

**Wanganui District Council
District Plan Review**

Section 32 Report

**Phase Two – Neighbourhood
Commercial**

PROPOSED ISSUES Neighbourhood Commercial

Issue 39 - Under-utilised neighbourhood commercial centres can impact on amenity values including a sense of safety within the surrounding residential environment.

Issue 40 - Neighbourhood commercial centres can adversely impact on surrounding residential neighbourhoods in terms of visual amenity, noise, traffic volumes, and pedestrian safety. This can conflict with the desire to have neighbourhood facilities close by within easy access of where people live.

Comment

Commercial activities serving the neighbourhood and clustered within a residential environment have the potential to impact on residential amenity values and activities. Adverse effects may result from increased traffic volumes, an increase in the volume and change in the type of noise; and differences in the design and densities of the built environment. Activities within these areas need to be managed in terms of scale, character and intensity to ensure they contribute positively to the vibrancy and sense of community within the surrounding residential area.

In some localities, Neighbourhood Commercial zoned property is under-utilised, with empty shops resulting in a general loss of amenity and sense of safety. A permissive approach to home occupations and commercial activities in the Residential zone may impact on the vibrancy or neighbourhood commercial areas.

Proposed Issue	Relates to Existing Issue/s
Issue 5	Issue 12 (items 2e)
Issue 6	Issue 12 (items 2e)

PROPOSED OBJECTIVE 36

Safe, convenient, vibrant and compact neighbourhood commercial centres designed and operated to complement the character and amenity of the surrounding Residential zone and that encourage community interaction.

Comment	The objective identifies that commercial areas must be designed to complement the residential environment and by design and land use activities facilitate community engagement. This addresses a Wanganui specific issue where possibly too much land has been developed for commercial purposes.
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Appropriateness	The proposed objective is responsive to the consultation feedback from the community. As the commercial centre of the city is very accessible, there is a need to carefully manage the provision of commercial zones in the suburbs. This objective clearly articulates the purpose of commercial centres within neighbourhoods, as distinct from the city centre. It is relevant and useful as it gives clear direction for policy and methods to follow. It is reasonable as it provides a clear direction and criteria for decision making around design and function of commercial activities and structures.
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Proposed objective	Relates to Existing Objective/s
Objective 3	Generically covered by O1 & O2, New objective

POLICIES

The following existing policies are amended as part of Phase Two of the District Plan review process as follows:

P11	<p>To define commercial areas where the following characteristics are maintained:</p> <ul style="list-style-type: none"> a. a predominance of pedestrian oriented retail and office activities, with continuous verandah and retail frontage at ground level, in a compact central commercial area; b. 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; c. protection for the amenity values of neighbouring residential areas; d. safe urban design (including pedestrian and vehicle safety); e. retention of natural and cultural heritage features; f. vibrant commercial areas. <p>The <i>Council</i>* seeks to provide for pedestrian and motor vehicle access to the central core of the city while encouraging sites to be intensively built up. In the Central Commercial Zone, <i>Council</i>* will provide on and off-street parking to service the zone in a co-ordinated way that encourages stopping but maintains a high level of visual amenity. In the Outer Commercial Zone, developments require their own off-street parking.</p>
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Comment	Text relating specifically to Neighbourhood Commercial zones have been removed from this policy and covered in P88.	
summary of benefits	Having a specific policy relating to individual zone will create better understanding and guidance. Therefore the removal of the text relating to neighbourhood commercial centres will allow for a specific Neighbourhood Commercial zone policy to be created.	
summary of costs	There will be minimal cost of the removal of this text as all aspects will have been included in p88.	
Effectiveness	This policy has been operative in the current District Plan and had been effective in the past; therefore it will continue to be effective.	
Efficiency	The removal of this text is efficient as it creates more precise guidance for decision makers.	
Appropriateness	The removal of this text is appropriate as it creates more precise guidance for decision makers.	
Risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods	There will be minimal risk.	

P88 To define a Neighbourhood Commercial Zone where the following characteristics are maintained:

- a. a predominance of low-rise *commercial activities** which serve the local within the surrounding Residential zoned area ;
- b. design of neighbourhood commercial areas enhance safety by implementing CPTED principles
- c. encourage compact built design of neighbourhood commercial centres that are conveniently located to the surrounding residential area;
- d. pedestrian safety and convenience predominates;
- e. Adequate provision is made to accommodate vehicle access, safe and convenient traffic flow within the site and adequate shared onsite parking;
- ~~d.~~ f. vibrant commercial areas-spaces that encourage community interaction;
- g. Natural and cultural heritage features are valued and protected
- h. recognise streetscape as having high public value; and
- i. address the effects at the zone boundaries* from noise, light spill, vibration, visual amenity and advertising

Comment	This policy focuses specifically on Neighbourhood Commercial areas. This policy captures the neighbourhood commercial specifics from policy 11.	
summary of benefits	This will allow for ease of traffic flow and provision of parking within the site. A predominates of pedestrian convenience and safety, and ensure that neighbourhood commercial areas complement the surrounding residential area.	
summary of costs	Potentially more cost to the developer as requirements to include urban design and amenity of the residential area is strengthened in the reviewed policy.	
Effectiveness	This policy is efficient as it creates more precise guidance for decision makers to achieve the objectives.	
Efficiency	Over time the benefit of this policy will out weigh cost by minimising adverse effects related to neighbourhood commercial centres.	
Appropriateness	This policy is appropriate as it creates more precise guidance for decision makers.	
Risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods	There will be minimal risk.	

RULES AND OTHER METHODS

The following methods have been identified as being suitable for achieving the relevant objectives and policies for the Residential Phase of the Plan Review.

Rules

The following outlines proposed changes to rules for the Neighbourhood Commercial zone. Some of the rules will remain unchanged. These rules have proven to be effective in the past in achieving the relevant objectives and policies and it is anticipated that they will continue to do so in the future.

<p>R53 Permitted Activities Rules Number: R53 Existing DP Number 15.4</p> <hr/> <p><u>All activities shall comply with Performance Standards and General Rules where relevant.</u></p> <p>The following are permitted activities in the Neighbourhood Commercial Zone:</p> <p>a. Commercial Activities</p>

<ul style="list-style-type: none"> b. Residential Activities. c. Community activities d. Reserves and open space. e. Network utilities as provided by General Rule – Utilities (Rule R15) 	
Comment	No proposed changes to the content of this rule, only the format. This format provides clarity and easy of use.
Benefits	This rule provides certainty to what activities are acceptable in the Neighbourhood Commercial Zone.
Costs	This will be minimal costs as there is nothing being removed. There are some aspects that are being reworded; however, they capture the integrity of the rule.
Effectiveness	This rule is currently operative within the District Plan which has been effective in achieving objectives in the past and will continue to be in the future.
Efficiency	This rule is currently operative within the District Plan which has been efficient in achieving objectives in the past and will continue to be in the future.
Appropriateness	This rule is considered appropriate, the principal alternative is to not have rules and use non-regulatory methods to encourage land use patterns that achieve the objectives.

<p>R67 Discretionary activities Rules Number: R67 Existing DP Number 15.6.2</p> <hr/> <p>The following activities are discretionary activities in the Neighbourhood Commercial Zone:</p> <ul style="list-style-type: none"> a. Manufacturing. b. Commercial parking lots and parking buildings. c. Vehicle sales. d. Network utilities as provided by General Rule – Utilities (Rule R15). e. Any other activity which is not provided for as a permitted or restricted discretionary activity.

<u>Refer to Resource Consent Assessment Criteria.</u>	
Comment	No proposed changes to the content of this rule, only the format. This format provides clarity and easy of use.
Summary of benefits	This rule provides certainty to what activities need to be managed within the Neighbourhood Commercial zone.
Summary of Costs	This will be minimal costs as there is nothing being removed. There are some aspects that are being reworded; however, they capture the integrity of the rule.
Effectiveness	This rule is currently operative within the District Plan which has been effective in achieving objectives in the past and will continue to be in the future.
Efficiency	This rule is currently operative within the District Plan which has been efficient in achieving objectives in the past and will continue to be in the future.
Appropriateness	This rule is considered appropriate.

R66 Restricted discretionary activities

Rules Number: R66

Existing DP Number 15.6.1

The following are restricted discretionary activities in the Neighbourhood Commercial Zone:

a. Subdivision*.

Council shall restrict its discretion to the following matters:

1. Impact on the residential zone amenity values
2. Impact on parking provisions and traffic flows

b. Any permitted activity which does not comply with a Neighbourhood Commercial zone performance standard

Council restricts its discretion to the following matter:

1. The effect of the particular non-compliance on the environment, including the cumulative or combined effect of non-compliances.

2. Any activity which does not comply with the standard for advertising

Council shall restrict its discretion to the following matters:

1. The location and size of the sign in relation to the surrounding environment.
2. The design and appearance of the sign.
3. The effects of the sign on the movement of people and goods.
4. The nature and content of the sign and whether it is to be illuminated, provided that flashing signs shall not be permitted.
5. The nature, size and number of other signs in the immediate environment.

Refer to Resource Consent Assessment Criteria.

Comment	Subdivision has been added to this rule.
Summary of benefits	This allows for greater control on subdivision within the area.
Summary of Costs	If a subdivider wants a smaller lot they will need to apply for resource consent.
Effectiveness	This will guide decision makers in achieving the objectives of the Plan.
Efficiency	This is an efficient way to achieve the objectives of the Plan.
Appropriateness	This is an appropriate rule.

R65 Controlled Activities Rules Number: R65 Existing DP Number 15.5	
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Comment	This rule has been removed as Subdivision has been

	moved to a Restricted Discretionary activity.
Summary of benefits	This allows for constancy between all zones.
Summary of Costs	There will be no cost as this rule is covered under Restricted Discretionary activity.
Effectiveness	This allows for constancy between all zones.
Efficiency	This allows for constancy between all zones.
Appropriateness	The removal of this rule is considered appropriate.

R54 Noise

Rules Number: R54

Existing DP Number 15.4.1

Sound emissions from any activity when measured on any land zoned for residential purposes shall not exceed the following:

7am to 6pm 55 dBA L10

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

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).

Rule 54 shall be read with and are subject to the provisions of Appendix A4 - Noise.

Comment	Removal of reason is the only change to this rule, it is not needed.
Summary of benefits	This standard will provide flexibility while allowing a reasonable level of amenity for the adjoining property.
Summary of Costs	As no aspect of the rule, other than the unnecessary reason statement, is being removed there will be no cost from this rule.
Effectiveness	This rule is currently operative within the District Plan which has been effective in achieving objectives in the past and will continue to be in the future.
Efficiency	This rule is currently operative within the District Plan which has been efficient in achieving objectives in the

	past and will continue to be in the future.
Appropriateness	This rule is considered appropriate.

R55 Light and Glare

Rules Number: R55

Existing DP Number 14.5.2

a. Artificial lighting system shall not result in increased luminance in excess of 8 lux in the measured ambient level in the vertical plane at the windows of any residential building in the Residential and Coastal Residential Zones.

b. No light source shall cause glare which may adversely affect the vision of motorists on a road.

Comment	Removal of reason is the only change to this rule, it is not needed.
Summary of benefits	This standard will provide flexibility while allowing a reasonable level of amenity for the adjoining property.
Summary of Costs	As no aspect of the rule, other than the unnecessary reason statement, is being removed there will be no cost from this rule.
Effectiveness	This rule is currently operative within the District Plan which has been effective in achieving objectives in the past and will continue to be in the future.
Efficiency	This rule is currently operative within the District Plan which has been efficient in achieving objectives in the past and will continue to be in the future.
Appropriateness	This rule is considered appropriate.

R56 Vibration

Rules Number: R56

Existing DP Number 15.4.3

No activity shall cause a vibration considered offensive or objectionable.

In assessing whether vibration is offensive or objectionable, the limits set in NZS 2631: 1985-1989, Parts 1 - 3 shall apply.

Comment	Removal of reason is the only change to this rule, it is not needed.
Summary of benefits	This standard will provide flexibility while allowing a reasonable level of amenity for the adjoining property.
Summary of Costs	As no aspect of the rule, other than the unnecessary reason statement, is being removed there will be no cost from this rule.
Effectiveness	This rule is currently operative within the District Plan

	which has been effective in achieving objectives in the past and will continue to be in the future.
Efficiency	This rule is currently operative within the District Plan which has been efficient in achieving objectives in the past and will continue to be in the future.
Appropriateness	This rule is considered appropriate.

R57 Air Discharge
Rules Number: R57
Existing DP Number 15.4.4

Note: There are no District Plan standards for air discharges. Discharges to air are controlled by regional councils. The Wanganui District Council has been authorised by the Manawatu-Wanganui Regional Council to exercise all powers and functions of Enforcement Officers for the purpose of investigating complaints about the discharge of contaminants to air within the boundary of the Wanganui urban area. Persons responsible for causing discharges to air should consult Wanganui District Council or Manawatu-Wanganui Regional Council staff about provisions in the Regional Air Plan for Manawatu-Wanganui. Furthermore, it should be noted that Section 17 of the Resource Management Act imposes a duty on all persons to avoid, remedy or mitigate adverse effects, including those relating to odour, dust and smoke, regardless of any rules in plans or conditions of resource consents.

Comment	This rule has been removed as it is not controlled under the District Plan.
Summary of benefits	This rule has been removed as it is not controlled under the District Plan.
Summary of Costs	This rule has been removed as it is not controlled under the District Plan.
Effectiveness	This rule has been removed as it is not controlled under the District Plan.
Efficiency	This rule has been removed as it is not controlled under the District Plan.
Appropriateness	The removal of this rule is considered appropriate as it is not controlled under the District Plan.

61 Residential Use
Rules Number: R61
Existing DP Number 15.4.6

a. The street frontage of the ground floor of a building to a depth of 6m shall not be used for residential purposes.

b. Noise Insulation

Any habitable room* in a building* used for a Residential Activity*

shall meet the following requirements

Noise in Habitable rooms at all times shall not exceed 35 dBA L10.

If this standard can not be meet with doors and windows open then forced air ventilation or air-conditioning is required.

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

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

Comment	Noise insulation has been added to this rule.
Summary of benefits	This standard will provide flexibility while allowing a reasonable level of amenity for the adjoining properties and protection from noise of commercial activities, and reducing reverse sensitivity.
Summary of Costs	There will be added cost to the developer to include the noise insulation requirements into the building.
Effectiveness	This rule is effective as it will reduce reverse sensitivity within the Neighbourhood Commercial zone and allow for mix use without compromising the ability of activities to meet their needs.
Efficiency	This rule is effective as it creates the possibility for residential use without compromising the ability of activities to meet their needs.
Appropriateness	This rule is considered appropriate to reduce negative effects and reverse sensitivity within the Neighbourhood Commercial zone.

R62 Structures
Rules Number: R62
Existing DP Number 15.4.7

Within the Neighbourhood Commercial Zone, structures shall comply with the following:

- a. Maximum Building Height

Building height shall not exceed 10 metres. Except that the standard shall not apply to supporting structures such as masts and poles providing that, above 10 metres in height, they have a maximum horizontal dimension of 0.7 metres (excluding aerials and antennas).

b. Yards and day lighting

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 at any site boundary which adjoins a Residential Zone, and then projects from this line inwards at a 45 degree angle.



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

- i. Network utility masts, poles and antennas.
- ii. Flagpoles.

<ul style="list-style-type: none"> iii. Signs. iv. Chimneys. v. Wires. vi. Television and radio antennas and support structures. vii. Vertical ventilation shafts. <p>f. Antenna dishes</p> <p style="padding-left: 40px;">Antenna dishes shall not exceed 1.2 metres in diameter.</p>	
Comment	All rules and text relating to the Outline Development Plans have been removed in order to remove the Outline Development Plans from the District Plan. There is a lack of guidance around the purpose and function of these plans and development can be better controlled through rules within the District Plan. The antenna dish size has also been reduced to reflect modern antenna sizes.
Summary of benefits	The removal of the Outline Development Plans will allow for more certainty around development within the Neighbourhood Commercial zones through rules. Reducing antenna size protects the amenity value of the sounding area.
Summary of Costs	As there is no guidance around the Outline Development Plans the removal of these are perceived to have minimal cost. There will be a cost of recourse consent if someone wishes to install an antenna which is larger than 1.2 meters in diameter.
Effectiveness	The use of rules instead of Outline Development Plans will be more effective as they create certainty for all users. The change in antenna size is effective in achieving the Plans Objective.
Efficiency	The existing Outline Development Plans do not have any policies or objectives to support them, this makes it difficult to regulate. Rules will be more efficient. The change in antenna size will be efficient in achieving our objectives.
Appropriateness	This is appropriate as it creates clarity around what is acceptable development within the Neighbourhood Commercial zone. The antenna size

	change is appropriate.

R63 Parking, loading and access

Rules Number: R63

Existing DP Number 15.4.8

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

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

Comment	All rules and text relating to the Outline Development Plans have been removed in order to remove the Outline Development Plans from the District Plan. There is a lack of guidance around the purpose and function of these plans and development can be better controlled through rules within the District Plan.
Summary of benefits	The removal of the Outline Development Plans will allow for more certainty around development within the Neighbourhood Commercial zones through rules.
Summary of Costs	As there is no guidance around the Outline Development Plans the removal of these are perceived to have minimal cost.
Effectiveness	The use of rules instead of Outline Development Plans will be more effective as they create certainty for all users.
Efficiency	The existing Outline Development Plans do not have any policies or objectives to support them, this makes it difficult to regulate. Rules will be more efficient.
Appropriateness	This is appropriate as it creates clarity around what is acceptable development within the Neighbourhood Commercial zone.

R64 Advertising

Rules Number: R64

Existing DP Number 15.4.9

a. Total sign face area for a sign or combination of signs, per activity, must not exceed 4.5m².

<p>b. Advertising is subject to General Rule – Advertising (Rule R16) and, in relation to illuminated signs, to the standard in Rule R55 - Light.</p>	
Comment	The reasons have been removed from this rule as they are not needed. The total sign face are of 4.5m ² has been included.
Summary of benefits	This standard will provide flexibility while allowing a reasonable level of amenity for the adjoining property.
Summary of Costs	There will be minimal cost as signage is optional.
Effectiveness	This is effective as it helps protect the amenity value of the surrounding area.
Efficiency	This is efficient as will help guide decision makers to achieve the Plans objectives.
Appropriateness	This rule is considered appropriate.

<p>R60 Hazardous Substances Rules Number: R60 Existing DP Number 15.4.5</p>	
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Comment	This rule has been removed as it is not controlled under the District Plan.
Summary of benefits	This rule has been removed as it is not controlled under the District Plan.
Summary of Costs	This rule has been removed as it is not controlled under the District Plan.
Effectiveness	This rule has been removed as it is not controlled under the District Plan.
Efficiency	This rule has been removed as it is not controlled under the District Plan.
Appropriateness	The removal of this rule is considered appropriate.

Methods Other Than Rules

<p>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.</p>	
Comment	This is an existing method with in the operative District Plan.
Summary of benefits	This will allow for rule based regulation that has been successful in the operative District Plan.

Summary of Costs	There will be minimal cost as this method is already in the operative District Plan.
Effectiveness	This method has been effective in the operative District Plan and will continue to be so.
Efficiency	This method has been efficient in the operative District Plan and it will continue to be so.
Appropriateness	It is appropriate that this stays with the Plan as it is a key element to a functional District Plan.

M272 To adopt rules for the Neighbourhood Commercial Zone that:	
Comment	This method was written more like a policy; therefore, it has been removed and incorporated into a policy.
Summary of benefits	The putting this method into a policy allows for a more comprehensive flow throughout the District Plan.
Summary of Costs	There will be minimal cost as nothing is being removed from the plan.
Effectiveness	As a policy this will guide decision makings to achieve the objective.
Efficiency	This will have greater benefit as a policy in achieving the objective; therefore, it is efficient.
Appropriateness	This is appropriate as a policy as it will better achieve the objectives of the Neighbourhood Commercial zone.

M300 Regulation.	
<p style="text-align: center;">a. Develop and actively enforce rules that will achieve our objectives.</p> <p style="text-align: center;">b. Identify a Neighbourhood Commercial Zone.</p>	
Comment	This is a completely new method.
Summary of benefits	This allows for a more comprehensive flow throughout the District Plan.
Summary of Costs	There will be minimal cost.
Effectiveness	This method creates the ability to identified and attach rules to Neighbourhood Commercial zones and achieve enforce them to achieve the Plans objective.
Efficiency	This is the most efficient way to achieve the Plans objectives.
Appropriateness	This method is considered appropriate.

