

Proposed District Plan Change 1 – Business and Commercial Activity Areas

The main features of this proposed District Plan Change which include amendments and additions to Issues, Objectives, Policies and Rules are:

- (a) Trading Warehouses are to be Restricted Discretionary Activities in the General Business Activity Area;
- (b) Retail Activities with a minimum gross floor area of 2,000m² and a maximum gross floor area of 5,000m² are to be Restricted Discretionary Activities in the General Business Activity Area;
- (c) Retail Activities not listed as Permitted, Controlled, or Restricted Discretionary Activities are to be Discretionary Activities in the General Business Activity Area;
- (d) A new activity area, the Development Commercial Activity Area, is proposed. This Activity Area will be able to be applied through the procedures in the Resource Management Act 1991 for a proposed District Plan Change and will cater for comprehensively designed retail and commercial activities; and
- (e) In the Central Commercial Area delete references in 5A 2.1.1(g) to recreation activity areas.

Changes to Chapter 1 – Introduction and Scope of the Plan

Chapter 1, “ 1.10.2 Amenity Values”

1. **Add** to “Commercial Activity Areas” the following:

“ Commercial Development Activity Area”

“This Activity Area provides for the integrated establishment of large-scale commercial activities which are designed on a comprehensive basis. It provides a mechanism for a comprehensive approach for new commercial development to occur on land currently not classified for commercial activity. As development will be planned on a comprehensive and integrated basis there will be a high level of amenity values, both pedestrian and visual, within the activity area and at the activity area interface.”

2. **Delete** last sentence of paragraph in the General Business Activity Area - “These areas tend to have different character during the week than at weekends when the areas are often empty of activity and people” and **Replace** with the following text - “These areas are changing in character as a wider range of commercial and

retail activities are being established leading to more activity and people at the weekends.”

Chapter 1, “ 1.10.4 Commercial Activity”. Insert new provisions by making the following amendments:

- 3. Delete** “1.10.4 Issue” and replace with the following text:

“1.10.4 Issue

To ensure that commercial activities are located to meet community and business needs.

- 4. Delete** “1.10.4 Objective – To promote integrated commercial centres as community focal points” and **Replace** with the following:

“1.10.4 Objective

To ensure that commercial activities occur in a manner where adverse effects on the environment can be managed, controlled or mitigated.”

- 5. Delete** from “1.10.4 Policies” the following policies “(a) Commercial activities should be located in a manner that enables integrated commercial centres to be developed”, and “(c) To minimise vehicle generation and to promote safe and efficient movement” and **Replace** with the following new policies:

“1.10.4 Policies

(a) To ensure that commercial activities are located in areas to meet community needs and provide new opportunities in a manner where adverse effects on the environment can be managed, controlled or mitigated.

(c) To ensure that adverse effects on the transport network are avoided, remedied or mitigated.”

- 6. Delete** all of the “1.10.4 Explanation and Reasons and **Replace** with the following new text:

“1.10.4 Explanation and Reasons

Commercial activity and development is dynamic and subject to constant change. More than any other activity in the City the direction and location of commercial activities are likely to change. It is necessary to have increased flexibility in the Plan to cater for such changes in direction and location.

The Plan seeks to facilitate and manage new developments in a flexible manner and provides opportunities for new activities to establish in response to community and business needs and to meet changes in technology, economic, social and demographic conditions while at the same time avoiding, remedying or mitigating significant adverse effects on the environment.

To ensure that significant adverse effects are avoided, remedied or mitigated, new developments over a specified scale will be assessed.”

Changes to Chapter 5 – Commercial

Chapter 5, “Commercial”. Insert new provisions by making the following amendments:

7. Delete “Introduction” and Replace with the following text:

“Introduction

Commercial centres around the City provide the community with the ability to obtain the goods and services they require to meet their needs. Such goods and services can be obtained from a number of locations and the Plan provides for the following activity areas:

- (a) Central Commercial;
- (b) Petone Commercial;
- (c) Suburban Commercial;
- (d) Special Commercial; and
- (e) Development Commercial.

The above activity areas provide for a wide range of retail and commercial activities. The Plan recognises that retail and commercial activities are dynamic and subject to constant change and that a flexible approach is required to meet the needs of residents and provide development opportunities for the business sector but at the same time ensures that adverse effects on the environment are avoided, remedied or mitigated.”

8. Add the following new text after the “Special Commercial Activity Area”:

“ (e) Development Commercial Activity Area

This Development Commercial Activity Area provides for the integrated establishment of large-scale commercial activities which are designed on a comprehensive basis. It provides a mechanism for comprehensive and large-scale new commercial development to occur on land currently not classified as commercial activity. Special attention is paid to ensure that high quality amenity values can be achieved both within the activity area and the interface.

The Development Commercial Activity Area has been designed to be applied only after a comprehensive development proposal has been tested through the Plan Change procedures and Council will assess each proposal against specified criteria. “

Chapter 5A, “Central Commercial Activity Area”. Make amendments to the following:

- 9.** **Delete** from 5A 1.2.5 heading, Issue, Objective, Policy and Explanation and Reasons the word “recreation” and make any necessary consequential amendments.
- 10.** **Delete** from 5A 2.1.1 Permitted Activity – Conditions (g) the word “Recreation” and make any necessary consequential amendments.

Chapter 5E, “Development Commercial Activity Area.”

- 11.** **Add** a new Chapter 5E “Development Commercial Activity Area” as follows:

“5E Development Commercial Activity Area

5E 1. Issues, Objectives and Policies

5E1.1 Local Area Issues

5E1.1.1 Provision of Comprehensively Planned Commercial Activities

Issue

In the Development Commercial Activity area provision is made for the establishment and operation of large-scale and comprehensively planned commercial and retail developments but at the same time ensures that adverse effects on the environment are avoided, remedied or mitigated.

Objectives

- (a) To provide for the establishment and operation of large-scale and comprehensively planned commercial centres and ensure that adverse effects

on the environment and the amenity values of the area are managed and controlled.

- (b) To achieve a high degree of visual and pedestrian amenity in the comprehensive commercial development.

Policies

- (a) By providing an activity area which can be applied, where needed to suitable sites for large-scale and comprehensive commercial development.
- (b) By requiring that large-scale and comprehensive commercial development meet certain specified criteria to ensure that adverse effects on the environment are no more than minor.
- (c) By requiring a high standard of external design and appearance of buildings and structures, landscaping of site and boundaries and the provision of appropriate pedestrian facilities.

Explanation and Reasons

The Development Commercial Activity Area provides for the integrated establishment of large-scale commercial activities which are designed on a comprehensive basis. It provides a mechanism for a comprehensive approach for new commercial development to occur on land currently not classified for commercial activity. It is recognised that commercial activity and development is dynamic and subject to constant change. It is important that opportunities are provided and that the Plan should be flexible enough to cater for such changes while at the same time ensuring that effects on the environment are managed and controlled.

The Development Commercial Activity Area has been designed to be applied only after a comprehensive development proposal has been tested through the Plan Change procedures. Criteria are specified to assess whether the proposed development is in accordance with the objectives and policies.

5E 2 Plan Change Request

5E 2.1 Process

A request for Plan Change should follow the statutory process set down in the First Schedule of the Resource Management Act 1991. The request must be supported by a comprehensive plan (the Development Plan) detailing the proposed development and the arrangement of activities on the site. In addition the development plan and supporting documentation

should demonstrate that the proposed development satisfies the criteria specified below.

Following assessment of the development plan and supporting information, the Council will derive a Concept Plan and a set of rules which will apply and be included in the District Plan. The Concept Plan and rules will specify:

- (a) The activities which will occur in the development;
- (b) The arrangement and location of buildings and activities on the site;
- (c) All site development conditions; and
- (d) If necessary and appropriate, allocate specific activities to selected parts of the site.

All development must adhere to the Concept Plan and rules.

5E2.2 Criteria for Plan Change Request

In assessing a request for a Plan Change for a Development Commercial Activity Area, Council will consider the proposal to determine the effects on the environment and the assessment shall include the following:

- (a) Whether the site is of sufficient size to enable the activity to establish together with the associated areas of parking, open space and landscaping.
- (b) The separation of the activity from adjoining non-business and commercial activities (particularly residential activities) by the inclusion of suitable buffer areas/yards or screening.
- (c) The shape and topography of the site should be suitable for the intended purpose.
- (d) The site must be capable of sustaining the infrastructural servicing needs (such as stormwater, roading, wastewater etc). Where the existing infrastructure cannot sustain the new development, the proposal must demonstrate an ability to meet its own servicing needs.
- (e) Effects on the transport network.
- (f) The provision of car and cycle parking, property access and manoeuvring, loading and unloading, and pedestrian facilities.

- (g) Economic and social effects on the community and the viability and vitality of existing commercial centres in the City.
- (h) The external appearance and design of buildings and structures.
- (i) Effects on amenity values including noise and amount of earthworks carried out.

5E 3 Anticipated Environmental Results

- (a) The Development Commercial Activity Area will provide flexibility for large and innovative development to occur while ensuring that proper consideration of effects of such development occurs.
- (b) Development will be designed on a comprehensive and co-ordinated manner to ensure that a high level of amenity values will be achieved."

Chapter 6 - Business

Chapter 6 - "Business". Insert new provisions by making the following amendments:

- 12. Amend "Introduction" by **Deleting** the words "some commercial" from the first sentence and **Replace** with the words "large format retail, commercial .."**
- 13. Amend " General Business Activity Area" by **Deleting** the word "certain commercial" in the first sentence of paragraph one and **Replace** with the words "large format retail, commercial.."**
- 14. Amend "General Business Activity Area" by **Deleting** the third paragraph and replace with the following text:**

"The General Business Activity Area also accommodates large format retail and commercial activities. These activities are appropriate in this activity area due to the nature of the effects that arise such as noise and traffic generated. In addition large sites are more readily available in the General Business Activity Area than in existing commercial centres and it is necessary to meet the dynamic and changing needs of the retail and commercial sectors. As there are appropriate controls the overall effects on the environment, including the viability and vitality of existing commercial areas, will be no more than minor. "

Chapter 6A - General Business Activity Area

- 15. Delete 6A 1.1.1 " Issue, Objective, Policies and Explanation and Reasons" and **Replace** with the following text:**

“6A1.1.1 Accommodation of a Mix of Activities

Issue

A mix of activities should be accommodated to meet community and business sector needs. Industrial activities, as well as a range of non-industrial activities, including large format retail and commercial activities, are appropriate. In accommodating this mix of activities it is necessary to ensure that adverse effects on the environment, including reverse sensitivity and amenity values effects, are avoided, remedied or mitigated. “

“Objective

To accommodate a mix of industrial and non industrial activities, including large format retail and commercial activities, in a manner that adverse effects on the receiving environment are avoided, remedied or mitigated.”

“Policies

- (a) Accommodate a mix of industrial and non-industrial activities, including large format retail and commercial activities, to meet community and business sectors needs.
- (b) That the accommodation of non-industrial activities, including large format retail and commercial activities and commercial recreation, avoids or mitigates adverse effects on the amenity values of the area and the environment.
- (c) That reverse sensitivity matters are taken into account in accommodating a mix of industrial and non-industrial activities.”

“Explanation and Reasons

A wide range of industrial and non-industrial activities are accommodated to meet community and business sector needs. Non-industrial activities accommodated include large format retail activities, commercial activities and commercial recreation activities such as indoor sports complexes, go-kart racing and tenpin bowling alleys. These activities are accommodated in a manner that adverse effects on the environment, including amenity values and reverse sensitivity effects, are avoided, remedied or mitigated.

Those commercial activities which provide a local service for the work force are also accommodated. These activities include restaurants, dairies, takeaway bars, day care centres and crèches.

The range of non-industrial activities accommodated also include training facilities, conference centres, places of assembly and places of worship. These activities are provided for where the potential generated effects do not have an adverse effect on the amenity values of the area and the environment. "

16. Add to Rule 6A 2.3 "Restricted Discretionary Activities" the following:

"(h) Trading warehouses.

(i) Retail activities with a minimum gross floor area of 2,000m² and a maximum of 5,000m² provided that such retail activities are undertaken as an individual retail activity."

17. Add to "Matters in which Council has Restricted its Discretion and Standards and Terms" the following:

"(h) Trading warehouses

(i) Design, appearance and location of buildings and landscaping.

Any building or structure erected shall be of such design and appearance to enhance the amenity values of the area. This shall be assessed in terms of design, shape, bulk, height, and location of all buildings and structures and the landscaping provided.

(ii) Effects on the transport network:

- The adverse effects on the surrounding transport network of the movement of people and goods generated by the retail activity. An important consideration here is the ability of the surrounding transport network to accommodate the likely increase in movements generated.
- The adverse effects of the activity on traffic, cycle and pedestrian movements, public transport services and parking and access within the immediate vicinity of the site.
- The extent to which the activity is designed to provide:

where practicable and appropriate, on-site accessibility for public transport services;

practical access to existing or planned public transport services off-site; and

pedestrian and cycle routes and facilities.

(iii) Reverse Sensitivity Effects

The reverse sensitivity effects shall be taken into account to ensure that the health and safety of customers and employees will not be adversely affected and also to mitigate potential conflicts with industrial activities.

(i) Retail activities with a minimum gross floor area of 2,000m² and a maximum of 5,000m² provided that such retail activities are undertaken as an individual retail activity.

(i) Design, appearance and location of buildings and landscaping:

Any building or structure erected shall be of such design and appearance to enhance the amenity values of the area. This shall be assessed in terms of design, shape, bulk, height and location of all buildings and structures and landscaping provided.

(ii) Effects on the transport network:

- The adverse effects on the surrounding transport network of the movement of people and goods generated by the retail activity. An important consideration here is the ability of the surrounding transport network to accommodate the likely increase in movements generated.
- The adverse effects of the activity on traffic, cycle and pedestrian movements, public transport services and parking and access within the immediate vicinity of the site.
- The extent to which the activity is designed to provide:

where practicable and appropriate, on-site accessibility for public transport services;

practical access to existing or planned public transport services off-site; and

pedestrian and cycle routes and facilities.

(iii) Reverse Sensitivity Effects

The reverse sensitivity effects shall be taken into account to ensure that the health and safety of customers and employees will not be adversely affected and also to mitigate potential conflicts with industrial activities.”

18. Delete from “6A 2.4 Discretionary Activities” the following:

“(h) Trading warehouses.”

19. Add to “6A 2.4 Discretionary Activities” the following:

“(h) Any retail activity not identified as a Permitted, Controlled or Restricted Discretionary Activity.”

20. Delete from “6A2.5 Non-Complying Activities” the following:

“(a) Any retail activity which is not identified as Permitted Activity.”