City Centre Zone

Issues

Whangārei's City Centre is a focal point of the District and provides vital retail, service, business and recreational needs for residents while also providing a key destination for visitors. It is envisaged that the City Centre Zone (CCZ) will be a strong, enduring and consolidated area serving as a base for *commercial activities*, *retail activities* and entertainment activities. It is anticipated that significant growth and investment will occur within the City Centre.

Historic dispersal of retail and hospitality activities and a lack of residents have undermined the economic viability and vitality of the City Centre. Economic and residential growth are encouraged within the City Centre and development should contribute towards achieving a safe, pleasant, vibrant, diverse and high amenity environment. Activities which are not consistent with the anticipated amenity and character within the City Centre are required to be located outside of the City Centre. It is essential that the *built form* within the City Centre contributes positively to the pedestrian experience and does not compromise the amenity of the City Centre.

A vital aspect to the success of the City Centre is the presence of residents. *Residential activities* are encouraged within the City Centre as this will enhance safety, vibrancy and commercial success.

Objectives

CCZ-O1 Vibrancy

Enable the development of the City Centre as an attractive, safe and vibrant place to live, work and visit with a range of *residential activities*, *commercial activities*, *retail activities* and entertainment activities.

CCZ-O2 Discouraged Activities

Discourage noxious activities and activities with lower amenity and manage activities which cater primarily for customers in private motor vehicles.

CCZ-O3 Residential Activities

Promote *residential activities* in the City Centre.

CCZ-O4 Urban Design

Require high quality urban design outcomes and incentivise exemplary design.

CCZ-O5 Active Frontage

Prioritise pedestrians and enhance *active frontage*s at ground floor.

Policies

CCZ-P1 Character and Amenity

To recognise the character and *amenity values* of the City Centre including but not limited to:

1. A vibrant urban environment.
2. Medium to high intensity development.
3. A range of *retail activities*, *commercial activities*, business and *residential activities*.
4. High levels of noise and lighting.
5. Moderate access to sunlight.
6. Presence of street trees.
7. Active *building frontage*s, particularly at ground floor.
8. On-street parking with limited off-street parking.
9. Pedestrian and cyclist oriented.

CCZ-P2 Activities

To enhance the vibrancy, economic performance, walkability and amenity of the City Centre for residents and visitors by:

1. Enabling *residential activities*, smaller scale *retail activities*, offices, restaurants, cafes, bars and *entertainment facilities*.
2. Avoiding *rural production activities* and *industrial activities* (except for small scale *artisan industrial activities*).
3. Managing the nature, scale, design and nature of activities to ensure that:
    a. *Active frontage* is maintained and enhanced at ground floor.
    b. Activity and *building* design are complementary to the City Centre context and retain narrow activity and *site frontages*.
    c. *Buildings* are designed to be flexible and adaptable to a range of uses and do not unduly restrict potential future uses of the *site*.

d. Standalone car parking facilities and other large single use *buildings* at ground floor are sleeved by smaller scale *commercial activities*.

e. Transition from private vehicle to public transport, active and shared transport modes is supported.

CCZ-P3 Active Frontage

To require *building* design to achieve *active frontage* at ground floor to strengthen the interrelationship between *buildings* and the public realm.

CCZ-P4 Residential Activities

To promote *residential activities* by encouraging *residential unit*s above ground floor while acknowledging that there may be a reduced level of residential amenity within the City Centre due to a mix of uses and late night activities.

CCZ-P5 Residential

To maintain and enhance residential amenity by requiring *residential unit*s to:

1. Provide sufficient internal space, *outdoor living courts* and noise insulation.

2. Be designed and constructed in a manner which is sensitive to and is compatible with surrounding *active frontage*s where the *residential unit*s are provided at ground floor.

CCZ-P6 Outdoor Living Courts

To mitigate adverse effects on residential amenity by providing communal *outdoor living space*s where individual *outdoor living courts* are not practicable.

CCZ-P7 Building Scale and Design

To preserve sunlight access, retain a human scale in *built form* and encourage transitions in height by managing *building* scale and design.

CCZ-P8 Pedestrian-Centric Environment

To create a pedestrian-centric environment by:

1. Managing new *vehicle crossings* and car parking areas to retain a safe and accessible pedestrian network.

2. Requiring *verandah*s, which are limited in scale, along *building frontage*s to create a defined *building* edge and provide shade and rain shelter.

3. Designing *subdivision* to require sufficient *site frontages* to:

    a. Avoid *rear site*s.

    b. Enable corner *site*s to be emphasised.

    c. Maintain narrow *site frontages* within the City Centre.

CCZ-P9 Incentives

To enable higher *building* densities and varied *setback*s where *active frontage*s or pedestrian connectivity are enhanced, *residential activities* are provided, or where green rooves are provided.

CCZ-P10 Safety

To reduce threats to personal safety and security by utilising urban design and *Crime Prevention Through Environmental Design* principles in the design of developments in the City Centre Zone.

Rules

CCZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.

2. The activity is not prohibited under any rule of the District Plan.

CCZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. *Minor buildings are exempt from rules CCZ-R3 – R7.*

CCZ-R3 Building and Major Structure Height

1. Activity Status: Permitted

    Where:

    a. The minimum *building* height is 3 stories; and

    b. The maximum *building* height and *major structure* height is 24m above *ground level*.

2. Activity Status: Controlled

   Where:

   a. The *building* height and *major structure* height is between 24.01m and 32m above *ground level* and at least one of the following is provided:

      i. A *pedestrian arcade.*

      ii. A *through-site-link*.

      iii. At least 3 *residential units*.

   Matters of control:

   1. Means of ensuring on-going compliance with rule.

   2. Appropriateness of *through-site-link* and/or *pedestrian arcades* in terms of location, design, size, safety and accessibility.

Activity Status when compliance not achieved with CCZ-R3.1(a): Restricted Discretionary

Matters of discretion:

1. The efficient use of land.

2. The extent to which any characteristic of the *site* impacts the ability to comply with the rule.

Activity Status when compliance not achieved with CCZ-R3.1(b) or R3.2(a): Restricted Discretionary

Matters of discretion:

1. The matters of control listed in CCZ-R3.2.

2. The extent to which visual dominance effects are minimised.

3. The extent to which the visual impact of exceeding the height limit is mitigated by the location, design, scale, and appearance (including reflectivity) of the *building* or structure.

4. Effects on the privacy and amenity of adjoining *sites*.

5. Shading effects on adjoining *sites* and public open space.

6. Effects on streetscapes and walkability.

7. The extent to which the proposal demonstrates best practice principles of urban design and *Crime Prevention Through Environmental Design*.

8. The extent to which the *building* is consistent with the character and *amenity values* anticipated within the City Centre Zone.

9. The extent to which development in excess of 32m:

    a. Has adverse effects on the affected transport network, and three *water*s networks.

    b. Is supported by open space, public amenities, *commercial activities*, and public and active transport options that are within walking distance to service the proposed residents and/or employees.

CCZ-R4 Building Setbacks

Activity Status: Permitted

Where:

1. The *building* is within 0.5m of road boundaries at ground floor for the entire length of the *site frontage* for any front *site*, except for:

    a. Any *site frontage* where a strategic road protection area applies as detailed in TRA Appendix 4.

    b. Any combination of the following:

        i. One *setback* of up to 1.5m for a maximum width of 2.5m to allow for a recessed pedestrian entrance.

        ii. One *setback* of up to 6m for a maximum width of 6m to allow for a *pedestrian arcade.*

        iii. One *setback* adjacent to a side *boundary* of the *site* for a maximum width of 6m to allow for a *through-site-link*.

Activity Status when compliance not achieved: Restricted Discretionary

Matters for discretion:

1. The location, design, size, safety and accessibility of any proposed recessed pedestrian entrance, *pedestrian arcade* or *through-site-link* where it does not comply with the minimum dimensions in CCZ-R4.1(b).

2. The extent to which the proposal demonstrates best practice principles of urban design and *Crime Prevention Through Environmental Design*.

3. Effects on *active frontage*, pedestrian safety and walkability.

4. Effects on the strategic road protection areas where CCZR4.1(a) is infringed.

CCZ-R5 Building Floor-to-Floor Height

Activity Status: Permitted

Where:

1. The minimum interior floor-to-floor height is 3.8m at ground floor.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The ability to maintain *active frontage*s at street level.
2. Effects on streetscape amenity.
3. Effects on pedestrian safety and amenity.
4. Effects on internal amenity and lighting at ground floor.
5. The ability for *buildings* to be used for a range of *commercial activities* in future.

CCZ-R6 Building Frontages

Activity Status: Permitted

Where:

1. At least 75% of the *building frontage* at ground floor is clear glazing.
2. At least 25% of the *building frontage* above ground floor is clear glazing.
3. Where the *building* is on a front *site*, the principal public entrance to the *building* is situated to face the road.
4. There are no roller doors (except security grilles which allow views from the street into the premises) along *site frontage*.

Activity Status when compliance not achieved: Discretionary

CCZ-R7 Verandahs

Activity Status: Permitted

Where:

1. All *buildings* fronting a road, except where a strategic road protection area applies to the *site frontage*, provides a *verandah*:
    a. Along the entire *building frontage*.
    b. That is at least 3m above the footpath and no more than 4m above the footpath.
    c. That is *setback* at least 600mm from the kerb.

d. That has a minimum width of 1.5m, except where that would encroach on CCZ-R7.1(c) where the minimum width shall be to within 600mm from the kerb.

e. That has a maximum fasçia height of 0.5m.

Activity Status when compliance not achieved: Discretionary

CCZ-R8 Fences

Activity Status: Permitted

Where:

1. The fence is along *site frontage* and required by a bylaw or for public health and safety.
2. The fence is not a long road *frontage*.

Activity Status when compliance not achieved: Discretionary

CCZ-R9 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The maximum height of any outdoor area of *storage* or stockpile is 8m above *ground level*.
2. The outdoor area of *storage* or stockpile is screened from view from *public place*s and surrounding sites.

Activity Status when compliance not achieved: Discretionary

CCZ-R10 Car Parking

Activity Status: Permitted

Where:

1. The car parking space is not located between the *building frontage* and road boundaries of the *site*.

Activity Status when compliance not achieved: Non-Complying

CCZ-R11 Artisan Industrial Activities

Activity Status: Permitted

Where:

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

2. The maximum *gross floor area* is 300m^2 per *site*.

Activity Status when compliance not achieved: Non-Complying

CCZ-R12 Residential Unit

Activity Status: Permitted

Where:

1. Every *residential unit* provides a *net floor area* of at least:
    a. 35m^2 for *residential unit*s with only one *habitable room*.
    b. 45m^2 for *residential unit*s with more than one *habitable room*.
2. Every 1 bedroom *residential unit* contains an *outdoor living court* of at least 4m^2 and at least 1.5m depth.
3. Every 2+ bedroom *residential unit* contains an *outdoor living court* of at least 8m^2 and at least 2.4m depth.
4. Every *residential unit* is above ground floor.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The design, size and layout of *buildings* to provide appropriate privacy and amenity for occupants on-site.
2. The proximity of the *site* to communal or public open space that has the potential to mitigate any lack of private *outdoor living space*.
3. Adverse effects on *active frontage*.

Notification:

Any application for a residential unit which does not comply with Rules CCZ-R12.1–3 shall not require the written approval of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

CCZ-R13 General Retail

Activity Status: Permitted

Where:

1. The activity is a primary activity or *ancillary activity*.
2. The maximum *business net floor area* is 600m^2.

Activity Status when compliance not achieved: Discretionary

CCZ-R14 Grocery Store

Activity Status: Permitted

Where:

1. The activity is a primary activity or *ancillary activity*.
2. The maximum *business net floor area* is 600m^2.

Activity Status when compliance not achieved: Discretionary

CCZ-R15 Commercial Services

Activity Status: Permitted

Where:

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

CCZ-R16 Food and Beverage Activity

Activity Status: Permitted

Where:

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

CCZ-R17 Entertainment Facilities

Activity Status: Permitted

Where:

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

CCZ-R18 Visitor Accommodation

Activity Status: Permitted

Where:

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

CCZ-R19 Place of Assembly

Activity Status: Permitted

Where:

1. The activity is a primary activity or *ancillary activity*.
2. The activity is above ground floor.
3. The maximum *business net floor area* is 800m^2.

Activity Status when compliance not achieved: Discretionary

CCZ-R20 Recreational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or *ancillary activity*.
2. The activity is above ground floor.
3. The maximum *business net floor area* is 800m^2.

Activity Status when compliance not achieved: Discretionary

CCZ-R21 Care Centre

Activity Status: Permitted

Where:

1. The activity is a primary activity or *ancillary activity*.
2. The activity is above ground floor.
3. The maximum *business net floor area* is 800m^2.

Activity Status when compliance not achieved: Discretionary

CCZ-R22 Educational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or *ancillary activity*.
2. The activity is above ground floor.
3. The maximum *business net floor area* is 800m^2.

Activity Status when compliance not achieved: Discretionary

CCZ-R23 Any New Vehicle Crossing Over a Footpath

Activity Status: Discretionary

CCZ-R24 Trade Suppliers

Activity Status: Discretionary

Where:

1. The activity is a primary activity or *ancillary activity*.
2. The maximum *business net floor area* is 600m^2.

Activity Status when compliance not achieved: Non-Complying

CCZ-R25 Standalone Car Parking Facility

Activity Status: Non-Complying

CCZ-R26 Farming

Activity Status: Non-Complying

Where:

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

CCZ-R27 Supported Residential Care

Activity Status: Non-Complying

Where:

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

CCZ-R28 Retirement Village

Activity Status: Non-Complying

Where:

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

CCZ-R29 Motor Vehicle Sales

Activity Status: Non-Complying

Where:

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

CCZ-R30 Garden Centres

Activity Status: Non-Complying

Where:

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

CCZ-R31 Marine Retail

Activity Status: Non-Complying

Where:

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

CCZ-R32 Drive-Through-Facilities

Activity Status: Non-Complying

Where:

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

CCZ-R33 Hire Premise

Activity Status: Non-Complying

Where:

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

CCZ-R34 Service Stations

Activity Status: Non-Complying

Where:

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

CCZ-R35 Funeral Home

Activity Status: Non-Complying

Where:

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

CCZ-R36 Emergency Services

Activity Status: Non-Complying

Where:

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

CCZ-R37 Hospital

Activity Status: Non-Complying

Where:

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

CCZ-R38 General Commercial

Activity Status: Non-Complying

Where:

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

CCZ-R39 General Community

Activity Status: Non-Complying

Where:

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

CCZ-R40 Plantation Forestry

Activity Status: Prohibited

Where:

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

CCZ-R41 Intensive Livestock Farming

Activity Status: Prohibited

Where:

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

CCZ-R42 Farm Quarrying

Activity Status: Prohibited

Where:

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

CCZ-R43 General Industry

Activity Status: Prohibited

Where:

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

CCZ-R44 Manufacturing

Activity Status: Prohibited

Where:

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

CCZ-R45 Storage

Activity Status: Prohibited

Where:

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

CCZ-R46 Repair and Maintenance Services

Activity Status: Prohibited

Where:

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

CCZ-R47 Marine Industry

Activity Status: Prohibited

Where:

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

CCZ-R48 Waste Management Facility

Activity Status: Prohibited

Where:

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

CCZ-R49 Landfill

Activity Status: Prohibited

Where:

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