

5.8 TOWN CENTRE ZONE

5.8.1 BACKGROUND

The principal towns in the District (Waihi, Paeroa and Ngatea) have defined areas in which retail, administrative, commercial and service activities have developed. These "town centres" are all located on state highway traffic routes.

In the Transitional District Plan, Paeroa and Waihi were also provided with a service zone around the town centre area. The activities in this zone were designed to support and service the town centre, but not to compete with it. Ngatea has developed a mixture of town centre and light industrial activities.

The Town Centre zone in this District Plan seeks to remove the rather arbitrary distinction between the commercial centre of the towns and the service area around them. The zone also seeks to define the geographical limits of the commercial/retail activities in order to create a "heart" to the towns. This "concentration" of the commercial area is one of a number of approaches being taken by Council and the business community to ensure that the substantial investment of resources in the commercial areas is sustained and not compromised by retail activities setting up in other parts of the town.

The potential adverse effects of not promoting such an approach also include:

- ∕ loss of residential amenity if town centre activities encroach into residential areas
- ∕ loss of efficiency of the roading network (particularly the state highways)
- ∕ under utilisation of existing infrastructure and pressure for the extension of infrastructure.

Other approaches to promote the town centres include the promotion of Mainstreet programmes, street landscaping, traffic management to create a more pedestrian friendly environment, encouragement to maintain buildings of historic and architectural merit and provision of services (including service lanes, on-street parking).

Council in conjunction with the Waihi Community Board and the Waihi Community, is proposing to undertake public consultation to consider the following matters in Waihi:

- ∕ defining the heritage features of Waihi;
- ∕ development of heritage design criteria for buildings;
- ∕ rezoning of land for public open space;
- ∕ protection and promotion of the heritage of Waihi; and
- ∕ transportation routes through Waihi.

Council recognises that a vital and active "heart" to the town contributes more than just economic benefits. Sustaining the towns "heart" facilitates the promotion of pride, history, culture and a sense of wellbeing which is vital to ensuring people have a sense of place and commitment to it.

The land use survey undertaken at the end of 1992 revealed that the town centres in Paeroa and Waihi had a high occupancy for existing buildings and little vacant land to allow any development. Renovation and refurbishment of existing buildings was being experienced. The Town Centre zone for Waihi and Paeroa in this District Plan has been extended to take in those areas where "town centre" activities are presently established. This also includes some vacant land and/or properties which are suitable for redevelopment into town centre activities. These extensions have been to add "depth" to the Town Centre, not to extend the Town Centre in a ribbon development. Keeping the Town Centre compact enables an attractive pedestrian orientated shopping/business environment to be created. This in turn assists in traffic management and parking matters. People using the Town Centre for a multi-purpose visit are not encouraged to shift their car between premises. There is less traffic on the streets, less interference with traffic flows resulting from on-street

parking manoeuvres and better use of parking areas. For Waihi and Paeroa, this factor is particularly important in assisting the State Highway traffic through the Town Centre.

There is an exception to this in both Paeroa and Waihi, where a large scale single retail development has been provided for. For Paeroa, this is to the north of the town centre in the Seymour Street area. In Waihi, this is provided towards Devon Street. Both these areas are large pieces of land, generally held by one or a few owners, and are relatively underdeveloped or vacant.

In Ngatea, the Town Centre zone has been reduced at the western end. Most of the existing activities in this area are light industrial/machinery sales type of businesses. They are not town centre functions and therefore should be covered by a zoning which better provides for their activities. This rezoning also has the effect of encouraging a compact commercial area towards the eastern end of town.

5.8.2 RESOURCE MANAGEMENT ISSUES

Both the community as a whole (through provision of Council services) and the business community have invested substantial physical resources into the Town Centre. Such physical resources include buildings, roading, services, parking areas and landscaping. The town centres are natural and physical resources which need to be sustained as the commercial, administrative and civic hearts of the towns concerned.

Recognition that the town centres provide a social/community/cultural resource, which needs to be sustained and protected in order that the wellbeing of the community can be enhanced.

Management of the environmental effects of commercial/business activities has to be undertaken to ensure such effects do not adversely affect the environmental quality and sustainable business activity of the Town Centre zone, or the environmental quality of adjoining zones.

The need to improve the environmental quality of the Town Centre for all users of town centre facilities and activities, particularly pedestrians.

Improving traffic management (flows, parking, access) within the town centres to achieve a more "user friendly" environment and contribute to the reduction in the use of fossil fuels.

5.8.3 ANTICIPATED ENVIRONMENTAL RESULTS

The environmental result of this zone is firstly to maintain and enhance a resource and an environment that has had substantial finance and resources invested into it.

Secondly, there needs to be a range of activities and a level of amenity to create an environment that promotes business activity and user enjoyment, particularly for pedestrians.

Thirdly, the reduction in resource use, particularly of non-renewable resources, can be contributed to through promoting a compact commercial area, reducing traffic conflict and ensuring optimum use is made of existing services and infrastructure.

5.8.4 OBJECTIVES AND POLICIES

Objective 1

To ensure the development of business, retail and community activities does not create a detriment to the amenities of adjoining areas or lead to wasteful use of resources (especially land and infrastructure).

Policies

Objective 1 will be achieved by implementation of the following policies:

1. Consolidate business, retail and community facilities and activities within the areas presently used for and recognised as the "town centre".
2. Allowing for development of extensions to the town centres in areas which add "depth" to the town centre.
3. Restricting the level of retailing and home occupation activities in the industrial and residential areas respectively.

Reasons

1. Commercial areas have specific requirements that need to be provided for, such as access, parking, servicing and direct association with compatible activities.
2. The viability of town centres can be undermined by allowing town centre activities to locate in other areas.

Objective 2

To provide for a safe, convenient, pleasant and environmentally friendly environment for business, shopping and community activities.

Policies

Objective 2 will be achieved by implementation of the following policies:

1. Segregating, wherever possible, pedestrian and vehicular traffic.
2. Requiring the provision of verandahs over defined pedestrian areas, to protect pedestrians from the effects of the elements.
3. Adopting parking and traffic management controls and practices that seek to avoid congestion and parking problems.
4. Ensuring the maintenance of sunlight and daylight into adjoining properties, particularly into areas of public open space (footpaths, reserves).
5. Ensuring that a continuity of display window frontage is maintained in the main pedestrian areas.
6. Specifying where vehicular access across pedestrian areas is permitted.
7. Supporting programmes for the development of amenities in the town centres, such as Mainstreet, Market Days and civic functions.

Reasons

1. Vehicular traffic can have a detrimental effect on the amenities of town centre areas, particularly for pedestrians. However, most of the activities rely on the pedestrians being able to move around the centre in a pleasant atmosphere.

Vehicles cannot and should not be excluded from the town centres, as ready access contributes to the economic viability of town centres.

2. Other factors such as protection from the weather and provision of attractive public spaces contribute to the amenity of town centres.

3. There are many actions outside the District Plan which will contribute to the economic viability of the town centres.

Objective 3

To ensure that the buildings having architectural, historical or amenity value are protected and enhanced.

Policies

Objective 3 will be achieved by implementation of the following policies:

1. Identifying specific buildings of value to the community in Waihi, Paeroa and Ngatea and seeking their protection through their listing as a building of heritage value.
2. Identifying a style of building that can serve as a focus to develop a theme for promotion of the town, and providing assessment criteria to assist in maintaining the design and appearance of those buildings.
3. Providing a set of indicative design guidelines, a list of people and organisations who can assist with building colours, construction, preservation and other matters.
4. Supporting Mainstreet, Freshlook and other programmes seeking to promote the design and appearance of buildings in the Town Centres.
5. Requiring developers to seek and obtain discretionary activity consent prior to any alteration, modification or addition to the identified heritage building, or the addition of accessory buildings to the site on which they are located. To use the discretionary activity process to promote the benefits of developing a building in a particular style, and the assistance and incentives that are available.

Reasons

1. The style and appearance of buildings contributes to the attractiveness of the town centres as places to visit, shop, carry out business and to recreate in.
2. The District Plan does have a role to play in achieving this objective, but some of the methods of achieving the objectives rest outside the District Plan.

5.8.5 METHODS TO IMPLEMENT OBJECTIVES AND POLICIES

The principal method by which Council will implement the above objectives and policies is by the use of the Town Centre zone (both the physical limits shown on the planning maps and the rules) to control the location, type and scale of land use activities. The Rules act as an "envelope" within which activities can operate without intervention from outside agencies. Other methods of achieving some of the objectives for this zone lie outside the District Plan (eg Council will need to undertake a heritage study of one or more town centre areas). The outcome may result in the preparation of design guidelines, and perhaps District Plan changes.

The Rules also seek to protect the "viability" of the town centres.

There are other mechanisms in the Resource Management Act 1991 (eg using Heritage Orders as an interim measure to protect buildings), which can be used that do not require inclusion in the District Plan.

Monitoring of activities in terms of resource consent conditions and the need to undertake enforcement action to achieve compliance with conditions and performance standards will indicate whether the conditions and standards require amendment (either because they are too stringent or because they are not achieving the desired outcome).

Prohibited activity status has been given to surface mining activities. Council has resolved that the appropriate process and assessment of such activities is by means of a private request for a plan change (refer Section 2.2.5 – Extractive Industries for a description and reasons).

Reasons

1. Refer to Section 2.0 which sets out Council's main reasons for adopting a zone and rule based approach to the achievement of the objectives and policies.
2. A combination of rules, further Council investigations, provision of guidelines and assistance is seen as the appropriate way in which to achieve some of the objectives of this zone, particularly those relating to appearance of building matters.
3. Refer to Section 2.2.5 – Extractive Industries.

5.8.6 ACTIVITIES

5.8.6.1 Permitted Activities

The following are permitted activities and shall comply with the Performance Standards specified in Rule 5.8.7 below:

1. Retail, business, administrative and community activities.
2. Parking lots.
3. Any permitted activity specified in Sections:
 - ☒ 7.1 - Heritage Features
 - ☒ 7.4 - Recognition and Protection of Significant Urban/Township Trees
 - ☒ 8.1 - Provision for Network Utilities
 - ☒ 8.7 - Signs
 - ☒ 8.8 - Hazardous Substances
 - ☒ 8.10 - Surface of Water in Lakes, Rivers and Streams
 - ☒ 10.1 - Subdivision
4. Accessory buildings and activities to the foregoing activities (excluding residential accommodation).
5. Excavations of up to 20m³ of material in any one year for transportation off the property of source where such works are not part of an approved subdivision or building work.
6. Placement of clean fill not undertaken as part of an approved subdivision or building consent:
 - ☒ Up to 30m³ of clean fill comprising topsoil and subsoil may be placed on a property at an average depth not exceeding 1m.
 - ☒ From 30m³ - 100m³ of clean fill comprising topsoil, subsoil and any demolition rubble (up to 100m³) may be placed on a property where Council is **informed** of the fill action before the activity is carried out. The details to be provided are:
 - ☒ legal description and street address of property
 - ☒ nature and source of fill
 - ☒ location of fill on site

- ☒ depth of fill
- ☒ compaction of fill.

7. Prospecting and exploration involving not more than 20m³ of excavation per allotment in any one year.

(Note: Refer to discretionary activity 6 in Rule 5.8.6.3 for limits to Permitted Activities).

5.8.6.2 Controlled Activities

The following are controlled activities, shall comply with the Performance Standards specified in Rule 5.8.7 and shall be assessed in relation to the criteria specified in Rule 5.8.6.2 A below:

1. Any controlled activity specified in Sections:
 - ☒ 7.1 - Heritage Features
 - ☒ 7.4 - Recognition and Protection of Significant Urban/Township Trees
 - ☒ 8.7 - Signs
 - ☒ 8.10 - Surface of Water in Lakes, Rivers and Streams
 - ☒ 10.1 - Subdivision
 2. Residential accommodation on the upper floors of existing buildings.
- A. Assessment Criteria for Controlled Activities**
- The criteria in the sections identified in 5.8.6.2 1. above, will be used to assess a controlled activity.

5.8.6.3 Discretionary Activities

The following are discretionary activities, and shall be assessed in relation to the criteria in Rule 5.8.6.3 A. below:

1. Service stations.
2. Car, caravan and boat sales/service/repairs (excluding panel beating and spray painting) and valet.
3. Farm machinery sales and repair.
4. Trade depots (plumbing, electrical, cabinet making, building) not associated with a retail activity.
5. Transport depots (taxi, bus).
6. Any permitted activity in Rule 5.8.6.1 above, where:
 - ☒ continuity of display window frontage is not maintained; and/or
 - ☒ vehicular access to the site or activity is across an identified Pedestrian Frontage (other than a specified vehicle crossing eg service lane)
7. Any permitted or controlled activity that exceeds the limits specified in the definition, the activity lists and/or does not meet the performance standards specified in Rule 5.8.7.

8. Any discretionary activity specified in Sections:

- ✍ 7.1 - Heritage Features
- ✍ 7.4 - Recognition and Protection of Significant Urban/Township Trees
- ✍ 8.1 - Provision for Network Utilities
- ✍ 8.7 - Signs
- ✍ 8.8 - Hazardous Substances
- ✍ 8.10 - Surface of Water in Lakes, Rivers and Streams
- ✍ 10.1 - Subdivision

A. Assessment Criteria for Discretionary Activities

The following criteria will be used to assess a discretionary activity:

1. The performance standards, assessment criteria and environmental results for permitted and controlled activities specified in Rule 5.8.7.
2. The assessment criteria for controlled activities set out in Rule 5.8.6.2 A above.
3. Whether the location of the activity and the access arrangements will create a "dead" space in the building frontage, thereby interrupting pedestrian movement beyond that point.
4. Whether the building is designed to enhance pedestrian shopping amenities by maintaining continuity of display window frontage and pedestrian shelter along identified Pedestrian Frontages.
5. To what extent does the position of a dwelling interfere with or compromise the existing or possible future commercial activities, including access.
6. Are any of the following factors of sufficient "weight" to allow a vehicle access to cross a defined pedestrian shopping frontage:
 - ✍ the site is unable to be accessed by vehicular traffic other than through the defined pedestrian area
 - ✍ there is no opportunity for shared access, service lanes or rights of way over other properties
 - ✍ the conflict with normal pedestrian traffic is minimal, due to factors such as the likely number and type of vehicles visiting the site and low volumes of pedestrian traffic
 - ✍ the number and location of existing vehicle access crossings in the shopping block
 - ✍ the loss of on-street parking spaces due to the access crossing being put in
 - ✍ any detrimental effect on the traffic function of the adjoining street
 - ✍ the availability of on-street parking and/or loading spaces is such that on-site parking and loading is not required, and hence no vehicle crossing is required to gain access to those facilities.
7. Is carparking located so as to be readily visible to motorists, in order that the parking facilities are easy to find and use and in a manner that does not significantly detract from the pedestrian amenity of the street.

8. Whether the volume and type of traffic generated by the activity is such that the pedestrian shopping amenities of the area are detrimentally affected.

9. In the case of prospecting and exploration activities, whether proposals for the rehabilitation of any site are appropriate to ensure that the land is capable of being used for the range of activities permitted in the zone.

5.8.6.4 Non Complying Activities

1. Any activity not provided for as a permitted, controlled, discretionary or prohibited activity.

5.8.6.5 Prohibited Activities

1. Surface mining (Refer to Section 2.2.5 – Extractive Industries).

5.8.7 PERFORMANCE STANDARDS

The performance standards listed in Rule 9.5 - MATRIX OF PERFORMANCE STANDARDS and as detailed throughout Section 9.0 - PERFORMANCE STANDARDS FOR DEVELOPMENT AND SUBDIVISION shall be met by permitted and controlled activities.

5.8.8 GENERAL PROVISIONS

- Section 3.0 - MONITORING AND EVALUATION
- Section 7.0 - CONSERVATION AND HERITAGE
- Section 8.1 - PROVISION FOR NETWORK UTILITIES OPERATIONS
- Section 8.2 - PROVISION FOR PUBLIC WORKS
- Section 8.3 - EXTRACTIVE INDUSTRY
- Section 8.4 - EXCAVATION AND FILL
- Section 8.5 - AIR QUALITY
- Section 8.7 - SIGNS
- Section 8.8 - HAZARDOUS SUBSTANCES
- Section 8.10 - SURFACE OF WATER
- Section 10.0 - SUBDIVISION, FINANCIAL CONTRIBUTIONS, ESPLANADE RESERVES AND ESPLANADE STRIPS