



# **TAURANGA CITY COUNCIL**

## **CITY PLAN SECTION 32 REPORT**

### **Chapter 17 – City Centre Zone**



## Table of Contents

1. INTRODUCTION .....	3
2. PURPOSE OF THE CHAPTER.....	3
3. RECORD OF DEVELOPMENT OF PROVISIONS.....	3
3.1 Background Research.....	3
3.2 Consultation Outcomes .....	6
3.3 Council Meetings.....	6
3.4 Relevant Legislation, Strategies and Policy .....	6
4. ISSUES.....	7
4.1 Summary of Issues.....	7
4.1.1 Objectives.....	8
4.1.2 Policies, Methods and EREs .....	10
4.1.3 Monitoring Proposed Plan Provisions .....	17
5. RECOMMENDED OBJECTIVES, POLICIES AND METHODS .....	18
6. NOTIFICATION AND RECOMMENDED DECISIONS .....	18

## **1. INTRODUCTION**

The Council is required under section 32 of the Resource Management Act 1991 (the RMA) to carry out an evaluation of alternatives, costs and benefits, and efficiency and effectiveness of the various components of the proposed City Plan.

Section 32 of the Act requires that the evaluation must examine:

- (a) the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and
- (b) whether, having regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objectives.

An evaluation must also take into account:

- (a) the benefits and costs of policies, rules, or other methods; and
- (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

This report fulfils the obligations of the Council under s32 of the RMA. The following is a section 32 analysis in regard to the City Centre Zone provisions. It should be read together with the text of the proposed City Plan itself.

## **2. PURPOSE OF THE CHAPTER**

The City Centre Zone is a new zone in the City Plan. It has evolved from the City Centre Strategy project which was adopted by the Tauranga City Council in October 2007. The purpose of the Strategy is to guide major change in land use, built form, public spaces and accessibility to the city centre over the next 25 plus years. Decisions made by the public and private sectors significantly influence the look, feel and function of the city centre over time. The city centre has significant environmental, economic and cultural resources that should be managed in a sustainable way into the future.

The Strategy highlighted a need to clearly articulate the form and function and future opportunities for investment in the Tauranga city centre Council's plans and activity actions. The district plan was seen as an important regulatory tool in supporting the city centre vision, principles and catalyst actions identified in the City Centre Strategy. The aim is to place a greater emphasis on the City Centre as a distinct area within the city and the sub region. A new planning zone within the district plan review is a key method of doing this.

## **3. RECORD OF DEVELOPMENT OF PROVISIONS**

### **3.1 Background Research.**

#### 1. Tauranga CBD Integration Tool (2005)

A consolidation of earlier CBD focused work since 2000. CBD studies and plans identified early themes of a cultural heart, a civic meeting place, revitalising investment, waterfront potential and new, public facilities such as transport hub, art gallery and museum. The work identified issues and development potential, presented a draft CBD vision, and some overriding planning principles. Eight precincts were identified that were supported by a vision, principles, objectives and development criteria. A CBD redevelopment programme of action was proposed.

This initial thinking led to inception of a city centre strategy project.

## 2. City Centre Strategy (2007)

The Strategy was developed through 2006 -2007 by a council led project team and in response to extensive community engagement and discussion over that period. It was one of the key actions arising from earlier work such as SmartGrowth, Tauranga Tomorrow, the Urban Design Strategy and Integrated Transportation Strategy. The project had five stages that offered several stages for community feedback as well as technical assessment of issues and possible responses. Discussion also occurred over how land could be developed in an economic manner and barriers for investment. A copy of the Strategy is available for view on Council's web site.

It noted that the Retail and Commercial Study (2007) by Property Economics had noted that the Tauranga CBD had difficulty in retaining existing and attracting new large corporate offices. Over the past five years only 10% of the 5,000 new office employees in Tauranga had located in the CBD. While there were many factors contributing to this revitalising the office market should be a primary focus for the city centre actions.

The Strategy is a guide to land use, built form, public spaces and access in the city centre for the next 25 years or so. It has a vision statement and a set of principles to assist implementation. It is expected that the strategic ideas and actions be undertaken progressively by Council and other agencies and organisations –public and private. The district plan was seen as a key tool in supporting implementation of the Strategy. Several of the strategy diagrams/ maps indicate what physical and design elements should be supported by council plans.

The Council did request that several issues be subject to further consideration. These were potential for more intensive residential opportunities in and around the city centre, and what would be the appropriate height and scale of buildings having regard to strategic direction, amenity values, investment and land use activity in the city centre. This latter work is outlined below (Note: the intensive residential work is outlined in the Section 32 Report covering the City Living zone).

## 3. City Centre Actions and District Plan Review Responses; A Discussion paper (2008)

The discussion paper was prepared to outline district plan policy and methods, arising primarily out of the City Centre Strategy actions. The paper provided the basis of another round of community/ stakeholder discussion on the city centre, from a resource a management perspective.

The paper grouped key issues into several 'themes'; commercial network; built form; access; amenity and heritage; incentives and funding; activities; and zone boundaries. The paper provided a link between the City Centre Strategy Actions and the possible city plan and non plan responses. The council engaged Barker & Associates, who had extensive experience in Auckland CBD matters, to assist in the community engagement process and assessment of these responses. This work was undertaken from mid 2008 to September 2008 and was particularly focused on gaining feedback from city centre stakeholders and interest groups.

## 4. Barker & Associates Paper (2008)

The paper provided advice on resource management methods that could support the overall vision, objectives and directions outlined in the City Centre Strategy. The seven themes

outlined in the earlier Discussion Paper were addressed in the workshops and subsequent planning assessment covering possible responses, costs and benefits.

There was a broad consensus that the district plan place minimal restrictions on development within the CBD itself. However a completely market-led approach was seen as supporting some possible poor outcomes for the city in terms of commercial distribution and amenity. A fine balance between plan intervention and non-plan methods, many of which are actions in other council strategies and plans, was accepted as appropriate for the city centre. The paper contains several recommendations on plan methods for consideration in the plan review particularly a more rigorous consenting approach to relate to urban form objectives.

#### 5. Waterfront Redevelopment Scoping Report (2008)

The report scopes the statutory requirements for redevelopment of the Tauranga waterfront, located on The Strand and through Dive Crescent. It draws on consultation carried out with key stakeholders and user groups as part of Council's LTCCP, and also draws from the Tauranga Waterfront Master Plan 2008 engagement process.

The Waterfront Master Plan covers the whole of the central city waterfront interface. It includes development stages that the Council will implement through its LTCCP resources over time. The Regional Coastal Plan and the City Plan provisions heavily influence the ability to implement the waterfront plan ideas as the waterfront development area straddles both jurisdictions. The City Plan review process was acknowledged as an opportunity to fine tune planning provisions covering the waterfront, so that it becomes an integral part of the city centre planning provisions.

The recommended way forward is to incorporate the Master Plan into both the City Plan and Regional Coastal Plan reviews as some form of 'sub zone'. This approach would provide certainty over the form and scale of development along the waterfront by linking plan provisions back to the Master Plan in a design and technical sense.

#### 6. Tauranga City Centre Assessment of Built Form and Future Investment Report (2009)

This study was commissioned to further look at an appropriate built form for the city centre, particularly building height and assesses what investment opportunities that could be supported by planning provisions for the city centre. This commission was awarded to Chow Hill.

The work concentrated on building heights as a key driver of economic investment confidence by testing four 'test' sites under several planning scenarios. The council had a concern that interventionist planning controls might hinder investment perceptions of the CBD. The report concludes that there is little correlation between the CBD planning regime and the development investment in the city centre. The commercial market place risks, land values, site parking requirements and office 'leakage' to other parts of the city have more direct influence. Office demand will be slow and the apartment market will remain relatively small and based on lifestyle choice rather than need.

The urban design assessment of the city centre by Chow Hill recommended that:

- Building heights be increased around the city edge or fringe, particularly along Cameron Road and early avenues but recognising the residential edge
- Increased building heights along the Strand but protection of sunlight into main public places like Mid City Mall.
- a permitted baseline height of 16 metres with basic design controls to improve amenity at street level, and discretionary assessment criteria on design above that height

- review parking standards for development in city centre

The report has been used as a basis for the reviewed building height areas in the city centre and to extend the existing pedestrian environment street standards.

### 3.2 Consultation Outcomes

In August of 2008 general consultation of issues associated with the City Centre Business Zone and options to address these issues was undertaken. The direction of the new zone and some initial planning ideas were outlined. There was little feedback on the new zone idea at this stage. The new zone concept was outlined in a presentation to the Interim Tauranga City Centre Strategy Implementation Steering Group on 4 March 2009. There was discussion around the idea of precincts, waterfront zone and City Living zone ideas being developed from the City Centre Strategy. The Steering Group made a submission to the draft City Plan generally supporting the concept.

In April of 2009 a community feedback exercise was undertaken on draft content for the City Plan. Most of the rules are a rollover of operative rules, but a new set of objectives and policies were developed. A range of views were expressed through the informal submission process. These covered:

- A majority view that a new zone was supported
- Some comment on details of draft zone provisions like the sunlight to public places
- Comment on the 1000m<sup>2</sup> GFA 'trigger' rule and how it would be administered
- Comment on the increased height at the CBD fringe areas.
- Specific recognition of education facilities

### 3.3 Council Meetings

1. Strategy and Policy Committee 8 July 2008: Possible planning options for the city centre considered to address issues arising from earlier research and engagement work (see 3.1 above)

2. Strategy and Policy Committee 8 December 2008: Covered commercial network, built from, access, amenity/ heritage, incentives/ funding and land use activities/ zoning. Elected members gave staff direction on what options they wanted for inclusion in a new zone so that the first draft could be incorporated into the draft City Plan for consultation (see 3.2 above).

3. Strategy and Policy Committee 18 August 2009: Outlined the feedback from the draft plan engagement process and presented commentary and options for responding to issues raised. The topics covered were:

- Traffic and Parking – provide greater flexibility for larger scale development proposals (above 1000m<sup>2</sup> GFA)
- Building Heights and Sunlight Admission – the building height changes were supported by elected members and sunlight controls endorsed for the notified plan.
- Refinements to draft rules – Keep the 1000m<sup>2</sup> GFA trigger rule with refinement of its assessment criteria wording. Add recognition of education facilities into policy.

### 3.4 Relevant Legislation, Strategies and Policy

1. Smartgrowth: City centre recognised as the heart of the sub region. Integrate, as far as possible, land use, transportation and urban design elements to create a lively and vibrant city centre. Actions included undertaking a more detailed city centre study (see 3.1 above)

2. City Centre Strategy: (See 3.1 above)

3. Integrated Transportation Strategy: Accessibility of the city centre and a public transport hub for the city, including a transport centre. Parking policies are aimed at managing supply and demand of public parking, which will complement the private supply of parking. Objective A1 is to support land use patterns which reduce the need for travel.

4. Regional Policy Statement (RPS): Plan Change 2 to the RPS responds to growth management issues in the western BOP sub region. While there are no specific policies relating to the Tauranga City Centre, intensification of residential development through intensification areas is promoted through policy and the Tauranga central isthmus is one potential area including the CBD. The City Plan needs to support potential residential activity within the city centre. The RPS also expects that district plans include appropriate provisions to support the New Zealand Urban Design Protocol (March 2005) to which Tauranga City Council is a signatory. Public amenity and places design (such as the waterfront) and interface with private development along pedestrian streets are key urban design issues. A district plan needs to 'give effect to' a RPS.

5. Tauranga Tomorrow and the Long Term Council Community Plan (LTCCP): Tauranga Tomorrow identifies eight community outcomes and associated actions. One of the key aims of Tauranga Tomorrow is that *"Tauranga's City Centre is a Strong Central Hub or Heart for the City"*, and there are several actions to address this within the document.

The LTCCP contains several large scale public projects over the next ten years relating to the city centre. The Plan has been through an extensive community process under the Local Government Act 2002. One of the aims of the City Plan review is to provide a regulatory framework that generally supports the implementation of these projects having regard to environmental effects.

6. Resource Management Act 1991: Physical resources in the city centre are to be sustainably managed in a way that enables people and communities to provide for their social, economic and cultural wellbeing, health and safety (section 5). Use and development shall have particular regard to *'the maintenance and enhancement of amenity values'* and *'the quality of the environment'* (section 7 (c) and (f)).

The City Plan should contain provisions that achieve the purpose of the Act in an appropriate manner. That is likely to require balancing plan rules relating to amenity with other non-plan methods, such as the detailed Waterfront Master Plan, strategic property management and parking management.

## **4. ISSUES**

### **4.1 Summary of Issues**

- The operative district plan treats the City centre in the same manner as all other commercial zones in the city. This lack of distinction and a clear articulation of vision for the city centre have led to a lack of certainty that developers seek in considering new projects.
- There is also evidence of leakage of potential business investment out of the city centre.
- The private sector is seeking a better understanding of Council's objectives for the city centre. Investor confidence is needed to overcome the cost of inner city land and small sites for new commercial projects. This will enhance vibrancy.

Other interrelated issues are:

- Convenient customer and worker access into and around the city centre is important. Traffic management and pedestrian connectivity and safety assist. Public transport does not replace private vehicle accessibility so council's parking management approach is also critical.
- Height limits in the city centre should be supportive of large scale (re)development and a variety of land use, if and when that occurs. The Strand area needs to provide greater height/ floor space potential to off set earthquake redevelopment costs.
- A strong, vibrant city centre will look and feel good. Public amenity and facility investment has to complement private investment. Active retail frontages and warm, inviting public spaces need to be maintained and enhanced. The waterfront area is a significant public amenity resource that should be sustainably managed for existing and future generations.

**Issue 1: How the significant resources in the Tauranga City centre can be maintained and enhanced and an attractive environment created.**

The issue has been identified through numerous public engagement processes related to the city centre and various projects within it. Understanding the role and function of the city centre and the development/ investment opportunities in it regularly came up in discussion.

The City Plan strongly influences the location, scale and economics of commercial and community activity and the amenity of the area through managing effects such as building intensity and scale, shadow, traffic safety and design and appearance of buildings, waterfront development and the general distribution of economic activity throughout the city through zoning provisions. It influences the investment decisions made by private and public sector.

**4.1.1 Objectives**

Objective Number	Objective	Appropriateness
1.	<u>City Centre Role and Function</u> Development of the Tauranga City Centre supports its role and function as the principal commercial, civic, entertainment and community centre for Tauranga and the western by sub region	The objective is: <ul style="list-style-type: none"> <li>▪ relevant to address interrelated issues raised in many public engagement processes on the city centre about social and economic wellbeing and investment confidence</li> <li>▪ useful because it provides clarity over the existing and foreseeable role and function of the city centre</li> <li>▪ achievable over the long term through helping public and private investment decisions</li> <li>▪ reasonable because it focuses on a definable area of the sub region and is a positive statement of intent.</li> </ul>
2.	<u>City Centre Built Form</u> <i>Buildings and structures</i> are of a bulk and scale that balances the urban <i>landscape</i> qualities, the	The objective is: <ul style="list-style-type: none"> <li>▪ relevant as the city centre has a distinct geography and waterfront outlook. Building</li> </ul>

	sloping “basin –like” topography and the waterfront attributes of the city centre location with opportunities for economic investment and activity on central city sites.	<p>form and scale will articulate these features which are regularly mentioned in public engagement and strategy work.</p> <ul style="list-style-type: none"> <li>▪ useful as it will guide decisions on building height and scale relative to the local environmental character</li> <li>▪ achievable if supported by varied plan height controls for parts of the city centre</li> <li>▪ reasonable as building scale should not go unfettered and have regard to the unique location and features of the city centre within an economic building envelope.</li> </ul>
3.	<p><u>City Centre Amenity</u> Development within the City Centre maintains and enhances the urban character, urban design outcomes and amenity values found within the city centre with well designed public and private <i>buildings, structures</i> and spaces.</p>	<p>The objective is:</p> <ul style="list-style-type: none"> <li>▪ relevant as the design, form and use of development interact to create the look and feel of the city; its character, amenity and attractiveness</li> <li>▪ useful as it outlines the expected contribution development should make to city centre amenity</li> <li>▪ achievable if supported by basic plan rules related to key public spaces, street frontages, pedestrian safety and convenience and the assessment of the environmental effects of larger scale buildings</li> <li>▪ reasonable as it relates to both public and private sector development. These need to work together to maintain and enhance a vibrant, attractive city centre in the long term.</li> </ul>
4	<p><u>City Centre Accessibility</u> Convenient, safe and efficient access for passenger and goods transport, private motorists, pedestrians and cyclists is maintained and enhanced to and from, and through the city centre</p>	<p>The objective is:</p> <ul style="list-style-type: none"> <li>▪ relevant as good city centre accessibility for people and goods is fundamental to its successful functioning and investment confidence</li> <li>▪ useful for guiding decision making on transportation actions, traffic management or traffic impacts from development occurring within the city centre</li> <li>▪ achievable if the public and</li> </ul>

		<p>private sector work together to maintain and enhance transport routes and facilities or manage traffic effects</p> <ul style="list-style-type: none"> <li>▪ reasonable as people expect to be able to access and use their city centre safely and effectively. This contributes to the amenity values of the city centre.</li> </ul>
5.	<p><u>City Centre Waterfront</u> Development of the city centre waterfront area in an integrated way with buildings, structures and public areas that support a range of commercial, recreational, cultural activities and events of a temporary nature.</p>	<p>The objective is:</p> <ul style="list-style-type: none"> <li>▪ relevant as the waterfront has been the subject of many studies, reports and design plans. The adopted Waterfront Master Plan now forms the basis of developing the waterfront area in stages. The agreed land use and building location and scale needs to be incorporated into the City Plan so that council can fulfil its resource management functions.</li> <li>▪ useful as it outlines the expected balance between development and public spaces/ activity along the waterfront, and will guide decision making in the waterfront area</li> <li>▪ achievable as the City Plan provisions will work along side Council's operational procedures to implement the waterfront plan.</li> <li>▪ reasonable as the Tauranga waterfront is a significant public resource, there is an expectation that it will be managed in a sustainable way for the benefit of existing and future generations, and the adopted Master Plan will be supported by the regulatory plan of the Council (the City Plan) within known environmental parameters.</li> </ul>

#### 4.1.2 Policies, Methods and EREs

The five objectives for the City Centre zone are interrelated. They work together to address the issue of sustaining the resources currently in the city centre and future changes to those resources.

**Objective 1: Role and Function of the City Centre** is supported by an associated policy that restates the expected position of the Tauranga City Centre as the 'heart' of the sub region. A wide range of activities and economic development opportunities are likely to occur, of a greater intensity and scale than found in suburban commercial areas. Major community and civic facilities are likely to be found here.

The policy is to be achieved through the methods of:

- A new specific City Centre Zone and two Waterfront sub zones
- A wide range of permitted activities in the zone
- A rule providing greater maximum building heights than in other commercial zones
- A non notified, restricted discretionary process for larger scale building proposals (over 1000m<sup>2</sup> in gross floor area)
- Council facilitation of development at strategic city centre locations through its strategic property portfolio.

**Objective 2: City Centre Built Form** is to be achieved through an associated policy that expects buildings to have due regard to the unique geographic location of the city centre on Te Papa peninsula. Taller buildings in the 'core' step down to lower building heights on the 'fringe'. Larger scale buildings will be assessed for impacts on the local environment. Mitigation of building dominance and effects arising from intensive activities and the City Living zone environment is recognised.

The policy is to be achieved through:

- A rule providing a range of maximum permitted building heights depending on site location
- A rule for building setbacks where sites adjoin the City Living Zone or are north of key public spaces
- A non notified, restricted discretionary process for larger scale building proposals(over 1000m<sup>2</sup> in gross floor area)
- Two waterfront sub zones that link building heights and location to the Waterfront Master Plan concepts.

**Objective 3: City Centre Amenity** is supported by an associated policy that emphasises the importance of public and private development maintaining and enhancing the amenity values of the city centre. Climatic effects from taller buildings such as shadow and wind on main public spaces and pedestrian convenience and safety along streets are addressed by plan provisions.

The policy will be achieved by through the methods of:

- A wide range of permitted activities in the zone
- A rule for building setbacks where sites adjoin the City Living Zone or are north of key identified public spaces
- A rule requiring certain amenities along pedestrian environment streets, such as verandahs and active frontages
- A rule requiring through-block pedestrian linkages at strategic locations
- A rule requiring reverse sensitivity acoustic design for residential activities
- Urban design advice on new public buildings or spaces as part of any design brief or project process.
- Two waterfront sub zones that link building heights and location to the Waterfront Master Plan concepts

**Objective 4: City Centre Accessibility** is supported by an associated policy that recognises that the City Plan will apply alongside implementation of the Integrated Transport Strategy to ensure safe and convenient access for people and goods. In the ‘core’ pedestrian movement along streets and within blocks will be paramount.

The policy will be achieved through the methods of:

- On site parking, manoeuvring and access rules for permitted activities
- A rule requiring bicycle facilities designed into new development
- A rule for parking demand/ supply assessments with larger scale development proposals that could provide opportunities for greater flexibility for parking requirements
- Provision of public transport facilities and public parking areas in line with Council’s LTCCP and CBD Parking Plan
- Traffic planning and traffic management that implements the Integrated Transportation Strategy and applies sound traffic management practice to new development proposals, temporary events and to city centre streets

**Objective 5: City Centre Waterfront** is to be achieved by supporting the implementation of the Waterfront Concept Plan with appropriate buildings and activities, based around tourism and events. Informal, passive recreational use and access along the waterfront is a key policy aim.

The policy will be implemented by:

- Two Waterfront sub zones with different planning rules that link to the Waterfront Concept Plan and have a range of tourism and event related permitted activities
- Urban design advice on new public buildings or spaces within the waterfront area
- Implementation of the Waterfront Concept Plan in stages as per Council’s LTCCP
- Traffic management applied for temporary events

**Alternative 1 – Retain Operative Plan provisions**  
**Alternative 2 – Facilitate non regulatory methods**

<b>Proposed Policies and Methods</b>	<p>1. Interrelated package of policies and methods supporting a new City Centre Zone and Waterfront sub zones. The policies cover: Role and Function, Built Form, Amenity, Accessibility and Waterfront.</p> <p>2. A set of plan rules that address likely environmental effects as development occurs in the area by setting a planning envelope using a permitted activity conditions approach.</p> <p>3. Where permitted activity conditions are not meet, discretion is applied by both restricted discretionary or full discretionary activity status, and related assessment criteria in most cases.</p>
<b>Costs</b>	<ul style="list-style-type: none"> <li>▪ May predetermine a future role for the city centre and reduce retail and office market opportunities or responses to changing economic conditions in other areas.</li> <li>▪ Possibly more complex City Plan provisions than operative plan so resource consent process costs might apply to the larger scale development proposals or those designed to breach the known planning envelope. –although not significantly different from existing</li> </ul>

	<p>situation with the 25 car park trigger rule that now applies to many development proposals. This cascading consent model is similar to existing plan approach.</p> <ul style="list-style-type: none"> <li>▪ Lack of control of building design elements this could result in poor design outcomes on the ground, particularly along street frontages and adjacent to key public places/ spaces.</li> <li>▪ Extension of pedestrian environment street provision and the through block linkage rules affects more properties than currently.</li> <li>▪ Increased building height on city centre fringe may divert investment from city centre core. However, the Chow Hill Report suggests this not a significant resource management cost as it is heavily influenced by other economic factors.</li> <li>▪</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>▪ Clear articulation of the role and function of the city centre compared to other commercial areas or possible new areas. Provides more certainty for people's investment decisions which has been a criticism of operative plan. This helped by non notified approach for most new development proposals.</li> <li>▪ Policies and methods set out to manage the significant environmental effects; particularly the external effects generated by additional buildings, floor space, new activities or events, but leaves other development decisions to the market.</li> <li>▪ The potential adverse effects of larger scale floor space development in the city centre can be addressed by the restricted discretionary activity approach (non- notified). Such an approach provides a direct discussion between council and developer, without the uncertainty of third party submission rights.</li> <li>▪ Interrelationship between regulatory (e.g. within plan or Building Act) and non regulatory methods (e.g. parking plans, public transport, tourism events) is recognised. An integrated planning approach supported by the proposed City Plan. For example, this approach allows greater flexibility on parking requirements based on supply/ demand assessment, for larger scale development. Another example is the need to support regeneration of buildings along the Strand with additional height to deal with earthquake strengthening requirements. Additional height will be controlled for shadowing mitigation adjacent to specific public places however.</li> <li>▪ The waterfront concept plan implementation is supported by a set of policies and rules related to that area.</li> <li>▪ Sites on the CBD fringe get a greater building height opportunity, subject to meeting setback controls along sensitive residential boundaries. This provides greater scope for additional floorspace and activity supporting the city centre.</li> </ul>
<b>Risk</b>	<ul style="list-style-type: none"> <li>▪ Having no planning framework requires cooperation amongst stakeholders which may be difficult unless their interests align. Feedback from previous planning studies and public consultation</li> </ul>

	<p>indicates that development needs a level of policy certainty and public leadership for investment confidence in the city centre otherwise retail and commercial dispersal will continue into suburban locations. While planning controls alone may not strongly influence investment decisions, they do combine with other factors to give market signals.</p> <ul style="list-style-type: none"> <li>▪ The risk of not acting with the proposed policies and methods is considered to be <b>medium in the long term</b>.</li> </ul>
<b>Efficiency</b>	<ul style="list-style-type: none"> <li>▪ Reasonable balance achieved between market opportunities and providing policy leadership and direction for future development of the city centre. It responds to the feedback through several consultation processes from local business leaders.</li> <li>▪ The non notified approach for restricted discretionary activities provides an efficient consenting process for minor 'non compliance' matters.</li> </ul>
<b>Effectiveness</b>	<ul style="list-style-type: none"> <li>▪ The proposed balanced approach will be implemented primarily by building consent compliance (where all rules are complied with), and by discretion able to be applied to any resource consent application.</li> <li>▪ Larger scale developments (over 1000m<sup>2</sup>) have the potential to generate environmental effects which will be assessed against restricted discretionary criteria. This enables council and the applicant to discuss what and how effects can be addressed. Third party rights are proposed to be excluded by a rule in the Plan related to this activity. This improves an element of cost/ risk for the applicant.</li> <li>▪ For buildings proposed to exceed permitted height a similar assessment approach would be applied as a discretionary activity, as building height is identified as a key influence on city centre look and feel.</li> </ul>
<b>Appropriateness</b>	<ul style="list-style-type: none"> <li>▪ Overall, the integrated package of policies and methods (regulatory and non regulatory) should be an effective and efficient means of supporting the five objectives proposed for the new zone. It begins an initial shift (although not major) from development control based approach to more of a design based approach reflecting trends in NZ planning.</li> <li>▪ The design based approach is only for larger scale development (over 1000m<sup>2</sup> gross floor space) at this stage of the City Plan, and for when a development does not meet a permitted activity condition that would relate to a city centre structure plan or building height non compliance. Objectives and policies become the key decision making guidance in those circumstances.</li> </ul>
<b>Alternative 1 – Retain operative plan provisions</b>	<p>The operative plan zones the city centre Commercial Business, and applies building height, pedestrian environment street rules and different parking standards. These provisions could be 'rolled over'. Development is generally left to market forces within fairly basic planning controls.</p>

<b>Costs</b>	<ul style="list-style-type: none"> <li>▪ No focused support on the waterfront development potential</li> <li>▪ Complicated resource consent process for waterfront development as currently applies</li> <li>▪ No assessment of effects of larger scale development proposals on city environment as no current 'trigger' for overall assessment (the current 25 car park rule limits enquiry to traffic only</li> <li>▪ Limits building height along Strand, and around 'fringe' areas – feedback indicates a need to provide more height flexibility while recognising 'fringe' and 'core' areas of city.</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>▪ Less complicated than proposed approach</li> <li>▪ Known set of planning provisions, largely market led</li> </ul>
<b>Risk</b>	<ul style="list-style-type: none"> <li>▪ They are based on a 1990's policy position. They do not articulate clearly the role, function and expectations of the potential of the city centre as the prime centre for the sub region, which has come through the more recent public engagement processes.</li> <li>▪ Business people do not see Council taking a lead in providing certainty for investment (which is what they have been seeking) and get mixed messages about the role and function of the city centre.</li> </ul>
<b>Efficiency</b>	<ul style="list-style-type: none"> <li>▪ Known planning framework, with cascading rule approach established; development control based not design based.</li> </ul>
<b>Effectiveness</b>	<ul style="list-style-type: none"> <li>▪ These do not reflect current strategies and plans relating to the city centre, much of which has evolved over the last 6-7 years of policy and community engagement.</li> <li>▪ Has not promoted a strong city centre or significant investment. Part of this is economic conditions, and part is lack of certainty on role and function. Treats all commercial areas of city in a similar way. No strong policy guidance on commercial hierarchy policy approach.</li> </ul>
<b>Appropriateness</b>	<ul style="list-style-type: none"> <li>▪ Community and business engagement over last 10 years indicates a more focused city centre planning framework would not be detrimental long term.</li> <li>▪ Operative plan in need of revision to reinforce shifts in public policy and balance between development rights, and public amenity and investment.</li> <li>▪ The development control based approach is traditional and does not recognise the evolution of 'design based' district plans that are emerging in NZ.</li> </ul>

<b>Alternative 2 – Facilitate Non regulatory methods</b>	<p>1. Council could adopt a strong advocacy/ facilitation approach using non regulatory methods to support city centre viability. Includes the use of resources allocated in the LTCCP and annual plans to create a positive investment climate (e.g. by waterfront development or parking buildings). No focused planning provisions other than basic zone</p> <p>2. Council does support and facilitate through its strategic property portfolio, partnership with community organisations and advocacy, provision of public facilities and places/ spaces, traffic and parking</p>
--	---

	management. This support may assist investment/ activity, but does not address development 'externalities' like built form, traffic movement or public amenity issues throughout the city centre when these are based on private sector decisions.
<b>Costs</b>	<ul style="list-style-type: none"> <li>▪ Lack of control over the scale and function of development will lead to poor building outcomes and impacts on public amenity.</li> <li>▪ No ability to discuss development impacts on the environment of the city centre if no consenting framework to bring parties together – either by way of permitted activity with conditions to be met or by a resource consent process</li> <li>▪ Council has no ability to use plan controls to influence development outcomes that might be of public good –it an only use influence.</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>▪ Flexible approach with no plan predetermination–basically market led and delivery only.</li> <li>▪ Less compliance costs for development. Innovative for investment decisions could be made without dealing with off site effects</li> <li>▪ Council increases leadership and influence in city centre through developing partnerships etc.</li> </ul>
<b>Risk</b>	<ul style="list-style-type: none"> <li>▪ Poor quality built form particularly at interface between private development and public spaces</li> <li>▪ Council can influence primarily through its own property leadership in discussion, so number of sites potentially influenced directly is low</li> <li>▪ Business community may be unsure of council position on development expectation not expressed in plan policy.</li> <li>▪ Public investment does not generate private investment if they have cheaper/ attractive land alternatives elsewhere. Could undermine confidence in city centre future</li> </ul>
<b>Efficiency</b>	<ul style="list-style-type: none"> <li>▪ Does not reflect current strategies and plans relating to the city centre, much of which has evolved over the last 6-7 years, based on a partnership model between council and business sector</li> <li>▪ Less regulation so less compliance costs</li> <li>▪ Council has ongoing discussion with many interests anyway, so it partly reflects current practice (but that practice also has plan control too)</li> </ul>
<b>Effectiveness</b>	<ul style="list-style-type: none"> <li>▪ High uncertainty on whether the approach can deliver on city centre expectations for investment and economic activity. High uncertainty for development neighbours as to local effects from adjacent development</li> <li>▪ Experience indicates need mix of regulatory and non regulatory methods to be effective, not one or the other</li> </ul>
<b>Appropriateness</b>	<ul style="list-style-type: none"> <li>▪ Retail and commercial dispersal will continue in response to market signals. Existing investment in resource of city centre threatened</li> <li>▪ Community and business engagement over last 10 years indicates a more focused city centre planning framework would help long term</li> </ul>

	<p>reinforce public policy. –mix of regulatory and non regulatory methods</p> <ul style="list-style-type: none"> <li>Community expects council leadership on public facilities and spaces, not just market delivery</li> </ul>
--	--

For the proposed set of policies and methods, the following EREs are anticipated:

- Positive investment climate is created for business in city centre environment
- New commercial floorspace, educational facilities and new residential units are consented and built in the city centre in the next ten years
- Waterfront development begins to occur in both Dive Crescent and the main frontage area, including programme of temporary events based on harbour, based on the LTCCP programme of actions.
- Some of The Strand sites begin to redevelop with greater height opportunity and earthquake strengthening requirements
- Further public car parking supply is constructed to offset loss of spaces along waterfront. Potential for public/ private partnerships is explored where possible.
- Pedestrian frontages provide a safe and sheltered environment for people and support human activity/ interaction along the central city streets and between blocks
- Buildings contribute to improving amenity and attractiveness of the city centre and do not adversely affect key public spaces in a significant way.

#### 4.1.3 Monitoring Proposed Plan Provisions

ERE	Indicator	Evaluation of Plan Effectiveness
Positive investment climate is created for business in city centre environment	Business feedback through City Centre Action Group by way of meeting minute's record –surveyed every year.	1. An annual survey report to the group asking their opinion on whether a positive investment climate exists and why?
New commercial floorspace, educational facilities and new residential units are created in the city centre in the next ten years	Floor space of all new building consents within City Centre, based on 2009/10 financial year comparison –measured every 2 years.	1. Building Services provide new consent statistics for CBD for 2009/10 year =base. 2. Building Services provide new consent statistics for each financial year, and new floorspace area measured against 2009/10 base year.
Waterfront development begins to occur in both Dive Crescent and the main area, including programme of temporary events based on harbour, based in the LTCCP programme of actions	LTCCP project implementation monitoring  Recording number of temporary events licenses through City Events Coordinator based on 2009/10 financial year – measured every year.	1. LTCCP project for each waterfront stage implementation is monitored against project milestones. 2. Annual record of temporary events licenses measured and compared to 2009/10 base year.
Some of The Strand sites begin to redevelop with greater height opportunity and	Value of building consents on The Strand properties, based on 2009/10 financial year comparison –	1. Building Services provide new consent statistics on value of building consents along The Strand compared to 2009/10 base year.

earthquake strengthening requirements	measured every 2 years.	
Further public car parking supply is constructed to offset loss of spaces along waterfront. Potential for public/ private partnerships is explored where possible	Number of public parking spaces in city centre recorded, based on 2009/10 financial year comparison – measured annually.	1. Number of public car parking spaces in city centre increases compared to 2009/10 base year.
Pedestrian frontages/ spaces support human activity/ interaction along the central city streets and between blocks	Pedestrian survey data recorded by Valuation NZ (or similar agency) based on 2009 calendar year comparison –measured annually.	1. Pedestrian survey data compared annually with 2009 year. Average trend over 5 year period to show increase.
Buildings contribute to improving amenity and attractiveness of the city centre and do not adversely affect key public spaces in a significant way.	Mid City Mall, Wharf St, Masonic site and Harington St space identified in Sunlight Admission Rule as needing protection is not compromised by permanent building shadow.	1. Photo check made at the four pedestrian places that are protected degree of shadow cast at midday, mid winter. 2. Photo compared to dimensions required by Plan Rule.

## 5. RECOMMENDED OBJECTIVES, POLICIES AND METHODS

**Objective 1: Role and Function of the City Centre**

**Objective 2: City Centre Built Form**

**Objective 3: City Centre Amenity**

**Objective 4: City Centre Accessibility**

**Objective 5: City Centre Waterfront**

These objectives will be supported and achieved by an interrelated package of policies and methods supporting a new City Centre Zone and two Waterfront sub zones.

These cover policies on: Role and Function, Built Form, Amenity, Accessibility and Waterfront.

These cover City Plan rules related to:

A range permitted activity status, associated permitted activity conditions, restricted discretionary status for proposals where relevant permitted activity conditions are not met or where a larger scale (above 1000m<sup>2</sup>gross floor area) development is proposed. Discretionary activity status is applied for buildings that seek to exceed the maximum building height.

## 6. NOTIFICATION AND RECOMMENDED DECISIONS

*This section to be completed following hearings.*