

**APPENDIX TWO: Minutes to meeting of WDC held on 21 November 2011  
(Text changes relating to Plan Changes 20 and 21)**

**Explanation of Appendix Two content:**

1. This document contains District Plan text affected by both proposed Plan Change 21 – Central City and Riverfront and Plan Change 20 – DP Online format and number amendments as originally notified.
2. Changes to the notified District Plan text, that result from Council's decisions on submissions ie insertions or deletions relating to proposed Plan Change 21 – are shown with yellow shading.
3. Insertions are underlined, and deletions are shown with a strikethrough.
4. Footnotes - indicate the specific submission decision that necessitated the change to the text. No change has been made without a decision of council relating to a specific decision.
5. Two minor amendments under Clause 16 of the First Schedule of the RMA are also indicated in the PC 20 text changes. These changes are to correct an administrative error ie wrong numbering was used when PC 20 was notified.

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**Plan Change 20 – Text Changes**

1. Correct minor administrative errors introduced to the Wanganui District Plan. These changes are highlighted in blue.

**Z3 Outer Commercial Zone**

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**R47 14.5.8** Parking Loading and Access

**1.a.** Parking

All activities shall comply with the parking standards in General Rule – Transportation (Rule R23 R24) Chapter 25, General Rules, Section 25.10 – page 25.20.

*Reason*

*To avoid street congestion and provide for large scale vehicle dependent commercial activities (refer to IM7.2 – page 6.19 and UM10.4d – page 8.18)*

**2.b.** Loading and Access

**a.i.** Every commercial activity shall provide one loading bay which complies with the loading bay standards in General Rule – Transportation (Rule R23 R24) Chapter 25, General Rules, Section 25.10 – page 25.20.

*Reason*

*To ensure traffic flow is not impeded by stationary service vehicles. (refer to IM7.2 – page 6.19 and UM10.4d – page 8.18)*

2. Amend text for Policy 53 to revert back to the words used in the operative District Plan except for the DP online heading, as set out below:

**P53 Waterways**

*Maintain, or enhance where appropriate, the natural character of the Districts waterways (coast, wetlands, lakes and rivers) and their margins, and protect them from appropriate subdivision, use, natural character, ecological values and the extent to which adverse effects are avoided, remedied or mitigated.*

## Plan Change 21 as adopted by Council

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### Issues

An issue is an existing or potential problem that must be resolved to promote the purpose of the RMA. However, issues can also be positive opportunities that if taken advantage of can assist in promoting the purpose of the RMA.

#### *126 Adverse Effects of Development in the Central City Area*

Commercial form - the physical form of commercial areas has developed as the city has grown. The central city area of Wanganui is relatively compact and is complemented by key visual landmarks, views and significant heritage. The most significant being the Whanganui River, Queens Park/Pukenamu, Cooks Gardens/Papatuhou, and Moutoa Gardens/Pakaitore.

The central city area provides for the social, cultural and economic wellbeing of the community, by **being** both **being** a place of commerce and of social interactions. The compact commercial form, the places within and surrounding, and the connections between those places creates the setting for the community's social, cultural, and economic transactions to take place. To remain successful it is important that the central city area retains its vibrancy and improves the visual and physical connections between the significant landmarks and heritage.

Activities that adversely affect the amenity of the central city area could reduce that amenity and therefore adversely affect the economic and social sustainability of the area. Activities, particularly small format retail activities, form the core of a successful central city area, meaning that if these activities relocate outside of the central city area, they could also adversely affect the sustainability of that area. The establishment of new commercial centres would lead to unnecessary duplication of physical resources that would not maximise the existing built form and supporting infrastructure in the central city area.

#### *128 Underutilised Public Space in the Central City Area*

Public space is important to the success of the central city area. Traditionally public space has been limited to parks. However public roads present an opportunity for use as a quality public space.

Public roads account for a significant proportion of the central city area. Traditionally they have been managed primarily as an infrastructure corridor for utilities and vehicle movement. By developing our public roads primarily for the movement of vehicles, opportunities for other forms of transport are diminished, resulting in some disconnect between places. Good urban design that provides transport choice and promotes the use of roads for activities will create a vibrant, connected central city area.

The riverfront area is underutilised as a public place. This **place area**<sup>2</sup> presents a significant opportunity for development that recognises the importance of the Whanganui River, and creates a premier public space.

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<sup>1</sup> Clause 16 First Schedule RMA Minor Amendment

<sup>2</sup> Clause 16 First Schedule RMA Minor Amendment

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### *129 Loss of Central City Characteristics*

The Resource Management Act 1991 defines amenity as: “...those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.”

Amenity values almost defy a specific definition, as they are subjective to each individual person, and may be influenced by their particular circumstances and traits.

While the RMA does not define “character”, the Oxford Dictionary defines it as: “Collective qualities or peculiarities....”

Although there is also a subjective component to ‘character’, it can be more readily described than amenity. Particular qualities or peculiarities that comprise the character of an area can be identified.

Wanganui is made up of a number of different areas that all have their own specific character that defines them. They are defined by the form and layout of the buildings, the activities, the form and layout of the streets, and the public spaces.

If some of these characteristics are undermined or lost you could lose the very qualities that make these areas successful.

### *130 Improving Connectivity in the Central City Area*

A cohesive central city area requires clear connections between places. It is important to be able to move freely between places to enhance social and economic vitality. Moving freely between the distinct places relies on the built form being clearly readable.

### *131 Development That Does Not Take into Account the Four Wellbeings*

It is important that all development takes into account social, economic, environmental and cultural wellbeings. If development occurs that does not adequately consider and take into account all of the four wellbeings, that development could **impact<sup>3</sup>** negatively **impact** on the over-all wellbeing of the community.

### *132 Identification of Hazardous Substances*

1. Information on the location of hazardous facilities and their impact on people and communities and the environment is not complete. Most of the known hazardous facilities are located within the urban area of Wanganui. The majority of these are in industrial areas, with other concentrations in commercial areas, eg service stations. Location of hazardous facilities in residential areas is increasing. This is associated with home occupations. In the rural areas, agrichemicals are commonly stored on farms. A number of sites within the District have been identified as potentially contaminated, assessed and confirmed as contaminated or formerly contaminated.

Contaminated sites are sites where hazardous substances occur **at in<sup>4</sup>** concentrations which are likely to pose an immediate or long term hazard to human health or the environment. Sites of this nature may have been used

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<sup>3</sup> Clause 16 First Schedule RMA Minor Amendment

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in the past, or are being used, for industrial processing, storage of hazardous substances, or dumping of hazardous wastes. This has implications for the Manawatu-Wanganui Regional Council, Wanganui District Council, land owner, occupier, polluter and neighbouring land owners/occupiers. The Manawatu-Wanganui Regional Council has identified through its Regional Policy Statement the need to prepare a regional inventory of contaminated sites. Wanganui District Council, along with the Manawatu-Wanganui Regional Council, has an active responsibility in contaminated sites' management and, <sup>5</sup>once comprehensive information is available, <sup>6</sup>Wanganui District Council may instigate a Plan change if appropriate, require redevelopment of the land or initiate other enforcement action.

Part of this issue is the recognition and realisation that many of the methods used for the disposal of hazardous waste in the past have been inadequate.

Many facilities are either inappropriately sited or unable to cope with the increased levels of waste being deposited. Accordingly, the Wanganui District has few suitable facilities available for the disposal of hazardous waste and the District lacks a dedicated hazardous waste treatment facility. This is also recognised as a national and regional waste management issue.

Identification and recognition of hazards is an essential part of risk management. Action is required to:

- a. Improve the information base regarding hazards in the District, including natural hazards and contaminated sites.
- b. Increase community knowledge and awareness of risks.
- c. Establish the level of risk that the community is prepared to accept to guide future development.

### ***133 Reduction of Hazardous Substances***

1. With respect to hazardous substances and facilities, and the risk they pose, the hazard is principally defined by the characteristics of the intrinsic properties of the substances and facilities, eg flammability of chemicals and their storage areas. The risk is defined by the probability of occurrence combined with the potential effects of that occurrence.

It is not possible to control the properties of hazardous substances. However, it is possible to reduce the hazard potential to protect human life, property and the environment.

To reduce hazard potential, the following matters need to be addressed:

- a. The location, design and operation of new hazardous facilities in environmentally sensitive areas and areas with high concentrations of population.
  - b. Protection of existing developments in high risk areas.
2. Coordinate actions between the Manawatu-Wanganui Regional Council and Wanganui District Council having regard to the provisions of the Regional Policy Statement for Manawatu-Wanganui:

a. Contaminated sites – This is an issue where there is dual responsibility between the regional and district councils. The District Council will address contaminated site issues as they arise through resource consent processes and will otherwise liaise with the Regional Council to ensure coordinated responses to this issue.

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<sup>5</sup> Clause 16 First Schedule RMA Minor Amendment

<sup>6</sup> Clause 16 First Schedule RMA Minor Amendment

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### ***134 District Plan Monitoring***

The District Plan is the primary environmental policy document for the Wanganui District. As such, it is important to ensure that the objectives and policies, designed to achieve sustainable management, are successfully achieving this. The Resource Management Act requires local authorities to monitor the efficiency and effectiveness of policies, rules and methods of District Plans, and to take appropriate action if it is necessary.

### ***135 Identification and Recognition of Natural Hazard Potential***

The Wanganui District is affected by a number of natural hazards. The most significant ones are flooding, storms, tsunami, erosion and earthquakes. Knowledge of the location and characteristics of natural hazards and their impacts on surrounding development and the environment is far from comprehensive.

The known major areas of concern include the following:

- a. The Whanganui River has a history of flooding in the urban area and the middle-reaches. Flooding has also occurred in the Matarawa Catchment, affecting Wanganui East and the upper valleys of that catchment. The Whangaehu River, along the south eastern boundary of the district, also has a history of flooding.
- b. Erosion is a widespread problem in the hill country. There are frequent wash-outs, landslips and subsidence after periods of heavy rain.
- c. Areas of hillside instability within the urban area of Wanganui, particularly the hillside north of the Bastia Tower (above Turoa Road and below Mount View Road) and the hillside opposite the Whanganui City Bridge, below Hipango Terrace.
- d. The potential for coastal erosion in some coastal areas is severe. At Mowhanau, the cliffs have been subject to significant erosion and at the Coastal Residential Zone north of Castlecliff, the cliffs are predicted to erode by 18 m before reaching equilibrium.
- e. Areas of river bank erosion are found along both banks of the Whanganui River, causing loss or damage to private property, network utilities and public assets like roads.
- f. Tsunami is a significant risk to the Wanganui urban area.
- g. Several faults including Nukumarū and Upokongaro have been mapped along the marine terraces between Wanganui and Hawera. Parts of the Wanganui urban area adjacent to the river could be affected by soil liquefaction.
- h. Sand dune inundation in the Castlecliff and South Beach area.

The potential for loss of land due to a sea level rise resulting from global warming

### ***136 Reduction of Natural Hazard Potential***

1. It is important to distinguish between the hazard associated with natural events, and the risk they pose. Hazard is principally defined by the characteristics of the physical event, eg groundshaking associated with earthquakes. The risk is defined by the probability of occurrence combined with the potential effects of that occurrence.

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It is not possible to control the occurrence of natural hazards, however, it is possible to reduce the hazard potential to protect human life, property and the environment.

To reduce hazard potential, the following matters need to be addressed:

- a. The location and operation of new land use activities in areas affected by natural hazards.
  - b. Protection of existing developments in high risk areas.
2. Coordinate actions between the Manawatu-Wanganui Regional Council and Wanganui District Council giving effect to the provisions of the Regional Policy Statement for Manawatu-Wanganui:
- a. Flooding – It is recognised that development can exacerbate the risk to life and property from flooding. Responsibility for managing this risk falls on both the Wanganui District Council and Manawatu-Wanganui Regional Council.
  - b. Accelerated soil erosion and land instability – This is primarily a regional council responsibility but the District Council has jurisdiction when this may affect structures or the safety of people.

### **Objectives**

Objectives are goals, or end states to be sought. They are expressed as broad statements of what is to be achieved and represent the resolution of the issues identified. An objective statement may satisfy more than one issue.

#### ***Objective O20:***

To ensure that development and activities in the central city area contribute to the social, cultural, economic and environmental wellbeing of the Wanganui community.

The central city area provides for the social, economic, environmental and cultural wellbeing. This means ensuring that activities and development in the central city area occur in a manner that helps Wanganui to be a place that is:

- socially inclusive;
- economically prosperous;
- encourages cultural expression; and
- environmentally responsible.

#### ***Objective O21:***

To ensure that any adverse effects on the environment arising from development or activities in the central city area are managed effectively.

Development and activities have the potential to adversely affect the environment. Any development or activities in the central city area are therefore required to ensure that they avoid, remedy or mitigate any adverse effects on the following:

- ecosystems, including people and communities;
- natural and physical resources;
- amenity values;

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- social, economic, aesthetic and cultural conditions which affect, or are affected by, those matters above.

### *Objective O23:*

To ensure that development and activities in the central city area, ~~and central edge commercial area,~~ maintain or enhance the high quality amenity of the area.

Development and activities have the potential to adversely affect the amenity of the central city area.

Amenity will be maintained if the characteristics that people value are maintained or enhanced.

There are characteristics common to all of the areas of the central city, and characteristics unique to the individual areas that make up the central city. There are also characteristics that, while they do not currently exist, are important to create the places that the community desire.

The characteristics, or distinguishing qualities, that contribute to the amenity of **the central city area** include:

- The presence of heritage sites and buildings;
- Natural and ~~cultural~~<sup>7</sup> **cultural historic** heritage features;
- Good urban design;
- Central city limits are defined by the Whanganui River and three Parks and Gardens;
- Low speed vehicle movement;
- High levels of sound emitted from activities;
- High numbers of commercial signs;
- Lively street activity;
- Pedestrian oriented street layout, design, and quality;
- High number of pedestrians in the streets;
- Consolidated on-street and mid-block car parks;
- A range of transport options.

In addition to the characteristics of the central city, **the central commercial area** has particular characteristics, or distinguishing qualities, that include:

- Buildings built to a high standard, up to the street frontage, with no gaps between them, reflecting the historic rhythm, and predominantly with verandahs over the footpath;
- Commercial activities reliant on pedestrian movement.

In addition to the characteristics of the central city, **the old town area** has characteristics, or distinguishing qualities, that include:

- A mix of boutique, commercial and arts activities reliant on pedestrian movement;
- Buildings built to a high standard, up to the street frontage, reflecting the historic rhythm and with no gaps between them.

In addition to the characteristics of the central city, **the riverfront area** has characteristics, or distinguishing qualities, that include:

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<sup>7</sup> Clause 16 First Schedule RMA Minor Amendment



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- Visual and physical connections with the Whanganui River;
- Riverbank shared pathway connection;
- Connects to Moutoa Gardens/Pakaitore, Queens Park/Pukenamu, and the central city;
- Commercial activities reliant on pedestrian movement;
- Public open space;
- Public open space is used for events and activities.

~~The characteristics, or distinguishing qualities, that contribute to the amenity of the central edge commercial area include:~~

- ~~• Medium density buildings generally built back from the front boundary;~~
- ~~• Good urban design;~~
- ~~• A transition zone between the central city area and the surrounding environments;~~
- ~~• High numbers of commercial signs;~~
- ~~• Lively street activity;~~
- ~~• Vehicle oriented street layout, design, and quality;~~
- ~~• Off street parking, and loading;<sup>8</sup>~~

### *Objective O24:*

To ensure that development and activities in the central city area reflect the importance of the Whanganui River to Wanganui.

The Whanganui River is perhaps the single most important feature of the District. Its historical significance is immense, to both colonial and Maori cultures. It is important that the significance of the Whanganui River is reflected in all development.

### *Objective O25:*

To ensure that development and activities in the central city area contribute to the overall safety of the area.

Development can occur in a way that contributes to the overall safety of an area. The implementation of good urban design and Crime Prevention Through Environmental Design (CPTED) principles can contribute to a safer central city area. It is important that development in the central city area occurs in a manner that contributes to the overall safety of that area.

### *Objective O28:*

To ensure that the road reserve is utilised as an active public space and for all modes of transport.

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<sup>8</sup> Submissions 11, 13 and 14

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Historically, the road reserve has been managed primarily as a corridor for vehicle movement and utilities. Roads serve a number of purposes and can enhance the quality of life in neighbourhoods, towns, cities and rural areas. It is important that development occurs in a manner that ensures that the road reserve is a multi-modal, active public space.

### *Objective O29:*

To ensure that the key areas in the central city are well connected.

The central city area is made up of a number of distinct places, including Victoria Avenue, the Old Town, the Riverfront, and is bounded by key adjoining places, including Queens Park/Pukenamu, Cooks Gardens/Papatuhou and Trafalgar Square. It is important that development contributes to improved connectivity between key places.

### *Objective O30:*

To ensure that development of the Wanganui Riverfront recognises and mitigates against the potential flood hazard from the Whanganui River.

The Regional Policy Statement states that new structures or activities, or the increase in the scale of an existing structure or activity is not permitted in the Wanganui riverfront area (because this area is likely to be subject to 1 in 200 year flood event) unless the flood hazard is avoided or mitigated.

Conventional flood avoidance structures such as stop banks or walls, or raising ground levels above the flood hazard would be inappropriate in the Wanganui riverfront development area. These methods would result in the loss of the visual and physical connections between the central city area and the Whanganui River. As there are significant buildings and activities established in the riverfront area, and the area has been identified for future development, the conventional techniques alone would not be feasible. For these reasons, in the Wanganui riverfront area, mitigating the risk to life and property, associated with the flood hazard is preferred.

### *Objective O31:*

To ensure that the District Plan is monitored for efficiency and effectiveness.

The objectives, policies and methods of the District Plan achieve integrated management of the effects of the use of development or protection of natural and physical resources of the Wanganui district.

## **Policies and Methods**

### **Policies**

Policies are the broad strategies to achieve the objectives. They give direction, and represent a general course of action to be taken.

### **Methods**

Methods are the specific actions to implement policies. A range of methods are applicable for each policy and the same method may be used to implement a number of policies. Not all methods will be implemented through the

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District Plan. Where methods require Council funding of physical works or professional services, processing through the Annual Plan will be required.

### *Policy P85:*

Define a Central Commercial Zone with the following characteristics:

- a. The presence of heritage sites and buildings
- b. Natural and cultural<sup>9</sup> heritage features
- c. Good urban design
- d. Central city limits are defined by the Whanganui River and three parks and gardens
- e. Low speed vehicle movement
- f. Higher levels of sound emitted from activities
- g. Higher numbers of commercial signs
- h. Lively street activity
- i. Pedestrian oriented street layout, design, and quality
- j. High number of pedestrians in the streets
- k. Consolidated on-street and mid-block car parks
- l. A range of transport options
- m. Buildings built to a high standard, up to the street frontage, with no gaps between them, reflecting the historic rhythm, and predominantly with verandahs over the footpath
- n. Commercial activities reliant on pedestrian movement

### **Methods to implement P85**

**M30** Define a Central Commercial Zone on the District Plan maps.

**M269** To adopt rules for the Central Commercial Zone that maintain the identified characteristics of the central commercial area.

**M34** To develop, or encourage the development of, public parking in suitable places, particularly in the Central City area, as the opportunity occurs or as necessity dictates.

**M284** Incorporate CPTED principles in the rules and standards of the District Plan zones.

**M282** Incorporate urban design principles in the rules and standards of the District Plan zones.

**M288** Incorporate rules requiring cycle storage in the Central City area.

**M295** Incorporate cycle storage requirements in Reserve Management Plans, Council Policies, and infrastructure development, where appropriate.

### *Policy P86:*

**Define a Central Edge Commercial Zone with the following characteristics:**

- ~~a. Medium density buildings generally built back from the front boundary;~~
- ~~b. Good urban design;~~
- ~~c. A transition zone between the central city area and the surrounding environments;~~

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<sup>9</sup> Submission 28

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- d. Higher numbers of commercial signs;
- e. Lively street activity;
- f. Vehicle-oriented street layout, design, and quality;
- g. Off street parking, and loading.<sup>10</sup>

### Methods to implement P86

**M268** Define a Central Edge Commercial Zone on the District Plan maps.

**M270** To adopt rules for the Central Edge Commercial Zone that maintains the identified characteristics of the central edge commercial area.

**M284** Incorporate CPTED principles in the rules and standards of the District Plan zones.

**M282** Incorporate urban design principles in the rules and standards of the District Plan zones.<sup>11</sup>

### *Policy P87:*

Define Outer Commercial Zone with the following characteristics:

- a. a predominance of lower density and vehicle-oriented commercial activities, generally with off-street parking, in the outer commercial area which surrounds the central area;
- b. protection for the amenity values of neighbouring residential areas;
- c. safe urban design (including pedestrian and vehicle safety);
- d. vibrant commercial areas.

### Methods to implement P87

**M31** Define an "Outer Commercial Zone" on the District Plan maps, with corresponding rules to accommodate more extensive and vehicle oriented commercial activities.

**M271** Adopt rules for the Outer Commercial Zone

### *Policy P88:*

Define a Neighbourhood Commercial Zone with the following characteristics:

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<sup>10</sup> Submissions 11, 13 & 14

<sup>11</sup> Submissions 11, 13 & 14

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- a. a predominance of low-rise commercial activities which serve the local community in the neighbourhood commercial areas which are located throughout the city;
- b. protection for the amenity values of neighbouring residential areas;
- c. safe urban design (including pedestrian and vehicle safety);
- d. vibrant commercial areas.

### **Methods to implement P88**

**M32** Define "Neighbourhood Commercial Zones" on the District Plan maps, with corresponding rules to maintain the predominantly local commercial character and scale of the City's neighbourhood commercial areas.

**M272** Adopt rules for the Neighbourhood Commercial Zone

### *Policy P89:*

#### **Define an Arts and Commerce Zone with the following characteristics:**

- a. The presence of heritage sites and buildings;
- b. Natural and cultural historic<sup>12</sup> heritage features;
- c. Good urban design;
- d. Central city limits are defined by the Whanganui River and three Parks and Gardens;
- e. Low speed vehicle movement;
- f. Higher levels of sound emitted from activities;
- g. Higher numbers of commercial signs;
- h. Lively street activity;
- i. Pedestrian oriented street layout, design, and quality;
- j. High number of pedestrians in the streets;
- k. Consolidated on-street and mid-block car parks;
- l. A range of transport options.
- m. A mix of boutique, commercial and arts activities reliant on pedestrian movement;
- n. Buildings built to a high standard, up to the street frontage, reflecting the historic rhythm and with no gaps between them.
- o. Community activities, including UCOL.<sup>13</sup>**

### **Methods to implement P89**

**M273** Define an Arts and Commerce Zone on the District Plan maps.

**M274** To adopt rules for the Arts and Commerce Zone that maintains the identified characteristics of the old town area.

**M275** To develop, or encourage the development of, public parking in suitable places within the Arts and Commerce area.

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<sup>12</sup> Submission 28

<sup>13</sup> Submission 14

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- M34** To develop, or encourage the development of, public parking in suitable places, particularly in the Central City area, as the opportunity occurs or as necessity dictates.
- M282** Incorporate urban design principles in the rules and standards of the District Plan zones.
- M284** Incorporate CPTED principles in the rules and standards of the District Plan zones.
- M288** Incorporate rules requiring cycle storage in the Central City area.
- M295** Incorporate cycle storage requirements in Reserve Management Plans, Council Policies, and infrastructure development, where appropriate.

### *Policy P90:*

#### **Define a Riverfront Zone with the following characteristics:**

- a. Visual and physical connections with the Whanganui River;
- b. Riverbank shared pathway connection;
- c. Connects to Moutoa Gardens/Pakaitore, Queens Park/Pukenamu, and the central city;
- d. Commercial activities reliant on pedestrian movement;
- e. Public open space;
- f. Public open space is used for events and activities.
- g. The presence of heritage sites and buildings;
- h. Natural and **cultural historic**<sup>14</sup> heritage features;
- i. Good urban design;
- j. Central city limits are defined by the Whanganui River and three Parks and Gardens;
- k. Low speed vehicle movement;
- l. Higher levels of sound emitted from activities;
- m. Higher numbers of commercial signs;
- n. Lively street activity;
- o. Pedestrian oriented street layout, design, and quality;
- p. High number of pedestrians in the streets;
- q. Consolidated on-street and mid-block car parks;
- r. A range of transport options.

#### **Methods to implement P90**

- M276** Define a Riverfront Zone on the District Plan maps.
- M277** To adopt rules for the Riverfront Zone that maintains the identified characteristics of the riverfront area.
- M34** To develop, or encourage the development of, public parking in suitable places, particularly in the Central City area, as the opportunity occurs or as necessity dictates.
- M282** Incorporate urban design principles in the rules and standards of the District Plan zones.
- M284** Incorporate CPTED principles in the rules and standards of the District Plan zones.
- M288** Incorporate rules requiring cycle storage in the Central City area.

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<sup>14</sup> Submission 28

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- M294** Implement the roading infrastructure improvements proposed in the Riverfront Development Plan.
- M295** Incorporate cycle storage requirements in Reserve Management Plans, Council Policies, and infrastructure development, where appropriate.

### *Policy P91:*

#### **Encourage pedestrian movement in the central city area.**

The presence of pedestrians in public spaces (including the road reserve and parks) creates energy that adds to the vibrancy of an area. By enabling activities in the central city area to utilise public spaces, pedestrians are encouraged to move within the area.

#### **Methods to implement P91**

- M9** Encourage and maintain the 'mainstreet' approach to the town centre.
- M278** Encourage the use of the road reserve for activities associated with the adjacent property.
- M279** Include urban design principles to ensure that the pedestrian movement is facilitated by the Wanganui Urban Transportation Strategy.
- M280** Create pedestrian links between the central commercial area, the riverfront, Queens Park/Pukenamu, Cooks Gardens/Papatuhou, Moutoa Gardens/Pakaitore and Trafalgar Square.
- M282** Incorporate urban design principles in the rules and standards of the District Plan zones.
- M284** Incorporate CPTED principles in the rules and standards of the District Plan zones.
- M285** Incorporate CPTED principles in Reserve Management Plans, Council Policies, and infrastructure development, where appropriate.
- M34** To develop, or encourage the development of, public parking in suitable places, particularly in the central city area, as the opportunity occurs or as necessity dictates.
- M45** Negotiate with land owners, where appropriate, to set aside access strips for public walkways as provided for under Section 237B of the Resource Management Act 1991.
- M294** Implement the roading infrastructure improvements proposed in the Wanganui Riverfront Development Plan 2011.
- M292** Provide input to Council's roading asset management documents to ensure that vehicle movement speed in the central city remains low.
- M291** Review Council's Licence to Occupy Road Reserve Policy to ensure that it facilitates the use of the road reserve for activities.
- M289** Ensure that the Wanganui Urban Transportation Strategy recognises the importance of, and provides for, a range of transport modes.
- M286** Identify and protect important view planes between the central city area, the riverfront, Queens Park/Pukenamu, Cooks Gardens/Papatuhou, Moutoa Gardens/Pakaitore and Trafalgar Square.
- M44** Identify a river bank walkway route, view points/view corridors and other access facilities as part of the preparation of a central river margin area landscape plan.

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### *Policy P92:*

#### **Encourage access to and along the Whanganui River and river banks.**

The Whanganui River is an important cultural and recreational feature of the district. It is important that development and activities provide for visual and physical access to and along the Whanganui River.

#### **Methods to implement P92**

- M44** Identify a river bank walkway route, view points/view corridors and other access facilities as part of the preparation of a central river margin area landscape plan.
- M45** Negotiate with land owners, where appropriate, to set aside access strips for public walkways as provided for under Section 237B of the Resource Management Act 1991.
- M277** To adopt rules for the Riverfront Zone that maintains the identified characteristics of the riverfront area.
- M278** Encourage the use of the road reserve for activities associated with the adjacent zone.
- M279** Include urban design principles to ensure that the pedestrian movement is facilitated by the Wanganui Urban Transportation Strategy.
- M280** Create pedestrian links between the central commercial area, the riverfront, Queens Park/Pukenamu, Cooks Gardens/Papatuhou, Moutoa Gardens/Pakaitore and Trafalgar Square.
- M282** Incorporate urban design principles in the rules and standards of the District Plan zones.
- M284** Incorporate CPTED principles in the rules and standards of the District Plan zones.
- M290** Provide input to the Regional Land Transport Strategy to ensure that the regional strategy reflects the needs of the Wanganui community.
- M292** Provide input to Council's roading asset management documents to ensure that vehicle movement speed in the central city area remains low.
- M294** Implement the roading infrastructure improvements proposed in the Riverfront Development Plan.

### *Policy P93:*

#### **Incorporate urban design principles in all development.**

Good quality urban design not only creates attractive places, it can have many economic, social, environmental and cultural benefits. High-quality urban design is a key to creating sustainable cities and is proven to lead to economic, social, cultural and environmental wellbeing.

#### **Methods to implement P93**

- M281** Ensure Council is a signatory to the New Zealand Urban Design Protocol.
- M282** Incorporate urban design principles in the rules and standards of the District Plan zones.
- M283** Incorporate urban design principles in Reserve Management Plans, Council Policies, and infrastructure development, where appropriate.
- M279** Include urban design principles to ensure that the pedestrian movement is facilitated by the Wanganui Urban Transportation Strategy.
- M280** Create pedestrian links between the central commercial area, the riverfront, Queens Park/Pukenamu, Cooks Gardens/Papatuhou, Moutoa Gardens/Pakaitore and Trafalgar Square.
- M284** Incorporate CPTED principles in the rules and standards of the District Plan zones.



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- M285 Incorporate CPTED principles in Reserve Management Plans, Council Policies, and infrastructure development, where appropriate.
- M286 Identify and protect important view planes between the Central City area, riverfront, Queens Park/Pukenamu, Cooks Gardens/Papatuhou, Moutoa Gardens/Pakaitore and Trafalgar Square.
- M30 Define a Central Commercial Zone on the District Plan maps.
- M269 To adopt rules for the Central Commercial Zone that maintains the identified characteristics of the central commercial area.
- ~~M268 Define a Central Edge Commercial Zone on the District Plan maps.<sup>15</sup>~~
- ~~M270 To adopt rules for the Central Edge Commercial Zone that maintain the identified characteristics of central edge commercial area.<sup>16</sup>~~
- M273 Define an Arts and Commerce Zone on the District Plan maps.
- M274 To adopt rules for the Arts and Commerce Zone that maintains the identified characteristics of the old town area.
- M276 Define a Riverfront Zone on the District Plan maps.
- M277 To adopt rules for the Riverfront Zone that maintains the identified characteristics of the riverfront area.
- M293 Establish a group from across council departments (notably Policy, Planning, Infrastructure, and Parks and Property) to consider the role of quality urban design in Council projects and developments.
- M294 Implement the roading infrastructure improvements proposed in the Riverfront Development Plan.

### *Policy P94:*

#### **Incorporate Crime Prevention Through Environmental Design principles in all development.**

CPTED is a crime prevention tool that uses urban design and effective use of the urban environment to help prevent crime by reducing the opportunities for crime to occur.

#### **Methods to implement P94**

- M284 Incorporate CPTED principles in the rules and standards of the District Plan zones.
- M285 Incorporate CPTED principles in Reserve Management Plans, Council Policies, and infrastructure development, where appropriate.
- M30 Define a Central Commercial Zone on the District Plan maps.
- M44 Identify a river bank walkway route, view points/view corridors and other access facilities as part of the preparation of a central river margin area landscape plan.
- ~~M268 Define a Central Edge Commercial Zone on the District Plan maps.<sup>17</sup>~~

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<sup>15</sup> Submissions 11, 13,14

<sup>16</sup> Submissions 11, 13,14

<sup>17</sup> Submissions 11, 13,14

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**M269** To adopt rules for the Central Commercial Zone that maintains the identified characteristics of the central commercial area.

~~**M270** To adopt rules for the Central Edge Commercial Zone that maintains the identified characteristics of the central edge commercial area.<sup>18</sup>~~

**M273** Define an Arts and Commerce Zone on the District Plan maps.

**M274** To adopt rules for the Arts and Commerce Zone that maintains the identified characteristics of the old town area.

**M276** Define a Riverfront Zone on the District Plan maps.

**M277** To adopt rules for the Riverfront Zone that maintains the identified characteristics of the riverfront area.

### *Policy P95:*

**Connect the central commercial area, the riverfront, Queens Park/Pukenamu Cooks Gardens/Papatuhou, Moutoa Gardens/Pakaitore and Trafalgar Square.**

The central city area and the central city parks and gardens are not well connected despite their close proximity. Physical and visual connection between these places is important in maintaining a coherent central city area.

### **Methods to implement P95**

**M280** Create pedestrian links between the central commercial area, the riverfront, Queens Park/Pukenamu, Cooks Gardens/Papatuhou, Moutoa Gardens/Pakaitore and Trafalgar Square.

**M286** Identify and protect important view planes between the central city area, the riverfront, Queens Park/Pukenamu, Cooks Gardens/Papatuhou, Moutoa Gardens/Pakaitore and Trafalgar Square.

**M290** Provide input to the Regional Land Transport Strategy to ensure that the regional strategy reflects the needs of the Wanganui community.

**M273** Define an Arts and Commerce Zone on the District Plan maps.

**M274** To adopt rules for the Arts and Commerce Zone that maintains the identified characteristics of the old town area.

**M269** To adopt rules for the Central Commercial Zone that maintains the identified characteristics of the central commercial area.

**M30** Define a Central Commercial Zone on the District Plan maps.

**M276** Define a Riverfront Zone on the District Plan maps.

**M277** To adopt rules for the Riverfront Zone that maintains the identified characteristics of the riverfront area.

### *Policy P96:*

**Maintain a compact central commercial area.**

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<sup>18</sup> Submissions 11, 13,14

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A compact form for a central commercial area is important to ensure economic and environmental sustainability and efficient infrastructure provision. A compact form also encourages people to walk therefore creating opportunities for social and commercial interaction.

### **Methods to implement P96**

- M30** Define a Central Commercial Zone on the District Plan maps.
- M287** Ensure that the Wanganui Urban Transportation Strategy recognises the importance of the roads within the central city area in keeping the central city area compact.
- M34** To develop, or encourage the development of, public parking in suitable places, particularly in the central city area, as the opportunity occurs or as necessity dictates.
- M268** ~~Define a Central Edge Commercial Zone on the District Plan maps.<sup>19</sup>~~
- M269** To adopt rules for the Central Commercial Zone that maintains the identified characteristics of the central commercial area.

### *Policy P97:*

#### **Encourage a range of transport modes to and from the central city area.**

We have traditionally relied on private motor vehicles as the primary transport mode to and from the central city area. While it is accepted that this trend is likely to continue, it is important that a range of transport modes are encouraged. The provision of public transport, cycling routes and parking, and encouraging more walkable streets will encourage a range of transport modes to and from the central city area.

### **Methods to implement P97**

- M279** Include urban design principles to ensure that the pedestrian movement is facilitated by the Wanganui Urban Transportation Strategy.
- M280** Create pedestrian links between the central commercial area, the riverfront, Queens Park/Pukenamu, Cooks Gardens/Papatuhou, Moutoa Gardens/Pakaitore and Trafalgar Square.
- M288** Incorporate rules requiring cycle storage in the central city area.
- M289** Ensure that the Wanganui Urban Transportation Strategy recognises the importance of, and provides for, a range of transport modes.
- M290** Provide input to the Regional Land Transport Strategy to ensure that the regional strategy reflects the needs of the Wanganui community.
- M44** Identify a river bank walkway route, view points/view corridors and other access facilities as part of the preparation of a central river margin area landscape plan.

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<sup>19</sup> Submissions 11, 13,14

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- M284** Incorporate CPTED principles in the rules and standards of the District Plan zones.
- M285** Incorporate CPTED principles in Reserve Management Plans, Council Policies, and infrastructure development, where appropriate.
- M295** Incorporate cycle storage requirements in Reserve Management Plans, Council Policies, and infrastructure development, where appropriate.

### *Policy P102:*

#### **Identify central city roads where the following characteristics are maintained:**

- a. the primary use of the roading corridor is for access to central city activities;
- b. pedestrians are prioritised;
- c. the road reserve is utilised as a high amenity public space;
- d. good urban design;
- e. vehicles maintain low speeds.

#### **Methods to implement P102**

- M278** Encourage the use of the road reserve for activities associated with the adjacent zone.
- M279** Include urban design principles to ensure that pedestrian movement is facilitated by the Wanganui Urban Transportation Strategy.
- M280** Create pedestrian links between the central commercial area, the riverfront, Queens Park/Pukenamu, Cooks Gardens/Papatuhou, Moutoa Gardens/Pakaitore and Trafalgar Square.
- M282** Incorporate urban design principles in the rules and standards of the District Plan zones.
- M283** Incorporate urban design principles in Reserve Management Plans, Council Policies, and infrastructure development, where appropriate.
- M291** Review Council's Licence to Occupy Road Reserve Policy to ensure that it facilitates the use of the road reserve for activities.
- M292** Provide input to Council's roading asset management documents to ensure that vehicle movement speed in the central city remains low.
- M293** Establish a group from across council departments (notably Policy, Planning, Infrastructure, and Parks and Property) to consider the role of quality urban design in Council projects and developments.
- M294** Implement the roading infrastructure improvements proposed in the Riverfront Development Plan.
- M296** Define the central city street overlay on the District Plan maps.
- M297** Develop a Council street design guideline to ensure that street infrastructure development is in keeping with the characteristics of the street overlay.

### *Policy P103:*

#### **Utilise alternative flood hazard mitigation techniques within the riverfront **areazone**<sup>20</sup>.**

Alternative techniques, including but not limited to, building design that either protect buildings from inundation or allows quick recovery following inundation. The characteristics of flooding of the Whanganui River are very well

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<sup>20</sup> Submission14

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understood. Given the history of flooding, the data available, including the rainfall and river levels, reliable models have been developed to predict the timing and degree of flood hazard in the Wanganui riverfront area. Therefore, there is sufficient warning time for alternative techniques to mitigate a 1 in 200 year flood event in the Wanganui riverfront **zone**<sup>21</sup>.

### **Methods to implement P103**

**M214** Identify on the District Plan Maps the 1 in 200 year flood level.

**M215** Develop appropriate conditions and terms for resource consents for subdivision and the location, design and nature of activities within the areas identified by a 1 in 200 year flood event.

**M298** Adopt rules that require flood hazard mitigation for development in the riverfront area.

### *Policy P104:*

#### **Monitor the District Plan.**

It is important to identify indicators to provide a measure of progress toward achieving the objectives and policies of the District Plan. These indicators will be included in a Council adopted District Plan monitoring policy, which will assess whether the methods for achieving the policies are appropriate and necessary, and also inform the State of the Environment Report.

### **Methods to implement P104**

**M299** Develop a District Plan Monitoring Policy

### *Policy P105:*

**Adopt a 1 in 200 year flood level as the required level of flood hazard avoidance or mitigation for new developments in identified parts of the urban area.**

Within the area identified as being subject to a 1 in 200 year flood event, different flood hazard avoidance or mitigation methods are required.

### **Methods to implement P105**

**M214** Identify on the District Plan Maps the 1 in 200 year flood level.

**M215** Develop appropriate conditions and terms for resource consents for subdivision and the location, design and nature of activities within the areas identified by a 1 in 200 year flood event.

**M217** Monitor and assess the cumulative effects of development and degree of risk in the identified areas.

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M298 Adopt rules that require flood hazard mitigation for development in the riverfront area.

### *Policy P106*

~~Buildings and sites shall be established and maintained at all times so as to not detract from the visual amenity, streetscape and neighbourhood character of the surrounding area.<sup>22</sup>~~

## New General Rules

### *R244 View Shaft Protection*

The following additional rules apply to any activity or development within the view shafts identified on the planning maps.

#### 1. Restricted Discretionary Activities

The following are restricted discretionary activities:

##### a. Whanganui River View Shaft

Any activity or development within the identified view shaft that modifies the view to the Whanganui River.

##### b. Maria Place to Cooks Gardens/Papatuhou and Queens Park/Pukenamu View Shaft

Any activity or development within the identified view shaft that modifies the view from any point along Maria Place, to Cooks Gardens/Papatuhou and Queens Park/Pukenamu.

#### 2. The Council restricts its discretion to the effect of the activity on:

- i. the view to the Whanganui River; or
- ii. the view to Cooks Gardens/Papatuhou and Queens Park/Pukenamu from Maria Place;

## Definitions

### *Def116 Display Frontage Street*

The display frontage streets collectively form the heart of the city. These streets have standards for continuous building facades, verandah and retail frontage, which contribute strongly to the character and vibrancy of the city centre.

Display frontage streets in the Central Commercial Zone

<i>Guyton Street</i>	<i>Both sides – St Hill Street to Wicksteed Street</i>
<i>Maria Place</i>	<i>Both sides – St Hill Street to Watt Street</i>
<i>Ridgway Street</i>	<i>Both sides – St Hill Street to Drews Avenue</i>
<i>Victoria Avenue</i>	<i>both sides – Taupo Quay to Ingestre Street</i>

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### ***Def117 Mainstreet approach***

The Main Street Approach is the term used for community-driven, comprehensive strategies that are used to revitalise downtown and neighbourhood business districts. The approach continues by having commercially coordinating activities, strategies and management of the areas.

'Mainstreet Wanganui' is an Incorporated Society and was established in 1991 to promote and enhance Wanganui's central business district.

### ***Def118 Boutique retail activities***

means a small business, with a maximum floor area of 200m<sup>2</sup>, offering specialist products and/or services.

### ***Def119 Manufacturing activities relating to the arts***

means any activity that involves the processing, production, assembly, repair, storage of materials, goods and products, related to the arts.

### ***Def120 Artists studio***

means a workroom used for artistic pursuits, and may include an area for the display and sale of art.

### ***Def121 Habitable room***

means any room in a dwelling that is used or that can be used as a sitting room, a living room, a bed room, a dining room or a family room.

### ***Def122 Issue***

For the purposes of this Plan, means an existing or potential problem that must be resolved to promote the purpose of the RMA. However, issues can also be positive opportunities that if taken advantage of can assist in promoting the purpose of the RMA.

### ***Def123 Objective***

For the purposes of this Plan, means goals, or end states to be sought. They are expressed as broad statements of what is to be achieved and represent the resolution of the issues identified. An objective statement may satisfy more than one issue.

### ***Def124 Policy***

For the purposes of this Plan, means the broad strategies to achieve the objectives. They give direction, and represent a general course of action to be taken.

### ***Def125 Method***

For the purposes of this Plan, means the specific actions to implement policies. A range of methods are applicable for each policy and the same method may be used to implement a number of policies. Not all methods will be implemented through the District Plan.

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### Def126 Road

For For the purpose of this Plan “road” includes:

- (i) road as defined in the Local Government Act 1974 and the Transit New Zealand Act 1981; and
- (ii) all land within the legal road reserve; and
- (iii) all land comprising formed and existing roads under the control of the road controlling authority

### The Status of Formed and Unformed Roads

On the District Plan Maps, all formed legal roads, and some unformed legal roads are coloured white. With regard to the application of District Plan objectives, policies and rules, the Plan provisions of the zone in which any formed or unformed legal road is located shall apply. Where a road is stopped, the Plan provisions for the zone on which the stopped road is located shall apply. Where a formed, unformed or stopped road is bounded by different zones, the demarcation between zones is the former centre of the road.

*Note: Any activities that occur within road corridors must be authorised by the owner of the road. This provides a process for the owner (in most cases ~~NZTA Transit New Zealand~~<sup>23</sup> or Wanganui District Council) to issue what is in effect a ‘licence to occupy’ prior to any activity ~~being established~~<sup>24</sup>. Network utility operators will not be required to obtain such authorisations where they comply with the enabling legislation that provides for network utility activities within road corridors.*

### Def127 Public Open Space<sup>25</sup>

Means land or a water body that is administered and owned by a territorial authority to provide public access to open land, foreshore, rivers and streams and areas of heritage significance for the purpose of heritage and biodiversity protection, landscape enhancement, recreational opportunities, education, and environmental protection.

### Def128 Market Activities<sup>26</sup>

Means any food and beverage outlets, retail activities and artist’s studios located in a temporary structure within the Riverfront zone.

### <sup>27</sup>Z19 Central Edge Commercial Zone

Zoning is a technique for managing the effects of activities and for maintaining or creating the places that the community value. By identifying the characteristics that combine to make a place successful, the zones guide development. Important characteristics in the Central Edge Commercial Zone are:

- a. Medium density buildings generally built back from the front boundary;
- b. Good urban design;
- c. A transition zone between the central city area and the surrounding environments;
- d. Higher numbers of commercial signs;

<sup>23</sup> Clause 16 First Schedule RMA Minor Amendment

<sup>24</sup> Clause 16 First Schedule RMA Minor Amendment

<sup>25</sup> Submission 14

<sup>26</sup> Submission 14

<sup>27</sup> Submissions 11, 13,14 to delete the entire section



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- e. Lively street activity;
- f. Vehicle-oriented street layout, design, and quality;
- g. Off street parking, and loading.

Accordingly, the plan adopts rules for the Central Edge Commercial Zone that attain or maintain the identified characteristics of the area.

### ***R225 Permitted Activities***

The following are permitted activities in the Central Edge Commercial Zone:

- a. Commercial activities;
- b. Retail activities with a gross floor area over 300m<sup>2</sup>;
- c. Manufacturing activities;
- d. Residential activities;
- e. Community activities;
- f. Reserves and open space;
- g. Commercial parking lots;
- h. Network utilities as provided by General Rule — Utilities (Rule R15), which contains some exemptions from the zone rules for network utilities; which comply with the relevant zone rules.

### ***R226 Noise***

Sound emissions from any activity when measured 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 sound is emitted, shall not exceed the following:

At all times 65 dBA L10

At all times L max: the lower of L95 background sound level plus 30dBA, or 80dBA

Sound emissions from any activity when measured at or within the boundary of any site in the Residential Zone, shall not exceed the following:

7am to 6pm 55 dBA L10

6pm to 7am 45 dBA L10 Lmax: the lower of L95 background

sound level plus 30dBA,

or 70 dBA

Where it is impractical to measure outside the building, measurements shall be made inside (with windows closed). Where indoor measurements are made, the noise limits stated above shall be reduced by 15dB.

The above noise standards shall not apply to temporary military training activities as these activities are subject to separate standards contained in General Rule — Temporary Military Training Activities (Rule R23).

### ***Reason***

Noise levels are set to encourage activities that create vibrancy in the Central Edge Commercial zone, while also protecting a level of amenity for residential areas.

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These conditions shall be read with and are subject to the provisions of Noise (Reference A4):

***R227 Residential Use***

1. Residential use

a. Noise Insulation

Any habitable room in a building used for a Residential Activity within the Central Edge Commercial Zone shall be protected from noise arising from another site, either within the same building or outside the building by ensuring that the external sound insulation level achieves the following minimum performance standard:

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

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that:

- accords with the schedule of typical building construction set out in Noise (reference A4); or
- 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.

*Reason*

*Residential Activity in the Central Edge Commercial Zone is considered to be an activity that could be sensitive to the noise created by other permitted activities within the zone and in the adjoining Central Commercial and Outer Commercial zones.*

*To allow for residential activity in the Central Edge Commercial Zone, while at the same time ensuring that residential activity does not inhibit the other permitted activities that together create a vibrant active place.*

***R228 Structures<sup>28</sup>***

1. Within the Central Edge Commercial Zone, structures shall be required to meet the following conditions and terms:

a. Height recession plane

All new buildings and structures, and additions to buildings and structures, shall be designed and constructed to fit within a recession plane (or height to boundary plane) which commences at 2 metres above the existing ground level then projects from this line inwards at a 45 degree angle at any site boundary that:

- (i) adjoins a residential zone; or
- (ii) is a street boundary.

*Reason*

*The recession plane ensures appropriate setbacks in a flexible manner, to allow space for parking and landscaping. Landscaped parking areas that are visible from the street encourage the efficient use of the vehicle oriented activities. The height recession plane standard ensures that buildings are set back in proportion to their height from street boundaries.*

b. Exemptions from height recession plane standard

<sup>28</sup> Submissions 6,11 & 20 for this specific rule only

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The following structures are exempt from the above height recession plane standard:

- i. Network utility masts, poles and antennas;
- ii. Flagpoles;
- iii. Signs;
- iv. Chimneys;
- v. Wires;
- vi. Television and radio antennas and support structures;
- vii. Vertical ventilation shafts.

### *Reason*

*The reason for this is that these exceptions are considered to have a minimal effect on the amenities of neighbouring properties. Furthermore, if there were not these exceptions, flexibility for location of structures could be unreasonably constrained and this could lead to wasted space.*

### c. Building Height

Building height shall not exceed 13 metres (refer to definition of "building height" in Definitions).

### *Reason*

*To maintain the scale of the Central Edge Commercial Zone.*

### d. Passive Surveillance

Buildings with one or more walls along or facing a street, a service lane, a designated car park, or public open space, shall have, in each of those walls, glazing or a balcony from a habitable room, retail display area, office, bar, or restaurant.

### *Reason*

*The provision of glazing in buildings that overlook public spaces provides passive surveillance to those public spaces, making the public space a safer place to be.*

### **R229 Landscaping**

All activities, other than residential or reserves and open spaces, shall provide a 2 metre wide landscaping strip along the entire street frontage (except for any gaps necessary to provide access). This landscaping strip shall be planted in grass groundcover or shrubs, and for every 5 metres of site frontage shall include at least one specimen capable of growing to 2 metres within 3 years. This landscaping is required to be maintained.

### *Reason*

*The requirement to provide landscaping along the street frontage of activities will reduce the visual impact of the site.*

### **R230 Lighting**

Car parks and associated pedestrian routes shall be lit at a minimum of 10 lux, measured in accordance with NZS CP22: 1962 and amendments.

### *Reason*

*To ensure that potential night time concealment and entrapment spaces are illuminated.*

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***R231 Parking, Loading and Access***

**1. Parking**

All activities shall comply with the parking standards in General Rule Transportation (Rule R24).

***Reason***

*To avoid street congestion and provide for large scale vehicle dependent commercial activities.*

**2. Loading and Access**

a. Every commercial activity shall provide one loading bay which complies with the loading bay standards General Rule Transportation (Rule R24).

***Reason***

*To ensure traffic flow is not impeded by service vehicles.*

***R232 Controlled Activities***

1. The following activities are controlled activities in the Central Edge Commercial Zone:

a. Subdivision.

***R233 Restricted Discretionary Activities***

1. The following are restricted discretionary activities in the Central Edge Commercial Zone:

a. Any permitted or controlled activity which does not comply with the relevant zone rules. In exercising its discretion, the Council shall be limited to the conditions with which that activity fails to comply.

b. Any activity which does not comply with the standard for advertising. In exercising its discretion the Council will be restricted to the following matters:

- i. The location and size of the sign in relation to the surrounding environment.
- ii. The design and appearance of the sign.
- iii. The effects of the sign on the movement of people and goods.
- iv. The nature and content of the sign and whether it is to be illuminated. Flashing signs shall not be permitted.
- v. The nature, size and number of other signs in the immediate environment.
- vi. The effect of the sign on the identification of the activity undertaken on the site.

The General Rule Advertising (Rule R16) shall apply.

***R234 Non-Complying activities***

1. The following are non-complying activities in the Central Edge Commercial Zone:

a. Any building that, due to inadequate maintenance, has an external appearance detracting from the Central City area amenity values (refer to Definitions).

b. Any site that, due to inadequate maintenance, or the presence of structures or vehicles or other materials or property, detracts from the Central City area amenity values.

c. Any other activity which is not provided for as a permitted, controlled or restricted discretionary activity.

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### **Z20 Arts and Commerce Zone**

Zoning is a technique for managing the effects of activities and for maintaining or creating the places that the community value. By identifying the characteristics that combine to make a place successful, the zones guide development. Important characteristics in the Arts and Commerce Zone are:

- a. The presence of heritage sites and buildings;
- b. Natural and cultural historic<sup>29</sup> heritage features;
- c. Good urban design;
- d. Central city limits are defined by the Whanganui River and three Parks and Gardens;
- e. Low speed vehicle movement;
- f. Higher levels of sound emitted from activities;
- g. Higher numbers of commercial signs;
- h. Lively street activity;
- i. Pedestrian oriented street layout, design, and quality;
- j. High number of pedestrians in the streets;
- k. Consolidated on-street and mid-block car parks;
- l. A range of transport options.
- m. A mix of boutique, commercial and arts activities reliant on pedestrian movement;
- n. Buildings built to a high standard, up to the street frontage, reflecting the historic rhythm and with no gaps between them.
- o. Community Activities, including UCOL<sup>30</sup>.

Accordingly, the plan adopts rules for the Arts and Commerce Zone that attain or maintain the identified characteristics of the area.

#### ***R235 Permitted Activities***

The following are permitted activities in the Arts and Commerce Zone:

- a. Boutique retail activities with a maximum gross floor area of 200m<sup>2</sup>;
- b. Professional and administrative offices;
- c. Food and beverage outlets;
- d. Visitor accommodation;
- e. Residential activities;
- f. Community activities;
- g. Manufacturing activities relating to the arts;
- h. Artists studios;
- i. Vehicle and cycle parking areas developed and managed by, or on behalf of, the Wanganui District Council;

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<sup>29</sup> Submission 28

<sup>30</sup> Submission 14

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- j. Network utilities as provided by General Rule – Utilities (Rule R15), which contains some exemptions from the zone rules for network utilities;  
which comply with the relevant zone rules.

**R236 Noise**

Sound emissions from any activity when measured 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 sound is emitted, shall not exceed the following:

At all times 65 dBA L10

At all times L max: the lower of L95 background sound level plus 30dBA, or 80dBA

Sound emissions from any activity when measured at or within the boundary of any site in the Residential Zone, shall not exceed the following:

7am to 6pm 55 dBA L10

6pm to 7am 45 dBA L10 Lmax: the lower of L95 background sound level plus 30dBA, or 70 dBA

Where it is impractical to measure outside the building, measurements shall be made inside (with windows closed). Where indoor measurements are made, the noise limits stated above shall be reduced by 15dB.

The above noise standards shall not apply to temporary military training activities as these activities are subject to separate standards contained in General Rule – Temporary Military Training Activities (Rule R23).

*Reason*

*Noise levels are set to encourage activities that create vibrancy in the Arts and Commerce Zone, while also protecting a level of amenity for residential areas.*

These conditions shall be read with and are subject to the provisions of Noise (Reference A4).

**R237 Residential Use**

1. Residential use

a. Noise Insulation

Any habitable room in a building used for a Residential Activity within the Arts and Commerce Zone shall be protected from noise arising from another site, either within the same building or outside the building by ensuring that the external sound insulation level achieves the following minimum performance standard:

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

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that:

- accords with the schedule of typical building construction set out in Noise (reference A4); or
- 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.

*Reason*

*Residential Activity in the Arts and Commerce Zone is considered to be an activity that could be sensitive to the noise created by other permitted activities within the zone and in the adjoining zones.*

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*To allow for residential activity in the Arts and Commerce Zone, while at the same time ensuring that residential activity does not inhibit the other permitted activities that together create a vibrant active place.*

### **R238 Structures**

1. Within the Arts and Commerce Zone, structures shall be required to meet the following conditions and terms:
  - a. Street Boundary  
The front wall of all buildings shall be built up to the street boundary.
  - b. All Other Site Boundaries  
Buildings shall be built up to the side boundaries. No setback standards (maximum or minimum) apply to rear boundaries.

#### *Reason*

*Continuous building facades are important to the maintenance of a streetscape that promotes pedestrian movement. This movement may be between activities in the area, or through the Arts and Commerce Zone.*

- c. Building Height  
Building height shall be a minimum of 7.5 metres and a maximum of 14 metres.  
Height shall be measured to the top of the eaves or parapet at every point.

#### *Reason*

*To maintain the scale and amenity of the Arts and Commerce Zone.*

- d. Passive Surveillance  
Buildings with one or more wall along or facing, a street, a service lane, a designated car park, or public open space, shall have, in each of those walls, glazing or a balcony from a habitable room, retail display area, office, bar, or restaurant.

#### *Reason*

*The provision of glazing in buildings that overlook public spaces provides passive surveillance to those public spaces, making the public space a safer place to be.*

#### **e. Flood Hazard<sup>31</sup>**

**New buildings and additions to buildings are required to be designed and constructed to either:**

- i. Be protected from inundation; or**
- ii. Be able to recover efficiently following inundation.**

#### **Reason**

**Alternative techniques for flood hazard mitigation are preferred, but a variety of flood hazard avoidance or mitigation methods may be used in the Arts and Commerce zone.<sup>32</sup>**

### **R239 Lighting**

Car parks and associated pedestrian routes shall be lit at a minimum of 10 lux, measured in accordance with NZS CP22: 1962 and amendments.

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<sup>31</sup> Submission 14

<sup>32</sup> Submission 14

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### *Reason*

*To ensure that potential night-time concealment and entrapment spaces are illuminated to reduce the potential hazard.*

### **R240 Parking, Loading and Access**

1. Vehicle Parking
  - a. The following Community Activities are required to comply with the parking standards set out in General Rule – Transportation (Rule R24):
    - i. places of assembly;
    - ii. recreational facilities;
    - iii. educational facilities;
  - b. Activities (other than those listed in (a) above) are not required to provide on-site vehicle parking, except that cycle and vehicle parking may be provided on a voluntary basis up to a maximum of one vehicle space per 100m<sup>2</sup> of site area.
  - c. Parking areas and access shall comply with the standards in General Rule – Transportation (Rule R24).

### *Reason*

*To encourage the Arts and Commerce Zone to be built intensively, while ensuring that activities with a high vehicle parking demand provide for that demand.*

2. Loading and Access

Every commercial activity shall provide one loading bay which complies with the loading bay standards in General Rule – Transportation (Rule R24).

### *Reason*

*To ensure traffic flow is not impeded by service vehicles.*

### **R241 Controlled Activities**

1. The following activities are controlled activities in the Arts and Commerce Zone:
  - a. Subdivision.

### **R242 Restricted Discretionary Activities**

1. The following are restricted discretionary activities in the Arts and Commerce Zone:
  - a. Any permitted or controlled activity which does not comply with the relevant zone rules. In exercising its discretion, the Council shall be limited to the conditions with which that activity fails to comply.
  - b. Any activity that does not comply with the standard for advertising. In exercising its discretion the Council will be restricted to the following matters:
    - i. The location and size of the sign in relation to the surrounding environment.
    - ii. The design and appearance of the sign.
    - iii. The effects of the sign on the movement of people and goods.



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- iv. The nature and content of the sign and whether it is to be illuminated. Flashing signs shall not be permitted.
- v. The nature, size and number of other signs in the immediate environment.
- vi. The effect of the sign, which does not relate to the activity undertaken on the site, on the identification of the activity undertaken on the site.

The General Rule – Advertising (Rule R16) shall apply.

### *R243 Non-Complying activities*

The following are non-complying activities in the Arts and Commerce Zone:

- a. Manufacturing activities, other than as provided for as a permitted activity.
- b. Vehicle sales.
- c. ~~Any building that, due to inadequate maintenance, has an external appearance detracting from amenity values or neighbourhood character.<sup>33</sup>~~
- d. ~~Any site that, due to inadequate maintenance, or the presence of structures or vehicles or other materials or property, detracts from amenity values or neighbourhood character.<sup>34</sup>~~
- e. Any other activity which is not provided for as a permitted, controlled or restricted discretionary activity.

### <sup>35</sup>~~Z18.1 Riverfront Zone – Outline Plan~~

~~Zoning is a technique for managing the effects of activities and for maintaining or creating the places that the community value. By identifying the characteristics that combine to make a place successful, the zones guide development. Important characteristics in the Riverfront Zone are:~~

- ~~a. Visual and physical connections with the Whanganui River;~~
- ~~b. Riverbank shared pathway connection;~~
- ~~c. Connects to Moutoa Gardens/Pakaitore, Queens Park/Pukenamu, and the central city;~~
- ~~d. Commercial activities reliant on pedestrian movement;~~
- ~~e. Public open space;~~
- ~~f. Public open space is used for events and activities;~~
- ~~g. The presence of heritage sites and buildings;~~
- ~~h. Natural and cultural heritage features;~~
- ~~i. Good urban design;~~
- ~~j. Central city limits are defined by the Whanganui River and three Parks and Gardens;~~
- ~~k. Low speed vehicle movement;~~
- ~~l. Higher levels of sound emitted from activities;~~
- ~~m. Higher numbers of commercial signs;~~

<sup>33</sup> Submission 14

<sup>34</sup> Submission 14

<sup>35</sup> Submission 14 to delete entire section

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- n. Lively street activity;
- o. Pedestrian oriented street layout, design, and quality;
- p. High number of pedestrians in the streets;
- q. Consolidated on-street and mid-block car parks;
- r. A range of transport options.

Accordingly, the plan adopts rules for the Riverfront Zone that attain or maintain the identified characteristics of the area.

### ***R211 – Permitted Activities (Outline Plan – Buildings)***

The following are permitted activities within the buildings identified on the Riverfront Outline Plan:

- a. Boutique retail activities with a maximum gross floor area of 200m<sup>2</sup>;
- b. Professional and administrative offices;
- c. Food and beverage outlets;
- d. Community activities;
- e. Manufacturing activities relating to the arts;
- f. Artists studios;
- g. Recreational activities and facilities;
- h. Tourist facilities, excluding camping grounds and vehicle parking, other than vehicle parking provided by Wanganui District Council;
- i. Vehicle and cycle parking areas developed and managed by, or on behalf of, the Wanganui District Council;
- j. Network utilities as provided by General Rule – Utilities (Rule R15), which contains some exemptions from the zone rules for network utilities;
- k. Residential activities not located on the ground floor; which comply with the relevant zone rules.

### ***R212 – Permitted Activities (Outline Plan – Retail)***

The following are permitted activities within the retail area identified on the Riverfront Outline Plan:

- a. Boutique retail activities with a maximum gross floor area of 200m<sup>2</sup>;
- b. Food and beverage outlets;
- c. Artists studios;
- d. Recreational activities and facilities;
- e. Residential activities not located on the ground floor.

### ***R213 – Permitted Activities (Outline Plan – Public Open Space and Covered Market)***

The following are permitted activities within the Public Open Space area identified on the Riverfront Outline Plan:

- a. Reserves and open space (excluding parking)
- b. Food and beverage outlets in temporary structures;

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- ~~c. — Retail activities in temporary structures;~~
  - ~~d. — Artists studios in temporary structures;~~
  - ~~e. — Tourist facilities, excluding camping grounds and vehicle parking, other than vehicle parking provided by Wanganui District Council;~~
- ~~which comply with the relevant zone rules.~~

**~~R214 — Permitted Activities (Outline Plan — Car Parking)~~**

~~The following are permitted activities within the car parking area identified on the Riverfront Outline Plan:~~

- ~~a. — Vehicle and cycle parking areas developed and managed by, or on behalf of, the Wanganui District Council;~~

**~~R217 — Structures~~**

~~1. Within the Riverfront Outline Plan, structures shall be required to meet the following conditions and terms:~~

- ~~a. — Site coverage~~

~~The site coverage and location of buildings in the area covered by the Riverfront Outline Plan shall comply with that Plan.~~
- ~~b. — Street Frontage~~

~~Buildings built to the street boundary shall have an active frontage to the street.~~
- ~~c. — River Frontage~~

~~Buildings built to the Riverfront Public Open Space shall have an active frontage to that space.~~

**~~Reason~~**

~~The Riverfront Outline Plan has been developed to ensure that the riverfront area is developed in a way that recognises its location on the banks of the Whanganui River. The Outline Plan will ensure that public open space is protected, and that the area is developed in an integrated and comprehensive way. It is important that buildings in the Riverfront Zone address both the street and Riverfront Public Open Space.~~

- ~~d. — Building Height~~

~~Building height shall be a maximum of 7.5 metres.~~

~~Height shall be measured to the top of the eaves or parapet.~~

**~~Reason~~**

~~To maintain the scale and amenity of the Riverfront Zone.~~

- ~~e. — Passive Surveillance~~

~~Buildings with one or more wall along or facing, a street, a service lane, a designated car park, or public open space, shall have, in each of those walls, glazing or a balcony from a habitable room, retail display area, office, bar, or restaurant.~~

**~~Reason~~**

~~The provision of glazing in buildings that overlook public spaces provides passive surveillance to those public spaces, making the public space a safer place to be.~~

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**~~i. Flood Hazard Mitigation~~**

~~New buildings and additions to buildings are required to be designed and constructed to either:~~

- ~~i. be protected from inundation; or~~
- ~~ii. be able to recover efficiently following inundation.~~

***Reason***

~~Alternative techniques for flood hazard mitigation must be used because conventional flood avoidance structures are considered inappropriate in the riverfront area.~~

**~~R218—Parking, Loading and Access~~**

**~~1. Parking~~**

~~Vehicle parking is not permitted, except within the car parking area identified on the Outline Plan.~~

***Reason***

~~To encourage the Riverfront Zone to be built intensively, and to be developed in an integrated and comprehensive way.~~

**~~2. Loading and access~~**

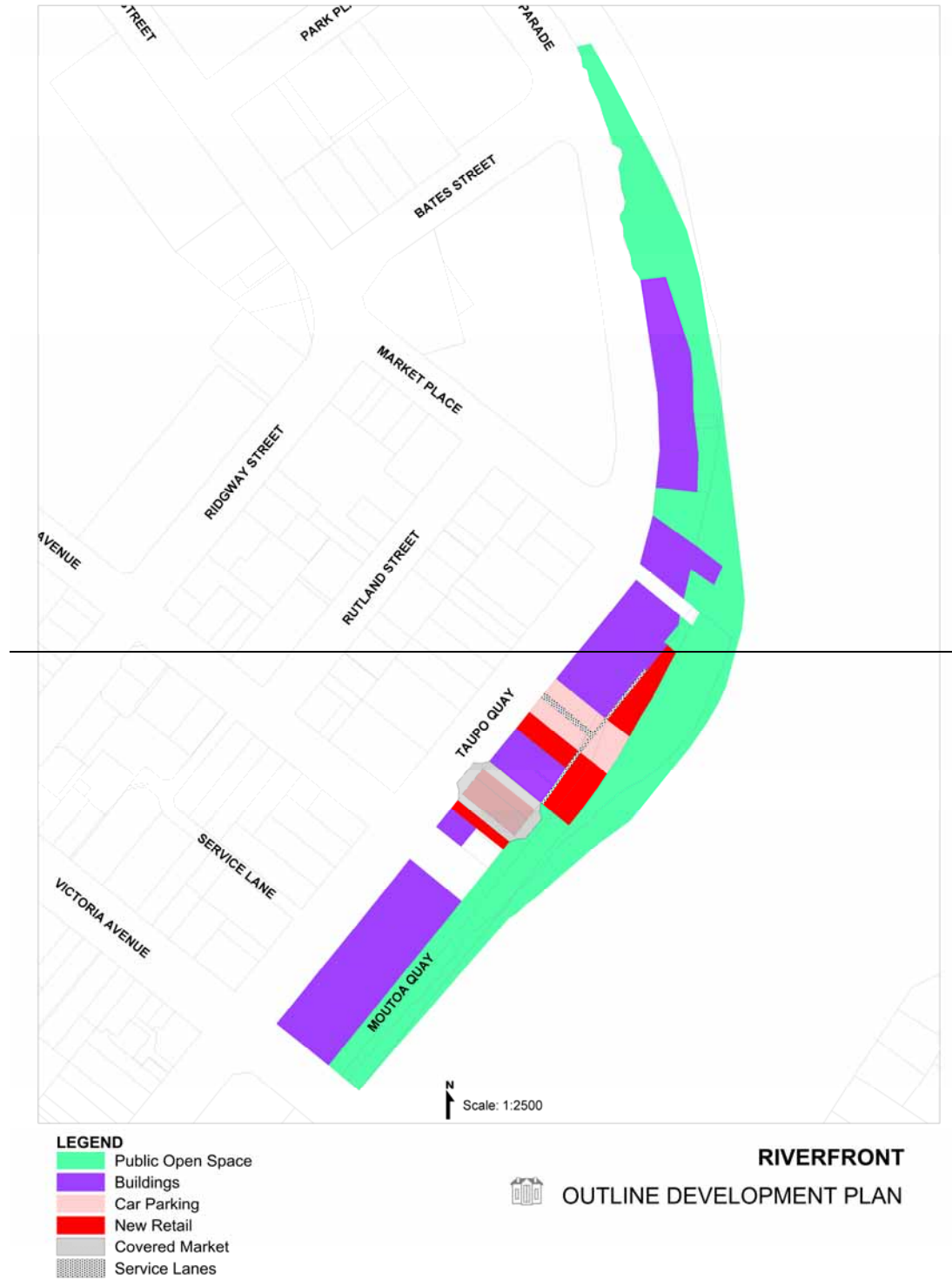
~~Every activity that adjoins a service lane shall provide one loading bay that complies with the loading bay standards in General Rule—Transportation (Rule R24).~~

***Reason***

~~To ensure traffic flow is not impeded by service vehicles.~~

**~~Riverfront Outline Zone Map~~**

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## **APPENDIX TWO: Minutes to meeting of WDC held on 21 November 2011 (Text changes relating to Plan Changes 20 and 21)**

### **Z18 Riverfront Zone**

Zoning is a technique for managing the effects of activities and for maintaining or creating the places that the community value. By identifying the characteristics that combine to make a place successful, the zones guide development. Important characteristics in the Riverfront Zone are:

- a. Visual and physical connections with the Whanganui River;
- b. Riverbank shared pathway connection;
- c. Connects to Moutoa Gardens/Pakaitore, Queens Park/Pukenamu, and the central city;
- d. Commercial activities reliant on pedestrian movement;
- e. Public open space;
- f. Public open space is used for events and activities.
- g. The presence of heritage sites and buildings;
- h. Natural and cultural historic<sup>36</sup> heritage features;
- i. Good urban design;
- j. Central city limits are defined by the Whanganui River and three Parks and Gardens;
- k. Low speed vehicle movement;
- l. Higher levels of sound emitted from activities;
- m. Higher numbers of commercial signs;
- n. Lively street activity;
- o. Pedestrian oriented street layout, design, and quality;
- p. High number of pedestrians in the streets;
- q. Consolidated on-street and mid-block car parks;
- r. A range of transport options.

Accordingly, the plan adopts rules for the Riverfront Zone that attain or maintain the identified characteristics of the area.

### ***R222 Permitted Activities***

The following are permitted activities within the Riverfront Zone:

- a. Boutique retail activities with a maximum gross floor area of 200m<sup>2</sup>;
- b. Professional and administrative offices;
- c. Food and beverage outlets;
- d. Community activities;
- e. Manufacturing activities relating to the arts;
- f. Artists studios;
- g. Recreational activities and facilities;

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<sup>36</sup> Submission 28

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- h. Tourist facilities, excluding camping grounds and vehicle parking, other than vehicle parking provided by Wanganui District Council;
- i. Vehicle and cycle parking areas developed and managed by, or on behalf of, the Wanganui District Council;
- j. Network utilities as provided by General Rule – Utilities (Rule R15), which contains some exemptions from the zone rules for network utilities;
- k. Residential activities not located on the ground floor.

l. Visitor Accommodation<sup>37</sup>

m. Public open space; and<sup>38</sup>

n. Market activities<sup>39</sup>

which comply with the relevant zone rules and relevant permitted activity standards<sup>40</sup>.

### *R215 Noise*

Sound emissions from any activity when measured 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 sound is emitted, shall not exceed the following:

At all times 65 dBA L10

At all times L max: the lower of L95 background sound level plus 30dBA, or 80dBA

Sound emissions from any activity when measured at or within the boundary of any site in the Residential Zone, shall not exceed the following:

7am to 6pm 55 dBA L10

6pm to 7am 45 dBA L10 Lmax: the lower of L95 background sound level plus 30dBA, or 70 dBA

Where it is impractical to measure outside the building, measurements shall be made inside (with windows closed). Where indoor measurements are made, the noise limits stated above shall be reduced by 15dB.

Temporary activities such as sporting, recreational, entertainment, cultural or similar events and outdoor gatherings, with the prior approval of the territorial authority, are not subject to the noise standards stated in this rule. For such events Council will use its powers under the Act to ensure that the general duty under sections 16 and 17 to avoid unreasonable noise of activities on the environment are met.

The above noise standards shall not apply to temporary military training activities as these activities are subject to separate standards contained in the General Rules.

### *Reason*

*The noise rules seek to protect amenities between activities and to protect the amenities of residential and public space areas. In the Riverfront Zone the rule acknowledges that some temporary activities and events, approved by Council, may exceed the noise limits specified in the rule. While accepting that such events may occur from time to time, Council will nevertheless exercise its general duty under sections 16 and 17 of the Act.*

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<sup>37</sup> Submission 10

<sup>38</sup> Submission 14

<sup>39</sup> Submission 14

<sup>40</sup> Submission 14

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These conditions shall be read with and are subject to the provisions of Noise (Reference A4).

### ***R245 Residential Use***

#### 1. Residential use

##### a. Noise Insulation

Any habitable room in a building used for a Residential Activity within the Riverfront Zone shall be protected from noise arising from another site, either within the same building or outside the building by ensuring that the external sound insulation level achieves the following minimum performance standard:

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

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that:

- accords with the schedule of typical building construction set out in Noise (reference A4); or
- 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.

#### *Reason*

*Residential Activity in the Riverfront Zone is considered to be an activity that could be sensitive to the noise created by other permitted activities within the zone and in the adjoining zones.*

*To allow for residential activity in the Riverfront Zone, while at the same time ensuring that residential activity does not inhibit the other permitted activities that together create a vibrant active place.*

### ***R216 Lighting***

Car parks and associated pedestrian routes shall be lit at a minimum of 10 lux, measured in accordance with NZS CP22: 1962 and amendments.

#### *Reason*

*To ensure that potential night-time concealment and entrapment spaces are illuminated to reduce the potential hazard.*

### ***R223 Structures***

1. Within the Riverfront Zone, structures shall be required to meet the following conditions and terms:

#### a. Street Frontage

The front wall of all buildings shall be built up to the street boundary and have an active frontage to the street.

#### b. Side Boundaries

Buildings shall be built up to the side boundaries.

#### c. River Frontage

Buildings shall be designed to have an active frontage to the riverfront area.

#### *Reason*



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*Continuous building facades are important to the maintenance of a streetscape that promotes pedestrian movement. It is important that buildings in the Riverfront Zone address both the street and Riverfront Public Open Space. This will ensure that the riverfront is an active and desirable place, that is safe.*

### d. Building Height

**Building height shall be a maximum of 7.5 metres.<sup>41</sup>**

**i. Buildings with direct frontage to Taupo Quay shall have a maximum height of 13 metres.<sup>42</sup>**

**ii. Buildings that do not have direct frontage to Taupo Quay shall have a maximum height of 7.5 metres.<sup>43</sup>**

Height shall be measured to the top of the eaves or parapet.

### *Reason*

*To maintain the scale and amenity of the Riverfront Zone.*

### e. Passive Surveillance

Buildings with one or more walls along or facing, a street, a service lane, a designated car park, or public open space, shall have, in each of those walls, glazing or a balcony from a habitable room, retail display area, office, bar, or restaurant.

### *Reason*

*The provision of glazing in buildings that overlook public spaces provides passive surveillance to those public spaces, making the public space a safer place to be.*

### f. Flood Hazard Mitigation

New buildings and additions to buildings are required to be designed and constructed to either:

- i. be protected from inundation; or
- ii. be able to recover efficiently following inundation.

### *Reason*

*Alternative techniques for flood hazard mitigation must be used because conventional flood avoidance structures are considered inappropriate in the riverfront **area**<sup>44</sup>.*

## **R224 Parking, Loading and Access**

### 1. Parking

**i.** Vehicle parking is not permitted.

**ii.** **This rule does not apply to car parking that is required for a residential activity by Rule R24, which is accessed from a service lane.<sup>45</sup>**

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<sup>41</sup> Submission 10 & 26

<sup>42</sup> Submission 10 & 26

<sup>43</sup> Submission 10 & 26

<sup>44</sup> Submission 14

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### *Reason*

To encourage the Riverfront Zone to be built intensively, and to be developed in an integrated and comprehensive way.

#### 2. Loading and access

- i. Every activity that adjoins a service lane shall provide one loading bay that complies with the loading bay standards in General Rule – Transportation (Rule R24).
- ii. This rule does not apply to car parking that is required for a residential activity by Rule R24, which is accessed from a service lane<sup>46</sup>.

### *Reason*

To ensure traffic flow is not impeded by service vehicles.

#### **R246 Market Activities<sup>47</sup>**

Market activities within the Riverfront zone shall comply with the following permitted activity conditions:

- a. Operate only between 7.00am and 2.00pm on Saturdays, and
- b. Operate only in the land bounded by Moutoa Quay, Drews Avenue and Taupo Quay, and
- c. Comply with all other relevant rules for the Riverfront zone.
- d. Market activities ancillary to temporary activities such as sporting recreational, entertainment, cultural or similar events and outdoor gatherings, with prior approval of the territorial authority, are not subject to standards (a) and (b) above.

#### **R219 Controlled Activities**

1. The following activities are controlled activities in the Riverfront Zone:
  - a. Subdivision.

#### **R220 Restricted Discretionary Activities**

1. The following are restricted discretionary activities in the Riverfront Zone:
  - a. Any permitted or controlled activity which does not comply with the relevant zone rules. In exercising its discretion, the Council shall be limited to the conditions with which that activity fails to comply.
  - b. Market activities that do not comply with the permitted activity conditions specified in Rule 246, or any other relevant zone rules.
  - c. Any activity which does not comply with the standard for advertising. In exercising its discretion the Council will be restricted to the following matters:
    - i. The location and size of the sign in relation to the surrounding environment.
    - ii. The design and appearance of the sign.
    - iii. The effects of the sign on the movement of people and goods.

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<sup>45</sup> Submission 21 & 26

<sup>46</sup> Submission 21 & 26

<sup>47</sup> Submission 14

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- iv. The nature and content of the sign and whether it is to be illuminated. Flashing signs shall not be permitted.
- v. The nature, size and number of other signs in the immediate environment.
- vi. The effect of the sign, which does not relate to the activity undertaken on the site, on the identification of the activity undertaken on the site.

The General Rule – Advertising (Rule R16) shall apply.

### ***R221 Non-complying activities***

The following are non-complying activities in the Riverfront Zone:

- a. Manufacturing activities, other than as provided for as a permitted activity.
- b. Vehicle sales.
- c. Visitor accommodation.
- ~~d. Any activity that does not comply with the Riverfront Outline Plan.<sup>48</sup>~~
- e. On-site vehicle parking. Other than car parking that is required for a residential activity by Rule R24, which is accessed from a service lane.<sup>49</sup>
- ~~f. Any building that, due to inadequate maintenance, has an external appearance detracting from amenity values or neighbourhood character.<sup>50</sup>~~
- g. Any site that, due to inadequate maintenance, or the presence of structures or vehicles or other materials or property, detracts from amenity values or neighbourhood character.<sup>51</sup>
- h. Any other activity which is not provided for as a permitted, controlled or restricted discretionary activity.

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<sup>48</sup> Submission 14

<sup>49</sup> Submission 26

<sup>50</sup> Submission 14

<sup>51</sup> Submission 14