-site and wider streetscape amenity. The maintenance of landscaping, especially in the first twelve months, is critical to its actual success. Factors such as irrigation, wind protection and the growing medium are all critical to the successful establishment of landscaping.*

## 11.10.4 RULES: DISCRETIONARY ACTIVITIES

### R11.10.4.1 Discretionary Activities

Any activity or the construction, reconstruction or alteration of any building or structure which is not provided for by R11.10.2.1, R11.10.2.2, R11.10.3.1, R11.10.3.2, R11.10.4.2 or R11.10.5.1 is a Discretionary Activity.

Any construction, reconstruction or alteration of any building or structure within the Aokautere Neighbourhood Centre that does not comply with performance standard (j) in R11.10.2.2 or the performance standards in R11.10.3.2, is a Discretionary Activity.

### R11.10.4.2 Service Stations

Any new Service Station or addition or alteration to an existing Service Station is a Discretionary Activity.

**NOTE TO PLAN USERS**

Replacement of 'like for like' is not an addition or alteration and is a permitted activity.

### 11.10.5 RULES: NON-COMPLYING ACTIVITIES

**The following activities are Non-Complying Activities:**

- (a) Offensive Activities, Industrial Activities, Crematoria and Residential Accommodation at Ground Floor Level are Non-Complying Activities,.

**Explanation**

*Offensive Activities and Crematoria have a range of potential effects that could adversely affect the amenity qualities of the Local Business Zone. The application of Non-Complying Activity status to these activities will ensure that any Offensive Activity or Crematoria has to demonstrate that it can satisfy the requirements of Sections 104 and 104D of the Resource Management Act 1991 prior to any approval being granted.*

### 11.10.6 RULES: NOTIFICATION

#### R11.10.6.1 Notification

- i. The following activity addressed in this section must not be publicly notified: R11.10.3.1 and R11.10.3.2.
- ii. The following activity addressed in this section must not be limited notified: R11.10.3.1 and R11.10.3.2.

### 11.10.7 RULES: NOISE

#### R11.10.7.1 NOISE

**(a) Noise**

- i. Noise from any activity within the Local Business Zone must not exceed the following limits at any point within any other site within the Local Business Zone:

At any time 60 dB  $L_{Aeq(15mins)}$

Daily 10:00pm to 7:00am the following day 80 dBA  $L_{max}$

- ii. Noise from any activity must not exceed the following limits at any point within any site zoned for residential purposes:

7:00am to 7:00pm 55 dB  $L_{Aeq(15mins)}$

7:00pm to 10:00pm 50 dB  $L_{Aeq(15mins)}$

10:00pm to 7:00am 45 dB  $L_{Aeq(15mins)}$

10:00pm to 7:00am (Nighttime  $L_{max}$ ) 75 dBA  $L_{max}$

- iii. Where it is impracticable to measure outside a building, the noise from any activity within the Local Business Zone must not exceed the following limits, inside any residential units in any building on any other site within the Local Business Zone:

Bedrooms 10:00pm to 7:00am the following day 35 dB  $L_{Aeq(15mins)}$

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Bedrooms 10:00pm to 7:00am the following day 55 dBA  $L_{max}$

Other habitable rooms 40 dB  $L_{Aeq(15mins)}$

This must not allow any relaxation in the noise limits in (i), and (ii) of R11.10.7.1.

**Explanation**

The noise rules within the Local Business Zone are designed to allow activities to make maximum noise while still providing a reasonable level of control to residential activities in the area. Where noise sensitive uses (including residential activities) are proposed for the Local Business Zone it is the responsibility of the designer, developer, owner and user to ensure that buildings are appropriately insulated against higher levels of noise that are allowed. Residents in the Local Business Zone must accept that some adverse noise impacts will be experienced from time to time. In this regard, it is important that residential development in the Local Business Zone does not compromise the effective development and operation of business activities.

**(b) Noise Insulation**

Any habitable room in a building used by a noise sensitive activity within the Local Business Zone shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:

Bedrooms and sleeping areas  $D_{nT,w} + C_{tr} > 25dB$

Compliance with this performance standard must be achieved by ensuring bedrooms and sleeping and habitable rooms are designed and constructed in a manner that accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

**(c) Ventilation**

Compliance with R11.6.6.1(c).

**(d) Outdoor Speaker Noise**

Compliance with R11.6.6.1(d).

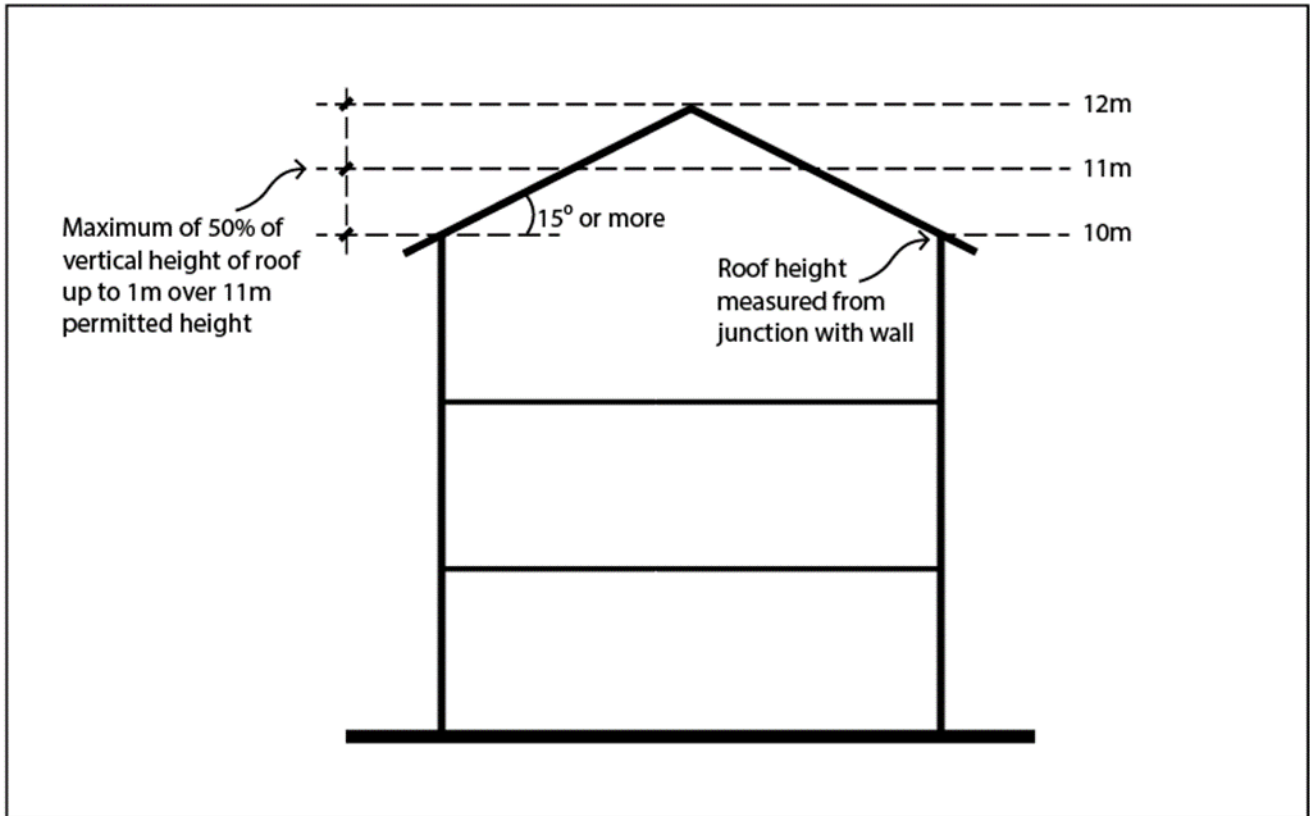
**(e) Fixed Plant**

Compliance with R11.6.6.1(e).



Figure 11.5a

**Building Height**



**Figure 11.5b Building Height**

## 11.11 Fringe Business Zone

### 11.11.1 INTRODUCTION

The District Plan strategy for the City's business areas is underpinned by the overall objective to achieve the sustainable use and development of physical resources within the City's business areas. The strategy seeks to promote the efficient use and continued viability of existing physical resources through the existing hierarchy of established business zones within the City. A key component of achieving the Business Zones' overarching objective is to ensure an integrated approach is taken to managing retail activity by maintaining clear distinctions between the City's hierarchy of business zones. As part of the integrated approach to managing retail activities within the City's business zones the Fringe Business Zone provides for large format retail activities but not on a scale that adversely affects the Inner Business Zone's function as the primary retailing precinct in Palmerston North.

The Fringe Business Zone covers three distinct areas within Palmerston North City, which are located on or within the vicinity of the Primary Rounding Network (see Figure 20A.2). The Zone is intended to provide for space extensive retail activities, commonly referred to as large format retailing as well as other activities that contribute towards the community's business needs.

The Fringe Business Zone is a relatively new zone, initiated in 2004, to provide suitable land

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areas for the growing demand for large format retailing. This type of retailing by its nature requires relatively large areas of commercially zoned land for the large size of buildings it requires and associated parking areas. A study commissioned by the Council in 2003, named the Palmerston North Retail Study (May 2003) concluded that there was a shortage of land for this form of retailing activity and areas have therefore been zoned to provide for these activities.

There are several critical aspects associated with the Fringe Business Zone covering both the immediate surrounding environment as well as the effects on other localities within the City. These critical aspects support the need for rules and performance standards which are specific to the zone. The first critical factor is that the Fringe Business Zone must be developed and operated in such a way that it does not adversely affect the efficient use and continued viability of existing physical resources within the Inner and Outer Business Zones. To ensure this, the Zone has controls that will result in it being complementary to the Inner and Outer Business Zones, furthering Palmerston North's reputation as a desirable destination retail location. The controls have the effect of only allowing larger format style activities.

The second critical factor is that the zoned areas front onto roads forming part of the Primary Rooding Network, as well as being located along one of the main entrance ways into Palmerston North. These zoned areas are therefore very much exposed to the public domain. Rangitikei Street is to be developed as a significant entrance to the city as part of the City Heart project. Tremaine Avenue and Featherston Street both contribute significantly towards the movement of traffic within Palmerston North and therefore have a high profile in terms of the number of persons travelling on these roads.

The third critical factor is the environment surrounding the zoned areas fronts and/or adjoins land in the residential zones. Therefore, due to the sensitive interface between the Fringe Business Zone areas and surrounding environment, controls have been placed in the District Plan to avoid, remedy or mitigate the visual effects on the residential environment, whilst enabling large format retailing activities to establish within Palmerston North in these sensitive areas.

### 11.11.2 OBJECTIVES AND POLICIES

Within the broad framework of the City View objectives in Section 2, the following objectives and policies were identified for the Fringe Business Zone:

#### OBJECTIVE 1

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**To provide for the establishment of large format retailing in appropriate locations.**

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#### POLICIES

- 1.1 To ensure that there is sufficient and suitable land to meet the space extensive requirements of large format retailing activities.
- 1.2 To ensure that any areas zoned Fringe Business are located so that the role of the Inner Business Zone is reinforced.

#### **Explanation**

*The Fringe Business Zone has been established in response to the increasing market presence of large format retailers and the lack of suitably zoned sites to meet both their present and future needs. While large format retailing activity is permitted also in the Inner and Outer Business Zones there is a lack of readily available suitable sites in these zones for this form of activity.*

*The areas zoned Fringe Business are located on and in the vicinity of Rangitikei Street and in a number of cases have a residential interface, either by adjoining a residentially zoned property and/or facing a residentially zoned property(ies) separated by a road. All Fringe Business zoned areas adjoin*

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Primary Roads (i.e. Major Arterial, Minor Arterial or Collector Roads), which provides them with exposure as well as easy access onto the roading network.

While there are some advantages in enabling significant integrated large format developments, these can also create marketing opportunities strong enough to attract key retailers out of the Inner Business Zone and thereby reduce the efficient and effective use of this zone as a whole. The approach adopted with the Fringe Business Zone is to allow integrated development but not on a scale that adversely affects the Inner Business Zone's function as the primary retailing precinct in Palmerston North.

## OBJECTIVE 2

**To ensure that the environmental effects of large format retailing are appropriately managed.**

### POLICIES

- 2.1 To ensure that the establishment of retail activities in the Fringe Business Zone does not create any significant adverse distributional effects through undermining the vibrancy and viability of the CBD.
- 2.2 That the environmental effects on the surrounding environment, which may arise from activities in the Fringe Business Zone, are avoided, remedied or mitigated.
- 2.3 To allow transitional activities on the boundary with Ngata Street as an option to mitigate the visual effects of large format retailing on adjacent residential activities.
- 2.4 To ensure that development within the zone on sites fronting streets, particularly those listed as forming part of the Primary Roding Network, project an image of a quality consistent with their role as main entrances to the city.

#### **Explanation**

Activities in the Fringe Business Zone, due to their scale, have the potential to create adverse environmental effects. These environmental effects include distributional effects pursuant to the potential relocation of existing retail activities from the Inner and Outer Business Zones to the Fringe Business Zone. The efficient use and continued viability of the existing physical resources within the Inner and Outer Business Zones is an important resource management consideration. Council's policy response is to ensure that smaller retail activities will be discouraged from establishing in the Fringe Business Zone.

It has also been identified that activities in the Fringe Business Zone have the potential to create adverse environmental effects on the surrounding environment. This potential is through a combination of the nature of the surrounding environment and the large-scale nature of the types of activities which are provided for in the Fringe Business Zone.

Activities within the Fringe Business Zone can typically be expected to generate high levels of traffic due to their destination type nature. This has the potential to create adverse environmental effects in terms of both parking overflow onto streets as well as affecting the safe and efficient operation of the roading network.

Rangitikei Street provides a key role in that it provides a major route into the city and it is being upgraded as a significant entrance to the city as part of the City Heart City Centre revitalisation project. Development on adjoining sites will contribute to the overall visual outcomes that are anticipated to be achieved.

The other significant effect on the surrounding environment is that the nature of large format retailing lends itself to the construction of extensive paved areas for car parking as well as relatively large building structures, typically with large blank side and rear walls. These have the potential to cause adverse visual effects on both the streetscape as well as on the nearby residential amenity. It is noted that the majority of the area surrounding the Tremaine Avenue Fringe Business Zoned area is Industrial in nature and consequentially there is a limited amount of residential amenity to be maintained compared to other Fringe Business Zoned areas.



## OBJECTIVE 3

**To provide for appropriate activities, in addition to large format retailing, in the Fringe Business Zone which do not detract from the vibrancy and vitality of the CBD.**

### POLICIES

- 3.1 To allow for identified activities that are compatible with the purpose of the Fringe Business Zone.
- 3.2 To ensure that activities in the Fringe Business Zone do not adversely affect the efficient use of existing physical resources in the CBD.
- 3.3 To recognise existing activities in the zone that contribute towards Palmerston North's wider commercial needs.
- 3.4 To ensure that activities, particularly those listed as forming part of the Primary Rounding Network, project an image of a quality consistent with their role as main entrances to the city.

#### **Explanation**

*As well as allowing for large format retailing activities in the Fringe Business Zone, it is also recognised that there are a number of activities existing within the areas that were rezoned and/or have no distributional effects on the core CBD of Palmerston North. A number of these activities contribute towards the wider retailing needs of Palmerston North such as trade suppliers and automotive and marine suppliers. A number of these activities were already in existence at the time that the identified areas were rezoned Fringe Business. Like large format retail activities, other activities also contribute towards the overall visual outcomes that are anticipated to be achieved in the Fringe Business Zone.*

## OBJECTIVE 4

**To achieve integrated development of larger areas of land within the Fringe Business Zone.**

### POLICIES

- 4.1 To ensure that the development of the Fringe Business Zone is undertaken in an integrated manner to assist in the achievement of positive environmental outcomes including the following:
  - 4.2 Effective and efficient traffic management to, within and from the site;
  - 4.3 Co-ordinated and orderly development; and
  - 4.4 Integrated management of environmental effects at the street interface.

#### **Explanation**

*The Fringe Business Zone generally comprises land areas which have the potential to be developed in a comprehensive manner to enable the sharing of resources such as parking and access between multiple sites. By developing large land areas in a comprehensive manner, it also provides the opportunity to mitigate effects of activities on the surrounding environment.*

*The area zoned Fringe Business, bound by Ngata Street, Featherston Street, and the Ngata Street Service Lane has particular characteristics in terms of the residential interface on Ngata Street that requires special treatment. It does this by enabling the opportunity to utilise activities, other than large format activities at the residential interface boundary, to mitigate the effects of large format retailing. This is to ensure that the residential amenity values of Ngata Street are not entirely compromised by the development otherwise of large format retailing on the street frontage.*

## OBJECTIVE 5

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**To achieve a high standard of amenity within the Fringe Business Zone.**


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## POLICIES

- 5.1 To discourage the establishment of activities that will have an adverse effect on the amenity values within the Fringe Business Zone.
- 5.2 To avoid the adverse effects of offensive activities in the Fringe Business Zone, by controlling their establishment.
- 5.3 To avoid, remedy or mitigate the adverse effects of business activities on each other, or on other activities located within the Fringe Business Zone.
- 5.4 To mitigate the adverse effects of large areas of carparking on internal areas and on the surrounding streetscape.
- 5.5 To maintain and enhance the identified character of particular retail areas that are zoned Fringe Business.
- 5.6 To recognise the entitlement existing activities have to continue to operate pursuant to Section 10 of the Resource Management Act 1991.

### **Explanation**

*In addition, to protecting the amenity of residential areas adjacent to the fringe Business Zone, it is important that the standard of amenity within these areas is maintained, and where possible enhanced.*

To counteract the potential erosion of amenity that may arise as a consequence of allowing a relatively unrestricted range of activities to establish in the business zone, activities which are offensive in nature or which involve industrial processes will either be restricted or discouraged. There are existing Industrial Activities located within the Fringe Business Zone which are entitled to continue to operate provided that the effects of the use are the same or similar in character, intensity and scale to those which existed before the introduction of the zoning.

Business activities also have the potential to generate effects relating to such matters as noise, parking, location of access/egress points, and loading and storage areas which may impact on the level of amenity enjoyed by activities located within the Fringe Business Zone. To rectify this, appropriate safeguards have been introduced to ensure that any adverse effects are mitigated.

Over time, it is anticipated that the character of the Fringe Business Zone will change significantly to that of a commercial focus and contribute towards people's appreciation and enjoyment of this zone as a commercial precinct. It is important to establish and maintain the anticipated character so that it can be enjoyed by future generations.

### **11.11.3 METHODS**

- District Plan Rules including specific Design Assessment Criteria
- Annual Plan Programmes for Amenity and Service Upgrades e.g. City Heart
- Monitoring land use and uptake.

The objectives and policies detailed above will largely be achieved through the rules contained in this and other sections of the District Plan. These rules provide an effective and efficient means of ensuring that the individual actions of those undertaking developments or establishing activities, achieve the environmental outcomes encapsulated in the objectives and policies. Discretion over the form of development is retained through rules, which cover

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design, appearance, traffic management and site layout in this zone. The brownfields nature and particular location of the zoned areas, justifies care in initial layout and development.

Annual Plan programmes providing for example, street tree planting, footpath paving and roading improvements will also help achieve some of the objectives and policies by providing funding for these works. At the time the Fringe Business Zone was initiated, a major City Centre revitalisation programme, known as City Heart was underway, beginning with a substantial remodelling of The Square as well as improvements, including planting and additional parking, on the four main roads into the CBD.

### 11.11.4 ENVIRONMENTAL RESULTS ANTICIPATED

It is anticipated that the objectives, policies, rules and other methods of this section will achieve the following results:

- Provision of sufficient land for the establishment of large format retailing activity.
- That the design and appearance of buildings and paved areas within the Fringe Business Zone are of a visually acceptable level.
- That the safe and efficient operation of the roading network is maintained.
- To ensure that the efficient use and continued viability of the CBD is maintained.

### 11.11.5 Rules: Permitted Activities

#### R11.11.5.1 Permitted Activities

Unless otherwise specified, as a Discretionary Activity or Non Complying Activity, the following are Permitted Activities provided that the associated performance standards are complied with:

- (a) Retail Activities
- (b) Trade Suppliers
- (c) Prepared Food & Beverage Outlets
- (d) Office Activities
- (e) Service Stations
- (f) Yard-based Suppliers
- (g) Automotive & Marine Suppliers
- (h) Building Suppliers
- (i) Farming & Agricultural Supplier
- (j) Garden & Patio Suppliers
- (k) Office Product Suppliers.

#### NOTE TO PLAN USERS

1. Please note the definition of Retail Activity in Section 4.
2. The construction, alteration of, and addition to buildings and structures associated with the above activities, is a Restricted Discretionary Activity.

### Performance Standards

#### (a) Merchandising Area Retail Activity

- i. In respect of any activity in the Ngata Street Block Fringe Business Zone area as

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identified in Figure 11.2 the total Merchandising Area of retail activities in the area collectively (either existing or together with the Merchandising Area proposed in the application) must not exceed a total of 10,000m<sup>2</sup>. In addition, any retail activity whether or not in the Ngata Street Block Fringe Business Zone must meet the relevant performance condition in (ii) or (iii) below.

- ii. Any retail activity, which is not part of a Multiple Retail Development, must have a minimum Merchandising Area of 1000m<sup>2</sup>.
- iii. The average Merchandising Area per retail activity within a Multiple Retail Development must be no less than 1,500m<sup>2</sup> unless all of the individual retail activities within the Multiple Retail Development individually exceed 750m<sup>2</sup> in which case the minimum average Merchandising Area must be no less than 1,250m<sup>2</sup>.

### Prepared Food & Beverage Outlet

A maximum of one prepared food & beverage outlet is permitted per site and it must not occupy more than 10% of the Merchandising Area of the Retail Activity.

### (b) Vehicle Parking, Loading and Site Access

Compliance with the following performance standards of R20.4.2:

- 20.4.2(a) Vehicle Access;
- 20.4.2(b)(i) Parking Spaces for People with Disabilities;
- 20.4.2(d) Formation of Parking Spaces;
- 20.4.2(e) and (f) Loading Space Provision and Design;
- 20.4.2(g) Cycle Parking Provision and Design;
- 20.4.2(h) Cycle Parking End of Trip Facilities.

### (c) Office Activities

Offices must be ancillary to the principal activity on site and must not occupy more than 10% of the Gross Floor Area of the Building.

### (d) Lighting

Any artificial lighting system shall ensure that its use does not result in an added illuminance over and above the measured ambient level, in excess of 8 lux measured in the vertical plane at the windows of any residential building in any residentially zoned site.

#### **Explanation**

*Light spill associated with some activities can have an adverse impact on residential amenity. The imposition of a standard to control the level of illumination which occurs at the residential interface endeavours to mitigate the effect on residential amenity of excessive light spill.*

### (e) Signs

Compliance with R6.1.5.

### (f) Outdoor Storage

Any outdoor storage area visible from any site in a residential zone or public area shall be screened from view by either a fence, wall of not less than 1.8m in height or dense planting of vegetation capable of growing to 1.8m in height.

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**(g) Hazardous Substances**

Compliance with the provisions of Section 14 Hazardous Substances.

**(h) Servicing and Loading Hours**

Any Permitted Activity situated on any site which adjoins any part of a residential zoned site or directly faces any part of a residentially zoned site, across a road, right-of-way, access strip, service lane or drain shall only undertake the delivery of goods, product or material and/or the distribution of goods, products or materials between 6:00am and 10:00pm.

Except that this rule shall not apply where:

- i. On-site road access and manoeuvring area for vehicles involved in the delivery and/or distribution of goods, products or materials are located at least 80 metres from the nearest residentially zoned property boundary; and
- ii. Loading and unloading area for vehicles involved in the delivery and/or distribution of goods, products or materials are located at least 80 metres from the nearest residentially zoned property boundary.

Nothing in this rule shall exempt any activity from the requirements of R11.11.5.1(i) below.

**Explanation**

*Where residentially zoned properties come into close contact with business areas these properties can be adversely affected by night-time delivery, distribution, and loading activities, for example, from idling vehicles or the opening and closing of doors, etc. By controlling operating hours at the direct residential interface, it should be possible to reduce disturbance to closest residential neighbours.*

**(i) Noise**

Compliance with R11.11.9.1.

**NOTE TO PLAN USERS**

- 1. The construction of buildings is a Restricted Discretionary Activity.
- 2. Also refer to R23.6.2(i) – Radiofrequency Field Exposure.

**11.11.6 RULES: RESTRICTED DISCRETIONARY ACTIVITIES**

**R11.11.6.1 Construction, Alteration of, and Addition to Buildings and Structures**

The construction, alteration of, and addition to buildings and structures is a Restricted Discretionary Activity providing the following Performance Standards are met:

**Performance Standards**

**(a) Comprehensive Development Plan**

A Comprehensive Development Plan shall be submitted to the Council identifying the location and orientation of buildings, access, parking and landscaping.

**NOTE TO PLAN USERS**

- 1. This rule only applies to those sites located within the areas bound by 1. Ngata Street, Featherston Street and the Ngata Street Service Lane and 2. Tremaine Avenue, North Street and Rangitikei Street as identified in Figure 11.2.
- 2. Where the site of a proposal involves only part of the Comprehensive Development Plan area identified in Note 1, and land bounding the site of the application is not owned, or

otherwise beneficially controlled by the site owner, an/or prospective occupier, the Comprehensive Development Plan shall show all relevant matters in relation to the application site. This must include showing the location of buildings, vehicle crossings, parking and servicing areas of adjacent properties (other than those with a common rear boundary) for a distance of no less than 20m, or the extent of the adjacent property, whichever is the greater. In this way, a Comprehensive Development Plan will be established over time for the area concerned.

**Explanation**

*In the case of the Fringe Business Zone areas bounded in one instance by Ngata Street, Featherston Street, Grey Street and Rangitikei Street, and the other bounded by North Street, Tremaine Avenue and Rangitikei Street, it is important to ensure the coordination of activities and buildings to achieve an integrated result producing appropriate environmental outcomes particularly in relation to visual compatibility and traffic management. Therefore, as part of an application for resource consent, a Comprehensive Development Plan shall be provided for the above-specified areas or additional resource consent applications shall be in general accordance with an already-approved Comprehensive Development Plan.*

*Appropriate environmental outcomes include, where possible, the sharing of road access points, visual recognition of surrounding land uses (including likely potential future large format retail developments) and consistent visual appearance between activities. The orientation and positioning of buildings, landscaping and parking areas can influence the feasibility of establishing common shared resources as well as the resultant overall appearance. For this reason, when considering site design, it is important that future adjacent development also be taken into account to minimise adverse traffic effects on the roading network and achieving an integrated visual result.*

**(b) Height of any building on a site which fronts to or adjoins a site in a residential zone:**

i. Street Interface

- Primary Building Envelope

A stepped profile defines a series of setbacks from the street. Eleven metres or more from the street boundary, a building may reach a maximum height of 6.5 metres. Seventeen metres or more from the street boundary, a building may reach a maximum height of nine metres. Thirty metres or more from the street boundary, building height is no longer restricted, except in the case of a corner site where twenty metres or more from the street boundaries, building height is no longer restricted.

- Secondary Building Envelope

Additional building volumes will be permitted in front of the Primary Envelope but their dimensions will be subject to vertical and horizontal constraints. Between eight metres and eleven metres from the street boundary, secondary building volumes may reach a maximum height of 6.5 metres. However, the cumulative length of such volumes shall not exceed the greater of twelve metres or three quarters the total length of the building. In both cases, length shall be measured parallel to the street boundary.

- Tertiary Building Envelope

Further additional building volumes will be permitted above the Primary Envelope but their dimensions will be subject to vertical and horizontal constraints. Between eleven metres and seventeen metres from the street boundary, tertiary building volumes may reach a maximum height of nine metres. However, the cumulative length of such volumes shall not exceed half the total length of the building. In both cases, length shall be measured parallel to the street frontage.

ii. Rear Boundary Interface

- Primary Building Envelope

A stepped profile defines a series of setbacks from the residential boundary. Three metres or more from the rear boundary of an adjoining residential property, a building may reach a maximum height of four metres. Nine metres or more from this boundary, a building may reach a height of 6.5 metres. Twelve metres or more from this boundary, a building may reach a maximum height of nine metres. Twenty metres or more from the boundary, building height is no longer restricted.

- Secondary Building Envelope

Additional building volumes will be permitted above the Primary Envelope but their dimensions will be subject to vertical and horizontal constraints. Between three metres and nine metres from the rear boundary of an adjoining residential property, secondary volumes may reach a maximum height of 6.5 metres. However, the cumulative length of these volumes shall not exceed the greater of twelve metres or two thirds the total length of the building. In both cases, length shall be measured parallel to the adjacent residential boundary.

- Tertiary Building Envelope

Further additional building volumes will be permitted above the Primary Envelope but their dimensions will be subject to vertical and horizontal constraints. Between six metres and twelve metres from the rear boundary of an adjoining residential property, tertiary volumes may reach a maximum height of nine metres. However, the cumulative length of these volumes shall not exceed half the total length of the building. In both cases, length shall be measured parallel to the adjacent residential boundary.

Refer to Figure 11.6

iii. Side Boundary Interface

- Primary Building Envelope

A stepped profile defines a series of setbacks from the residential boundary. Three metres or more from the side boundary of an adjoining residential property, a building may reach a maximum height of four metres. Nine metres or more from this boundary, a building may reach a maximum height of 6.5 metres. Fifteen metres or more from this boundary, a building may reach a maximum height of nine metres. Twenty metres or more from the boundary, building height is no longer restricted.

- Secondary Building Envelope

Additional building volumes will be permitted above the Primary Envelope but their dimensions will be subject to vertical and horizontal constraints. Between six metres and nine metres from the side boundary of an adjoining residential property, secondary building volumes may reach a maximum height of 6.5 metres. However, the cumulative length of these volumes shall not exceed the greater of twelve metres or two thirds the total length of the building. In both cases, length shall be measured parallel to the adjacent

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residential boundary.

- Tertiary Building Envelope

Further additional building volumes will be permitted above the Primary Envelope but their dimensions will be subject to vertical and horizontal constraints. Between nine metres and fifteen metres from the side boundary of an adjoining residential property, tertiary building volumes may reach a maximum height of nine metres. However, the cumulative length of these volumes shall not exceed half the total length of the building. In both cases, length shall be measured parallel to the adjacent residential boundary.

Refer to Figure 11.7

**Explanation**

*Council recognises that the interface between residential and non-residential zones is an area of sensitivity, particularly given the potential impact of non-residential development on adjoining residential areas.*

*In order to mitigate the effects associated with such development, a series of specific controls have been developed which focus on three key residential/non-residential interfaces - street boundaries, side boundaries and rear boundaries.*

*These controls seek to ensure that new commercial or industrial buildings constructed along these interfaces contribute to the physical character of the area through generally mirroring the characteristic scale and rhythm of neighbouring residential dwellings.*

*The setback provisions apply only to the affected boundary, not to all boundaries on the site. For example, a building facing a residential site will be subject to the road frontage setback only and a building adjoining a residential zoned site would need to meet either the rear or side boundary requirements*

- iv. Compliance with (i), (ii) and (iii) above is not required in the following circumstances:
  - a. The building is to be utilised for a form of residential activity and the site it is located upon fronts Ngata Street;
  - b. In the situation that residential activities are established on sites fronting Ngata Street as provided for in (ii) below, the maximum height of buildings for other uses is 9 metres to within 11 metres of Ngata Street. This is conditional upon 75% of the length of the side of the building fronting Ngata Street being screened by the aforementioned residential activity.
  - c. For buildings on Lot 1 DP 50865 (125540(new CT ref)), Lot 1 DP 330530 (125540 (new CT ref)) the limitation of secondary and tertiary building envelopes shall not apply.

**NOTE TO PLAN USERS**

The landscape treatment requirements under R11.9.1.2(i)(ii) apply to the area within the three-metre setback required under this Rule.

- ii. Buildings for Residential Use fronting Ngata Street

For a total of 45% of the length of the Ngata Street frontage (zoned Fringe Business) a maximum height of 6.5 metres is permitted. The ridge of a gable, or hip roof, leading edge of a monopitch roof or deck handrails may exceed the maximum height by up to one metre.

For a total of 55% of the length of the Ngata Street frontage (zoned Fringe Business) a maximum building height of 9 metres is permitted.

**(c) Separation Distances**



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- i. Any residential dwelling on a front site shall be located at least 3 metres from the boundary with any road, with the exception that upper level balconies and ground level terraces attached to dwellings may be located not less than 1.8 metres from the boundary. Each of these balconies or terraces should be not more than 6 metres in length. While they might be distributed along any part of the residential building frontage, the parts of the façade in which they are located should not exceed one third of the total frontage width.
- ii. Buildings for Residential Use which are more than 14 metres wide shall contain setbacks not more than 2 metres deep and not less than 3 metres wide at not more than 14 metre intervals along their front façade.

### **Explanation**

*Residential dwellings have been provided for in the Fringe Business Zone to assist in the mitigation of potential adverse visual effects on Ngata Street, by screening and providing active frontages to the street. Prior to the rezoning to Fringe Business Zone, the character of Ngata Street was predominantly that of a residential nature. As the eastern side of Ngata Street remains zoned Residential, it is appropriate, in enabling the extent of the Fringe Business Zone to extend to the Ngata Street frontage, that mitigation measures are undertaken to avoid otherwise adverse visual commercial residential interface conflicts. Additional importance has been placed on this particular frontage as opposed to other interfaces throughout the City between a Business zoned site and Residential zoned areas due to the fact that the likely type of buildings established in the Fringe Business Zone is of a relatively large scale which requires additional mitigation measures.*

*The required variation in the height and frontage setbacks of a residential veneer to Ngata Street are intended to give visual interest as well as a scale relation to residential development across the street. This is by encouraging building volumes with dimensions similar to those of typical residential buildings. Encouraging terraces and balconies within the front yard breaks up large building forms, introduces human scale elements and further emphasises residential character.*

### **(d) Vehicle Parking, Loading and Site Access**

Compliance with the following performance standards of R20.4.2:

- 20.4.2(a) Vehicle Access;
- 20.4.2(b)(i) Parking Spaces for People with Disabilities;
- 20.4.2(d) Formation of Parking Spaces;
- 20.4.2(e) and (f) Loading Space Provision and Design;
- 20.4.2(g) Cycle Parking Provision and Design;
- 20.4.2(h) Cycle Parking End of Trip Facilities.

In regard to any development involving access across the southern edge of Featherston Street, the number of access points will be restricted to either a single two-way crossing or a pair of entry and egress driveways, with such driveway(s) being located in a position well separated from the Ngata Street intersection and the existing pedestrian crossing, and generally in a position within 30m of the adjoining Outer Business Zone.

### **(e) Lighting**

Any artificial lighting system shall ensure that its use does not result in an added illuminance over and above the measured ambient level, in excess of 8 lux measured in the vertical plane at the windows of any residential building in any residentially zoned site.

### **(f) Signs**

Compliance with R6.1.5.

**(g) Outdoor Storage**

Any outdoor storage area visible from any site in a residential zone or public area shall be screened from view by either a fence, wall of not less than 1.8m in height or dense planting of vegetation capable of growing to 1.8m in height.

**Matters of Discretion**

In determining whether to grant consent and what conditions to impose, if any, Council reserves its discretion to an assessment of the extent to which the application meets the objectives and policies of the Fringe Business Zone and the following assessment criteria:

- i. The extent to which the development provides active frontages including entrances and openings facing the edge of all Major Arterial Roads.
- ii. The extent to which the composition and formal articulation of building facades creates visual interest and achieves aesthetic coherence when viewed from the street.
- iii. The extent to which on-site landscaping establishes an attractive appearance and complements public landscaping at or near the street edge and establishes conditions of visual interest and amenity within the development.
- iv. The extent to which growing conditions are provided for, that will ensure the successful establishment, growth and ongoing viability of planting.
- v. The extent to which plant and services (e.g. air conditioning and rubbish storage) and its enclosure is integrated into the building design and otherwise treated to enhance the appearance of the building.
- vi. The extent to which, where a development adjoins or faces a residential zone, or creates an entrance to a residential street, then large blank walls are avoided or appropriately screened or architecturally treated.
- vii. The extent to which landscaping of on-site car-parking establishes conditions of visual interest and amenity within the development and its margins.
- viii. The extent to which the development maintains or enhances the quality of environment for pedestrians at the street edge.
- ix. Avoiding, remedying or mitigating the effects of additional traffic generated by activities on the site on the safety and efficiency of the roading network.
- x. The extent to which the development of those areas identified as requiring a Comprehensive Development Plan proceeds in a co-ordinated and integrated manner.
- xi. The extent to which the proposed development ensures the continued water carrying and flood control function of that part of the Kawau Stream that passes through Lot 1 DP 50865 and Lot 1 DP 330530, being 418 to 426 Rangitikei Street, Palmerston North.

**Explanation**

*All Fringe Business Zoned areas are either located on a prominent city entranceway (Rangitikei Street) or adjoin and/or are adjacent to residential zoned areas. Large format retail activities can potentially be bulky, out of scale, detrimental to context and lack visual amenity if developed with rudimentary design input. The aim of the assessment criteria, in terms of the street interface matters, is to achieve a quality streetscape. The purpose of the assessment matters, in terms of the residential interface matters, is to ensure buildings do not visually dominate small-scale residential buildings by articulating their form to achieve*

*a scale transition. Alternatively, where the portion of the building is relatively short, screening with landscape elements to create visual interest and complement adjacent residential buildings and streetscape can be utilised to achieve desirable visual outcomes.*

*The maintenance of landscaping, especially in the first twelve months, is critical to its actual success. Factors such as irrigation, wind protection and the growing medium are all critical to the successful establishment of landscaping.*

*The Council needs to ensure that the water carrying capacity and flood control function of that section of the Kawau Stream that flows through Lot 1 DP 50865 and Lot 1 DP 330530, being 418 to 426 Rangitikei Street, is maintained to ensure that any adverse effects on the surrounding land are mitigated.*

### **R11.11.6.2 Residential Centres, Multi-unit Residential Developments, Dwellings and Dwelling Units**

The construction, alteration of, addition to and use of buildings and structures is a Restricted Discretionary Activity providing the relevant Performance Standards in R11.11.6.1 are met.

#### **Matters of Discretion**

In determining whether to grant consent and what conditions to impose, if any, Council will, in addition to the City View objectives in Section 2 and the Fringe Business Zone objectives and policies, assess any application in terms of the following further policies:

- i. The extent to which the activity is necessary to mitigate the environmental effects of activities situated in the Fringe Business Zone.
- ii. The extent to which the development of residential activity does not adversely affect the availability of land for large format retail purposes.
- iii. That sufficient parking and on-site manoeuvring is provided to service the needs of residents and visitors.
- iv. The extent to which buildings for residential use are insulated from noise generated by other activities to ensure that an acceptable level of residential amenity will be achieved.

### **R11.11.6.3 Non Notification**

- i. Such applications (R11.11.6.1 & R11.11.6.2) need not be publicly notified.
- ii. Notice of applications for Restricted Discretionary Activities (R11.11.6.1 & R11.11.6.2) need not be served on any persons who, in the Council's opinion may be adversely affected by the activity.

### **R11.11.6.4 Retail Activities which do not comply with the Merchandising Area Performance Condition**

Retail Activity which does not comply with the Permitted Performance Condition relating to Merchandising Area but does comply with the following performance standards is a Restricted Discretionary Activity:

#### **Performance Standards**

- i. Any retail activity, which is not part of a Multiple Retail Development, must have a minimum Merchandising Area of 800m<sup>2</sup>.
- ii. The average Merchandising Area per retail activity within a Multiple Retail Development must be no less than 1,200m<sup>2</sup> unless all of the individual retail activities within the Multiple Retail Development individually exceed 600m<sup>2</sup> in which case the

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minimum average Merchandising Area must be no less than 1,000m<sup>2</sup>.

- iii. Compliance with the Performance Standards specified in R11.11.5.1 except for R11.11.5.1(a).

### **Matters of Discretion**

In determining whether to grant consent and what conditions to impose, if any, Council will, in addition to the City View objectives in Section 2 and the Fringe Business Zone objectives and policies, assess any application in terms of the following further policies:

- i. The extent to which adverse distributional effects (including cumulative) of such activities on the vibrancy and viability of the CBD are avoided.
- ii. The extent to which the avoidance, remediation or mitigation of the effects of additional traffic on the site on the safety and efficiency of the network are achieved; and
- iii. The extent to which adequate provision is made for parking, access and manoeuvring areas.

### **R11.11.6.5 Activities and Buildings which do not comply with the Permitted Performance Standards**

Activities and Buildings which do not comply with the Permitted Performance Standards (in R11.11.5.1) in relation to:

- (i) Lighting
- (ii) Loading and access
- (iii) Vehicle Parking
- (iv) Servicing and Loading Hours
- (v) Building Height.

are Restricted Discretionary Activities with regard to:

- Design and appearance
- The safe and efficient operation of the roading network
- Effects on adjoining residential areas
- The provision of car parking
- The extent to which the additional height will adversely affect the amenity values of adjoining sites
- Those matters of discretion identified in R11.11.6.1 and/or R11.11.6.4.

In determining whether to grant consent and what conditions to impose, if any, Council will, in addition to the City View objectives in Section 2 and the Fringe Business Zone objectives and policies, assess any application in terms of the following further policies and against the matters of discretion identified in R11.11.6.1 or R11.11.6.4:

#### **(i) Lighting**

- a. To avoid, remedy or mitigate the effects of the overspill of light onto adjacent residentially zoned properties.
- b. To avoid, remedy or mitigate the effects of the overspill of lighting through the use of planting, screening or orientation of light sources.

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- c. To take into account the influence of topography and other site features in mitigating the effects of light overspill.

### (ii) Loading and Access

- a. To avoid, remedy or mitigate the effects of the deficiency in loading and access facilities on the safe and efficient operation of the roading network.
- b. To ensure that other safe and efficient facilities are available to meet the predicted loading or access requirement.
- c. To avoid, remedy or mitigate the effects in loading or access facilities on the ambience and amenity values, in particular residential areas.

### (iii) Vehicle Parking

- a. To avoid, remedy or mitigate the effects of the deficiency in parking spaces on the safe and efficient operation of the roading network.
- b. To ensure that other safe and efficient facilities are available to meet the predicted parking requirement.
- c. To avoid, remedy or mitigate the effects of the deficiency in parking spaces on the ambience and amenity values, in particular residential areas.

#### **Explanation**

*The provision of adequate parking, loading and access provisions are essential in the Fringe Business Zone to ensure that activities can operate within the zone with the minimum of disturbance from overspill parking or vehicles manoeuvring on the road. In particular it is important to ensure that where adequate provision cannot be made on site that overspill parking does not intrude into residential areas.*

### (iv) Activities which do not comply with the Servicing and Loading Provisions of R11.11.5.1(h)

- a. To avoid, remedy or mitigate the adverse effects of noise and general disturbance created by the activity, on any adjoining or adjacent residentially zoned land.
- b. To avoid, remedy or mitigate the disturbance to residentially zoned properties from the movement of vehicles to and from the site and within the site itself.
- c. To limit operating hours to ensure that any disturbance to residentially zoned properties is avoided, remedied or mitigated.

#### **Explanation**

*Movements on industrial sites which occur outside the specified hours have the potential to cause considerable disturbance to adjoining residential areas. Where the operational requirements of an activity require late night or early morning services, a careful assessment must be made to ensure any adverse effects can be mitigated.*

#### **NOTE TO PLAN USERS**

Where a proposal falls under R11.11.6.1 and/or R11.11.6.4 but does not comply with the particular Performance Standards identified above, then as well as assessing the non-compliance with the Performance Condition, the Council will also assess any application against the matters of discretion identified in the aforementioned rules.

## 11.11.7 RULES: DISCRETIONARY ACTIVITIES

### R11.11.7.1 Retail Activities which do not comply with the Merchandising Area Performance Standards for either Permitted or Restricted Discretionary Activities

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Retail Activity which does not comply with the Permitted Performance Condition relating to Merchandising Area for either Permitted or Restricted Discretionary Activities, but where the Merchandising Area is proposed to comply with the following, is a Discretionary Activity:

- i. Any retail activity, which is not part of a Multiple Retail Development, must have a minimum Merchandising Area of 600m<sup>2</sup>.
- ii. The average Merchandising Area per retail activity within a Multiple Retail Development must be no less than 900m<sup>2</sup> unless all of the individual retail activities within the Multiple Retail Development individually exceed 450m<sup>2</sup> in which case the minimum average Merchandising Area must be no less than 750m<sup>2</sup>.

### R11.11.7.2 Existing Industrial Activities

Additions and alterations to existing Industrial Activities, which have been established prior to 20 March 2008, excluding offensive activities, are Discretionary Activities.

#### **Explanation**

*The Fringe Business Zone has been established to provide for primarily large format retailing activities. It is however recognised that this is a transitional use zone and that at time of the establishment of the Fringe Business Zone that there are some existing Industrial activities operating particularly within that area bound by Rangitikei Street, Tremaine Avenue and North Street. The continued operation of these activities are protected either by resource consent or Existing Use Rights as per Section 10 of the Resource Management Act 1991.*

*The Council does not wish to discourage the continued operation of these existing Industrial activities, but at the same time the change of zoning is providing a strategic direction for the ultimate future use of the land. It is therefore identified that additions and alterations to existing industrial activities already established in the Fringe Business Zone should be assessed by way of resource consent to assess their effects on the environment.*

### R11.11.7.3 Any Activity or Construction, Reconstruction or Alteration of Buildings or Structures not provided for by R11.11.5.1, R11.11.6.1, R11.11.7.2 or R11.11.8.1.

Any activity or the construction, reconstruction or alteration of any building or structure which is not provided for by R11.11.5.1, R11.11.6, R11.11.7.2 or R11.11.8.1 is a Discretionary Activity.

## 11.11.8 RULES: NON-COMPLYING ACTIVITIES

### R11.11.8.1 Retail Activities

Those retail activities which do not comply with the Minimum Merchandising Area requirements for Permitted, Restricted Discretionary or Discretionary Activities are Non-Complying Activities

#### **Explanation**

*Retail activities which do not comply with the Minimum Merchandising Area requirements may create adverse distributional effects on the core CBD. Such activities may also result in a reduced availability of land for the establishment of large format retailing activities which is the primary reason for the establishment of the Fringe Business Zone.*

### R11.11.8.2 Offensive Activities

Offensive Activities are Non-Complying Activities.

#### **Explanation**

*Offensive activities have a range of potential effects that could adversely affect the amenity qualities of the Fringe Business Zone. The application of Non-Complying Activity status to these activities will ensure that any Offensive Activity has to demonstrate that it can satisfy the requirements*

## 11.11.9 RULES: NOISE

### R11.11.9.1 Noise

This rule is referred to in Performance Standards for activities within the Zone. Activities to which this rule applies must meet the noise limits set out below.

#### (a) Noise

- i. Noise from any activity within the Fringe Business Zone must not exceed the following limits at any point within any other site within the Fringe and Outer Business Zones:

At any time 65 dB LAeq(15mins)

Daily 11:00pm to 7:00am the following day 90dBA L<sub>max</sub>

- ii. Noise from any activity must not exceed the following limits at any point within any site zoned for residential purposes:

7:00am to 7:00pm 55 dB LAeq(15mins)

7:00pm to 10:00pm 50 dB LAeq(15mins)

10:00pm to 7:00am 45 dB LAeq(15mins)

10:00pm to 7:00am (Nighttime L<sub>max</sub>) 75 dBA L<sub>max</sub>

- iii. Where it is impracticable to measure outside a building, the noise from any activity within the Fringe Business Zone must not exceed the following limits, inside any residential units in any building on any other site within the Fringe or Outer Business Zones:

Bedrooms 10:00pm to 7:00am the following day 35 dB LAeq(15mins)

Bedrooms 10:00pm to 7:00am the following day 55 dBA L<sub>max</sub>

Other habitable rooms 40 dB LAeq(15mins)

This must not allow any relaxation in the noise limits in (i), and (ii) of R11.11.9.1.

#### **Explanation**

The noise rules within the Fringe Business Zone are designed to allow activities to make moderate noise while still providing a reasonable level of control to residential activities in the area. Where noise sensitive uses (including residential activities) are proposed for the Fringe Business Zone it is the responsibility of the designer, developer, owner and user to ensure that buildings are appropriately insulated against higher levels of noise that are allowed. Residents in the Fringe Business Zone must accept that some adverse noise impacts will be experienced from time to time. In this regard, it is important that residential development in the Fringe Business Zone does not compromise the effective development and operation of business activities.

#### (b) Noise Insulation

Any habitable room in a building used by a noise sensitive activity within the Fringe Business Zone must be protected from noise arising from outside the building by ensuring the external sound insulation level\* achieves the following minimum performance standard:

$$D_{nT,w} + C_{tr} > 30 \text{ dB}$$

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Compliance with this performance standard must be achieved by ensuring habitable rooms are designed and constructed in a manner that accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

### **Explanation**

*Acoustic insulation is required for noise sensitive activities in buildings within the Fringe Business Zone to mitigate the potential adverse effects on such uses and to lessen the potential for constraint that such uses can place on typical business or commercial activities commonly associated with the zone.*

### **(c) Ventilation**

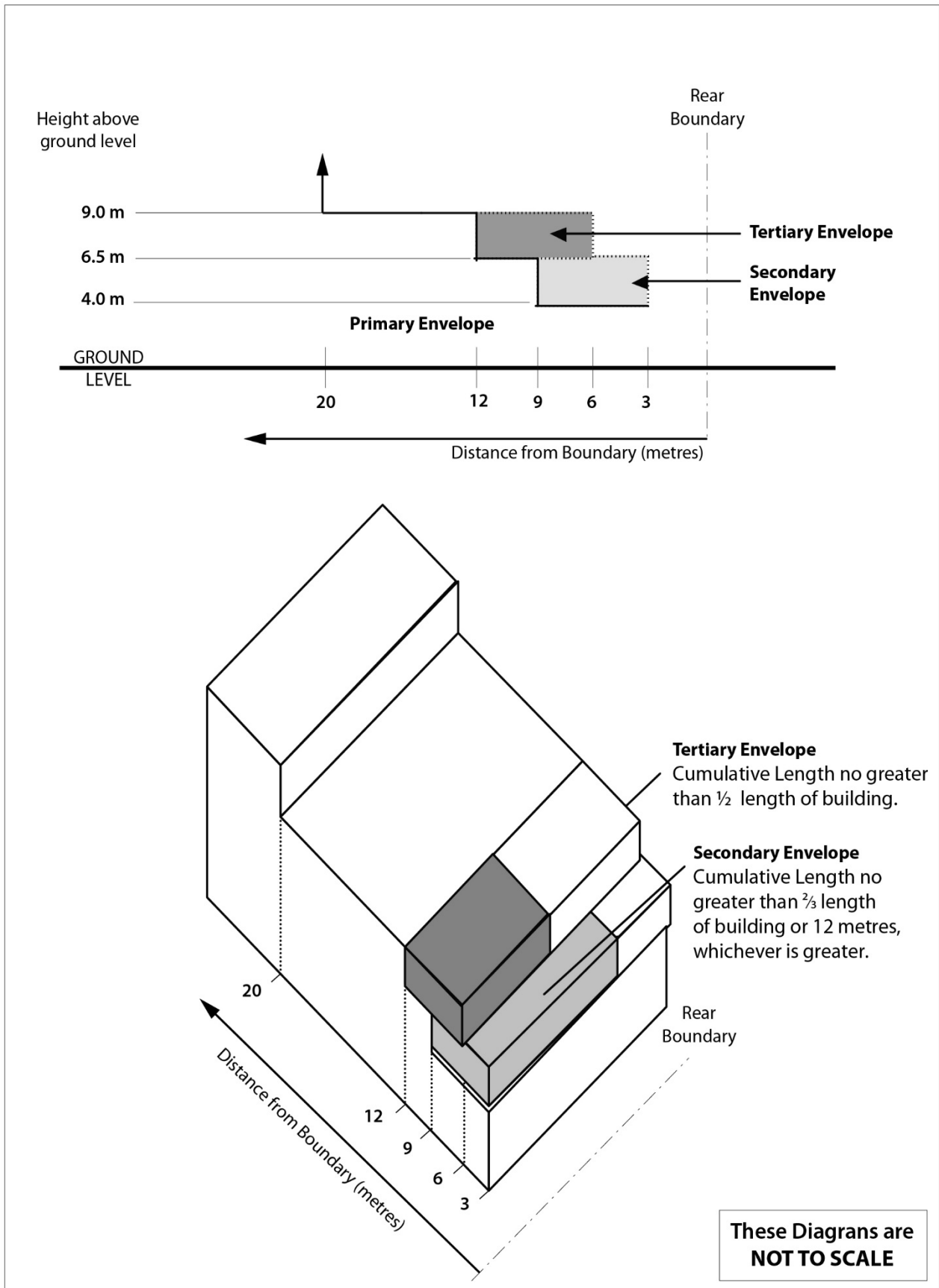
Compliance with R11.6.6.1(c).

### **(d) Fixed Plant**

Compliance with R11.6.6.1(e).



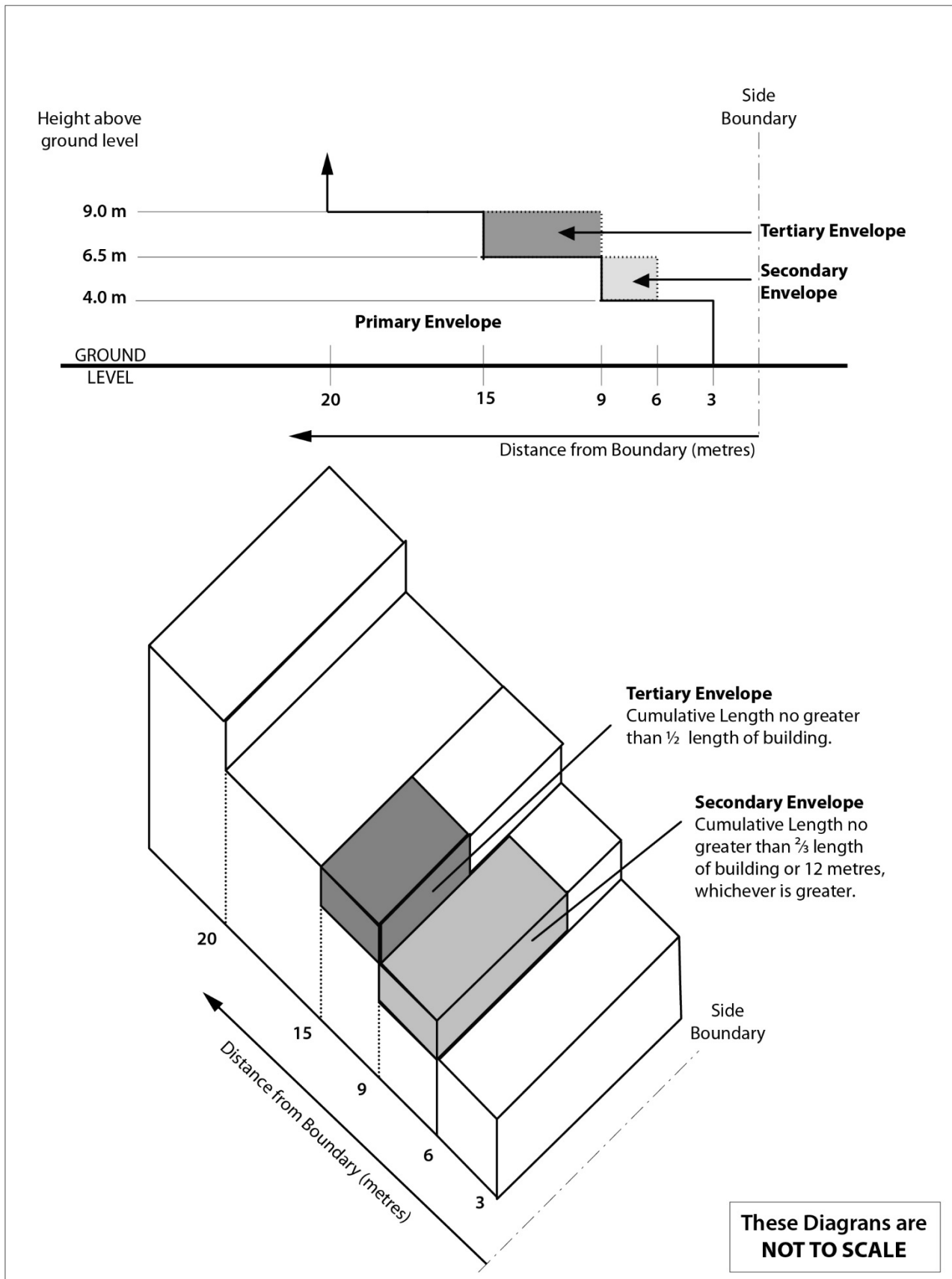
**FIGURE 11.6  
BUSINESS AND INDUSTRIAL ZONE HEIGHT AND SETBACK ENVELOPES  
REAR BOUNDARY INTERFACE**



**Figure 11.6 Height and Setback Envelopes Rear Boundary Interface**



**FIGURE 11.7  
BUSINESS AND INDUSTRIAL ZONE HEIGHT AND SETBACK ENVELOPES  
SIDE BOUNDARY INTERFACE**



**Figure 11.7 Height and Setback Envelopes Side Boundary Interface**