

**Plan Change 88E:
Local Commercial Zone
Neighbourhood Commercial Zone**

Part 6 of Section 32 Evaluation Report

Prior to Notification

March 2019

Contents

Contents	2
List of Abbreviations.....	3
1. Introduction.....	4
1.1 Overview.....	4
1.2 The Proposed Plan Change	4
2. Background	4
2.1 Existing Environment and Description of Proposed LC and NC.....	4
2.2 Resource Management Issues	5
3. Proposed Local Commercial and Neighbourhood Commercial Zones.....	6
4. Section 32 Analysis LC.....	7
4.1 Appropriateness in Terms of Purpose of RMA	7
4.2 Appropriateness in Relation to Higher Order Documents.....	9
4.3 Appropriateness in Relation to Strategic Direction Chapter.....	9
4.4 Appropriateness of Proposed Policies and Methods	10
5. Section 32 Analysis: NC	29
5.1 Appropriateness in Terms of Purpose of RMA	29
5.2 Appropriateness in Relation to Higher Order Documents.....	30
5.3 Effectiveness and Efficiency of Proposed Policies and Methods	31
5.4 Appropriateness in Relation to Strategic Direction Chapter.....	31
5.5 Appropriateness of Proposed Policies and Methods	32
6. Conclusion.....	2

List of Abbreviations

Environmental Engineering Standards 2010	EES 2010
Environmental Engineering Standards 2018	ES 2018
Long Term Plan	LTP
Gross Floor Area	GFA
Local Government Act 2002	LGA
New Zealand Coastal Policy Statement	NZCPS
Regional Water and Soil Plan	RWSP
Draft Regional Plan	DRP
Northland Regional Council	NRC
Northland Regional Policy Statement	NRPS
Resource Management Act 1991	RMA
Section 32 of the RMA	s32
Section 42A of the RMA	s42A
Structure Plan	SP
Urban Growth Strategy	UGS
Whangarei District Growth Model	WDGM
Whangarei District Council Operative District Plan	WDP
Whangarei District Growth Strategy, Sustainable Futures 30/50	30/50
Whangarei 20/20 Plus	20/20 Plus
Crime Prevention through Environmental Design	CPTED
Parking Management Strategy 2011	PMS
City Centre Development Plan	CCDP
National Environmental Standards	NES
National Policy Statements	NPS
NPS on Urban Development	NPS:UDC
Outstanding Natural Landscapes	ONL
Outstanding Natural Feature	ONF
Mean High Water Springs	MHWS
City Centre Zone	CC
Mixed Use Zone	MU
Commercial Zone	COM
Residential Zone	RES
Low Density Residential Zone	LDR
Medium Density Residential Zone	MDR
High Density Residential Zone	HDR
Light Industrial Zone	LI
Heavy Industrial Zone	HI
Waterfront Zone	WZ
Shopping Centre Zone	SCZ
Neighbourhood Commercial Zone	NC
Local Commercial Zone	LC
Urban Area	UA
Living 1 Environment	L1
Living 2 Environment	L2
Living 3 Environment	L3
Business 1 Environment	B1
Business 2 Environment	B2
Business 3 Environment	B3
Business 4 Environment	B4

1. Introduction

1.1 Overview

1. This forms **Part 6** of the Section 32 (**s32**) evaluation report for the Urban Plan Changes. This part should be read in conjunction with the other **Parts 1 – 11**. The general introduction, statutory assessment and analysis of higher order policy documents are contained within **Part 1**. Urban Area (**UA**) objectives, policies and performance standards are evaluated in terms of s32 within **Part 2**. Section 4 of this report assesses the proposed Local Commercial Zone (**LC**). Section 5 of this report assesses the proposed Neighbourhood Commercial Zone (**NC**)

1.2 The Proposed Plan Change

2. Plan Change 88E (**PC88E**) seeks to introduce two new zones into the Operative Whangarei District Plan (**WDP**); the LC and the NC. The LC and NC propose to recognise suburban and neighbourhood centres within the UA of Whangarei District by providing for a mix of commercial, community and residential activities within urban suburbs of Whangarei, Ruakaka and Marsden Point. PC88E will include:
 - A new 'Local Commercial Zone' Chapter – with objectives, policies and rules for the Zone, including land use and subdivision provisions for the Zone.
 - A new 'Neighbourhood Commercial Zone' Chapter – with objectives, policies and rules for the Zone, including land use and subdivision provisions for the Zone.
 - Changes to the WDP Zone maps – denoting the LC and NC.
 - Consequential changes to the WDP.
3. PC88E includes a description of the proposed LC and NC to identify the environmental expectations and outcomes sought in the Zone through the proposed objectives, policies and rules. Refer to the **Proposed Plan Changes Text and Maps** volume for particular detail.

2. Background

2.1 Existing Environment and Description of Proposed LC and NC

4. Existing local and neighbourhood commercial areas are found within urban areas of the Whangarei District and provide convenient goods and services for people, primarily resident in the surrounding area. There are two categories of these areas based on scale.
5. Proposed NC areas include individual shops and small groups of shops providing a limited range of everyday goods and services to the immediate neighbourhood and essentially serve a walk-in population. Being situated within urban residential areas it is essential that the range and scale of activities is compatible with neighbouring residential activity and local amenity values.
6. Proposed NC areas are small in land area and shop sizes are generally between 100-300m² with the overall land area for a centre being up to 1 ha. The anchor store is likely to be a dairy. These centres are scattered throughout the urban area of Whangarei District, including Whangarei City, the five urban

villages (Kamo, Tikipunga, Maunu, Otaika and Maunu) and the one satellite town of Ruakaka-Marsden Point.

7. Proposed LC are areas service wider suburban areas, anchoring the City's main suburbs and Ruakaka-Marsden Point, and provide a range of commercial, service and community activities (such as grocery stores, a range of retail goods and services, small scale office activities and community, recreation and health services) supporting the surrounding residential activities. These areas can reduce reliance on car travel for meeting day-to-day requirements. The LC provides multi-purpose destinations for customers. Parking is primarily provided onsite and these centres are generally well served by passenger transport.
8. Proposed LC areas vary in size and character between 2 – 6 ha in land area and generally serve up to 10,000 people. Supermarkets commonly anchor these centres and between 20-30 outlets, comprising a variety of smaller specialist stores, provide retail, limited office, community and other services to the suburban population on an integrated basis. Often another large format retailer is located in the centre. Service stations may also be a feature.
9. There are 10 proposed LC areas in the Whangarei District. The areas have a mix of zoning under the WDP, Business 3 Environment (**B3**), Kamo Activity Precinct (**KAP**), Business 2 Environment (**B2**) with scheduled activity rules and Port Nikau Environment (**PNE**). Common rules applying to the areas include management of:
 - Activities such as hours of operation, religious observances, offensive activities, retail and office, hazardous substances, network utility operations, parking and traffic, signs, fences, artificial lighting, electromagnetic radiation, outdoor storage, aerials and aerial support structures.
 - Built form including building height, coverage, setbacks, daylight angles, outdoor living courts, verandahs, landscaping, and coastal minimum floor area.
 - Subdivision including requiring a net site area of at least 100m², as well as provisions relating to allotment shape, frontage, existing buildings, Sites of Significance to Maori, significant features, road and cycleway layout and formation, street lighting, and servicing requirements.

2.2 Resource Management Issues

10. The following bullet points are a summary of the key resource management issues for LC and NC:
 - Lack of strong policy direction and rules for the development and subdivision of LC can lead to fragmentation of the city centre, as retail and commercial activities locate in local centres, compromising the vibrancy and economic performance of the city centre.
 - LC and NC support the economic and social wellbeing of the community, but have the potential to cause adverse effects on the environment generally and on the character and amenity values of the urban areas in which they occur.
 - Activities within the LC and NC have the potential to have adverse effects, (such as glare, noise and traffic movements) on adjoining sensitive land uses e.g. residential, open space.

- Lack of policy direction and rules managing activities within Living Environments (residential zones) in the WDP has resulted in sprawl of commercial activities and the compromised viability of LC.

3. Proposed Local Commercial and Neighbourhood Commercial Zones

11. The purpose of PC88E is to recognise existing suburban commercial and community areas and to provide for a distribution of local and neighbourhood commercial zones. The WDP provisions have been reviewed in the urban plan changes, with changes being made in response to changes in legislation, policies and practices.
12. PC88E proposes to delete chapter 41 Business 3 Environment and proposes to delete in part chapter 74 Business 1, 2, 3, 4 Environment. In conjunction with the other plan changes within the urban plan change package the new LC and NC chapters are proposed to replace the B3. Proposed subdivision provisions for the LC and NC are contained within the new subdivision chapter (see Plan Change 148).
13. PC88E proposes to zone land as LC, in locations that create a community focal point and provide convenient business and service activities. The amenity values of the suburbs are highly valued and the LC aims to maintain and enhance the vibrancy, vitality and sense of place of the area. Activities which are not consistent with the anticipated amenity, character and uses within the LC are encouraged to be located outside of the LC. It is proposed to achieve these outcomes through zone mapping, and a new suite of objectives, policies and provisions specific to the LC.
14. A zoning policy is proposed to be located within the Strategic Direction Chapter (SD) proposed under Plan Change 148 to support the mapping criteria. With regard to zone mapping, in order to determine whether or not an area is consistent with the LC the following criteria have been considered:

TABLE 1: PROPOSED LC ZONING CRITERIA	
Criteria	Reason/Issue
Are comprised or zoned for a range of existing small scale commercial and community activities to support the surrounding residential community.	Activities such as boutique retail, offices, restaurants, café, doctors' surgery, playcentres, community halls are appropriate for the LC and support the surrounding residential community.
Are not identified as hazard prone.	Avoiding the consolidation of built development within hazard prone areas consistent with section 6(h) of the RMA.
Have predominately active street frontages and strong pedestrian networks.	Buildings and developments which do not provide active frontages to cater to pedestrians or are not of a scale or character that is compatible with the LC expectations are considered less appropriate for the LC.
Are not located within 500m of the City Centre Zone and maintain the viability of the City Centre Zone.	Protection of the viability of the city centre is important to the urban areas. Establishing a separation between suburbs and the city centre enables the clarification of where activities are

	acceptable. Separation creates the ability to establish different levels of urban design and amenity.
Have an identified demand for business, service and community activities for the surrounding residential community.	LC must have sufficient demand from surrounding residential activities to maintain economic viability.
Occupy a total contiguous land area not exceeding 6ha.	Consolidation of activities is essential to maintain the walkability and amenity of the LC. Sprawling activities have the potential to have adverse effects on surrounding residential zones. Large areas of LC have the potential to create too much vacant capacity, providing the opportunity for activities to locate outside of more appropriately zoned locations such as the City Centre Zone.

15. PC88E proposes to zone land as NC to provide a limited range of everyday goods and services and essentially serve a walk-in population. Being situated within urban residential areas it is essential that the range and scale of activities is compatible with neighbouring residential activity and local amenity values.
16. A zoning policy is proposed to be located within the SD proposed under Plan Change 148 to support the mapping criteria. With regard to zone mapping, in order to determine whether or not an area is consistent with the NC the following criteria have been considered:

TABLE 2: PROPOSED NC ZONING CRITERIA	
Criteria	Reason/Issue
Are comprised of or zoned for a range of small scale commercial and service activities to support the surrounding residential community.	Activities that provide convenience retail and commercial services are appropriate to be located within close walking distance of residential suburbs.
Have predominately active street frontages	Existing shops, dairies, hairdressers etc maintain an active store frontage and contribute to the amenity of the residential suburb.
Occupy a maximum total contiguous land area not exceeding 1ha.	Sprawling activities have the potential to have adverse effects on surrounding residential zones. Large areas of NC have the potential to create too much vacant capacity, providing the opportunity for activities to locate outside of more appropriately zoned locations such as the LC.

4. Section 32 Analysis LC

4.1 Appropriateness in Terms of Purpose of RMA

17. Council must evaluate in accordance with s32 of the RMA, the extent to which each objective proposed in PC88E is the most appropriate way to achieve the purpose of the RMA. To confirm the appropriateness of the proposed LC objectives, this report goes on to assess whether the proposed

objectives are the most appropriate way to achieve the purpose of the RMA, other higher order objectives proposed in the Urban Area (UA), other higher order documents and the WDP. The level of analysis undertaken in this report is appropriate to the scale of the proposal. (Note that Section 5 of this report contains the s32 analysis of the NC.

18. PC88E proposes the following objectives for LC, the reasons for which are detailed in Table 3:

TABLE 3: S32 ASSESSMENT OF PROPOSED LC OBJECTIVES	
Proposed LC Objectives	Reason/Issue
<p>LC-O1 – Range of Activities Provide a distribution of LC that provide mixed use development, including commercial, community and residential activities, while not undermining the vitality and viability of the city centre.</p>	<p>This objective is proposed to enable a mix of development within the LC. Distribution of community centres across Whangarei City and Ruakaka to support the needs of surrounding suburbs. Management of scale of activities within LC is necessary to protect the viability of the central city.</p>
<p>LC-O2- Urban Character and Amenity Maintain and enhance the urban character and amenity of LC.</p>	<p>It is intended that the general amenity and character of the LC will be relatively high. Methods of achieving this include implementing urban design standards and incentivizing high quality design.</p>
<p>LC-O3 – Urban Design Development of LC demonstrates high quality urban form that positively interacts with the public realm and is sympathetic to the surrounding environment.</p>	
<p>LC-O4 – Discouraged Activities Discourage Industrial Activities within the LC to maintain the LC amenity and character.</p>	<p>Some activities are not anticipated within the LC due to their scale, nature and intensity. These activities can often have adverse effects and are inconsistent with the anticipated outcomes of the LC.</p>
<p>LC-O5 – Commercial Sprawl Contain local commercial activities within LC.</p>	<p>Lack of management has resulted in the sprawl of commercial activities throughout the Living Environments. LC provides an appropriate location for these activities.</p>

19. Part 2 of the RMA outlines the purpose and principles of the RMA. Table 2 demonstrates that the proposed LC objectives achieve the purpose of the RMA. Several sections within Part 2 of the RMA are not relevant to PC88E. Additionally, with regard to s8, consultation with Tangata Whenua has been undertaken and no matters have been identified that would indicate that PC88E is inconsistent with s8.

TABLE 4: LINKAGE OF PROPOSED LC OBJECTIVES WITH PART 2 OF THE RMA						
Proposed LC Objectives						
		LC-O1	LC-O2	LC-O3	LC-O4	LC-O5
RMA Part 2 Sections	5(2)(a)	√	√	√		√
	5(2)(b)					
	5(2)(c)	√	√	√		
	6(a)					
	6(h)					
	7(b)	√	√	√		
	7(c)	√	√	√	√	√
	7(f)	√	√	√		

20. Having assessed the proposed objectives against Part 2 of the RMA it is considered that they achieve the purpose of the RMA and promote sustainable management.

4.2 Appropriateness in Relation to Higher Order Documents

21. The provisions of higher order documents were considered in the formulation of the objectives and policies in PC88E. Of particular relevance to PC88E are the RPS, the LTP, 30/50 and the UDS. Table 5 provides an overview of the proposed LC objectives' consistency with the more relevant higher order documents.

TABLE 5: LINKAGE OF PROPOSED LC OBJECTIVES WITH HIGHER ORDER DOCUMENTS						
LC Objectives						
		LC-O1	LC-O2	LC-O3	LC-O4	LC-O5
Higher Order Documents	RPS	√	√	√	√	√
	LTP					
	30/50	√	√	√	√	√
	UGS	√	√	√		√
	UDS			√		

4.3 Appropriateness in Relation to Strategic Direction Chapter

22. The proposed LC objectives are subservient to the higher order district wide objectives set out in the Strategic Direction Chapter (SD) proposed under Plan Change 148. The overarching SD objectives and policies and their links to the proposed LC objectives are shown in Table 6 below. This table

illustrates that the objectives of the LC are effectively linked to the overall objectives and policies of the SD which are considered to be appropriate in terms of s32 (Plan Change 148 s32 Report).

TABLE 6: LINKING BETWEEN RELEVANT STRATEGIC DIRECTION CHAPTER AND LC OBJECTIVES		
Proposed Strategic Direction Objective	Proposed Strategic Direction Policies	Proposed LC Objectives
SD-O1 – Range of Zones Provide for differing character and amenity values by having a range of Zones with differing expectations.	SD-P1, P19, P20 – SD-39	LC-O1, LC-O2
SD-O2 – Rural and Urban Areas Protect the range of amenity values and characteristics in the Rural Area and the Urban Area.	SD-P4, P10	LC-O1, LC-O2
SD-O3 – Growth Accommodate future growth through urban consolidation of Whangarei City, existing suburban nodes and rural villages, to avoid urban development sprawling into productive rural areas.	SD-P6	LC-O1 – O5
SD-O5 – Incompatible Activities Avoid conflict between incompatible land use activities from new subdivision and development.	SD-P2	LC-O4 and LC-O5
Urban Area Objectives		
SD-O11 – Residential and Business Demand Ensure that there are sufficient opportunities for the development of residential and business land to meet demand.	SD-P8	LC-O1
SD-O12 – Urban Design Promote safe, compact, sustainable and good quality urban design that responds positively to the local context.	SD-P9, P10	LC-O2
SD-O13 – Unanticipated Activities Manage, and where appropriate avoid the establishment of activities that are incompatible with existing uses or unanticipated in the zone.	SD-P2, P4	LC-O3-O5

4.4 Appropriateness of Proposed Policies and Methods

23. A s32 assessment must determine whether the proposed LC provisions are the most appropriate way to achieve the proposed objectives by undertaking a cost benefit analysis of the economic, social, environmental and cultural effects of the provisions, including whether opportunities for economic growth and employment are reduced or increased. The risk of acting or not acting where uncertain information exists must also be considered. Below is an assessment of the proposed provisions.

4.4.1 Proposed Policies

24. The proposed objectives in LC seek to ensure a distribution of areas where a mix of commercial and community services support local residents while maintaining urban character and amenity, high quality urban form and containing sprawl of commercial activities. These objectives are achieved through the application of policies and methods.
25. The policies proposed are considered to achieve the objectives by:
- Identifying the character and amenity that is anticipated within the LC.
 - Enabling activities that enhance the vibrancy, community sense of place and amenity of LC.
 - Requiring development to be well designed by:
 - Locating active uses (e.g. retail, restaurants, etc.) at ground floor.
 - Ensuring buildings are designed with active frontages to create a pleasant and safe walkable place.
 - Managing vehicle crossings and parking areas to re-focus the LC on pedestrians and cyclists rather than vehicles.
 - Requiring verandahs to provide sun and rain cover.
 - Managing the scale and design of buildings to achieve quality urban design outcomes and ensure that sunlight access is protected.
 - Ensuring residential activities are designed to protect residential amenity.
26. The proposed policies are considered the most appropriate for achieving the objectives and provide a coherent link to the methods and rules in the proceeding sections of the LC chapter. The use of clear and direct policies also aligns with the policy driven approach applied to the rolling review.
27. Table 7 below demonstrates that the policies proposed for the LC implement the proposed LC objectives, and that the methods implement the proposed LC policies:

TABLE 7: LINKING OF PROPOSED LC PROVISIONS		
Proposed LC Objective	Proposed LC Policies	Proposed LC Methods
LC-O1 Range of Activities	LC-P2, LC-P3, LC-P11	LC-R13 – R46
LC-O2 Urban Character and Amenity	LC-P1, LC-P5, LC-P6, LC-P8	LC-R2, LC-R3, LC-R5 – R12
LC-O3 Urban Design	LC-P1, LC-P2, LC-P5, LC-P7	LC-R2, LC-R3, LC-R5 – R12
LC-O4 Discouraged Activities	LC-P2, LC-P9	LC-R38 – R43
LC-O5 Commercial Sprawl	LC-P8	LC-R8, LC-R13 - 46

28. An alternative option to the proposed policies was to rely on the existing higher order policies in Part D of the WDP. However, the existing policies are not considered to be effective in clearly stating the types of activities that are appropriate within the LC, promoting residential activities or incentivising high quality

urban design outcomes. Therefore, the existing policies present additional costs and risk compared to the proposed policies.

4.4.2 Proposed LC Boundaries

29. Spatial mapping is an appropriate method of achieving the objectives of the LC as it identifies where the proposed new objectives and provisions do and do not apply. In order to assess the appropriateness of the proposed spatial extent of the LC in achieving the objectives of the LC the following three options were evaluated:

- **Option 1:** Status Quo, retain the current spatial extent of the B3, KAP, Port Nikau Environment (Master Plan) and rezone these areas to LC.
- **Option 2:** Map the LC based on the criteria identified in section 3 above and proposed zoning policy in the SD. (Plan change option)
- **Option 3:** Do not map LC.

30. Evaluation of these alternative options have been summarised in Table 8:

TABLE 8: EVALUATION OF ALTERNATIVES - MAPPING PROVISIONS		
Option	Costs	Benefits
Option 1 - Status quo	<p><u>Environmental</u> Does not give effect to the consolidation direction of 30/50. Does not fit with the rezoning proposed by the package of urban plan changes. Inconsistent with draft National Planning Standards.</p> <p><u>Economic</u> Zoning may not reflect actual land use, leading to “dishonest zoning”.</p> <p><u>Social</u> May not provide for adequately for local centres decreasing social wellbeing.</p> <p><u>Cultural</u> None known.</p>	<p><u>Environmental</u> No increased pressure on infrastructure services.</p> <p><u>Economic</u> No change to amount of land zoned for local centres.</p> <p><u>Social</u> Status quo so familiar to district plan users.</p> <p><u>Cultural</u> No change to current approach.</p>
Option 2 - Map using plan change criteria (plan change option)	<p><u>Environmental/Cultural</u> None known.</p> <p><u>Economic</u> Potential changes in development capacity.</p> <p><u>Social</u> Requires shift and upskilling for District Plan users.</p>	<p><u>Environmental</u> Using defined criteria allows areas to be assessed as to the appropriate zoning. Gives effect to the consolidation direction of 30/50. Fits with the rezoning proposed by the package of urban plan changes. Consistent with draft National Planning Standards.</p> <p><u>Economic</u></p>

		Land use (current and future) is reflected by appropriate zoning, giving certainty to business and community. <u>Social</u> Suburbs can be provided centres that meet the day to day needs of the community. <u>Cultural</u> None known.
Option 3 – Do not map LC	<u>Environmental</u> May not give effect to the consolidation direction of 30/50. Does not fit with the rezoning proposed by the package of urban plan changes. <u>Economic</u> Less land for local centres and less opportunity for economic growth. <u>Social</u> May not adequately provide for local centres decreasing social wellbeing. <u>Cultural</u> None known.	<u>Environmental</u> None known. <u>Economic</u> May identify more land for local centres and more opportunity for economic growth. <u>Social</u> May identify and provide for local centres leading to social wellbeing. <u>Cultural</u> None known.
	Efficiency	Effectiveness
Option 1	This option is not efficient or effective to map local commercial and community activities as it includes other areas within the city that are not physically located in the suburbs.	
Option 2 - Plan change option	This option is considered an efficient and effective method to provide for local commercial and community activities. The option ensures that appropriate locations are zoned. This option is effective in achieving the objectives of the LC.	
Option 3	The uncertainty of this option results in the inability to provide for appropriate activities and servicing of suburbs. This option is ineffective and inefficient.	
Economic Growth and Employment Opportunities		
LC provides economic benefit to the district. Option 1 does not represent any change to the current employment and economic growth opportunities. Option 2 represents low to medium growth in employment and economic growth by better matching zoning to land use, enabling growth opportunities without regulatory constraint. Option 3 has unknown economic growth and employment opportunities.		
Risk of acting and not acting if there is uncertain or insufficient information		
Option 3 has a risk of acting due to uncertain/insufficient information.		

31. Option 2 (plan change option) is considered to be the most appropriate method to achieve the proposed objectives of the LC.

4.4.3 Proposed LC Provisions

32. The proposed provisions in the LC are assessed below. The proposed provisions are grouped by topic and effects. The evaluation of the provisions includes the identification of alternative options and an assessment of the costs, benefits, efficiency and effectiveness of the proposed provisions and the risks of acting and not acting.

Building Height, Ceiling Height and Height in Relation to Boundary

33. The proposed LC objectives seek to enable and encourage commercial and community activities while maintaining urban character and amenity and seeking to achieve high quality urban design outcomes. To achieve these objectives, the bulk and form of the built environment within the LC must be carefully managed.
34. Proposed Rule LC-R2 manages building height within the LC. The proposed maximum building height of 11m is consistent with B3 and KAP maximum building height of 11m in the WDP.
35. Proposed Rule LC-R4 manages the internal floor-to-ceiling height of buildings by requiring a minimum 3.5m floor-to-ceiling height at ground floor and a minimum 2.7m floor-to-ceiling height above ground floor. There are currently no floor-to-ceiling height rules in the B3. However, the WDP Kamo Walkability Environment Urban Design Guidelines recommend these heights in the KAP.
36. In conjunction with the maximum building height provision it is proposed to impose a height in relation to boundary (**HRB**) rule LC-R5 to further protect amenity values of adjacent Open Space and Residential zones. The WDP currently imposes rules relating to daylight angles where properties are adjacent to Living Environments. There has been a lack of clarity regarding this rule and the proposed HRB provision will allow for more clarity in interpretation and implementation.
37. Alternatives considered were:
- **Option 1:** Modified status quo; retain the current B3 and KAP building height rules and daylight angle (HBR) rules and add an internal floor to ceiling height. (Plan change option)
 - **Option 2:** Reduce the maximum building height and have no control of daylight angles and ceiling heights.
 - **Option 3:** Have no building height, ceiling height and daylight angle controls in the LC.
38. Evaluation of these alternative options have been summarised in Table 9:

TABLE 9: SECTION 32 ASSESSMENT OF BUILDING HEIGHT OPTIONS		
	<u>Costs</u>	<u>Benefits</u>
Option 1: Modified status quo Plan Change option	<u>Environmental, Social and Cultural</u> None identified. <u>Economic</u> 11m maximum building height is not flexible enough to allow taller buildings where these may be appropriate and have positive economic benefits. Minimum building and floor to ceiling heights may increase costs for some developers.	<u>Environmental</u> Building heights are managed to minimise shading. Maintains built form and urban amenity. <u>Economic and Social</u> Floor to ceiling height requirements provide for well articulated and ventilated buildings Floor-to-ceiling height requirements encourage flexible and adaptable building design. <u>Cultural</u> None identified.
Option 2:	<u>Environmental</u> Reduced potential built form and scale changing the amenity of the LC.	<u>Environmental and Social</u> Building heights are managed to minimise shading. <u>Economic</u>

Reduce building height	<u>Economic</u> Reduced ability to accommodate more building floor space and activities. Minimum building and floor-to-ceiling heights may increase costs for some developers. <u>Social and Cultural</u> None identified.	Reduced building height encourages more efficient use of land. No floor-to-ceiling height requirements provides more building design. <u>Cultural</u> None identified.
Option 3: No maximum building heights	<u>Environmental, Social and Cultural</u> Without a maximum building height, there is the potential for adverse effects in relation to shading, human scale of development and change in the amenity of LC. <u>Economic</u> None known.	<u>Environmental, Social and Cultural</u> None identified. <u>Economic</u> Increased development opportunities with no height restrictions.
	<u>Efficiency</u>	<u>Effectiveness</u>
Option 1	Consultation and research have confirmed that the status quo option efficiently provides for development within the LC.	A maximum 11m building height effectively achieves the objectives of LC and maintains amenity and urban form.
Option 2	Option 2 is not considered to be efficient as it reduces the capacity of the built environment to accommodate growth and development within the LC.	Option 2 would not be effective in meeting the objectives of the LC to maintain amenity and good urban design.
Option 3	Option 3 would result in no building height controls which will not result in any kind of management of effects, being completely inefficient and ineffective.	
Economic Growth and Employment Opportunities		
Option 3 provides the most economic growth and employment opportunities by not managing building height. Option 2 limits the opportunities for economic growth and employment in the LC.		
Risk of acting and not acting if there is uncertain or insufficient information		
There is no known risk due to insufficient information.		

39. Option 1 (Plan change option) is considered to be the most appropriate method. Option 1 will achieve the expectations for the LC and achieve the proposed LC objectives.

Active Frontages

40. The proposed LC objectives seek to prioritise pedestrians and enhance active frontages at ground floor. Active frontage is proposed to be defined as:

means building frontages which are designed to have a connection to the road allowing visual interaction between pedestrians and people within buildings.

41. Proposed Rules LC-R6, LC-R14, manage active frontage by controlling building setbacks, building frontages, verandahs and fences along road boundaries.

Building Setbacks

42. The B3 imposes a mix of building setbacks from road boundaries and a 3m setback from any Living or Open Space Environment. KAP also requires a 3m setback from Living Environments, but imposes a pedestrian network which requires buildings to be setback no further than 1.5m from the road boundary.

43. Setbacks from building line restrictions are proposed to be addressed in Plan Change 109 – Transport).
44. The proposed LC building setbacks require buildings to be within 1.5m of the road boundary at ground floor. The proposed building setbacks seek to maintain an active building frontage and to enable and encourage positive outcomes such as through site links, which help promote the LC as a pedestrian-centric environment.

Building Frontages

45. Proposed Rule LC-R6 requires clear glazing at ground floor, manages the location of public entrances, requires consent for roller doors along site frontages and manages “blank walls”, which are proposed to be defined as:

Means a wall or side of a building that has no glazing, architectural detail, landscaping or artwork to enhance appearance adjacent roadways or pedestrian environments.

46. The B3 does not have any building frontage rules. KAP does manage building frontage in particular clear glazing. It has been identified through consultation and research that there is a need for more urban design controls within the LC, particularly with regard to ground floor active frontage. The proposed rules have been informed by best practice urban design and are intended to protect and enhance active frontage while not being overly restrictive.

Verandahs

47. The B3 and KAP currently requires verandahs to be constructed along the entire frontage (excluding access). Proposed Rule LC-R7 aims to slightly reduce the width of verandah required so that there is more sunlight access on the footpaths and to manage the fascia height of verandahs so that they do not dominate building facades. Additionally, it is proposed to require consent for any signs located on top of a verandah to make the building facade more visible and to avoid clutter form disjointed signage.

Fences

48. There are no operative rules in the B3 or the KAP relating to fencing. Proposed Rule LC-R11 would require consent for any fence along a road boundary where the fence is not required by by-law or for public health and safety. There is minimal risk of a fence being erected along a road boundary in the LC, however it is considered important to manage fencing as it could have significant adverse effects on streetscape and active frontage.
49. There are a wide range of alternatives considered in relation to the proposed active frontage controls. Additional rules were considered as well as different rule thresholds and all options were compared to the status quo. At a high level the alternatives considered were:
 - **Option 1:** Status Quo, retain the current B3 provisions with no active frontage controls.
 - **Option 2:** Manage building setbacks, building frontages, verandahs and fences along road boundaries. (Plan change option)

- **Option 3:** Require consent for all buildings as a restricted discretionary activity and assess each application on its merits.

50. Evaluation of these alternative options have been summarised in Table 10:

TABLE 10: SECTION 32 ASSESSMENT OF ACTIVE FRONTAGE OPTIONS		
	<u>Costs</u>	<u>Benefits</u>
Option 1: Status Quo	<p><u>Environmental and Social</u></p> <p>Rules would not help achieve active frontages and would therefore not improve Crime Prevention Through Environmental Design or pedestrian-centric aspects of the LC.</p> <p><u>Economic</u></p> <p>No management of active frontage could diminish the amenity of the LC which could in turn negatively affect the viability of LC activities.</p> <p><u>Cultural</u></p> <p>None identified.</p>	<p><u>Environmental, Social and Cultural</u></p> <p>None identified.</p> <p><u>Economic</u></p> <p>Reduced costs for developers as there would be less District Plan rules to comply with.</p>
Option 2: Plan Change option	<p><u>Environmental, Social and Cultural</u></p> <p>None identified.</p> <p><u>Economic</u></p> <p>Additional costs for developers to meet district plan rules.</p>	<p><u>Environmental, Economic and Social</u></p> <p>Improved urban design and active frontages in the LC. Improved amenity could contribute to the vibrancy and vitality of the LC.</p> <p>Some flexibility for developers with regard to building setbacks.</p> <p>Buildings can be designed to comply.</p> <p><u>Cultural</u></p> <p>None identified.</p>
Option 3: Consent for all buildings	<p><u>Environmental and Cultural</u></p> <p>None identified.</p> <p><u>Economic and Social</u></p> <p>Additional costs as any building would require consent.</p> <p>Degree of uncertainty as there would not be any rule thresholds and design outcomes would rely on policy interpretation.</p>	<p><u>Environmental, Economic and Social</u></p> <p>Opportunity for improved urban design and active frontages in the LC. Improved amenity could contribute to the vibrancy and vitality of the LC. If policies reflected in consented developments.</p> <p><u>Cultural</u></p> <p>None identified.</p>
	<u>Efficiency</u>	<u>Effectiveness</u>
Option 1	<p>Consultation and research have confirmed that the status quo is inefficient and ineffective in achieving quality urban design outcomes. Key objectives of the LC are to enhance active frontage, create a pedestrian-centric environment and promote high quality urban design. Option 1 does not address these issues.</p>	
Option 2	<p>Option 2 is considered to be an improvement of the status quo provisions providing a more efficient and effective method of achieving the objectives of the proposed LC.</p>	
Option 3	<p>Option 3 would not be efficient as consent would be required for every building where as in many cases it is likely more appropriate to state a permitted threshold.</p>	<p>Option 3 would result in the improvement of the status quo provisions introducing active frontage provisions to meet the objectives of the proposed LC.</p>
Economic Growth and Employment Opportunities		

There is not considered to be a significant impact in terms of economic growth and employment opportunities; however, Option 2 is considered to be the most beneficial in this regard as it aims to enhance amenity in the LC through active frontage controls while also providing for a permitted threshold to reduce consenting costs.

Risk of acting and not acting if there is uncertain or insufficient information

There is no known risk due to insufficient information.

51. Option 2 (Plan change option) is considered to be the most appropriate method. Option 2 will achieve the proposed LC objectives.

Outdoor Areas of Storage

52. The B3 currently manages outdoor areas of storage or stockpiles to limit their size and to manage discharges or adverse effects that may arise. However, the wording of the operative rules has created issues in the ability to monitor and enforce the rules. Proposed Rule LC-R13 aims to retain the intent of the WDP storage and stockpile provisions, but improve on the wording to make it clearer. Alternatives considered were to retain the status quo or delete all storage and stockpile rules. The plan change option is considered more efficient than the status quo as it can be more easily interpreted and enforced, and is more effective than no rules as the issue would then be unmanaged and could have adverse amenity effects within the LC.

Impervious Areas

53. The WDP does not manage impervious areas in the B2, B3 and B4 Environments. Proposed Rule LC-R8 would require consent for impervious areas greater than 90% of the net site area and impervious areas that are not setback 5m from MHWS or the top of a river bank.
54. Impermeable surfaces contribute to the amenity and coverage of sites, potentially decreasing green landscaping. Significant site coverage with impermeable surfaces can result in increased stormwater runoff and necessity to attenuate stormwater. The proposal to include impervious area limits aim to improve amenity and manage stormwater.
55. With regard to the MHWS and river setback, research has confirmed that impervious areas adjacent to MHWS, such as parking spaces, can compromise the future use of the esplanade area as a pedestrian walkway and have adverse effects from stormwater runoff. The Blue/Green Network Strategy seeks to manage these esplanade areas for a range of reasons including managing stormwater and improving pedestrian connectivity.
56. LC at Marsden Cove is an exception. The existing centre has been developed to orientate around the constructed canals. Buildings have been oriented and located in close proximity to the canals to create a high level of amenity and accessibility to water.
57. The alternative considered for the LC generally was the status quo. However, it is important that the District Plan protects areas immediately adjacent to MHWS and rivers from inappropriate development and manages stormwater and amenity. Table 11 below demonstrates the appropriateness of the proposed provisions.

TABLE 11: S32 ASSESSMENT OF IMPERVIOUS AREAS RULES	
Costs	Benefits
<u>Environmental, Social and Cultural</u> None identified.	<u>Environmental and Social</u> Helps create a more pedestrian-centric environment by protecting esplanade areas for pedestrian walkways. Improves water quality by managing stormwater runoff. Improves amenity by requiring landscaping within sites to break up impervious areas.
<u>Economic</u> Additional consenting costs where rules are breached. Potential additional costs to comply with rules.	<u>Economic</u> Implementing the Blue/Green Network Strategy could improve pedestrian activity in Whangarei City and therefore provide more economic activity. <u>Cultural</u> Waterways are better protected from inappropriate development.
Efficiency	Effectiveness
Rules are clear and policy guidance provides clear direction	The proposed rules are considered effective in meeting the objectives of the proposed LC by improving amenity.
Economic Growth and Employment Opportunities	
The proposed rules are not considered to have significant impacts on economic growth and employment as activities can be designed to meet the rules.	
Risk of acting and not acting if there is uncertain or insufficient information	
There is no known risk due to insufficient information.	

Cross Zone Boundary Effects

58. The proposed LC is generally located adjacent to proposed Living and Green Spaces Zones. Proposed Rule LC-R9 seeks to require landscaping along these shared boundaries to reduce adverse effects on Living and Green Spaces Zones and manage potential reverse sensitivity effects. The WDP does not have any landscaping requirements adjacent to Living or Open Space Environments. Proposed Rule LC-R10 seeks to manage the hours of operation of activities in proximity to Living Zones. This rule retains the status quo of the B3 and KAP. Due to the higher scale of development enabled in the LC and the range of activities enabled in the LC it is considered important to manage potential cross boundary effects.
59. The alternative considered was to retain the status quo with no landscaping requirements and hours of operation limits only in certain areas. Table 12 below demonstrates the appropriateness of the proposed provisions.

TABLE 12: S32 ASSESSMENT OF CROSS BOUNDARY RULES	
Costs	Benefits
<u>Environmental, Social and Cultural</u> None identified.	<u>Environmental and Social</u> Helps minimise adverse effects on adjacent sites in more sensitive Zones. Protects residential amenity.
<u>Economic</u> Additional consenting costs where rules are breached.	

Potential additional costs to comply with rules.	<u>Economic</u> Manages reverse sensitivity effects. <u>Cultural</u> None identified.
Efficiency	Effectiveness
Rules are clear, not considered to be onerous and have positive outcomes for both the developing site and adjacent sites.	The proposed rules are considered effective in meeting the objectives of the proposed LC by protecting amenity in adjacent zones.
Economic Growth and Employment Opportunities	
The proposed rules are not considered to have significant impacts on economic growth and employment as activities can be designed to meet the rules.	
Risk of acting and not acting if there is uncertain or insufficient information	
There is no known risk due to insufficient information.	

Parking and Vehicle Crossings

60. Proposed Rules LC-R12 and LC-R26 manage vehicle crossings and parking spaces and propose the following:

- Any new vehicle crossing over a footpath would require consent as a discretionary activity.
- Any car parking space located between the building frontage and any road boundary of a site is a discretionary activity.

61. The proposed rules aim to create a pedestrian-centric environment with active building frontages. The alternative considered was the status quo which only requires consent for parking spaces within 2m of a road boundary. However, consultation and research have confirmed that the status quo is inefficient and ineffective in achieving quality urban design outcomes. Table 13 below demonstrates the appropriateness of the proposed provisions.

TABLE 13: S32 ASSESSMENT OF PARKING AND VEHICLE CROSSING PROVISIONS	
Costs	Benefits
<u>Environmental</u> Compliance with parking and vehicle crossing rules could limit the ability of service activities to be accommodated within constrained sites and will alter the bulk form within the LC. <u>Social and Cultural</u> None identified. <u>Economic</u> Additional consenting costs where rules are breached. Potential additional costs for developers to comply with rules.	<u>Environmental and Social</u> Helps create a more pedestrian-centric environment, with safer and more accessible footpaths and improved active frontages. <u>Economic</u> Improves amenity within the LC which in turn can encourage more investment and generate more economic activity. <u>Cultural</u> None identified.
Efficiency	Effectiveness
Rules are clear and policy guidance provides direction on effects that need to be considered and methods of managing adverse effects where the rules are infringed.	The proposed rules are considered effective in meeting the objectives of the proposed LC by improving walkability and active frontages.

Economic Growth and Employment Opportunities
The proposed rules are not considered to have significant impacts on economic growth and employment, as activities can be designed to meet the rules and policy direction. Where standalone car parks seek consent to establish there is clear policy direction for them to be sleeved at ground floor by smaller scale retail and active uses. Therefore, proposed rule LC-R12 would not completely restrict standalone car parking facilities, but would manage their design and encourage more economic activity in the form of smaller scale active along the ground floor frontage.
Risk of acting and not acting if there is uncertain or insufficient information
There is no known risk due to insufficient information.

Definition Grouping - Activities

62. Part 1 of this s32 Report discusses the new definitions proposed under Plan Change 88. Table 14 below provides an overview of the plan change option for each definition grouping table activity and the other options considered under this s32 assessment. Table 14 also demonstrates the costs and benefits associated with each proposed plan change option.
63. Principles applied to the control of activities:
- Management of activities in the LC is necessary to provide a balance between providing access to goods and services for residents and local communities while maintaining the viability of the LC.
 - Development within the LC has the potential to undermine other business zones.
 - Urban amenity and pedestrian access is protected and maintained.
 - Provision for service stations, community activities, visitor accommodation, retirement villages etc which provide an essential service, by design are may not to maintain active frontages.

TABLE 14: SECTION 32 ASSESSMENT OF PROPOSED LC RULES FOR DEFINITION GROUPING ACTIVITIES

Activity	Proposed Plan Change Option	Other Options Considered	Costs of Plan Change Option	Benefits of Plan Change Option
Rural Production Activities				
Rural Production Activities	Non-complying.	<ul style="list-style-type: none"> Permit all rural production activities. Restrict some rural production activities. Status quo – permit activities except for intensive livestock farming, animal boarding and offensive trades under the Health Act 1956 which are non-complying. 	<ul style="list-style-type: none"> Additional cost to apply for consent for rural production activities. 	<ul style="list-style-type: none"> Rural production activities are highly unlikely in the LC, however, Council is encouraging the development of green rooves and it is therefore considered beneficial to enable farming on green rooves. Sets clear expectations for community as rural production activities, are not encouraged in LC. Improves amenity within LC and retains land for more appropriate uses. Rural production activities are required to locate in more appropriate Zones.
Industrial Activities				
General Industry	Non-complying.	<ul style="list-style-type: none"> Permit all industrial activities. Prohibit all industrial activities. Status quo – permit activities except for noxious or offensive activities such as panel beating, metal working, motor vehicle manufacturing, sewage disposal, etc. which are discretionary and non-complying. 	<ul style="list-style-type: none"> Not able to apply for consent for industrial activities, excluding artisan industrial activities. Some industrial activities which are not necessarily noxious (e.g. warehousing and storage) are now prohibited in CC. Larger artisan industrial activities would require consent as a non-complying activity. Artisan industrial activities may generate adverse effects as there is an industrial aspect to the activity; however, a 300m² GFA ensures they are small in scale. 	<ul style="list-style-type: none"> Industrial activities are required to locate in more appropriate zones which would avoid adverse effects from industrial activities and retain LC land for more appropriate activities that are more consistent with the LC objectives. Improved amenity of LC by avoiding adverse effects from industrial activities. Small scale artisan industrial activities would be provided for which would be consistent with the intent and objectives of the LC.
Manufacturing and storage				
Repair and maintenance services				
Marine industry				
Waste management facility	Prohibited.			
Landfill				
Artisan industrial activities	<p>Permitted with maximum GFA of 300m².</p> <p>The goods sold on site are also manufactured on site.</p> <p>Any outdoor area associated with the activity is not located between the front of the building and the road.</p>			
Residential Activities				

Supported Residential Care	Discretionary.	<ul style="list-style-type: none"> • Status quo – permitted • Permitted with effects based controls 	<ul style="list-style-type: none"> • Additional consenting costs. 	<ul style="list-style-type: none"> • Supported residential care is maybe appropriate on a case by case basis to enable suitable accessibility, sense of community and vitality of LC.
Residential Unit (Principal and Minor)	Permitted with controls for minimum internal areas, outdoor living courts and location above ground floor. Notification exemption is provided for residential units which only infringe on-site amenity rules (e.g outdoor living courts).	<ul style="list-style-type: none"> • Status quo – permitted with outdoor living court controls. • Permitted with additional effects based controls such as outlook space and habitable room orientation. 	<ul style="list-style-type: none"> • Additional controls for residential units compared to the status quo. • Some urban design issues would not be actively managed by the District Plan. • LC has a strong focus on active frontage at ground level and would not be supportive of residential units at ground floor. • Potential for reverse sensitivity with residential activities in proximity to noisy or late night activities. 	<ul style="list-style-type: none"> • The District Plan would continue to be enabling for residential activities. • Additional urban design controls to ensure on site amenity for residents is protected, while not being overly restrictive. • Consistent with LC objectives, higher order policy direction and higher order documents.
Retirement Village Premises	Discretionary	<ul style="list-style-type: none"> • Status quo – permitted subject to compliance with bulk and location and traffic movements. • Permitted with effects based controls. • Restricted Discretionary. 	<ul style="list-style-type: none"> • Additional controls for retirement villages compared to the status quo. • Some urban design issues would not be actively managed by the District Plan. • LC has a strong focus on active frontage may not be supportive of retirement villages. . • Potential for reverse sensitivity with residential activities in proximity to noisy or late night activities. 	<ul style="list-style-type: none"> • The District Plan would continue to be enabling for retirement villages. • Additional urban design controls to ensure on site amenity for residents is protected, while not being overly restrictive. • Consistent with LC objectives, higher order policy direction and higher order documents.
Commercial Activities				
Motor Vehicle Sales	Discretionary with maximum GFA of 300m ² .	<ul style="list-style-type: none"> • Status quo - permit activities except for offensive trades under the Health Act 1956 which are non-complying. • Provide for these activities as either permitted or discretionary with a suite of effects based controls. • Prohibit these types of retail activities 	<ul style="list-style-type: none"> • Consent would now be required for these retail activities with policies that would not be strongly supportive. • Existing activities would rely on existing use rights and would require consent beyond existing use rights. • Plan change option does allow for consent to be applied for which could result in some of these activities establishing in the LC and having adverse effects if the policies do not appropriately manage effects. 	<ul style="list-style-type: none"> • Consistent with LC objectives, higher order policy direction and higher order documents. • Improved amenity of LC by managing these retail activities which could have negative character and amenity effects. • LC land is retained for more suitable activities and these retail activities are encouraged to locate in more appropriate zones. • Provides for a discretionary tier of a size consistent with other retail activities envisaged in the LC.
Garden Centres	The goods sold on site are also manufactured on site.			
Marine Retail				
Drive Through Facilities	Discretionary			
Hire Premise	Non-complying.			

Service Stations	Discretionary.	<ul style="list-style-type: none"> • Provide for these activities as either permitted or discretionary with a suite of effects based controls. • Prohibit these types of commercial activities. 	<ul style="list-style-type: none"> • Consent would now be required beyond the GFA threshold. • Existing activities would require consent for extensions beyond the GFA threshold. 	<ul style="list-style-type: none"> • Consistent with LC objectives, higher order policy direction and higher order documents. • Larger individual activities may be enabled by LC policies but would require careful design consideration to ensure compatibility with the LC.
Funeral Home	Non-complying.			
Trade Suppliers	<p>Discretionary with maximum GFA of 300m².</p> <p>The goods sold on site are also manufactured on site.</p> <p>Any outdoor area associated with the activity is not located between the front of the building and the road.</p>	<ul style="list-style-type: none"> • Status quo - permit activities except for offensive trades under the Health Act 1956 which are non-complying. • Provide for these activities as either permitted or discretionary with a suite of effects based controls. • Prohibit these types of retail activities 	<ul style="list-style-type: none"> • Consent would now be required for these retail activities with policies that would not be strongly supportive. • Existing activities would rely on existing use rights and would require consent beyond existing use rights. • Plan change option does allow for consent to be applied for which could result in some of these activities establishing in the LC and having adverse effects if the policies do not appropriately manage effects. 	<ul style="list-style-type: none"> • Consistent with LC objectives, higher order policy direction and higher order documents. • Improved amenity of LC by managing these retail activities which could have negative character and amenity effects. • LC land is retained for more suitable activities and these retail activities are encouraged to locate in more appropriate zones. • Provides for a discretionary tier of a size consistent with other retail activities envisaged in the LC.
Grocery Store	<p>Permitted with maximum GFA of 300m².</p>	<ul style="list-style-type: none"> • Status quo – permitted • Permitted with 450m² GFA limit. • Permitted with 1000m² GFA limit. 	<ul style="list-style-type: none"> • Consent would now be required beyond the GFA threshold. • Existing activities would require consent for extensions beyond the GFA threshold. 	<ul style="list-style-type: none"> • Consistent with LC objectives, higher order policy direction and higher order documents. • Larger individual activities may be enabled by LC policies but would require careful design consideration to ensure compatibility with the LC. • GFA limit keeps activities at a human scale and retains fine grain character of LC. • Large scale activities are encouraged to locate in more appropriate zones.
General Retail				
Commercial Services				
Food and Beverage Activity				
Entertainment Facilities	<p>Permitted with a maximum individual activity is less than 1,000m² GFA. And any outdoor area associated with the activity is not located between the front of the building and the road.</p>	<ul style="list-style-type: none"> • Permitted with no GFA limit • Permitted with 450m² GFA limit. • Discretionary 	<ul style="list-style-type: none"> • Consent would now be required beyond the GFA threshold. • Existing activities would require consent for extensions beyond the GFA threshold. 	<ul style="list-style-type: none"> • Consistent with LC objectives, higher order policy direction and higher order documents. • Larger individual activities may be enabled by LC policies but would require careful design consideration to ensure compatibility with the LC. • More permissive than a 450m² GFA limit. • GFA limit keeps activities at a human scale and retains fine grain character of LC.

				<ul style="list-style-type: none"> Provides opportunities for community activities within LC achieving the LC objectives.
Visitor Accommodation	Restricted Discretionary.	<ul style="list-style-type: none"> Status quo – permitted subject to compliance with bulk and location and traffic movements. Permitted with effects based controls. Discretionary. 	<ul style="list-style-type: none"> Additional controls compared to the status quo. Some urban design issues would not be actively managed by the District Plan. LC has a strong focus on active frontage may not be supportive. Potential for reverse sensitivity in proximity to noisy or late night activities. 	<ul style="list-style-type: none"> The District Plan would continue to be enabling for visitor accommodation. Additional urban design controls to ensure on site amenity for residents is protected, while not being overly restrictive. Consistent with LC objectives, higher order policy direction and higher order documents.
Community Activities				
Place of Assembly	Permitted with a maximum individual activity is less than 1,000m ² GFA. And any outdoor area associated with the activity is not located between the front of the building and the road.	<ul style="list-style-type: none"> Permitted with no GFA limit. Permitted with 450m² GFA limit. Discretionary 	<ul style="list-style-type: none"> Consent would now be required beyond the GFA threshold. Existing activities would require consent for extensions beyond the GFA threshold. 	<ul style="list-style-type: none"> Consistent with LC objectives, higher order policy direction and higher order documents. Larger individual activities may be enabled by LC policies but would require careful design consideration to ensure compatibility with the LC. More permissive than a 450m² GFA limit. GFA limit keeps activities at a human scale and retains fine grain character of LC. Provides opportunities for community activities within LC achieving the LC objectives.
Recreational Facilities				
Care Centre	Discretionary.	<ul style="list-style-type: none"> Permitted with no GFA limit. Permitted with 450m² GFA limit. 	<ul style="list-style-type: none"> Consent would now be required beyond the GFA threshold. Existing activities would require consent for extensions beyond the GFA threshold. 	<ul style="list-style-type: none"> Consistent with LC objectives, higher order policy direction and higher order documents. Reduces the risk of incompatible land use activities. Maintains a mix of active activities within the LC.
Educational Facilities	Permitted with a maximum individual activity is less than 1,000m ² GFA. And any outdoor area associated with the activity is not located between the front of the building and the road.	<ul style="list-style-type: none"> Permitted with no GFA limit Permitted with 450m² GFA limit. Discretionary 	<ul style="list-style-type: none"> Consent would now be required beyond the GFA threshold. Existing activities would require consent for extensions beyond the GFA threshold. 	<ul style="list-style-type: none"> Consistent with LC objectives, higher order policy direction and higher order documents. Larger individual activities may be enabled by LC policies but would require careful design consideration to ensure compatibility with the LC.

				<ul style="list-style-type: none"> • More permissive than a 450m² GFA limit. • GFA limit keeps activities at a human scale and retains fine grain character of LC. <p>Provides opportunities for community activities within LC achieving the LC objectives.</p>
Health Care Facilities	Permitted with maximum GFA of 300m ²	<ul style="list-style-type: none"> • Status quo – permitted. • Permitted with 450m² GFA limit. • Permitted with 1000m² GFA limit. 	<ul style="list-style-type: none"> • Consent would now be required beyond the GFA threshold. • Existing activities would require consent for extensions beyond the GFA threshold. 	<ul style="list-style-type: none"> • Consistent with LC objectives, higher order policy direction and higher order documents. • Larger individual activities may be enabled by LC policies but would require careful design consideration to ensure compatibility with the LC. • GFA limit keeps activities at a human scale and retains fine grain character of LC. • Large scale activities are encouraged to locate in more appropriate zones.
Emergency Service	<ul style="list-style-type: none"> • Any individual activity is less than 1000m² GFA. • Any outdoor area associated with the activity is not located between the front of the building and the road. 	<ul style="list-style-type: none"> • Permitted with no GFA limit. • Permitted with 450m² GFA limit. • Discretionary. 	<ul style="list-style-type: none"> • Consent would now be required beyond the GFA threshold. • Existing activities would require consent for extensions beyond the GFA threshold. 	<ul style="list-style-type: none"> • Consistent with LC objectives, higher order policy direction and higher order documents. • Larger individual activities may be enabled by LC policies but would require careful design consideration to ensure compatibility with the LC. • More permissive than a 450m² GFA limit. • GFA limit keeps activities at a human scale and retains fine grain character of LC. • Provides opportunities for community activities within LC achieving the LC objectives.
Hospital	Non-Complying	<ul style="list-style-type: none"> • Status quo – permitted. • Permitted or discretionary with effects based controls. 	<ul style="list-style-type: none"> • Consent would now be required beyond the GFA threshold and at ground floor. • Existing activities would require consent for extensions beyond the GFA threshold. 	<ul style="list-style-type: none"> • LC land would be retained for higher amenity activities that are more consistent with LC objectives. • Consent would be required to ensure that if these activities established they would be carefully designed and operated. • These activities would be encouraged to locate in more appropriate zones.

Efficiency and Effectiveness

64. It is considered that the proposed suite of rules for the definition grouping table activities are efficient and effective for the following reasons:
- The proposed rules provide a clearer expectation for the community and developers as to what types of activities are anticipated within the LC.
 - The proposed rules are more effective than the status quo in managing adverse effects and achieving positive outcomes.
 - The proposed rules provide for a permitted threshold of activities, in line with the LC objectives, so that consent requirements are not excessive.
 - In combination with the other zones proposed under PC88 the definition grouping activities are provided for in areas considered appropriate. As demonstrated in Attachment 1 of Part 1 of this s32 Report an assessment of capacity for various business sectors has identified that sufficient capacity has been provided across this District.

Economic Growth and Employment Opportunities

65. Rules managing the definition grouping activities can have significant effects on economic growth and employment opportunities as they can dictate where certain business sectors can and cannot operate without consent. It is considered that the proposed LC rules provide for an appropriate range of activities to enable growth and employment while also protecting the amenity and character of the LC.
66. As discussed in above, in combination with the other zones proposed under PC88 the range of definition grouping activities are provided for across various zones. While some activities are not encouraged or enabled in the LC they are provided for elsewhere.

Risk of Acting and Not Acting if there is Uncertain or Insufficient Information

67. There is no known risk due to insufficient information.

Conclusion

68. The plan change options detailed within Table 14 are considered to be the most appropriate methods to achieve the proposed LC objectives.

Subdivision

69. The proposed LC objectives seek to enable and encourage subdivision to provide for a mix of commercial, service and community activities, while maintaining urban character and seeking to achieve high quality urban design outcomes. To achieve these objectives, subdivision of land, minimum allotment size, allotment shape and minimum frontages within the LC must be carefully managed.

70. Proposed Rule SUB-R7 manages subdivision within the LC. The WDP provides for subdivision in the B3 Environment as a controlled activity where the net site area of an allotment is at least 100m². The proposed minimum allotment net site area is consistent with B3.
71. In conjunction with the minimum allotment net site area, it is proposed to impose a building area of 100m² and a site frontage is not less than 6m and not more than 30m or 12m and 60m in the case of a corner site. These shape factors further protect the amenity values of the LC and the surrounding residential zones. The WDP currently imposes similar shape factor rules.
72. Alternatives considered were:
- **Option 1:** Status quo; retain the current B3 and KAP minimum allotment size (100m²) and shape factor rules. (Plan Change Option)
 - **Option 2:** Minimum allotment size of 450m² and shape factor rules.
73. Evaluation of these alternative options have been summarised in Table 15:

TABLE 15: SECTION 32 ASSESSMENT OF SUBDIVISION OPTIONS		
	<u>Costs</u>	<u>Benefits</u>
Option 1: Status quo; retain the current B3 minimum allotment size (100m²) and shape factor rules.	<u>Environmental</u> Allotment size, frontage and future built development is significantly different to L1 in the WDP and the surrounding residential environment., does not maintain the amenity of the LC and surrounding residential zones. <u>Economic</u> Increased density of development and on-going demand on services with implications for infrastructure funding and development. <u>Social and Cultural</u> None identified.	<u>Environmental</u> None identified. <u>Economic</u> Significant opportunities for development. <u>Social and Cultural</u> None identified.
Option 3: Minimum allotment size of 450m² and shape factor rules. (Plan Change Option)	<u>Environmental</u> None known. <u>Economic</u> Opportunities for development are retained but capacity is limited. <u>Social and Cultural</u> None identified.	<u>Environmental</u> Maintains current levels of amenity anticipated within local commercial areas. <u>Economic</u> Increased development opportunities from status quo. <u>Social and Cultural</u> None identified.
	<u>Efficiency</u>	<u>Effectiveness</u>
Option 1	Consultation and research have confirmed that the status quo option could effectively provide for development within the LC. Option 1 does not efficiently provide for the opportunity to accommodate for growth and consolidation of LC.	
Option 2	Option 2 is not considered to be efficient and effective as it potentially alters the amenity of the LC to be inconsistent with the LC objectives.	

Option 3	Option 3 is considered to be efficient and effective as it provides for development in a manner that is consistent with the amenity of the LC.
Economic Growth and Employment Opportunities	
Option 2 provides the most economic growth and employment opportunities by decreasing minimum allotment size. Option 3 provides for limited opportunities for economic growth and employment in the LC.	
Risk of acting and not acting if there is uncertain or insufficient information	
There is no known risk due to insufficient information.	

74. Option 3 (Plan change option) is considered to be the most appropriate method to achieve the LC objectives.

5. Section 32 Analysis: NC

5.1 Appropriateness in Terms of Purpose of RMA

75. Council must evaluate in accordance with s32 of the RMA, the extent to which each objective proposed in PC88E is the most appropriate way to achieve the purpose of the RMA. To confirm the appropriateness of the proposed objectives, this report assesses whether the proposed objectives are the most appropriate way to achieve the purpose of the RMA, other higher order objectives proposed in the Urban Area (**UA**) and other higher order documents. The level of analysis undertaken in this report is appropriate to the scale of the proposal. Note that section 4 of this report contains the s32 analysis of the LC.
76. PC88E proposes the following objectives for NC, the reasons for which are detailed in Table 16:

TABLE 16: S32 ASSESSMENT OF PROPOSED NC OBJECTIVES	
Proposed NCE Objectives	Reason/Issue
<p>NC-O1 – Range of Activities Provide a distribution of commercial and community activities, while not undermining the vitality and viability of the LC.</p>	<p>The objective is proposed to enable a mix of development to service the surrounding residential activities.</p> <p>Distribution of small scale retail, commercial services and community activities will support the needs of the residential areas of Whangarei City and Ruakaka/Marsden Point.</p> <p>Management of activity scale is important to protect the vitality and viability of the LC.</p>
<p>NC-O2 Urban Character and Amenity Maintain and enhance the urban character and amenity of the NC.</p>	<p>It is intended that the general amenity and character of the NC will be complementary to the surrounding residential zones.</p> <p>It is important that the scale of activities and built environment maintains the amenity of the NC.</p> <p>High level of urban design is anticipated.</p>
<p>NC-O3 – Urban Design Development that demonstrates high quality urban form that positively interacts with the public realm and is sympathetic to the surrounding environment.</p>	
<p>NC-O4 – Discouraged Activities Discourage Industrial Activities within the NC to maintain the NC amenity and character.</p>	<p>Some activities are not anticipated in the NC, due to their scale, nature and intensity. These activities can often have adverse effects and are inconsistent with the anticipated outcomes of the NC.</p>

77. Part 2 of the RMA outlines the purpose and principles of the RMA. Table 2 demonstrates that the proposed NC objectives achieve the purpose of the RMA. Several sections within Part 2 of the RMA are not relevant to PC88E. Additionally, with regard to s8, consultation with Tangata Whenua has been undertaken and no matters have been identified that would indicate that PC88E is inconsistent with s8.

		TABLE 17 LINKAGE OF PROPOSED NC OBJECTIVES WITH PART 2 OF THE RMA		
		Proposed NC Objectives		
		NC-O1	NC-O2	NC-O3
RMA Part 2 Sections	5(2)(a)	√	√	√
	5(2)(b)			
	5(2)(c)	√	√	
	6(a)			
	6(h)			
	7(b)	√	√	
	7(c)	√	√	
	7(f)	√	√	

78. Having assessed the proposed objectives against Part 2 of the RMA it is considered that they achieve the purpose of the RMA and promote sustainable management.

5.2 Appropriateness in Relation to Higher Order Documents

79. The provisions of higher order documents were considered in the formulation of the NC objectives and policies in PC88E. Of particular relevance to PC88E are the RPS, the LTP, 30/50 and the UDS. Section 5 provides a comprehensive evaluation of the consistency of PC88E in relation to relevant higher order documents. Table 18 provides an overview of the proposed NC objectives' consistency with the more relevant higher order documents.

		TABLE 18: LINKAGE OF PROPOSED NC OBJECTIVES WITH HIGHER ORDER DOCUMENTS		
		NC Objectives		
		NC-O1	NC-O2	NC-O3
Higher Order Documents	RPS	√	√	√
	LTP			
	30/50	√		√
	UGS	√		
	UDS		√	

5.3 Effectiveness and Efficiency of Proposed Policies and Methods

80. A s32 assessment must determine whether the proposed provisions are the most appropriate way to achieve the proposed objectives by undertaking a cost benefit analysis of the economic, social, environmental and cultural effects of the provisions, including whether opportunities for economic growth and employment are reduced or increased. The risk of acting or not acting where uncertain information exists must also be considered. Below is an assessment of the proposed provisions.

5.4 Appropriateness in Relation to Strategic Direction Chapter

81. The proposed NC objectives are subservient to the higher order district wide objectives set out in the SD proposed under Plan Change 148. The overarching SD objectives and policies and their links to the proposed NC objectives are shown in Table 19 below. This table illustrates that the objectives of the NC are effectively linked to the overall objectives and policies of the SD which are considered to be appropriate in terms of s32 (refer to Plan Change 148 s32 evaluation).

TABLE 19: LINKING BETWEEN RELEVANT STRATEGIC DIRECTION CHAPTER AND NC OBJECTIVES		
Proposed Strategic Direction Objective	Proposed Strategic Direction Policies	Proposed NC Objectives
SD-O1 – Range of Zones Provide for differing character and amenity values by having a range of Zones with differing expectations.	SD-P1, P19, P20 – SD-39	NC-O1
SD-O2 – Rural and Urban Areas Protect the range of amenity values and characteristics in the Rural Area and the Urban Area.	SD-P4, P10	NC-O2
SD-O3 – Growth Accommodate future growth through urban consolidation of Whangarei City, existing suburban nodes and rural villages, to avoid urban development sprawling into productive rural areas.	SD-P6	NC-O1
SD-O5 – Incompatible Activities Avoid conflict between incompatible land use activities from new subdivision and development.	SD-P2	NC-O4
Urban Area Objectives		
SD-O11 – Residential and Business Demand Ensure that there are sufficient opportunities for the development of residential and business land to meet demand.	SD-P8	
SD-O12 – Urban Design Promote safe, compact, sustainable and good quality urban design that responds positively to the local context.	SD-P9, P10	NC-O3
SD-O13 – Unanticipated Activities	SD-P2, P4	NC-O4

Manage, and where appropriate avoid the establishment of activities that are incompatible with existing uses or unanticipated in the zone.		
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5.5 Appropriateness of Proposed Policies and Methods

82. A s32 assessment must determine whether the proposed provisions are the most appropriate way to achieve the proposed NC objectives by undertaking a cost benefit analysis of the economic, social, environmental and cultural effects of the provisions, including whether opportunities for economic growth and employment are reduced or increased. The risk of acting or not acting where uncertain information exists must also be considered. Below is an assessment of the proposed NC provisions.

5.5.1 Proposed policies

83. The proposed objectives in NC seek to ensure a distribution of accessible neighbourhood commercial activities that provide goods and services to meet the day to day needs of local neighbourhoods. These objectives are achieved through the application of policies and methods:

84. The NC policies proposed for inclusion are considered to achieve the objectives by:

- Identifying the character and amenity that is anticipated within the NC.
- Enabling activities that enhance the vibrancy, community sense of place and amenity of NC.
- Requiring development to be well designed by:
 - Locating active uses (e.g. retail, restaurants, etc.) at ground floor.
 - Ensuring buildings are designed with active frontages to create a pleasant and safe walkable place.
 - Managing bulk and location of building to maintain the surrounding residential built form.
- Managing the scale and design of buildings to achieve quality urban design outcomes and ensure that sunlight access is protected.
- Ensuring residential activities are designed to protect residential amenity.

85. The proposed NC policies are considered the most efficient and effective for achieving the objectives and provide a coherent link to the methods and rules in the proceeding sections of the NC chapter. The use of clear and direct policies also aligns with the policy driven approach applied to the rolling review.

86. Table 20 below demonstrates that the policies proposed for the NC implement the proposed NC objectives, and that the methods implement the proposed NC policies:

TABLE 20: LINKING OF PROPOSED NC PROVISIONS		
Proposed NC Objective	Proposed NC Policies	Proposed NC Methods
NC-O1	NC-P2	NC-R11 – R39

NC-O2	NC-P1, NC-P5-P7, NC-P9	NC-R2, NC-R7, NC-R11, NC-R27 – R39
NC-O3	NC-P3-P5, NC-P9	NC-R10
NC-O4	NC-P6, NC-P7	NC-R27 – R39

87. An alternative option to the proposed policies was to rely on the existing higher order policies in Part D of the WDP. However, the existing policies are not considered to be effective in clearly stating the types of activities that are appropriate within the NC, promoting residential activities or incentivising high quality urban design outcomes. Therefore, the existing policies present additional costs and risk compared to the proposed NC policies.

5.5.2 Proposed NC Boundaries

88. Spatial mapping is an appropriate method of achieving the objectives of the NC as it identifies where the proposed new objectives and provisions do and do not apply. In order to assess the appropriateness of the proposed spatial extent of the NC in achieving the objectives of the NC the following three options were evaluated:

- **Option 1:** Status Quo; retain the current spatial extent of the B3 and rezone these areas to NC.
- **Option 2:** Map the NC based on the criteria and proposed zoning policy in the SD identified in section 3 above. (Plan change option)
- **Option 3:** Do not map NC.

89. Evaluation of these alternative options have been summarised in Table 21:

TABLE 21: EVALUATION OF ALTERNATIVES - MAPPING PROVISIONS		
Option	Costs	Benefits
Option 1 - Status quo	<u>Environmental</u> Does not give effect to the consolidation direction of 30/50. Does not fit with the rezoning proposed by the package of urban plan changes. <u>Economic</u> Zoning may not reflect actual land use, leading to “dishonest zoning”. <u>Social</u> May not provide adequately for services in neighbourhoods decreasing social wellbeing. <u>Cultural</u> None known.	<u>Environmental</u> None known. <u>Economic</u> No change to amount of land zoned for neighbourhood commercial and service activities. <u>Social</u> Status quo so familiar to district plan users. <u>Cultural</u> No change to current approach.
Option 2 - Map using plan change criteria (plan	<u>Environmental</u> None known. <u>Economic</u> None known.	<u>Environmental</u> Using defined criteria allows areas to be assessed as to the appropriate zoning. Gives effect to the consolidation direction of 30/50.

change option)	<u>Social</u> Requires shift and upskilling for District Plan users. <u>Cultural</u> None known.	Fits with the rezoning proposed by the package of urban plan changes. <u>Economic</u> Land use (current and future) is reflected by appropriate zoning, giving certainty to business and community. <u>Social</u> Commercial and service activities can be provided that meet the day to day needs of the community. <u>Cultural</u> None known.
Option 3 - Map using different criteria	<u>Environmental</u> May not give effect to the consolidation direction of 30/50. Does not fit with the rezoning proposed by the package of urban plan changes. <u>Economic</u> Uncertain criteria. May identify less land for commercial and service activities and less opportunity for economic growth. <u>Social</u> May not adequately provide for commercial and service activities decreasing social wellbeing. <u>Cultural</u> None known.	<u>Environmental</u> None known. <u>Economic</u> May identify more land for commercial and service activities and more opportunity for economic growth. <u>Social</u> May identify and provide for commercial and service activities leading to social wellbeing. <u>Cultural</u> None known.
	Efficiency	Effectiveness
Option 1	This option is not efficient and effective at mapping NC as it includes other areas that are not neighbourhood services.	
Option 2 - Plan change option	This option is considered an efficient method to provide for NC.	This option is effective in achieving the objectives of the NC.
Option 3	This option is not efficient at mapping NC as it is unknown.	This option is not effective in achieving the objectives for PC88.
Economic Growth and Employment Opportunities		
Neighbourhood commercial and service activities provide economic benefit to the district. Option 1 does not represent any change to the current employment and economic growth opportunities. Option 2 represents low to medium growth in employment and economic growth by better matching zoning to land use, enabling growth opportunities without regulatory constraint. Option 3 has unknown economic growth and employment opportunities.		
Risk of acting and not acting if there is uncertain or insufficient information		
Option 3 has a risk of acting due to uncertain/insufficient information.		

90. Option 2 (plan change option) is considered to be the most appropriate method to achieve the proposed objectives of PC88E. The criteria can also be applied to zoning changes, arising from submissions to PC88E or future plan change applications

5.5.3 Proposed NC Provisions

91. The proposed provisions in the NC are assessed below. The proposed provisions are grouped by topic and effects. The evaluation of the provisions includes the identification of alternative options and an assessment of the costs, benefits, efficiency and effectiveness of the proposed provisions and the risks of acting and not acting.

Building Height and Height in Relation to Boundary

92. The proposed NC objectives seek to enable and encourage commercial and community activities suburbs to provide convenient neighbourhood services. while maintaining urban character and the surrounding residential amenity and seeking to achieve high quality urban design outcomes. To achieve these objectives, the bulk and form of the built environment within the NC must be carefully managed.

93. Proposed rule NC-R2 manages building height within the NC. The proposed maximum building height of 8m is consistent with the adjacent residential zones proposed in PC88.

94. In conjunction with the maximum building height (HRB) provision it is proposed to impose a height in relation to boundary rule NC-R4 to further protect amenity values of adjacent Open Space and Residential zones. The WDP currently imposes rules relating to daylight angles where properties are adjacent to Living Environments. There has been a lack of clarity regarding this rule and the proposed HBR provision will allow for more clarity in interpretation and implementation.

95. Alternatives considered were:

- **Option 1:** Status Quo: Retain the current B3 building height rules and daylight angle rules.
- **Option 2:** Reduce the maximum building height to be consistent with the proposed Residential Zone of 8m. (Plan Change Option).
- **Option 3:** Increase the maximum building height.

96. Evaluation of these alternative options have been summarised in Table 22:

TABLE 22: SECTION 32 ASSESSMENT OF BUILDING HEIGHT OPTIONS		
	<u>Costs</u>	<u>Benefits</u>
Option 1: Status Quo	<u>Environmental, Social and Cultural</u> Potential for adverse effects in relation to shading, human scale of development and change in the amenity of NC and surrounding residential zones. <u>Economic</u> None known.	<u>Environmental</u> Building heights are managed to minimise shading. maintaining a consistent bulk and scale for buildings. <u>Economic and Social</u> None identified. <u>Cultural</u>

		None identified.
Option 2: Reduce building height	<u>Environmental</u> Reduced built form and scale changing the amenity of the areas. Inconsistent built form from the surrounding residential zones.	<u>Environmental and Social</u> Building heights are managed to minimise shading, human scale of development is maintained and NC is consistent with surrounding residential zones.
Plan Change option	<u>Economic</u> 8m building height is not flexible enough to allow taller buildings where these may be appropriate and have positive economic benefits. Without a minimum building height, land has been used inefficiently. <u>Social and Cultural</u> None identified.	<u>Economic</u> Reduced building height encourages more efficient use of land. <u>Cultural</u> None identified.
Option 3: Increase building height	<u>Environmental, Social and Cultural</u> Potential for adverse effects in relation to shading, human scale of development and change in the amenity of NC and surrounding residential zones. <u>Economic</u> Nil	<u>Environmental, Social and Cultural</u> None identified. <u>Economic</u> Increased development opportunities with increased height restrictions.
	<u>Efficiency</u>	<u>Effectiveness</u>
Option 1	Option 1 would not be effective in meeting the objectives of the NC to maintain amenity and good urban design.	
Option 2	A maximum 8m building height effectively achieves the objectives of NC and maintains amenity and urban form.	
Option 3	Option 3 is not considered to be efficient and effective as it increases the risk of increased bulk form and built scale of development in the NC reducing amenity and changing character.	
Economic Growth and Employment Opportunities		
Option 3 provides the most economic growth and employment opportunities by increasing building height. Option 2 limits the opportunities for economic growth and employment in the NC.		
Risk of acting and not acting if there is uncertain or insufficient information		
There is no known risk due to insufficient information.		

97. Option 2 (Plan change option) is considered to be the most appropriate method. Option 2 will achieve the expectations for the NC and achieve the proposed NC objectives.

Active Frontages

98. The proposed NC objectives seek to prioritise pedestrians and enhance active frontages at ground floor. Active frontage is proposed to be defined as:

means uses/buildings that have a visual connection with the street level (usually from a ground floor) and entrances from the street. It will involve a degree of clear glazing but does not need to be fully glazed. The design should imply to users on the street that there is proximity and interaction between them and people within buildings.

99. Proposed Rules NC-R5, NC-R8, NC-R10 manage active frontage by managing building setbacks, building frontages, verandahs and fences along road boundaries.

Building Setbacks

100. The Living zones of the WDP imposes a 4.5m building setbacks from road boundaries of 4.5m, whereas B3 imposes a reduced building setback from road frontage to improve active frontages and passive surveillance. KAP requires a 3m setback from Living Environments, but imposes a pedestrian network which requires buildings to be setback no further than 1.5m from the road boundary.
101. Setbacks from building line restrictions are proposed to be addressed in Plan Change 109 – Transport).
102. The proposed NC building setbacks require buildings to be within 1.5m of the road boundary at ground floor. The proposed building setbacks seek to maintain an active building frontage and to enable and encourage positive outcomes such as through site links, which help promote the NC as a pedestrian-centric environment. The proposed NC includes a 5m setback from adjoining Residential or Open Space zoned land to maintain privacy and amenity.

Building Frontages

103. Proposed Rule NC-R5 requires clear glazing at ground floor, manages the location of public entrances, requires consent for roller doors along site frontages, and manages blank walls.
104. The B3 does not have any building frontage rules. KAP does manage building frontage in particular clear glazing. It has been identified through consultation and research that there is a need for more urban design controls within the NC, particularly with regard to ground floor active frontage. The proposed rules have been informed by best practice urban design and are intended to protect and enhance active frontage while not being overly restrictive.

Verandahs

105. The B3 currently requires verandahs to be constructed along the entire frontage (excluding access). Proposed Rule NC-R10 aims to slightly reduce the width of verandah required so that there is more sunlight access on the footpaths and to manage the fascia height of verandahs so they do not dominate the building facades. Additionally, it is proposed to require consent for any signs located on top of a verandah to make the building facade more visible and avoid clutter form disjointed signage.

Fences

106. There are no operative rules in the B3 or the KAP relating to fencing. Living Environments have fencing rules to control height and design. Proposed Rule NC-R8 would require consent for any fence along a road boundary where the fence is not required by by-law or for public health and safety. There is minimal risk of a fence being erected along a road boundary in the NC, however it is considered important to manage fencing as it could have significant adverse effects on streetscape and active frontage.
107. There are a wide range of alternatives considered in relation to the proposed active frontage controls. Additional rules were considered as well as different rule thresholds, and all options were compared to the status quo. At a high level the alternatives considered were:

- **Option 1:** Status Quo: Retain the current B3 and KAP provisions with no active frontage controls.

- **Option 2:** Manage building setbacks, building frontages, verandahs and fences along road boundaries. (Plan change option)
- **Option 3:** Require consent for all buildings as a restricted discretionary activity and assess each application on its merits.

108. Evaluation of these alternative options have been summarised in Table 23:

TABLE 23: SECTION 32 ASSESSMENT OF ACTIVE FRONTAGE OPTIONS		
	<u>Costs</u>	<u>Benefits</u>
Option 1: Status Quo	<p><u>Environmental and Social</u> Rules would not help achieve active frontages and would therefore not improve CPTED or pedestrian-centric aspects of the NC.</p> <p><u>Economic</u> No management of active frontage could diminish the amenity of the NC which could in turn negatively affect the viability of NC activities.</p> <p><u>Cultural</u> None identified.</p>	<p><u>Environmental, Social and Cultural</u> None identified.</p> <p><u>Economic</u> Reduced costs for developers as there would be less District Plan rules to comply with.</p>
Option 2: Plan Change option	<p><u>Environmental, Social and Cultural</u> None identified.</p> <p><u>Economic</u> Additional costs for developers to meet district plan rules.</p>	<p><u>Environmental, Economic and Social</u> Improved urban design and active frontages in the NC. Improved amenity could contribute to the vibrancy and vitality of the NC.</p> <p>Some flexibility for developers with regard to building setbacks.</p> <p><u>Cultural</u> None identified.</p>
Option 3: Consent for all buildings	<p><u>Environmental and Cultural</u> None identified.</p> <p><u>Economic and Social</u> Additional costs as any building would require consent.</p> <p>Degree of uncertainty as there would not be any rule thresholds and design outcomes would rely on policy interpretation.</p>	<p><u>Environmental, Economic and Social</u> Improved urban design and active frontages in the NC. Improved amenity could contribute to the vibrancy and vitality of the NC.</p> <p><u>Cultural</u> None identified.</p>
	<u>Efficiency</u>	<u>Effectiveness</u>
Option 1	Consultation and research have confirmed that the status quo is inefficient and ineffective in achieving quality urban design outcomes. Key objectives of the NC are to enhance active frontage, create a pedestrian-centric environment and promote high quality urban design. Option 1 does not address these issues.	
Option 2	Option 2 is considered to be an improvement of the status quo provisions providing a more efficient method of achieving the objectives of the proposed NC.	
Option 3	Option 3 would not be efficient as consent would be required for every building where as in many cases it is likely more appropriate to state a permitted threshold.	Option 3 would result in the improvement of the status quo provisions introducing active frontage provisions to meet the objectives of the proposed NC.
Economic Growth and Employment Opportunities		

There is not considered to be a significant impact in terms of economic growth and employment opportunities. However, Option 2 is considered to be the most beneficial in this regard as it aims to enhance amenity in the NC through active frontage controls while also providing for a permitted threshold to reduce consenting costs.

Risk of acting and not acting if there is uncertain or insufficient information

There is no known risk due to insufficient information.

109. Option 2 (Plan change option) is considered to be the most appropriate method. Option 2 will achieve the expectations for the NC and achieve the proposed NC objectives.

Outdoor Areas of Storage

110. The B3 and Living Environments currently manages outdoor areas of storage or stockpiles to limit their size and manage discharges or adverse effects that may arise. However, the wording of the operative rules has created issues in the ability to monitor and enforce the rules. Proposed Rule NC-R11 aims to retain the intent of the WDP storage and stockpile provisions, but improve on the wording to make it clearer. Alternatives considered were to retain the status quo or to delete all storage and stockpile rules. The plan change option is considered more efficient than the status quo as it can be more easily interpreted and enforced, and is more effective than no rules as the issue would then be unmanaged and could have adverse amenity effects within the NC.

Impervious Areas

111. The WDP does not manage impervious areas in the B2, B3 and B4. Proposed Rule NC-R6 would require consent for impervious areas greater than 75% of the net site area and impervious areas that are not setback 5m from MHWS or the top of a river bank.

112. Impermeable surfaces contribute to the amenity and coverage of sites, potentially decreasing green landscaping. Significant site coverage with impermeable surfaces can result in increased stormwater runoff and necessity to attenuate stormwater. The proposal to include impervious area limits aim to improve amenity and manage stormwater.

113. With regard to the MHWS and river setback, research has confirmed that impervious areas adjacent to MHWS, such as parking spaces, can compromise the future use of the esplanade area as a pedestrian walkway and have adverse effects from stormwater runoff. The Blue/Green Network Strategy seeks to manage these esplanade areas for a range of reasons including managing stormwater and improving pedestrian connectivity.

114. The alternative considered was the status quo. However, it is important that the District Plan protects areas immediately adjacent to MHWS and rivers from inappropriate development and manages stormwater and amenity. Table 24 below demonstrates the appropriateness of the proposed provisions.

TABLE 24: S32 ASSESSMENT OF IMPERVIOUS AREAS RULES	
Costs	Benefits
<u>Environmental, Social and Cultural</u> None identified.	<u>Environmental and Social</u> Helps create a more pedestrian-centric environment by protecting esplanade areas for pedestrian walkways.
<u>Economic</u>	

Additional consenting costs where rules are breached. Potential additional costs to comply with rules.	Improves water quality by managing stormwater runoff. Improves amenity by requiring landscaping within sites to break up impervious areas. <u>Economic</u> Implementing the Blue/Green Network Strategy could improve pedestrian activity and therefore provide more economic activity. <u>Cultural</u> Waterways are better protected from inappropriate development.
Efficiency	Effectiveness
Rules are clear and policy guidance provides clear direction	The proposed rules are considered effective in meeting the objectives of the proposed NC by improving amenity.
Economic Growth and Employment Opportunities	
The proposed rules are not considered to have significant impacts on economic growth and employment as activities can be designed to meet the rules.	
Risk of acting and not acting if there is uncertain or insufficient information	
There is no known risk due to insufficient information.	

Cross Zone Boundary Effects

115. The proposed NC is generally surrounded by proposed Living Zones. Due to the higher scale in the NC and range of activities enabled in the NC it is considered important to manage potential cross boundary effects. Proposed Rule NC-R7, seeks to manage the hours of operation of activities in proximity to Living Zones. This rule retains the status quo of the B3 and KAP.
116. The alternatives considered was the reduction or increase of hours of operation. Table 25 below demonstrates the appropriateness of the proposed provisions.

TABLE 25: S32 ASSESSMENT OF CROSS ZONE BOUNDARY RULES	
Costs	Benefits
<u>Environmental, Social and Cultural</u> None identified. <u>Economic</u> Additional consenting costs where rules are breached. Potential additional costs to comply with rules.	<u>Environmental and Social</u> Helps minimise adverse effects on adjacent sites in more sensitive Zones. Protects residential amenity. <u>Economic</u> Manages reverse sensitivity effects. <u>Cultural</u> None identified.
Efficiency	Effectiveness
Rules are clear and not considered to be too onerous but have positive outcomes for both the developing site and adjacent sites.	The proposed rules are considered effective in meeting the objectives of the proposed NC by protecting amenity in adjacent zones.
Economic Growth and Employment Opportunities	
The proposed rules are not considered to have significant impacts on economic growth and employment as activities can be designed to meet the rules.	

Risk of acting and not acting if there is uncertain or insufficient information
There is no known risk due to insufficient information.

Car Parking

117. Proposed Rule NC-R9 manages the location of parking spaces. The proposed rule aims to create a pedestrian-centric environment with active building frontages. The alternative considered was the status quo which only requires consent for parking spaces within 2m of a road boundary. However, consultation and research have confirmed that the status quo is inefficient and ineffective in achieving quality urban design outcomes. Table 26 below demonstrates the appropriateness of the proposed provisions.

TABLE 26: S32 ASSESSMENT OF PARKING AND VEHICLE CROSSING PROVISIONS	
Costs	Benefits
<p><u>Environmental</u> Compliance with the parking rule could limit the ability of service activities to be accommodated within constrained sites and will alter the bulk form within the NC.</p> <p><u>Social and Cultural</u> None identified.</p> <p><u>Economic</u> Additional consenting costs where rules are breached. Potential additional costs for developers to comply with rules.</p>	<p><u>Environmental and Social</u> Helps create a more pedestrian-centric environment with safer and more accessible footpaths and improved active frontages.</p> <p><u>Economic</u> Improves amenity within the NC which in turn can encourage more investment and generate more economic activity.</p> <p><u>Cultural</u> None identified.</p>
Efficiency	Effectiveness
Rules are clear and policy guidance provides direction on effects that need to be considered and methods of managing adverse effects where the rules are infringed.	The proposed rules are considered effective in meeting the objectives of the proposed NC by improving walkability and active frontages.
Economic Growth and Employment Opportunities	
The proposed rules are not considered to have significant impacts on economic growth and employment as activities can be designed to meet the rules and policy direction.	
Risk of acting and not acting if there is uncertain or insufficient information	
There is no known risk due to insufficient information.	

Definition Grouping - Activities

118. Part 1 of this s32 Report discusses the new definitions proposed under Plan Change 88. Table 27 below provides an overview of the plan change option for each definition grouping activity and the other options considered under this s32 assessment. Table 27 also demonstrates the costs and benefits associated with each proposed plan change option.

119. Principles applied to the control of activities:

- Management of activities in the NC is necessary to provide a balance between providing access to goods and services for residents and neighbourhoods while maintaining the viability of the LC.

- NC is located within residential environments, surrounded by residential zones. To maintain residential amenity it is necessary to limit the nature and scale of activities within the NC
- Residential density should be limited to maintain sufficient NC availability to meet needs for goods and services.

Activities that have potential effects similar to those of residential activities are provided for.

TABLE 27: SECTION 32 ASSESSMENT OF PROPOSED RULES FOR DEFINITION GROUPING ACTIVITIES

Activity	Proposed Plan Change Option	Other Options Considered	Costs of Plan Change Option	Benefits of Plan Change Option
Rural Production Activities				
Rural Production Activities	Prohibited.	<ul style="list-style-type: none"> • Permit all rural production activities. • Prohibit some rural production activities. • Status quo – permit activities except for intensive livestock farming, animal boarding and offensive trades under the Health Act 1956 which are non-complying. 	<ul style="list-style-type: none"> • Not able to apply for consent for rural production activities. 	<ul style="list-style-type: none"> • Sets clear expectations for community. • Maintains amenity within NC and retains land for more appropriate uses. • Rural production activities are required to locate in more appropriate Zones.
Industrial Activities				
Industrial Activities	Non-complying.	<ul style="list-style-type: none"> • Permit all industrial activities • Status quo – permit activities except for noxious or offensive activities such as panel beating, metal working, motor vehicle manufacturing, sewage disposal, etc. which are discretionary and non-complying. • Discretionary activity. 	<ul style="list-style-type: none"> • Consent would be required for these activities with policies that would not be strongly supportive. • Existing activities would rely on existing use rights and would require consent beyond existing use rights. 	<ul style="list-style-type: none"> • Industrial activities are required to locate in more appropriate zones which would avoid adverse effects from industrial activities and retain NC land for more appropriate activities that are more consistent with the NC objectives. • Improved amenity of NC by avoiding adverse effects from industrial activities.
Residential Activities				
Supported Residential Care	Permitted with controls for numbers of patients, density of accommodation units, requirements for outdoor living space.	<ul style="list-style-type: none"> • Status quo – permit activities except for noxious or offensive activities such as panel beating, metal working, motor vehicle manufacturing, sewage disposal, etc. which are discretionary and non-complying. • Discretionary activity. • Non-complying activity. 	<ul style="list-style-type: none"> • Additional controls for Supported Residential Care compared to the status quo. • NC has a strong focus on active frontage at ground level and would not be achieved by Supported Residential Care activities. • Potential for reverse sensitivity with residential activities in proximity. 	<ul style="list-style-type: none"> • Supported residential care is appropriate where potential effects are limited to those similar to a residential activity. • Maintains accessibility, sense of community for residents.

Residential Unit (Principal and Minor)	Permitted provided that activities are ancillary to commercial service, food and beverage or retail activity. With controls for minimum internal areas, outdoor living courts. Notification exemption is provided for residential units which only infringe on-site amenity rules e.g. outdoor living courts.	<ul style="list-style-type: none"> • Status quo – permitted with outdoor living court controls. • Permitted with additional effects based controls such as outlook space and habitable room orientation. • Discretionary activity. 	<ul style="list-style-type: none"> • Additional controls for residential units compared to the status quo. • Some urban design issues would not be actively managed by the District Plan. • NC has a strong focus on active frontage at ground level and would not be supportive of residential units at ground floor. • Potential for reverse sensitivity with residential activities in proximity to noisy or late night activities. 	<ul style="list-style-type: none"> • Residential activities are encouraged to locate in appropriate locations, while recognising the value of co-location. • Protects the NC to primarily provide for activities supplying good and services. • Additional urban design controls to ensure on site amenity for residents is protected, while not being overly restrictive. • Consistent with NC objectives, higher order policy direction and higher order documents.
Retirement Village Premises	Permitted with controls for numbers of patients, density of accommodation units, requirements for outdoor living space.	<ul style="list-style-type: none"> • Status quo – permit activities except for noxious or offensive activities such as panel beating, metal working, motor vehicle manufacturing, sewage disposal, etc. which are discretionary and non-complying. • Discretionary activity. • Non-complying activity. 	<ul style="list-style-type: none"> • Additional controls for Supported Residential Care compared to the status quo. • NC has a strong focus on active frontage at ground level and would not be achieved by Supported Residential Care activities. • Potential for reverse sensitivity with residential activities in proximity. 	<ul style="list-style-type: none"> • Supported residential care is appropriate where potential effects are limited to those similar to a residential activity. • Maintains accessibility, sense of community for residents.
Commercial Activities				
Motor Vehicle Sales	Non-complying	<ul style="list-style-type: none"> • Status quo - permit activities except for offensive trades under the Health Act 1956 which are non-complying. • Provide for these activities as either permitted or discretionary with a suite of effects based controls. • Prohibit these types of retail activities. 	<ul style="list-style-type: none"> • Consent would now be required for these retail activities with policies that would not be strongly supportive. • Existing activities would rely on existing use rights and would require consent beyond existing use rights. • Plan change option does allow for consent to be applied for which could result in some these activities establishing in the NC and having adverse effects if the policies do not appropriately manage effects. 	<ul style="list-style-type: none"> • Consistent with NC objectives, higher order policy direction and higher order documents. • Large scale commercial activities are encouraged to locate in more appropriate zones.
Garden Centres				
Marine Retail				
Drive Through Facilities				
Hire Premise				
Service Stations				
Funeral Home				
Trade Suppliers				
Grocery Store	Permitted with maximum GFA of 300m ²	<ul style="list-style-type: none"> • Status quo – permitted • Permitted with 450m² GFA limit. • Permitted with 1000m² GFA limit. 	<ul style="list-style-type: none"> • Consent would now be required beyond the GFA threshold. • Existing activities would require consent for extensions beyond the GFA threshold. 	<ul style="list-style-type: none"> • Consistent with NC objectives, higher order policy direction and higher order documents. • GFA limit keeps activities at a human scale and retains fine grain character of NC. • Large scale commercial activities are encouraged to locate in more appropriate zones.

General Retail	Discretionary	<ul style="list-style-type: none"> • Status quo – permitted • Permitted with 450m² GFA limit. • Permitted with 1000m² GFA limit. 	<ul style="list-style-type: none"> • Consent would now be required beyond the GFA threshold. • Existing activities would require consent for extensions beyond the GFA threshold. 	<ul style="list-style-type: none"> • Consistent with NC objectives, higher order policy direction and higher order documents. • More permissive than a 450m² GFA limit. • Large scale activities are encouraged to locate in more appropriate zones.
Commercial Services	Permitted with maximum GFA of 300m ² and an outdoor area less than 500m ² .	<ul style="list-style-type: none"> • Status quo – permitted • Permitted with 450m² GFA limit. • Permitted with 1000m² GFA limit. 	<ul style="list-style-type: none"> • Consent would now be required beyond the GFA threshold. • Existing activities would require consent for extensions beyond the GFA threshold. 	<ul style="list-style-type: none"> • Consistent with NC objectives, higher order policy direction and higher order documents. • Large scale commercial activities are encouraged to locate in more appropriate zones.
Food and Beverage Activity				
Entertainment Facilities	Discretionary	<ul style="list-style-type: none"> • Status quo – permitted • Permitted with 450m² GFA limit. • Non-complying activity. 	<ul style="list-style-type: none"> • Consent would now be required for these activities with policies that would not be strongly supportive. • Existing activities would rely on existing use rights and would require consent beyond existing use rights. • Plan change option does allow for consent to be applied for which could result in some these activities establishing in the NC and having adverse effects if the policies do not appropriately manage. 	<ul style="list-style-type: none"> • Consistent with NC objectives, higher order policy direction and higher order documents. • Large scale commercial activities are encouraged to locate in more appropriate zones.
Visitor Accommodation	Permitted with controls for numbers of visitors, density of accommodation units, requirements for outdoor living space.	<ul style="list-style-type: none"> • Status quo – permit activities except for noxious or offensive activities such as panel beating, metal working, motor vehicle manufacturing, sewage disposal, etc. which are discretionary and non-complying. • Discretionary activity. • Non-complying activity. 	<ul style="list-style-type: none"> • Additional controls for Visitor Accommodation compared to the status quo. • NC has a strong focus on active frontage at ground level and would not be achieved by Visitor Accommodation activities. • Potential for reverse sensitivity with residential activities in proximity. 	<ul style="list-style-type: none"> • Visitor Accommodation is supported where potential effects are limited to those similar to a residential activity.
Community Activities				
Place of Assembly	Discretionary	<ul style="list-style-type: none"> • Status quo – permitted. • Permitted with 450m² GFA limit. • Non-complying activity. 	<ul style="list-style-type: none"> • Consent would now be required for these activities with policies that would not be strongly supported. • Existing activities would rely on existing use rights and would require consent beyond existing use rights. • Plan change option does allow for consent to be applied for which could result in some these activities 	<ul style="list-style-type: none"> • Consistent with NC objectives, higher order policy direction and higher order documents. • Large scale community activities are encouraged to locate in more appropriate zones.
Recreational Facilities				

			establishing in the NC and having adverse effects if the policies do not appropriately manage effects.	
Care Centre	Permitted with controls for numbers of patients, density of accommodation units, requirements for outdoor living space.	<ul style="list-style-type: none"> • Status quo – permit activities except for noxious or offensive activities such as panel beating, metal working, motor vehicle manufacturing, sewage disposal, etc. which are discretionary and non-complying. • Discretionary activity. • Non-complying activity. 	<ul style="list-style-type: none"> • Additional controls for Care Centre compared to the status quo. • NC has a strong focus on active frontage at ground level and would not be achieved by Care Centre activities. • Potential for reverse sensitivity with residential activities in proximity. 	<ul style="list-style-type: none"> • Care Centre is supported where potential effects are limited to those similar to a residential activity. • Maintains accessibility, sense of community for residents.
Educational Facilities	Discretionary	<ul style="list-style-type: none"> • Status quo – permitted • Permitted with 450m² GFA limit. • Non-complying activity. 	<ul style="list-style-type: none"> • Consent would now be required for these activities with policies that would not be strongly supportive. • Existing activities would rely on existing use rights and would require consent beyond existing use rights. • Plan change option does allow for consent to be applied for which could result in some these activities establishing in the NC and having adverse effects if the policies do not appropriately manage effects. 	<ul style="list-style-type: none"> • Consistent with NC objectives, higher order policy direction and higher order documents. • Large scale community activities are encouraged to locate in more appropriate zones.
Health Care Facilities	Permitted with maximum GFA of 300m ²	<ul style="list-style-type: none"> • Status quo – permitted • Permitted with 450m² GFA limit. • Permitted with 1000m² GFA limit. 	<ul style="list-style-type: none"> • Consent would now be required beyond the GFA threshold. • Existing activities would require consent for extensions beyond the GFA threshold. 	<ul style="list-style-type: none"> • Consistent with NC objectives, higher order policy direction and higher order documents. • Larger individual activities may be enabled by NC policies but would require careful design consideration to ensure compatibility with the NC. • Large scale community activities are encouraged to locate in more appropriate zones.
Emergency Service	Non-complying	<ul style="list-style-type: none"> • Status quo - permit activities except for offensive trades under 		

Hospital		<p>the Health Act 1956 which are non-complying.</p> <ul style="list-style-type: none"> • Provide for these activities as either permitted or discretionary with a suite of effects based controls. • Prohibit these types of retail activities. 	<ul style="list-style-type: none"> • Consent would now be required for these retail activities with policies that would not be strongly supportive. • Existing activities would rely on existing use rights and would require consent beyond existing use rights. • Plan change option does allow for consent to be applied for which could result in some these activities establishing in the NC and having adverse effects if the policies do not appropriately manage. 	<ul style="list-style-type: none"> • Consistent with NC objectives, higher order policy direction and higher order documents. • Large scale community activities are encouraged to locate in more appropriate zones.
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Efficiency and Effectiveness

120. It is considered that the proposed suite of rules for the definition grouping activities are efficient and effective for the following reasons:

- The proposed rules provide a clearer expectation for the community and developers as to what types of activities are anticipated within the NC.
- The proposed rules are more effective than the status quo in managing adverse effects and achieving positive outcomes.
- The proposed rules provide for a permitted threshold of activities, in line with the NC objectives, so that consent requirements are not excessive.
- In combination with the other zones proposed under PC88 the definition grouping activities are provided for in areas considered appropriate. As demonstrated in Attachment 1 of Part 1 of this s32 Report an assessment of capacity for various business sectors has identified that sufficient capacity has been provided across this District.

Economic Growth and Employment Opportunities

121. Rules managing the definition grouping activities can have significant effects on economic growth and employment opportunities as they can dictate where certain business sectors can and cannot operate without consent. It is considered that the proposed NC rules provide for an appropriate range of activities to enable growth and employment while also protecting the amenity and character of the NC.

122. As discussed previously, in combination with the other zones proposed under PC88 the range of definition grouping activities are provided for across various zones. While some activities are not encouraged or enabled in the NC they are provided for elsewhere.

Risk of Acting and Not Acting if there is Uncertain or Insufficient Information

123. There is no known risk due to insufficient information.

Conclusion

124. The plan change options detailed within Table 27 are considered to be the most appropriate methods to achieve the proposed NC objectives.

Subdivision

125. The proposed NC objectives seek to enable and encourage commercial and community activities to provide convenient and neighbourhood services. while maintaining urban character and the surrounding residential amenity and seeking to achieve high quality urban design outcomes. To achieve these objectives, subdivision of land, minimum allotment size, allotment shape and minimum frontages within the NC must be carefully managed.

126. Proposed Rule SUB-R5 manages subdivision within the NC with a proposed allotment size of 450m². The WDP provides for subdivision in the L1 and B3 as a controlled activity where the net site area of an

allotment is at least 500m² (reticulated) and 100m² respectively. The proposed minimum allotment net site area is less than the Living Environments in the WDP, but larger than B3. The proposed minimum allotment net site area is consistent with that proposed in the Medium Density Residential Zone to maintain a level of amenity and built density similar to the surrounding residential environments. Maintaining a larger lot size of 450m² enables sufficient area for primary and ancillary activities onsite such as a retail activity with ancillary residential unit.

127. In conjunction with the minimum allotment net site area, it is proposed to impose a minimum site frontage of 14m and an allotment dimension either a circle with a diameter of 14m, or a square of at least 12m by 12m. These shape factors further protect the amenity values of the NC and the surrounding residential zones. The WDP currently imposes similar shape factor rules.

128. Alternatives considered were:

- **Option 1:** Retain the current L1 minimum allotment size (500m² GFA) and shape factor rules.
- **Option 2:** Retain the current B3 minimum allotment size (100m²) and shape factor rules.
- **Option 3:** Minimum allotment size of 450m² and shape factor rules. (Plan Change Option)

129. Evaluation of these alternative options have been summarised in Table 28:

TABLE 28: SECTION 32 ASSESSMENT OF NC SUBDIVISION OPTIONS		
	<u>Costs</u>	<u>Benefits</u>
Option 1: Retain the current L1 minimum allotment size (500m² GFA) and shape factor rules	<u>Environmental</u> Lack of intensification and consolidation of activities compared to B3 in the WDP. <u>Economic</u> Opportunities for development are retained but capacity is limited. <u>Social and Cultural</u> None identified.	<u>Environmental</u> Maintains current levels of amenity anticipated within residential areas. <u>Economic</u> Maintains opportunities for development. <u>Social and Cultural</u> None identified.
Option 2: Retain the current Business 3 minimum allotment size (100m²) and shape factor rules.	<u>Environmental</u> Allotment size, frontage and future built development is significantly different to L1 in the WDP and the surrounding residential environment. Does not maintain the amenity of the NC and surrounding residential zones. <u>Economic</u> Increased density of development and on-going demand on services with implications for infrastructure funding and development. <u>Social and Cultural</u> None identified.	<u>Environmental</u> None identified. <u>Economic</u> Significant opportunities for development. <u>Social and Cultural</u> None identified.
Option 3: Minimum allotment size of	<u>Environmental</u> None known. <u>Economic</u>	<u>Environmental</u> Maintains current levels of amenity anticipated within residential areas.

450m2 and shape factor rules. (Plan Change Option)	Opportunities for development are retained but capacity is limited. <u>Social and Cultural</u> None identified.	<u>Economic</u> Increased development opportunities from status quo. <u>Social and Cultural</u> None identified.
	<u>Efficiency</u>	<u>Effectiveness</u>
Option 1	Consultation and research have confirmed that the status quo option could effectively provide for development within the NC. Option 1 does not efficiently provide for the opportunity to accommodate for growth and consolidation of NC.	
Option 2	Option 2 is not considered to be efficient and effective as it potentially alters the amenity of the NC to be inconsistent with the NC objectives.	
Option 3	Option 3 is considered to be efficient and effective as it provides for development in a manner that is consistent with the amenity of the NC.	
Economic Growth and Employment Opportunities		
Option 2 provides the most economic growth and employment opportunities by decreasing minimum allotment size. Option 3 provides for limited opportunities for economic growth and employment in the NC.		
Risk of acting and not acting if there is uncertain or insufficient information		
There is no known risk due to insufficient information.		

130. Option 3 (Plan change option) is considered to be the most appropriate method. Option 3 will achieve the expectations for the NC and achieve the proposed NC objectives.

6. Conclusion

131. Pursuant to s32 of the RMA, the proposed LC and NC objectives have been analysed against Part 2 of the RMA and the relevant provisions of higher order plans and policy documents. It is considered that the proposed objectives are the most appropriate way to achieve the purpose of the RMA.
132. The proposed provisions have been detailed and compared against viable alternatives in terms of their costs, benefits, efficiency and effectiveness and risk in accordance with the relevant clauses of s32 of the RMA. The proposed provisions are considered to represent the most appropriate means of achieving the proposed objectives and of addressing the underlying resource management issues relating to local and neighbourhood commercial areas.