

## **VARIATION 5: INNER CITY LIVING IN THE CENTRAL COMMERCIAL ZONE**

This Variation is subject to Clause 5 of the First Schedule of the Resource Management Act 1991 and proposes changes to Section 7.3: (Central Commercial Zone), Section 18.0 (Heritage Items and Notable Trees), and Section 26.1 (Transport and Parking) of the Proposed Hastings District Plan.

Proposed Variation 5 will result in amendments to the Activity Status of above-ground floor residential activities and some performance standards applicable to residential activities, parking for residential activities, consequential changes to the Central Character Precinct, Russell St and Queen St East Historic Areas, Comprehensive Residential Development and Mixed Use Development as applies to the Central Commercial Zone.

The proposed changes seek to enable and increase residential activity in the upper floor levels of buildings in Hastings Central Commercial Zone.

It is recommended that this Variation be read in conjunction with the amended:

- Section 7.3: (Central Commercial Zone),
- Section 18.1 (Heritage Items and Trees),
- Section 26.1 (Transport and Parking) of the Proposed Hastings District Plan and
- the Section 32 Evaluation Report.

Submissions can only be made on the proposed changes, not the existing unaltered provisions.

Note - included below are rules relating specifically to the Central Commercial Zone from Section 7.3. It does not reference other commercial zones in Section 7.3.

The proposed changes (and remaining rules) are not the final limitations for every site, as any activity not meeting the District Plan rules and standards can be assessed on a 'case by case basis', through the resource consent process.

Important Note: Please note that the highlighted or grey inserts and strikethroughs to the District Plan represent a change to the current provisions.

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### **PROPOSED CHANGES TO SECTION 7.3 OF THE PROPOSED HASTINGS DISTRICT PLAN**

#### **POLICY CCP4**

Enable Commercial Activities, Residential Activities and Comprehensive Residential Development, above-ground floor level, in the Central Commercial Zone and promote mixed use development.

~~Enable commercial and residential activity above ground floor throughout an identified area of the Central Commercial Zone and promote mixed use developments.~~

#### **Explanation**

Promoting inner city living and mixed use development in the Central Commercial zone, above shops and other commercial activities, contributes to the vibrancy of Hastings city centre by supporting commercial activities and services and improving community safety with a 24 hour presence of people in the city. Using above-ground floor levels of buildings for residential living also has the advantage of using urban land efficiently and reduces the need to expand onto 'greenfield' sites or previously undeveloped land.

~~Promoting inner city living and mixed use developments will enable a greater concentration of activity in the City centre and promotes the area as a vibrant, unique destination by providing that a full range of local services and facilities in one walkable area. Mixed use development will have the advantage of using existing urban land more efficiently and avoid the need to expand commercial and residential areas onto 'greenfield' sites or previously undeveloped land. The location of residents in the City~~

~~Centre will also support the range of retail and service activities and increase safety due to the 24-hour presence of people in the retail core.~~

### 7.3.4 RULES

(a) For the purpose of the Activity Status Table, the description of each of the statuses can be found in Section 1.1.5.5 of the District Plan.

(b) All Permitted Activities, Controlled Activities and Restricted Discretionary Activities shall comply with the General Performance Standards and Terms in Section 7.3.5 and any relevant Specific Performance Standards and Terms in Section 7.3.6.

The following tables set out the status of activities within the respective Hastings Commercial Zones.

#### 7.3.4.1 CENTRAL COMMERCIAL ZONE

RULE TABLE 7.3.4.1 - CENTRAL COMMERCIAL ZONE		
RULE	LAND USE ACTIVITIES	ACTIVITY STATUS
<b>CCR1</b>	Commercial Activities	P
<b>CCR2</b>	Temporary Events	P
<b>CCR3</b>	Residential Activities; and / or Comprehensive Residential Development that are above-ground floor level; and / or Mixed Use Development wherein the residential activity is above-ground floor level in existing buildings on sites with Designated Retail Frontage (see Appendix 30).	P
<b>CCR4</b>	Activities ancillary to any Permitted activity which comply with the General Performance Standards and Terms in Section 7.3.5 and any relevant Specific Performance Standards and Terms in Section 7.3.6.	P
<b>CCR5</b>	External Repair and General Maintenance of buildings located within the Central Character Precinct (see Appendix 32)	P
<b>CCR6</b>	The application of new paint colour to any building located within the Central Character Precinct (see Appendix 32) in accordance with the following:  (a) Exterior walls of the building shall be painted in any colour from the British Standard Colour Range BS5252 A, B, or C31, C33, or C35 categories.  (b) Trims (including window frames, doors, balustrades or any architectural detailing or plaster decoration on the exterior façade of the building) shall be painted in any colour from the British Standard Colour Range BS5252 A, B, C, or D categories.  Note: The British Standard BS5252 Colour Range colour chart is available from any paint supplier. Further guidance for colour scheme planning is provided within the Hastings CBD Architectural Design Guide.	P
<b>CCR7</b>	Internal alterations of existing buildings	P
<b>CCR8</b>	External alterations to buildings located within the Central Commercial Zone	P
<b>CCR9</b>	Places of Assembly	P
<b>CC R10</b>	Recreation Activity	P

RULE TABLE 7.3.4.1 - CENTRAL COMMERCIAL ZONE		
RULE	LAND USE ACTIVITIES	ACTIVITY STATUS
<b>CCR11</b>	Internal safety alterations to any building located within the Central Character Precinct	P
<b>CCR12</b>	Temporary Military Training Activities	P
<b>CCR13</b>	External safety alterations to any building located within the Central Character Precinct (see Appendix 32) <sup>1</sup>	C
<b>CCR14</b>	Relocated buildings within the Central Character Precinct (Appendix 32)	RD-NN
<b>CCR15</b>	Relocated buildings within the Central Commercial Zone	RD-NN
<b>CCR16</b>	The external alterations of buildings (including relocation and demolition) within the Central Character Precinct (see Appendix 32) <sup>2 3</sup>	RD-NN
<b>CCR17</b>	The construction of new buildings within the Central Character Precinct (see Appendix 32).	RD-NN
<b>CRR18</b>	The construction of new buildings within the Central Commercial Zone	RD-NN
<b>CCR19</b>	The application of new paint colour to any building located within the Central Character Precinct (see Appendix 32) not provided for as a Permitted Activity by Rule CC-R6	RD-NN
<del><b>CCR20</b></del>	<del>Comprehensive Residential Development and Mixed Use Development</del>	<del>RD-NN</del>
<b>CCR21</b>	Any permitted or controlled activity not meeting one or more of the General or Relevant Specific Performance Standards and Terms in Sections 7.3.5 and 7.3.6.	RD
<b>CCR22</b>	Large Format Retail Activities in the Central Character Precinct (see Appendix 32).	D
<b>CCR23</b>	Residential Activities and / or Comprehensive Residential Development accommodation at ground floor level; and /or Mixed Use Development wherein the residential activity is at ground floor level on sites with Designated Retail Frontage (see Appendix 30)	D
<b>CC R24</b>	Education Facilities	D
<b>CC R25</b>	Any activity which is not provided for as a Permitted, Controlled, Restricted Discretionary or Discretionary Activity.	NC

<sup>1</sup> A structural engineering assessment, by a chartered professional engineer, needs to be supplied to Council with the application. Where this is not supplied, work will be assessed as an alteration as it fails to meet the definition of safety alterations.

<sup>2</sup> The Central Character Precinct and Central Commercial Zone Rules need to be read in conjunction with the Heritage Items and Notable Trees Section as certain buildings within these areas are identified as listed heritage items (refer to Section 18.1).

<sup>3</sup> Signage is not considered as an external alteration. Please refer to Section 28.1 Advertising Devices and Signs for the Commercial Zone signage requirements.

### 7.3.5 GENERAL PERFORMANCE STANDARDS AND TERMS

The following General Performance Standards and Terms apply to all activities.

#### 7.3.5A SUNLIGHT ADMISSION TO STREETS

##### 1. Central Commercial Zone

- a. Buildings on sites having Designated Retail Frontage (see Appendix 30) shall be contained within the Recession Planes constructed in accordance with Appendix 61.

##### Outcome

*Adequate sunlight will be admitted to streets to ensure an open and sunny aspect.*

#### 7.3.5B SUNLIGHT AND SETBACK DISTANCES

##### 1. Central Commercial Zone

- a. Buildings on sites that adjoin an existing residential activity established prior to notification of this Plan (9 November 2013) shall be contained within a building envelope constructed by recession planes from points 2.75m above ground level at the residential land use boundaries. The angle of such recession planes shall be determined for each site by use of the recession plane indicator information outlined in Appendix 60, Figure 1.

##### Outcome

*Buildings will not unduly affect the sunlight and outlook of Existing Residential Activities.*

- (b) Buildings, structures, canopies and any car parking areas shall be a minimum of 5 metres from any commercial boundary fronting any General Residential Zone.

#### 7.3.5D ACTIVE RETAIL FRONTAGE

##### 1. Central Commercial Zone

- a. Buildings at ground floor level, on sites having Designated Retail Frontage (see Appendix 30), shall be designed in a manner to ensure a continuous retail frontage appearance, by:

##### Outcome

*The Amenity of the Commercial Zone will be retained by providing an attractive and interesting continuous retail frontage.*

- i. building to the front boundary;
- ii. the provision of display windows fronting the street (at least 75% of the street frontage shall have a clear, glazed window display space);
- iii. under verandah lighting; and
- iv. having pedestrian entrances to buildings at ground level on the street frontage.

Note: For the purpose of this Rule, clear, glazed window display space means that the internal shop area remains clearly visible and not obscured by glass treatments or signage.

#### 7.3.5E BUILDING FRONTAGE TREATMENT

##### 2. Central Commercial Zone (Outside Central Character Precinct)

- a. No building shall create a featureless façade or blank wall wider than 6 metres, except where a blank wall faces any

##### Outcome

*To ensure adequate space around the Buildings and between the Buildings and the public spaces and*

Residential Zone in which case, no building shall create a featureless facade or blank wider than 5 metres.

*to ensure the streetscape Amenity is maintained.*

B. Every building at ground floor level shall have a pedestrian cover over the main entrance that covers the width of the entrance and has a minimum depth of 2 metres.

c. Where buildings are not constructed to the front boundary, the site including car parking areas shall be landscaped as follows:

i. Within 2 metres of the road boundary, for every 7 metres of road frontage, 1 tree shall be planted. Trees shall be a minimum height of 2 metres at the time of planting.

ii. For the entire frontage (excluding areas required for entrances and the trees required in (i)) the boundary shall be planted in shrubs for a depth of 2 metres. Shrubs shall have a minimum height of 1 metre at the time of planting must be able to grow to a height of at least 2 metres.

iii. The landscaping as required in (i) and (ii) must be wholly visible from the street.

Except that:

Within 6 metres of any driveway or vehicle crossing, front boundaries shall be kept clear of trees and shrubs.

### **7.3.5F CORNER SITES**

For sites positioned on a corner and with Designated Retail Frontage (see Appendix 30), the main entrance to any building shall be positioned at the corner. Supermarkets are exempt from such a requirement.

### Outcome

*Building entrances located on street corners will assist anchor the Building and promote continuous retail frontage.*

### **7.3.5G PEDESTRIAN SHELTER**

#### **1. Central Commercial Zone and Suburban Commercial Zone**

a. Every building on sites having Designated Retail Frontage (see Appendix 30) and every building fronting a public road in the suburban commercial zone, shall provide a continuity of verandah coverage along the width of the site at ground floor level.

b. Every verandah erected shall have a minimum width of 2.5 metres, shall be self-supported, shall extend up to a distance of 450mm inside the line of the kerb, and shall have a minimum height of 2.9 metres above the pavement.

### Outcome(s)

*Continuity of pedestrian shelter will support pedestrian activity by adding visual interest to the street and enhancing the comfort of pedestrians from the weather elements.*

*Verandahs will be designed and constructed so they are not a hazard to the public.*

### **7.3.5H LIGHTING AND GLARE**

#### **1. Central Commercial Zone**

a. For sites adjoining or adjacent to Residentially zoned land all external lighting shall be shaded or directed away from adjoining sites or roads, and shall be less than 8 lux spill measured at a height of 1.5 metres above the ground at the boundary of the site.

b. N/A

### Outcome

*Adjoining Residential Activities will not be adversely affected by glare from lighting associated with Commercial Activities.*

**3. Public pedestrian routes in the Central Commercial and Large Format Retail Zones**

- a. All public and private pedestrian routes must provide pedestrian lighting designed and installed in accordance with P2 lighting subcategory of AS/NZS Standard 1158.3.1:2005.
- b. All exterior lighting must be designed and installed to ensure compliance with AS Standard 4282.
- c. All pedestrian routes must use "white light" sources.

Outcome

*Places available for public use are safely illuminated.*

**7.3.5I SCREENING & VISUAL AMENITY**

**1. All Commercial Zones**

- a. A minimum area of 10m<sup>2</sup> shall be provided for outdoor storage or rubbish collection area/s including recyclable materials. This area shall be screened from public view in accordance with Standard 7.3.5J(b) below and shall not be located between the road boundary and the main entrance of any building.
- b. Any outdoor storage or rubbish collection area/s including recyclable materials shall be screened by the erection of a fully enclosed fence of a minimum height of 1.8 metres.

Outcome

*Commercial Activities fronting public Roads, public reserves, parking areas or Residential Zones will have a pleasant appearance.*

Outcome

*The visual amenities of adjacent Residential Activities will be maintained.*

**7.3.5J LANDSCAPING**

**4. Central Commercial Zone**

- a. The 5 metre front yard required under 7.3.5B(1)(b) above shall be landscaped, as follows:
  - i. The entire front yard shall be grassed and for every 5 metres of frontage, 1 tree shall be planted. Trees shall be a minimum of 2 metres at the time of planting. Where there are existing trees planted and are to be retained, these can be credited towards this requirement.

Outcomes

*The safety of the roading network and of pedestrians will be maintained by ensuring sightlines are not obstructed*

*The amenity of commercial Sites will be maintained without detracting from the visual Environment.*

*To ensure that planting is visually interesting a variety of species will be planted including specimen trees which add to a wider sense of place.*

**7.3.5L STORMWATER MANAGEMENT**

- a. Peak stormwater runoff from a site shall meet the following standards:

PEAK STORMWATER	
Average Recurrence Interval (ARI)	Central Commercial Zone and Large Format Retail Zones Runoff Coefficient
5 year	0.8
50 year	0.8

Outcome

*The potential negative environmental Effects associated with the increase in stormwater runoff created by the development activity will be avoided, remedied or mitigated.*

Note: The peak stormwater runoff shall be calculated in accordance with the Rational Method. These methods are described in the New

Zealand Building Code, Approved Document E1 - Surface Water.  
See the Hastings District Council website to assist with calculations.

b. Inert Roofing

All roof surfaces shall be constructed from inert materials or painted with non-metal based paint and thereafter maintained in good order.

**7.3.5M ADVERTISING AND SIGNS**

Activities shall comply with the provisions of Section 28.1 of the District Plan on Advertising Devices and Signs.

Outcome

*The outcomes of Section 28.1 of the District Plan on Advertising Devices and Signs will be achieved.*

**7.3.5N TRANSPORT AND PARKING**

Activities shall comply with the provisions of Section 26.1 of the District Plan on Transport and Parking.

Outcome

*The outcomes of Section 26.1 of the District Plan on Transport and Parking will be achieved.*

**7.3.5O NOISE**

Activities shall comply with the provisions of Section 25.1 of the District Plan on Noise.

Outcome

*The outcomes of Section 25.1 of the District Plan on Noise will be achieved.*

Note: Acoustic insulation requirements apply to all noise sensitive activities within all Commercial Zones except for the Suburban Commercial Zone.

**7.3.5P HERITAGE ITEMS AND NOTABLE TREES**

Activities shall comply with the provisions of Section 18.1 of the District Plan on Heritage Items & Notable Trees.

Outcome

*The outcomes of Section 18.1 of the District Plan on Heritage Items and Notable Trees will be achieved.*

**7.3.6 SPECIFIC PERFORMANCE STANDARDS AND TERMS**

The following Specific Performance Standards and Terms apply to the activities specified below.

**7.3.6C RESIDENTIAL ACTIVITIES**

**1. Central Commercial Zone**

- a. Access to residential activities accommodation in buildings which are located on sites with Designated Retail Frontage (see Appendix 30), shall retain the retail frontage appearance in accordance with Standard 7.3.5D above.

Outcome

*The amenity of the Central Commercial Zone will be retained by providing an attractive and interesting continuous retail frontage.*

**2. N/A**

**3. Above-Ground Floor Residential Activities (All Zones)**

Outcome(s)

- a. The minimum gross net floor area for Residential Units is:  
**50m<sup>2</sup>.**
- a. Studio - 35m<sup>2</sup>
- b. 1 Bedroom - 50m<sup>2</sup>
- c. 2 Bedroom - 70m<sup>2</sup>
- d. 3 or more Bedrooms - 90m<sup>2</sup>

*To ensure adequate living space for the comfort and amenity the occupants of the above-ground level residential units.*

*Note: For the purpose of applying this rule, the minimum unit area shall not include car parking, garaging or balconies allocated to each unit.*

- b. The minimum gross floor area for Residential Units in other Commercial Zones is 50m<sup>2</sup>.
- c. Each Residential Unit shall be provided with an above ground outdoor living space with a minimum area of 7.0m<sup>2</sup>, capable of accommodating a 2 metre diameter circle that is accessed directly from a principal living area.
- d. Residential units shall be oriented so that any above ground outdoor living space that is parallel to and facing another outdoor living space is no less than 10m apart (measured perpendicular to the building face).
- e. Above ground outdoor living space shall be north facing, that is north of east or west.
- f. Parts c), d) and e) of this rule shall not apply to buildings identified in:
- Section 18.1 'Heritage Items and Notable Trees'
  - Appendix 47 and 48 as a Category I or II heritage item
  - Russell Street Historic Area
  - Queen Street Historic Area, Appendix 51
  - Central Character Precinct.

4. N/A

*Note: Provisions for Comprehensive Residential Development or Mixed Use Development are addressed in 7.3.6f*

**5. Car Parking & Garaging (Central Commercial Zone and Suburban Commercial Zone)**

- a. Residential car parking, garaging and turning areas shall be screened from view from public streets and roads, either by landscaping of a minimum depth of 2m from street frontages or location away (by more than 5m) from street frontages.

**7.3.6f COMPREHENSIVE RESIDENTIAL DEVELOPMENT<sup>6</sup> OR MIXED USE DEVELOPMENT IN THE CENTRAL COMMERCIAL, CENTRAL RESIDENTIAL COMMERCIAL AND SUBURBAN COMMERCIAL ZONES<sup>[4]</sup>**

<sup>5</sup> Note in the following provisions the term 'parent site' is used. This term means the site on which the comprehensive residential or mixed use development is to take place. In some situations the parent site could be made up of multiple smaller sites which are combined to provide the area for the comprehensive residential development. Where a comprehensive residential or mixed use development is intended to allow the individual residential units to be sold separately the parent site will be subdivided to allow for this.

<sup>6</sup> *Note: Comprehensive Residential Development in the Central Commercial Zone is exempt from the density limit of 20-40 residential buildings per hectare of land, as per the definition.*

*Generous dimensions will allow for a flexible range of uses for the enjoyment of the occupiers and to ensure that balconies relate well to the internal layout of the residential unit.*

*To protect the privacy of the occupiers of the Residential Units so that any adjoining Outdoor Living Spaces are no less than 10 metres apart.*

*Outdoor Living Spaces with maximise sun orientation, for warmth and light.*

*To assist and promote the adaptive re-use of all Buildings while not undermining the heritage fabric of identified Heritage Items.*

Outcome

*The street frontage will not be dominated by vehicle entrances and car parking areas and an active street edge will be maintained.*

Outcome

*Occupiers of dwellings that form part of a Comprehensive Residential or Mixed Use Development shall have adequate living space.*

Outcome(s)

*Access to sunlight and daylight for residential properties in the neighbouring Residential Zone will be maintained by requiring compliance with the existing General Residential Zone recession plane rules where the zone boundary abuts any Residential Zone boundary.*

**1. Minimum Floor Area**

The minimum net floor area for any Residential Unit shall be:

- a. Studio - 35m<sup>2</sup>
- b. 1 Bedroom - 50m<sup>2</sup>
- c. 2 Bedroom - 70m<sup>2</sup>
- d. 3 or more Bedrooms - 90m<sup>2</sup>

Note: For the purpose of applying this rule, the minimum unit area shall not include car parking, garaging or balconies allocated to each unit.

**2. Building Scale**

a. Where the external boundaries of a parent site adjoins any Residential Zone boundary, all buildings shall be contained within a building envelope constructed by recession planes from points 2.75m above these site boundaries. The angle of such recession planes shall be determined for each site by use of the recession plane indicator in Appendix 60, Figure 1.

b. Comprehensive Residential Development or mixed use developments shall not include more than 3 Residential Units or Commercial Activities in a terraced or row configuration.

c. On any side or rear boundary of the parent site buildings shall be contained within a building envelope constructed by recession planes from points 3m above the boundary. The angle of such recession planes shall be 45° for all boundaries facing the southern half of a compass and 55° for all boundaries facing the northern half of the compass.

Except that: Where two or more detached residential buildings on adjoining sites are connected along a common boundary the requirement for a recession plane will be dispensed with along that boundary.

d. Parts (b) and (c) of this Building Scale rule shall not apply to above-ground floor level Comprehensive Residential Development or Mixed Use Development in the Central Commercial Zone.

Notes:

- i. The height in relation to boundary recession planes are not applicable from the front road boundary of a site or where a site boundary adjoins a public open space zone.
- ii. Where a site boundary adjoins a ROW, access lot, access leg or private road, recession planes can be constructed from the side of the ROW, access lot, access leg or private road furthest from the site boundary.

**3. Outdoor Living Space**

a. At least 30m<sup>2</sup> of outdoor living space shall be provided for each unit. This can be provided through a mix of private and communal areas, at ground level or in balconies, provided that:

*On the external boundaries of parents Sites within the Central Residential Commercial Zone and Central Commercial Zone, access to sunlight and daylight will be maintained for adjoining properties by preventing tall obtrusive Structures or Buildings being located on Boundaries.*

*The exception is where Buildings share a common wall, Recession Planes can be dispensed with. This encourages an efficient Use of land with benefits of allowing greater flexibility and the ability to create open space to compensate the increase in Building bulk, in other parts of the Site.*

*To ensure that Building bulk is compatible with the Existing and proposed new Character of the Hastings Residential/ Commercial Environment.*

Outcome

*To ensure residents have adequate Outdoor Living Space for their recreation and Amenity and that this space is private, sunny and has*

- i. Each unit shall have a minimum of 20m<sup>2</sup> of ground-level private outdoor living space that is directly accessible from a principal living area of that unit;
- ii. Private outdoor living space shall have a minimum dimension of 2.5m and shall be able to accommodate a 4m diameter circle, when provided at ground level and a minimum dimension of 2m when provided by a balcony, except when it is wholly provided above ground level (see exception below); and
- iii. Private outdoor living space shall be north facing, that is north of east or west.

*direct access from internal living areas.*

Outcome

*To ensure that the ratio of open permeable space to covered (paved/built) space is balanced with the ability of the Site to provide vegetation that improves outlook, privacy and softens Building forms and to provide a minimum area for stormwater soakage to reduce runoff.*

Except that:

Where the principal living area of a unit is located above-ground level, a minimum of 15m<sup>2</sup> of Outdoor Living Space shall be provided by a balcony directly accessible from such an area. The balcony shall be able to accommodate a 2.5 diameter circle, have a minimum dimension of 1.2m and shall face north of east or west.

b. This outdoor living space rule shall not apply to above-ground floor level Comprehensive Residential Development or Mixed use Development in buildings identified in:

- Appendix 47 and 48 as a Category I or II heritage item
- Russell Street Historic Area
- Queen Street Historic Area, Appendix 51
- the Central Character Precinct, Appendix 32

Outcome

*To assist and promote the adaptive re-use of upper levels of buildings for inner city residential living while not undermining the heritage fabric of identified Heritage Items.*

#### 4. Landscaping

- a. A minimum of 20% of each individual unit site shall be landscaped with vegetation cover which can be in the form of grassed lawn, garden beds, trees and shrubs or a combination of the above.
- b. For every 10m of road frontage of the parent site one specimen tree shall be planted of minimum height of 2m at the time of planting (PB95).
- c. Parts a) and b) of this landscaping rule shall not apply to above-ground floor level Comprehensive Residential Development or Mixed Use Development in buildings identified in:

Outcome

*To maintain the visual connection between the Dwelling frontage and the street to ensure passive surveillance can occur. The amenity of the streetscape is enhanced by low and/or permeable fencing.*

*The open character of the Central Residential Commercial Zone will be maintained.*

Outcome

*To assist and promote the adaptive re-use of upper levels of buildings for inner city residential living while not undermining the heritage fabric of identified Heritage Items.*

- Appendix 47 and 48 as a Category I or II heritage item
- Russell Street Historic Area
- Queen Street Historic Area, Appendix 51
- the Central Character Precinct, Appendix 32

#### 5. Fences

a. The maximum height of any fence between each residential unit and the front road boundary of the parent site or any fence that faces a private road or main pedestrian access or driveway shall be 1.2m (if solid) or 1.8m if it is 50% visually transparent. Solid fences or walls are permitted to provide privacy. They shall be level with or behind the wall

of the house fronting the road, private road or main pedestrian access.

Note: For the purposes of the above standard, visually transparent fencing includes mesh fences, steel pool fencing, and picket fences.

b. Part (a) does not apply to fences or walls along the front boundary and/or within the front yard including up to and horizontal to the façade of any building of Comprehensive Residential Development or Mixed Use Development within the Central Residential Commercial Zone. Refer instead to Rule 7.3.5B(d).

## 6. Relationship of Garages and Accessory Buildings to Streets

a. Garages, carports or any accessory building shall be setback at least 1m from the front facade of the Residential Unit, 6m from the road boundary of the site and 5 metres from the vehicle access way for rear sites.

b. Garages, carports or any accessory building shall occupy no more than 50% of the width of the building frontage fronting the road or vehicle access way for rear sites.

### Outcome

*The dwelling will be the primary feature of the development on the streetscape, not the garage or other Accessory Buildings.*

## 7. Service/Utility Areas/Deliveries

a. Each Residential Unit shall be provided with an outdoor service, rubbish and recycling storage space of 5m<sup>2</sup> with a minimum dimension of 1.5m.

b. Outdoor service and storage spaces shall not be located between the residential unit and the road boundary and shall be screened from the unit's outdoor living space, any adjoining unit or adjoining public open space or Residential Zone.

### Outcome

*To ensure that an adequate service area that is separate and screened from outdoor recreation space is provided for clotheslines, rubbish and recycling storage.*

### Outcome

*Locating and screening storage and service areas away from the public street and private recreation areas will ensure that the residential Amenity of the area will be maintained.*

## 8. Traffic Sightlines, Parking, Access and Loading

a. Comprehensive Residential Development and Mixed Use Development shall comply with the provisions of Section 26.1 of the District Plan on Transport and Parking.

### 7.3.6J TEMPORARY EVENTS

The temporary nature of the event will be ensured and the Site returned to its original state.

a. The following activity thresholds limits in table 7.3.6J below shall apply.

b. Temporary Events shall only be operated for up to a maximum period of 3 consecutive days (excluding event preparation time).

c. Hastings District Council shall receive notification of the temporary event at least 10 days prior to the event taking place.

d. Other than Noise and Traffic Sightline Distances, the General and Specific Performance Standards for the Zone do not apply to Temporary Events.

### Outcome(s)

*Temporary Events can take place on land where it is possible to address adverse Effects. The temporary nature of events will ensure that any Effects are for a short time only.*

e. When an activity requires access from a State Highway all parking must be provided on-site.

Note: There is no onsite parking requirements in respect of temporary events where access is from roads other than a State Highway.

f. All structures and other works accessory to an event shall be removed and the site returned to its original condition 5 working days after the activity has ceased.

TABLE 7.3.6J TEMPORARY EVENT THRESHOLD LIMITS		
Zone	Number of Temporary Events over 12 month calendar year (January - December)	Maximum Number of People per Temporary Event
Large Format Retail	6	3000
Central Residential-Commercial Suburban Commercial Commercial Service	2	300
Central Commercial	Unlimited	Unlimited

**Please note:**

**Only the assessment criteria relating to residential activities in the Central Commercial Zone and Central Character Precinct are included next.**

### 7.3.7 ASSESSMENT CRITERIA

This part of the Plan sets out the assessment criteria for different types of Controlled, Restricted Discretionary and Discretionary Activities. The criteria are designed to be flexible and provide opportunities for site responsive designs, while ensuring that developments provide a positive contribution to the character and amenity of both residential and/or commercial areas.

#### 7.3.7.1 ASSESSMENT CRITERIA FOR CONTROLLED ACTIVITIES (N/A)

#### 7.3.7.2A GENERAL ASSESSMENT CRITERIA FOR THE CENTRAL COMMERCIAL ZONE AND CENTRAL RESIDENTIAL COMMERCIAL ZONES

Any Permitted activity or Restricted Discretionary Activity (Non-notified) not meeting one or more of the terms in Sections 7.3.5 and 7.3.6 and where there are no specific assessment criteria.

An assessment of effects of the effects of the activity shall be made considering the following:

The ability of the activity to achieve the particular stated outcome of the General or Specific Performance Standard(s) and Terms which it fails to meet. These outcomes relate to design, solar access to dwellings and outdoor living space, appearance, density, traffic effects and effects on streetscape, character and amenity. In these Zones amenity centres around the effects on adjoining property, public open space, the scale of buildings, urban character and land use. Consideration will include the scale or size of the infringement and how the activity proposes to mitigate the effects created.

#### 7.3.7.2G THE CONSTRUCTION OF NEW BUILDINGS AND RELOCATED BUILDINGS EXCEPT SUPERMARKETS FOR SITES LOCATED WITHIN THE CENTRAL COMMERCIAL ZONE, BUT OUTSIDE THE CENTRAL CHARACTER PRECINCT

(a) The extent to which any proposed work is generally compatible with or is a well-designed contrast to the style of surrounding buildings. Consideration should be given to form, building materials, building design, glazing and openings for example;

(b) The extent to which the proposed work adversely affects the existing character of the area and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to all of the following:

- (i) Location and form of new construction relative to existing nearby buildings in terms of scale, balance and proportion;
  - (ii) Architectural style and quality of new construction;
  - (iii) Construction materials and detailing, including the proposed colour scheme;
  - (iv) Design elements such as parapets, roofs, verandas, roofs, walls, columns, windows, shop fronts and decorative elements; and
  - (v) Location and design of signage, services access and storage arrangements and visible building services such as air conditioning and utility access points; and
  - (vi) The extent to which plant and services (e.g. air conditioning and rubbish storage) and its enclosure is integrated into the building design and otherwise treated to enhance the appearance of the building;
  - (vii) The location of service delivery/loading areas and their proximity to residential zones
- (c) Whether the activity promotes good urban design principles for human interaction between public and private land and between existing and proposed pedestrian areas. This includes the extent to which the development maintains or enhances the quality of environment for pedestrians at the street edge;
- (d) Whether the building setback from the street frontage creates positive open spaces with a high usability and aesthetic quality, which also contributes positively to the public space system of the city;
- (e) The extent to which, where a development adjoins or faces a residential zone, or creates an entrance to a residential street, then large blank walls are avoided or appropriately screened or architecturally treated;
- (f) Whether the proposal is consistent with the Central Commercial Zone objectives, policies and desired environmental outcomes for buildings located within the relevant Hastings CBD Commercial Precincts (refer to [Appendix 31](#));
- (g) The extent to which alternative site and building configurations have been considered to take into account location or operational specific needs;
- (h) The extent to which the activity meets any relevant General Performance Standards and Terms;
- (i) The extent to which on-site landscaping establishes an attractive appearance and complements public landscaping at or near the street edge and establishes conditions of visual interest and amenity within the development;
- (j) The extent to which growing conditions are provided for, that will ensure the successful establishment, growth and on-going viability of planting; and
- (k) Avoiding, remedying or mitigating any adverse effects associated with the scale and bulk of the buildings through the use of colour finishes (generally natural and recessive colours).

#### **7.3.7.2M THE CONSTRUCTION OF NEW BUILDINGS AND RELOCATED BUILDINGS LOCATED IN THE CENTRAL CHARACTER PRECINCT OF THE CENTRAL COMMERCIAL ZONE**

- (a) The extent to which any proposed work is generally compatible with or is a well-designed contrast to the existing building style of surrounding buildings. Consideration should be given to form, building materials, building design, glazing and openings for example;
- (b) Whether the activity promotes good urban design principles for human interaction between public and private land and between existing and proposed pedestrian areas;
- (c) Whether the proposal is consistent with the desired environmental outcomes sought for buildings located within the Central Character Precinct;
- (d) The extent to which the proposed work adversely affects the existing character of the precinct as a whole and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to all of the following:

- (i) Location and form of new construction relative to existing nearby buildings in terms of scale, balance and proportion;
  - (ii) Architectural style and quality of new construction;
  - (iii) Construction materials and detailing, including the proposed colour scheme;
  - (iv) Whether the proposed development is sympathetic to the historical subdivision patterns of the area;
  - (v) Whether any significant existing building features would be removed, obscured or otherwise compromised;
  - (vi) Design elements such as parapets, roofs, verandas, roofs, walls, columns, windows, shop fronts and decorative elements; and
  - (vii) Location and design of signage, services access and storage arrangements and visible building services such as air conditioning and utility access points.
- (e) Avoiding, remedying or mitigating any adverse effects associated with the scale and bulk of the buildings through the use of colour finishes (generally natural and recessive colours).
- (f) For relocated buildings, refer also to the general assessment criteria for Relocated Buildings contained in 7.3.7.2B above.

**7.3.7.2N EXTERNAL ADDITIONS AND ALTERATIONS (INCLUDING DEMOLITION AND RELOCATION) TO EXISTING BUILDINGS LOCATED IN THE CENTRAL CHARACTER PRECINCT OF THE CENTRAL COMMERCIAL ZONE**

- (a) The extent to which any proposed work is generally compatible with or is a well-designed contrast to the existing building style of surrounding buildings. Consideration should be given to form, building materials, building design, glazing and openings for example;
- (b) Whether the activity promotes good urban design principles for human interaction between public and private land and between existing and proposed pedestrian areas;
- (c) Whether the proposal is consistent with the desired environmental outcomes sought for buildings located within the Central Character Precinct;
- (d) The extent to which any removal or demolition of a building affects the existing streetscape or destroys a building of architectural or historical significance;
- (e) The significance of the age of the building and architectural style, era or period to which the existing building belongs;
- (f) Whether the building is identified as being part of a significant group of buildings, including the significance of the age of the surrounding buildings and the architectural style, era or period to which the surrounding buildings belong;
- (g) Whether the proposed work is visible from any public road, public parking space or whether the portion of the building affected is considered a physical landmark;
- (h) The extent to which any proposed work:
- (1) uses similar materials and is of a generally compatible design to the existing building or is a well-designed contrast to the existing building style, and
  - (2) the extent to which the proposed work adversely affects the existing character of the precinct as a whole and what measures have been taken to avoid, remedy or mitigate any potential adverse effects.

Specific regard will be given to all of the following in assessing both points (1) and (2) above:

- (i) Location and form of new construction relative to the existing building in terms of scale, balance and proportion;
- (ii) Architectural style and quality of new construction;

(iii) Construction materials and detailing, including the proposed colour scheme. With respect to colour, the extent to which the proposed colour scheme complies with the guidance in respect of how colour can be used to emphasise architectural detail and exterior building facades that is provided in the Hastings CBD Architectural Heritage Design Guide

(iv) Whether any significant existing building features would be removed, obscured or otherwise compromised;

(v) Design elements such as parapets, roofs, verandas, roofs, walls, columns, windows, shop fronts and decorative elements; and

(vi) Whether the proposed development is sympathetic to the historical subdivision patterns of the area.

(vii) Location and design of signage, services access and storage arrangements and visible building services such as air conditioning and utility access points.

(i) In relation to any proposed relocation, the extent to which the site is of associated value, that relocation is the only means for saving the structure, and if the relocation will provide continuity of cultural heritage value; and

(j) In relation to any proposed demolition the extent to which fire, or other similar damage has occurred, and where the condition of the place has been assessed as beyond repair, both physically and economically.

#### **7.3.7.2P RESIDENTIAL ACTIVITIES IN THE CENTRAL RESIDENTIAL COMMERCIAL ZONE NOT MEETING THE GENERAL PERFORMANCE STANDARDS AND TERMS 7.3.5**

In assessing resource consent applications to establish residential activities in the Central Residential Commercial Zone not meeting the General Performance Standards and Terms 7.3.5, Council will restrict its discretion to the matters set out in assessment criteria 7.2.8A (Hastings Residential Environment).

#### **7.3.7.2S COMPREHENSIVE RESIDENTIAL AND MIXED USE DEVELOPMENT IN THE CENTRAL RESIDENTIAL COMMERCIAL ZONE, CENTRAL COMMERCIAL ZONE AND SUBURBAN COMMERCIAL ZONE**

Hastings District Council is a signatory to the New Zealand Urban Design Protocol. As such, the following assessment criteria are based on principles of best practice urban design.

Council reserves the right to engage an Urban Design Specialist in order to assess or peer review Resource Consent applications for these developments within the Hastings Suburban Commercial Zone, Central Commercial Zone and Central Residential Commercial Zone.

In assessing Resource Consent applications for Comprehensive Residential Development and Mixed Use Development in the Central Residential Commercial zone and the Suburban Commercial Zone, the matters over which the Council will restrict the exercise of its discretion are outlined in the following assessment criteria below and in the assessment criteria for Comprehensive Residential Developments outlined 7.2.8F.

Refer to Section 7.2.8F for explanations and guidance on the following assessment criteria.

In assessing Resource Consent applications for Comprehensive Residential Development in the Central Commercial zone, the matters over which the Council will restrict the exercise of its discretion are outlined in the following assessment criteria below.

#### **A. COMPREHENSIVE RESIDENTIAL DEVELOPMENT & MIXED USE DEVELOPMENT**

The extent to which the development creates a comprehensive layout for the entire site through the integrated planning of buildings, activities, vehicles access, public open space areas, private outdoor living areas and landscaping.

#### **B. GENERAL DESIGN AND EXTERNAL APPEARANCE**

##### **1. Relationship to Surroundings**

The extent to which the development enhances the quality of its surroundings and contributes to the quality of the collective streetscape.

Comprehensive developments shall be designed in accordance with CPTED safety principles.

## **2. Building Location**

The extent to which the development defines the street edge and creates positive public spaces and appropriately enhances important street corners.

The extent to which the location of buildings optimises sun exposure for residential units.

The extent to which the location of buildings respects the privacy of future occupiers of the site.

## **3. Height, Bulk, Form & Scale**

The extent to which the bulk and/or height of new development, particularly on larger and/or amalgamated sites, is compatible with the surrounding suburban commercial environment. For example:

- (a) Provide variation in height/width of buildings and roof form and height;
- (b) Setback upper levels of buildings from the front boundary of the site;
- (c) Break the building up into smaller facade modules by using different roof forms and material details to reduce the visual impact of building bulk.

## **4. Building Design and Façade Treatment**

- (a) The extent to which the development has an architectural style that integrates well into the streetscape and contributes to its quality.
- (b) Design attention should be given to the architectural quality of building facades such that large portions of featureless or plain wall surfaces ('blank walls') are minimised.
- (c) Use readily maintained materials and detail so that over time building maintenance is easy to keep up.

## **5. Relationship to the Street & Building Frontages**

The extent to which the development has 'active street edges' that supports pedestrian activity, adds visual interest and enhances the safety of the Suburban Centre.

## **6. Access, Car parking and Storage Areas**

- (a) The extent to which the development provides adequate and safe access to both vehicles and pedestrians and whether the vehicle access dominates the street frontage.
- (b) Whether on-site car parking areas are located to the rear of the site so as not to dominate the street frontage.
- (c) The extent to which garages dominate the street frontage.
- (d) Whether suitable access is provided for service vehicles such as rubbish collection
- (e) Whether rubbish collection and storage areas are conveniently located and screened from public areas.

## **7. Compatibility of Uses for Mixed Use Development**

- (a) The extent to which the mixed use development is compatible and limits the effects of any disturbance producing activities.
- (b) Whether appropriate acoustic treatment is incorporated into the design of noise sensitive activities. Refer Section 25.1.7C (Noise).

## **8. Sustainable Low Impact Design and Development**

The extent to which appropriate sustainable stormwater design methods have been adopted for all stormwater runoff from all impermeable surfaces, prior to entering the public stormwater system.

Note: Refer to the Subdivision and Infrastructure Development in the Hastings District Best Practice Design Guide 2010.

**7.3.7.2W RESIDENTIAL ACTIVITIES IN THE CENTRAL COMMERCIAL ZONE NOT MEETING THE GENERAL PERFORMANCE STANDARDS AND TERMS 7.3.6C (1) and (3)**

- a) Whether accesses to Residential Units located on sites with Designated Retail Frontage maintain the appearance of an attractive and interesting continuous retail frontage. (See Appendix 30 for Designated Retail Frontage).
- b) Whether Residential Units are able to achieve an adequate living space for the comfort and amenity of occupants.
- c) Whether the Residential Unit has access to suitable alternative outdoor amenity in close proximity e.g. a public park or reserve;
- d) Whether glazing for the residential unit enables a reasonable outlook from principal living areas e.g. not looking directly to a wall.

**7.3.7.3 ASSESSMENT CRITERIA FOR DISCRETIONARY ACTIVITIES**

For Discretionary Activities, the following identify those matters which Council may assess the activity against. Council's assessment is not however restricted to these matters.

**7.3.7.3A RESIDENTIAL ACTIVITIES AND / OR COMPREHENSIVE RESIDENTIAL DEVELOPMENT ACCOMMODATION AT GROUND FLOOR LEVEL IN THE CENTRAL COMMERCIAL ZONE**

- a) Whether Residential Activities and / or Comprehensive Residential Development located at the ground-floor level of buildings will undermine the role and supply of commercial land in the Central Commercial Zone as the principal commercial area of the city by occupying the ground level of a building with residential activity instead of its principal commercial function.
  - b) The extent to which the design and layout of the premises will achieve and promote the objectives of the Central Commercial Zone, i.e. vibrant, attractive commercial areas and continuity of retail frontage;
  - c) Whether the lack of display window and building access will result in a break in the continuity of active frontages that causes a loss of street amenity and character;
  - d) The extent to which the design of the building maintains the continuity of street edge definition;
  - e) The nature of surrounding activities and whether it is located in an area which experiences high foot traffic;
  - f) The extent to which the building contributes to the effect of signaling the centre of the City; and
  - g) Whether there are existing building frontages on adjoining sites that make the continuity of building frontage unreasonable.
-

## 18.1 HERITAGE ITEMS AND NOTABLE TREES SECTION

In regard to the rules of the activities tables:

All activities are subject to the Rules in Section 18.1.5 and, where relevant, Assessment Criteria in Section 18.1.6. Council has the discretion to grant or refuse Resource Consent to any activities other than Permitted or Controlled Activities. The activity status tables that follow are ordered from the most lenient status to the most stringent Resource Consent status.

### A. Heritage Items

The following table sets out the status of activities for Heritage Items listed in Appendix 47, 48, 49 and 51.

<b>RULE TABLE 18.1.5A HERITAGE ITEMS</b>		
<b>RULE</b>	<b>LAND USE ACTIVITIES</b>	<b>ACTIVITY STATUS</b>
<b>H1</b>	Repairs and maintenance of Heritage Items identified in Appendices 47, 48 and 49 or buildings located within the Russell Street or Queen Street East Historic Areas identified in <a href="#">Appendix 51</a> .	P
<b>H2</b>	Internal alterations and/or internal safety alterations necessary for the primary purpose of improving structural performance, fire safety or physical access of Category II Heritage Items identified in <a href="#">Appendix 48</a> or any building within the Russell Street or Queen Street East Historic Areas identified in <a href="#">Appendix 51</a> .	P
<b>H3</b>	The application of new paint colour to any heritage item not listed as being located within the Hastings CBD.	P
<b>H4</b>	The application of new paint colour to the exterior of any Heritage Item listed in <a href="#">Appendix 47</a> or <a href="#">Appendix 48</a> , and which is identified as being located within the Hastings CBD, or any building within the Historic Areas identified in <a href="#">Appendix 51</a> , in accordance with the following:  a) Exterior walls of the building shall be painted in any colour from the British Standard Colour Range BS5252: A, B, C31, C33, or C35 categories; and  b) Trims (including window frames, doors, balustrades, or any architectural detailing or plaster decoration on the exterior façade of the building) shall be painted in any colour from the British Standard Colour Range BS5252: A, B, C or D categories.  Note: The British Standard BS5252 Colour Range colour scheme chart is available from any paint supplier. Further guidance can also be sought from The Hastings CBD Architectural Heritage Design Guide.	P
<b>H5</b>	New underground telecommunication customer connections or the replacement of existing overhead telecommunication customer connections (where there is an existing overhead network and no new support poles are required) to Heritage Items listed in <a href="#">Appendices 47 - 49</a> or within an Historic Area identified in <a href="#">Appendix 51</a> .  Note: Where work goes beyond simply "connecting" a building to telecommunication services and will affect (i.e. through a change or addition to) the exterior of the building, resource consent, will be required under the Rules for alteration in this Activity Table (H7, H9, H11 and H14).	P
<b>H6</b>	External safety alterations to Category II heritage items listed in Appendix 48 or any building within the Russell Street or Queen Street East Historic Areas (other than a Category I Heritage Item) necessary for the primary	C

RULE TABLE 18.1.5A HERITAGE ITEMS		
RULE	LAND USE ACTIVITIES	ACTIVITY STATUS
	purpose of improving structural performance, fire safety or physical access. <i>Note:</i> <i>A structural engineering assessment, by a chartered professional engineer, needs to be supplied to Council with the application. Where this is not supplied, work will be assessed as an 'alteration' as it fails to meet the definition of safety alteration.</i>	
<b>H7</b>	External alterations to any Heritage Item identified as Category II in <a href="#">Appendix 48</a> .  NB: This does not include new advertising devices or signs. Please refer to the rules under Section <a href="#">28.1</a> Advertising Devices and Signs District Wide Activity.	RDNN
<b>H8</b>	Internal or external safety alteration of Category I Heritage Items listed in <a href="#">Appendix 47</a> necessary for the primary purpose of improving structural performance, fire safety or physical access.  <i>Note:</i> <i>A structural engineering assessment, by a chartered professional engineer, needs to be supplied to Council with the application. Where this is not supplied, work will be assessed as an 'alteration' as it fails to meet the definition of safety alteration.</i>	RDNN
<b>H9</b>	External alterations to any heritage building identified in Appendix 49 to the design of and using the same or equivalent materials as those originally used.  NB: This does not include new advertising devices or signs. Please refer to the rules under <a href="#">Section 28.1</a> Advertising Devices and Signs District Wide Activity.	RDNN
<b>H10</b>	The application of new paint colour to any Heritage Items listed in <a href="#">Appendix 47</a> or <a href="#">Appendix 48</a> , and which is identified as being located within the Hastings CBD, or any building within the Historic Areas identified in <a href="#">Appendix 51</a> , not provided for as a Permitted Activity by Rule H4.	RDNN
<b>H11</b>	The external alteration of any heritage building identified in Appendix 49 not being a Permitted or Restricted Discretionary Non-Notified activity.  NB: This does not include new advertising devices or signs. Please refer to the rules under Section 28.1 Advertising Devices and Signs District Wide Activity.	RD
<b>H12</b>	Any alteration to the exterior of any building located in the Russell Street or Queen Street East Historic Areas identified in <a href="#">Appendix 51</a> .  NB: This does not include new advertising devices or signs. Please refer to the rules under <a href="#">Section 28.1</a> Advertising Devices and Signs District Wide Activity.	RD
<b>H13</b>	Any new building or structure on the same site and located within 50 metres of a Heritage Item identified as Category I in <a href="#">Appendix 47</a> OR Category II in Appendix 48 OR any new building or structure within the Russell Street or Queen Street East Historic Areas identified in <a href="#">Appendix 51</a> .	RD

<b>RULE TABLE 18.1.5A HERITAGE ITEMS</b>		
<b>RULE</b>	<b>LAND USE ACTIVITIES</b>	<b>ACTIVITY STATUS</b>
<b>H14</b>	Any alteration (internal or external) of Heritage Items identified as Category I in <a href="#">Appendix 47</a> .  NB: This does not include new advertising devices or signs. Please refer to the rules under <a href="#">Section 28.1</a> Advertising Devices and Signs District Wide Activity.	D
<b>H15</b>	Relocation of any building identified as Category II in <a href="#">Appendix 48</a> , within or beyond the property boundaries.	D
<b>H16</b>	The demolition or partial demolition of any building located within the Russell Street or Queen Street East Historic Areas listed in <a href="#">Appendix 51</a> , but which is not identified in <a href="#">Appendices 47</a> or <a href="#">48</a> .	D
<b>H17</b>	Demolition (including partial demolition) of any Heritage Item identified in <a href="#">Appendices 47</a> , <a href="#">48</a> , and <a href="#">49</a> .	NC
<b>H18</b>	Relocation of any building identified as Category I in <a href="#">Appendix 47</a> within or beyond the property boundaries.	NC
<b>H19</b>	Any activity not otherwise provided for as a Permitted, Controlled, Restricted Discretionary (Non-notified), Restricted Discretionary, or Discretionary activity.  Note: This rule does not apply to archaeological sites as the regulation of these sites falls under the Heritage New Zealand Pouhere Taonga Act 2014.	NC

*No further changes to Section 18.1*

## TRANSPORT AND PARKING SECTION

### 26.1.6A ACCESS

#### 1. Access to Property

- (a) Every owner or occupier shall provide a legal, safe and effective vehicular access to any activity undertaken on a site, and required parking or loading areas from an existing, formed legal road, to enable vehicles to enter the site, except where the site has Designated Retail Frontage (see Appendix 30) or where the site is within the Flaxmere Commercial Zone.

#### Outcome

*Vehicular access will be provided to all Sites, to facilitate the Use of the Site for activities and shall be safe and efficient.*

### 26.1.6D PARKING

#### 1. Provision of On Site Parking. *No change*

#### 2. Exemptions from the above On-Site Parking Requirements (Table 26.1.6.1-4 and 5)

- A) An exemption of 100% from the above standards for of on-site parking shall apply:

#### Outcome

*Activities located on Sites in the Central Commercial Zone of Hastings, with Designated Retail Frontage, in the Central Character Precinct, in the Russell and Queen Street Historic Area; and Havelock North Retail Zone will be fully or partly exempt from providing on-site parking, in order to maintain compact and vibrant central retail cores and continuous retail frontage.*

- i) ~~For~~ To sites in the Hastings Central Commercial Zone which have Designated Retail Frontage (see Appendix 30) ~~(Section 7.3 Central Commercial Zone) the following exemptions from the above on-site parking requirements shall apply:~~ (i) for sites located in the area identified as 'A' of Appendix 70. ~~(Central Commercial zone), an exemption of 100% from the above standards for on-site parking standards shall apply.~~ Where any on-site car parking provision is made it shall be provided to the rear of the sites and the General Performance Standards above shall apply.

~~Residential activities are not subject to this exemption and shall provide on-site car parking in accordance with the above standard.~~

- ii) ~~to above ground-floor level Residential Activities and /or Comprehensive Residential Development; and/or Mixed Use Development within the Central Character Precinct (see Appendix 32), the Russell Street Historic Area and Queen Street East Historic Area (Appendix 51). Where any on-site car parking provision is made it shall be provided to the rear of the sites and the General Performance Standards above shall apply.~~

#### Outcome

*The vibrancy of the CBD will be improved by enabling residential activity without a requirement for on-site parking. More people living in the CBD means a potential reduction in people commuting from external areas and subsequently, reduce external pressures felt on the local road network.*

- B) ~~For sites located in the areas identified as 'B' in Appendix 70 (Central Commercial Zone), an exemption of 50% from the above on-site standards shall apply, provided that:~~

~~An exemption of 50% of on-site parking shall apply to sites located in the areas identified as 'B' in Appendix 70, provided that:~~

- Any on-site parking shall be located to the rear of sites; and

- Permitted activities within existing buildings in this area shall have a 100% exemption from the above on-site parking standards.

~~Residential activities are not subject to this exemption and shall provide on-site car parking in accordance with the above standard.~~

- A) Within the Retail Zone, Havelock North Village Centre, the following exemptions shall apply:
  - i) For separate Commercial Activities that occupy a new building or use any part or parts of a new building with a useable area less than 300m<sup>2</sup>, an exemption of 100% from the standard 26.1.6D(1) shall apply. This exemption shall only apply once to a title and cannot be used to stage a number of new buildings on a title (with each building having a useable area of less than 300m<sup>2</sup>); and
  - ii) For commercial activities that occupy a building (including those over 300m<sup>2</sup> gross floor area) that existed prior to 24th March 2012 an exemption of 100% from the above on-site parking standard shall apply.
  - iii) Where any on-site carparking is supplied, it shall be located to the rear on the site and standard 26.1.6D(5) shall apply.
- D) For sites within the Commercial Zone, Flaxmere Village Centre Zone, the following exemptions shall apply from the 30th July 2012:
  - i) For new Commercial Activities that occupy a new building with a gross floor area which is less than 300m<sup>2</sup> an exemption of 100% from the above on-site parking standards shall apply; and
  - ii) For new Commercial Activities that occupy an existing building (including those over 300m<sup>2</sup> gross floor area) an exemption of 100% from the above on-site parking standards shall apply.

Where alterations associated with new or existing Commercial Activities are occurring required parking will apply to the floor area of the addition only and not retrospectively to existing floor area.

*No further changes to Section 26.1*

END