

IN THE ENVIRONMENT COURT
AT AUCKLAND

I TE KŌTI TAIAO O AOTEAROA
KI TĀMAKI MAKĀURAU

IN THE MATTER of the Resource Management Act 1991
AND of an appeal under clause 14 of the First
Schedule of the Act
BETWEEN FOODSTUFFS NORTH ISLAND
LIMITED
(ENV-2020-AKL-000121)
Appellant
AND WHANGAREI DISTRICT COUNCIL
Respondent

Court: Environment Judge J A Smith sitting alone under section 279 of
the Act

Date of Order: **30 MAR 2021**

Date of Issue: **30 MAR 2021**

CONSENT ORDER

A: Under section 279(1)(b) of the Resource Management Act 1991, the
Environment Court, by consent, orders that:

- (1) the Mixed Use Zone chapter of the Whangarei District Plan be
amended in accordance with **Annexure 1**;



- (2) the Shopping Centre Zone chapters of the Whangarei District Plan be amended in accordance with **Annexure 2**;
 - (3) the appeal is otherwise dismissed.
- B: Under section 285 of the Resource Management Act 1991, there is no order as to costs.

REASONS

Introduction

- [1] This order relates to the appeal by Foodstuffs North Island Limited (**Foodstuffs**) against the decision of the Whangarei District Council on Plan Changes 88, 88B and 88F of the Urban and Services plan change package (**the Plan Changes**) to the Operative Whangarei District Plan (**the Plan**)
- [2] This appeal relates to provisions in the Mixed Use Zone (**MUZ**) and Shopping Centre Zone (**SCZ**) chapters of the Plan.
- [3] The provisions that have been appealed primarily relate to urban design requirements and scale and design standards for grocery stores. The entire appeal is allocated to the “Business” zones topic of appeals.
- [4] The Plan Changes:
 - (a) proposed to replace the operative Business Environments with a suite of new Business Zones, which include the MUZ and SCZ;
 - (b) introduced a defined term of “Grocery Store”, which encompasses large full service supermarkets through to small corner dairies.
- [5] The notified MUZ contained the following provisions:
 - (a) Residential Activities objective (now MUZ-O2): *“Promote residential activities and avoid activities which would materially detract from residential amenity”*;

- (b) Building Frontage rule (now MUZ-R6): Requirement for building frontage to be clear glazing for 65% at ground floor and 25% above ground floor;
- (c) Grocery Store rule (now MUZ-R13): Requirement for grocery stores to have a net floor area minimum of 250m² and maximum of 600m²;
- (d) Car Parking rule (now MUZ-R10): Non-complying activity status for car parking spaces located between the building frontage and road boundaries.

[6] The notified SCZ contained the following provision:

- (a) Urban Design information requirement (now SCZ-REQ1): Requirement for any resource consent in the SCZ to comply with an urban design information requirement.

[7] Submissions and further submissions on the Plan Changes sought:

- (a) Amendments to MUZ-O2;
- (b) The deletion of the building frontage glazing requirements in MUZ-R6;
- (c) Amendments to the car parking rules in the MUZ to provide for a permitted activity status for car parking spaces located between the building frontage and road boundaries;
- (d) Deletion of urban design information requirement in the SCZ.

[8] The Council Decisions on the Plan Changes (**the Decisions**) retained the above provisions as notified, with the exception of the grocery store rule (MUZ-R13) which was amended to require grocery stores to have a maximum business net floor area of 600m² (i.e. “net floor area” was replaced with “business net floor area” and the 250m² minimum threshold was removed).

[9] Foodstuffs appealed the Decisions seeking the following amendments:

- (a) MUZ-O2: *“Promote residential activities and avoid manage activities which would materially unreasonably detract from residential amenity”;*
- (b) MUZ-R6: Delete the building frontage glazing rule or alternatively provide exemptions for grocery stores;
- (c) MUZ-R10: Amend the car parking rule or provide exemptions for grocery stores;

- (d) MUZ-R13: Delete the 600m² maximum business net floor area for grocery stores;
- (e) SCZ-REQ1: Delete all reference to SZC-REQ1 in the SCZ chapter.

[10] Kāinga Ora – Homes and Communities is s274 party with respect to objective MUZ-O2.

[11] Udy Investments Limited (**Udy**) is s274 party with respect to the urban design information requirement in the SCZ.

Agreement reached

[12] Following mediation, the parties have reached an agreement that will resolve this appeal. That agreement is to:

- (a) Amend MUZ-O2 as sought in the appeal;
- (b) Insert a new building frontage glazing requirement for grocery stores in MUZ-R6;
- (c) Exempt grocery stores greater than 450m² from the car parking requirement in MUZ-R10;
- (d) Delete the 600m² maximum business net floor area requirement for grocery stores in MUZ-R13; and
- (e) Amend the SCZ to delete all references to SCZ-REQ1 while inserting additional information on urban design best practice into the SCZ Issues.

Section 32AA Analysis

[13] Section 32AA of the Act requires a further evaluation for any changes to a proposal since the initial section 32 evaluation report. In this instance the changes are amendments to the MUZ and SCZ provisions.

MUZ-O2

MUZ-O2

“Promote residential activities and ~~avoid~~ manage activities which would ~~materially~~ unreasonably detract from residential amenity”

[14] The parties are satisfied that changing “avoid” to “manage” in MUZ-O2 is consistent with the policy and rule approach of the MUZ, which only requires specified activities to be avoided (industrial activities and rural production activities) in certain circumstances (where external adverse effects cannot be mitigated).¹

[15] The parties consider that the term “unreasonably” better relates to effects on residential amenity than the term “materially”.

MUZ Rules

[16] On appeal Foodstuffs have provided urban design analysis that was not available to the Hearings Commissioners, and which has enabled the parties to reach agreement on appropriate amendment to the MUZ rules with respect to grocery stores.

MUZ-R6 – Glazing

3. At least 25% of the total building frontage of a grocery store is clear glazing.

Compliance Standard:

Where a grocery store has three or more building frontages then in MUZ-R6.3:

a. “total building frontage” means the combined horizontal length of the two longest building frontages; and

b. the 25% clear glazing may be applied across any of the building frontages.

[17] The parties agree the urban design analysis demonstrates that the clear glazing requirements in MUZ-R6 are not appropriate for the operational and functional requirements of grocery stores, which preferentially seek sites with multiple frontages to separate “front of store” and “back of store” functions.

[18] The agreed amendments seek to provide a more tailored and flexible approach for grocery stores while ensuring that a level of clear glazing and active frontage is achieved in accordance with the MUZ objectives and policies:

MUZ-O3 – Urban Form

Development achieves high quality urban form that is safe and positively interacts with the public realm and is sympathetic to the surrounding environment.

¹ Policy MUZ-P3

MUZ-P2 – Economic Growth

To enable economic growth and employment opportunities while protecting walkability within the Mixed Use Zone ... by:

3. Managing the scale, design and nature of activities to ensure that:

a. Active frontage is maintained and enhanced at ground floor.

b. The activity and building design are complementary to the intended Mixed Use Zone character.

MUZ-P3 – Residential Activities and Amenity

To provide for residential uses and to maintain and enhance residential amenity by:

4. Managing building scale and design to limit shading and building dominance.

MUZ-R10- Car parking

The car parking space is not located between the building frontage and road boundaries of the site, except for car parking spaces at grocery stores with a business net floor area larger than 450m²

[19] The MUZ has an expectation of active frontages, with car parking provided between building frontages and the street classified as a non-complying activity.

[20] The parties are satisfied that the urban design analysis has demonstrated that complying with MUZ-R10 could result in inefficient and ineffective outcomes for larger scale grocery stores, where providing car parking “front of store”:

- (a) Ensures that there is convenient, direct and safe movement of customers between their vehicles and the entry to the grocery store;
- (b) Allows service access for trucks and deliveries to occur at the back and side of buildings, which avoids conflicts with pedestrians; and
- (c) Is considerably more efficient than requiring parking either beneath the grocery store or on the roof, which is prohibitively expensive.

[21] The agreed amendments retain the status quo for smaller grocery stores (up to 450m²) which are more likely to be in pedestrianised areas.

[22] In determining the appropriate grocery store size threshold for the rule, the parties have evaluated two options – 600m² and 450m². The parties have agreed that the 450m² is more effective and efficient based on Foodstuffs’ advice that:

- (a) the functional and operational needs of smaller format grocery stores (e.g. Four Square) generally require a business net floor area of 450m² consistently across the country; and

- (b) establishing a grocery store within an existing building within the Mixed Use Zone is likely to fall within the 450m² threshold rather than a 600m² threshold.

[23] The amendments to the rule give effect to the objective and policy prioritising pedestrians and walkability:

MUZ-O4 – Walkability

Prioritise pedestrians and improve walkability within the Mixed Use Zone.

MUZ-P2 – Economic Growth

To enable economic growth and employment opportunities while protecting walkability within the Mixed Use Zone ... by:

3. Managing the scale, design and nature of activities to ensure that:

d. Activities which cater to private motorists, such as large scale retail activities, drive through facilities and service stations, do not compromise the walkability, streetscape or amenity of the Mixed Use Zone

MUZ-R13 – Maximum grocery store size

[24] The Decisions noted that the 600m² maximum grocery store size was not considered necessary based on the economic evidence, but accepted that the restriction might be necessary for urban design or planning reasons.

[25] The parties are satisfied that the urban design analysis has demonstrated that there is no urban design rationale for limiting grocery stores in the MUZ to a maximum size of 600m²

[26] Removing the 600m² restriction improves the efficiency and effectiveness of the MUZ rules, and achieves better consistency with the Local Centre Zone provisions (where grocery stores are also commonly established).

[27] The parties agree that the car parking requirement in MUZ-R10 is more appropriate than a maximum grocery store size as a method to achieve the MUZ objective of prioritising pedestrians.

Urban Design Information Requirements (SCZ-REQ1)

[28] All of the rules in the SCZ default to either discretionary or non-complying. There are objectives and policies which refer to high quality urban design outcomes and best practice urban design. The parties consider that on this basis urban design information and assessments could be requested through the consent process without needing to have a specific and mandatory information requirement for urban design.

[29] A key aspect of SCZ-REQ1 is the reference to Council's Urban Design Guidelines. The agreed amendments delete all references to SCZ-REQ1, but add references to the Urban Design Guidelines in the SCZ Issues as a replacement.

[30] The parties consider that these amendments provide for more efficient provisions and enable consideration on an application-specific basis as to whether further urban design assessment will be beneficial.

Uncertain or insufficient information

[31] The parties agree that this is not a situation where there is uncertain or insufficient information such that the risk of acting or not acting needs to be evaluated.

Consideration

[32] In making this order the Court has read and considered the appeal and the memorandum of the parties dated 26 March 2021.

[33] The Court is making this order under section 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to section 297. The Court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order;
- (b) all parties agree that the agreed amendments resolve the appeal in full;
- (c) all parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to the

relevant requirements and objectives of the Act including, in particular, Part 2.

[34] I am satisfied that an appropriate outcome has resulted. Overall, I consider the sustainable management purpose and the other relevant requirements of the Act are broadly met.

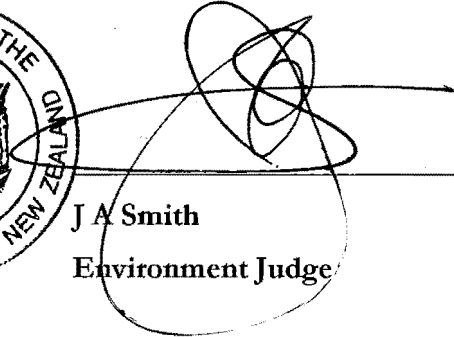
Orders

[35] Therefore the Court orders, by consent, that:

- (a) The Mixed Use Zone chapter of the Whangarei District Plan be amended in accordance with **Annexure 1**;
- (b) The Shopping Centre Zone chapters of the Whangarei District Plan be amended in accordance with **Annexure 2**; and
- (c) The appeal is otherwise dismissed.

[36] There is no order as to costs in respect of the matters covered by this order.




J A Smith
Environment Judge

Annexure 1

(insertions marked as underlined, deletion as ~~strikethrough~~)

Mixed Use Zone (MUZ)

Objectives	
MUZ-O2 – Residential Activities	Promote residential activities and avoid <u>manage</u> activities which would materially <u>unreasonably</u> detract from residential amenity.

MUZ-R6	Building Frontages
Activity Status: Permitted	Activity Status when compliance not achieved: Discretionary
Where:	
<ol style="list-style-type: none"> At least 65% of the building frontage at ground floor is clear glazing, <u>except for grocery stores</u>. At least 25% of the building frontage above ground floor is clear glazing, <u>except for grocery stores</u>. At least 25% of the total building frontage of a <u>grocery store</u> is clear glazing. The principal public entrance to the building is situated to face the road where the building is on a front site. There are no roller doors (except for emergency services, and security grilles which allow views from the street into the premises) along site frontage. 	
Compliance Standard	
<ol style="list-style-type: none"> <u>Where a grocery store has three or more building frontages then in MUZ-R6.3:</u> <ol style="list-style-type: none"> <u>“total building frontage” means the combined horizontal length of the two longest building frontages; and</u> <u>the 25% clear glazing may be applied across any of the building frontages.</u> 	

MUZ-R10	Car Parking
Activity Status: Permitted	Activity Status when compliance not achieved: Non-Complying
Where:	
<ol style="list-style-type: none"> The car parking space is not located between the building frontage and road boundaries of the site, <u>except for car parking spaces at grocery stores with a business net floor area larger than 450m².</u> 	

MUZ-R12	Trade Suppliers
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MUZ-R13	Grocery Store
MUZ-R14	General Retail

Activity Status: Permitted

Where:

1. The activity is a primary activity or **ancillary activity**.
2. The maximum **business net floor area** is 600m².
3. All **site** boundaries which are adjoining a Residential or **Open Space and Recreation Zone** are planted with trees or shrubs to a minimum **height** of 1.8m above **ground level** and a minimum depth of 1m, except within 5m of a **road boundary** where the maximum **height** is 1.2m above **ground level**.

Activity Status when compliance not achieved: Discretionary

MUZ-R14	Grocery Store
MUZ-R15	Commercial Services
MUZ-R16	Visitor Accommodation
MUZ-R17	Place of Assembly
MUZ-R18	Recreational Facilities
MUZ-R19	Emergency Services
MUZ-R20	Educational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or **ancillary activity**.
2. All **site** boundaries which are adjoining a Residential or **Open Space and Recreation Zone** are planted with trees or shrubs to a minimum **height** of 1.8m above **ground level** and a minimum depth of 1m, except within 5m of a **road boundary** where the maximum **height** is 1.2m above **ground level**.

Activity Status when compliance not achieved: Discretionary

Annexure 2

(insertions marked as underlined, deletion as ~~strikethrough~~)

Shopping Centre Zone (SCZ)

Issues

The Shopping Centre Zone (SCZ) provides for the consolidation of predominantly large comprehensive **general retail** stores within existing shopping centres. Limited provision is made for supporting small scale **food and beverage activities** such as cafes for the comfort of visitors and employees at the shopping centre.

Shopping centres have unique characteristics, generally being a comprehensive group of retail and other commercial establishments that is planned, developed and managed as a single facility, comprising commercial multi-branded retail units and common areas.

Shopping centres are generally comparative shopping 'destinations' and collectively need large spaces for retail. As destinations, shopping centres are car-focused and require sizeable areas with suitable vehicle **access** and on-site parking to cater for private motor vehicles. It is essential that shopping centres are designed to be safe and pleasant for pedestrians and cyclists as well as cater to vehicular requirements to ensure a positive shopping experience.

High traffic volumes and the requirement for larger **sites** than are available in the City Centre and Local Centre Zones mean that large shopping centres are usually incompatible with the anticipated amenity and character of those zones.

Shopping centres can have significant adverse **effects** on the vitality and functioning of other commercial or retailing centres if they are inappropriately located. This means that the extent to which shopping centres compete with the functions of other centres must be carefully managed. The Shopping Centre Zone is expected to remain at existing locations close to the City Centre and, if expansion of the existing shopping centres is required, to develop towards and not away from the City Centre.

Shopping centres can have significant adverse **effects** on amenity and character values of neighbouring zones. These **effects** must be carefully managed. The Shopping Centre Zone is intended to provide an area within which existing large **general retail** stores are consolidated to manage these potential **effects**. It is expected that the amenity of shopping centres will improve over time to minimise the impact on other zones and to provide a better shopping experience for patrons. Development should recognise best practice urban design principles to achieve quality design outcomes. Further information and guidance on best practice urban design principles are contained within Whangārei District Council's Urban Design Guidelines.

The Shopping Centre Zone is located in urban areas where large **land** parcels are available within and adjacent to established shopping centres containing existing large **general retail** stores. The Shopping Centre Zone is only appropriate where local **infrastructure** (i.e. roads, **wastewater** and stormwater) has sufficient capacity to accommodate further development. The Shopping Centre Zone has been applied at three unique locations each with individual characteristics, being:

- Tarewa Shopping Centre.
 - Okara Shopping Centre.
 - Okara West Shopping Centre.
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Rules

SCZ-R1	Any Activity Not Otherwise Listed in This Chapter			
<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 2. Resource consent is not required under any rule of the District Plan. 3. The activity is not prohibited under any rule of the District Plan. 				
SCZ-R2	Any Redevelopment			
<table border="0" style="width: 100%;"> <tr> <td style="width: 60%; vertical-align: top;"> <p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity complies with rules SCZ-R4 – R8. 2. The redevelopment is: <ol style="list-style-type: none"> a. Internal, within the footprint of an existing building; or b. External and the alterations do not increase the gross floor area of the building, or alter the principal façade by more than 20%, provided that such changes: <ol style="list-style-type: none"> i. Retain the principal entrances in compliance with SCZ-R2.3 below; ii. Retain a minimum of 65% of the façade as visually permeable; and iii. Retain verandahs to shelter pedestrians. 3. The principal entrance(s) of each retail, commercial service or food and beverage unit either opens directly on to a shopping centre footpath or other pedestrian connection, or is connected to a pedestrian connection by a smaller formed pedestrian connection. <p><i>Note:</i></p> <ol style="list-style-type: none"> 1. <i>Any application shall comply with information requirement SCZ-REQ1.</i> </td> <td style="width: 40%; vertical-align: top; padding-left: 20px;"> <p>Activity Status when compliance not achieved: Discretionary</p> </td> </tr> </table>			<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity complies with rules SCZ-R4 – R8. 2. The redevelopment is: <ol style="list-style-type: none"> a. Internal, within the footprint of an existing building; or b. External and the alterations do not increase the gross floor area of the building, or alter the principal façade by more than 20%, provided that such changes: <ol style="list-style-type: none"> i. Retain the principal entrances in compliance with SCZ-R2.3 below; ii. Retain a minimum of 65% of the façade as visually permeable; and iii. Retain verandahs to shelter pedestrians. 3. The principal entrance(s) of each retail, commercial service or food and beverage unit either opens directly on to a shopping centre footpath or other pedestrian connection, or is connected to a pedestrian connection by a smaller formed pedestrian connection. <p><i>Note:</i></p> <ol style="list-style-type: none"> 1. <i>Any application shall comply with information requirement SCZ-REQ1.</i> 	<p>Activity Status when compliance not achieved: Discretionary</p>
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SCZ-R3	Minor Buildings			
<p>Activity Status: Permitted</p> <p><i>Note:</i></p> <ol style="list-style-type: none"> 1. Minor Buildings are exempt from rules SCZ-R4 – R7. 				
SCZ-R4	Building and Major Structure Height			

Activity Status: Permitted	Activity Status when compliance not achieved: Discretionary
Where:	
1. The maximum building height and major structure height is 15m above ground level.	
<i>Note:</i>	
1. <i>Any application shall comply with information requirement SCZ-REQ1.</i>	

SCZ-R5	Building and Major Structure Height in Relation to Boundary
Activity Status: Permitted	Activity Status when compliance not achieved: Discretionary
Where:	
1. All buildings and major structures do not exceed a height equal to 3m above ground level plus the shortest horizontal distance between that part of the building or major structure and any Residential or Open Space and Recreation Zone boundary .	
<i>Note:</i>	
1. <i>Any application shall comply with information requirement SCZ-REQ1.</i>	

SCZ-R6	Building and Major Structure Area
Activity Status: Permitted	Activity Status when compliance not achieved: Discretionary
Where:	
1. Gross floor area of any building and major structure is more than 1,600m ² .	
2. Public bathroom facilities are provided for use by shopping centre patrons at a location inside the shopping centre at a rate of:	
a. 2 for up to 400m ² .	
b. 4 for up to 800m ² .	
c. 8 for up to 1200m ² .	
d. 1 for every 200m ² thereafter.	
<i>Note:</i>	
1. <i>Any application shall comply with information requirement SCZ-REQ1.</i>	

SCZ-R7	Building and Major Structure Setbacks
Activity Status: Permitted	Activity Status when compliance not achieved: Discretionary
Where:	
1. All buildings and major structures are set back at least:	

- a. 3m from any **Open Space and Recreation Zone boundary**.
- b. 10m from Mean High **Water** Springs, or the top of the bank of any **river** that has a width greater than 3m (excluding bridges, culverts and fences).

Note:

1. ~~Any application shall comply with information requirement SCZ-REQ1.~~

SCZ-R8

Impervious Areas

Activity Status: Permitted

Where:

1. The **impervious area** within the **site** does not exceed 85% of the **site** area.
2. The **impervious area** is set back at least 5m from Mean High **Water** Springs and the top of the bank of any **river** that has a width exceeding 3m (excluding bridges, culverts and fences).

Note:

1. ~~Any application shall comply with information requirement SCZ-REQ1.~~

Activity Status when compliance not achieved: Discretionary

SCZ-R9

Commercial Services

Activity Status: Permitted

Where:

1. The business **net floor area** for the commercial service activity does not exceed 100m².
2. The total **net floor area** of all commercial service activities does not exceed 2% of the total **net floor area** for the shopping centre (when the commercial service activity is included).
3. The commercial service activity is in a building which also accommodates a **retail activity**.

Note:

1. ~~Any application shall comply with information requirement SCZ-REQ1.~~

Activity Status when compliance not achieved: Discretionary

SCZ-R10

Food and Beverage Activities

Activity Status: Permitted

Where:

Activity Status when compliance not achieved: Discretionary

1. The business **net floor area** of any **food and beverage activity** does not exceed 350m².
2. The total **net floor area** of all **food and beverage activities** does not exceed 5% of the total **net floor area** for the shopping centre (when the **food and beverage activity** is included).
3. The **food and beverage activity** is in a building that also accommodates **retail activity**.
4. At least 1 fixed rubbish bin is provided by each **food and beverage activity**.
5. Seating areas associated with **food and beverage activities** do not impede pedestrian use of footpaths or other pedestrian connections.

Note:

1. ~~Any application shall comply with information requirement SCZ-REQ1.~~

SCZ-R11

Retail Activities

Activity Status: Permitted

Where:

1. The **retail activity** occupies more than 450m² business **net floor area**.
2. The **retail activity** occurs in an existing building.

Note:

1. ~~Any application shall comply with information requirement SCZ-REQ1.~~

Activity Status when compliance not achieved: Discretionary

SCZ-R12

Grocery Store

Activity Status: Permitted

Where:

1. The **grocery store** occupies more than 450m² business **net floor area**.

Note:

1. ~~Any application shall comply with information requirement SCZ-REQ1.~~

Activity Status when compliance not achieved: Discretionary

SCZ-R13

Service Stations

Activity Status: Permitted

Where:

Activity Status when compliance not achieved:

With SCZ-R13.1: Non-complying

1. The **service station** is existing at [operative date].
2. Any re-development complies with SCZ-R2.

With SCZ-R13.2 Discretionary

Note:

1. ~~Any application shall comply with information requirement SCZ-REQ1.~~

SCZ-R14	Trade Retail
SCZ-R15	Entertainment Facilities
SCZ-R16	Drive Through Facilities
SCZ-R17	Visitor Accommodation
SCZ-R18	Funeral Home
SCZ-R19	General Commercial
SCZ-R20	General Community

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or **ancillary activity**.

Note:

1. ~~Any application shall comply with information requirement SCZ-REQ1.~~

SCZ-R21	Rural Production Activities
SCZ-R22	Industrial Activities
SCZ-R23	Community Activities
SCZ-R24	Residential Activities

Activity Status: Prohibited

Where:

1. The activity is a primary activity or **ancillary activity**.

SCZ-REQ1	Information Requirements
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an urban design assessment prepared by a suitably qualified and experienced professional which details:

1. Any consultation undertaken as part of pre-application meetings with Council (including the Council's Urban Design Panel) and any mitigation measures that were recommended by Council.
2. How the proposal is consistent with best practice urban design, the relevant objectives and policies and the Shopping Centre Zone building bulk and location standards.
3. The effects on the surrounding character, amenity and safety with particular regard to building bulk, location and design and parking and transport.
4. Consideration of potential effects on adjacent neighbours.
5. The extent to which the site layout and proposed landscaping helps to avoid or minimise the impacts of adjacent streets and public spaces or adjacent sites.
6. Consideration of any effects on the Waterfront Zone and any Open Space and Recreation Zone.

Note:

Acceptable means of compliance and best practice urban design guidance is contained within Whangārei District Council's Urban Design Guidelines