D1 CITY CENTRE ZONE RULES AND STANDARDS

Reference needs to be made to the four maps of the City Centre Zone and how these relate to individual rules. These maps define the extent of specific Height Areas, Pedestrian and Vehicle Areas, and Seismic Hazard Areas within the City Centre Zone.

The majority of rules and standards apply to the whole City Centre Zone as defined on all four maps.

Refer to Figure 4 for an explanation of how to determine whether an activity requires a resource consent and what type of activity it will be considered as, i.e. permitted, controlled, restricted discretionary, discretionary, or non-complying.

The following rules and standards must also be read in conjunction with:

- Part E – Financial Contributions
- Part F – Information to be Supplied
- Part H – Car Parking, Vehicle Movements & Roads
- Part HH – Historic Heritage
- Part I – Hazardous Facility Screening Procedures
- Part K – Designations
- Part M – Interpretation
- Part N – Map Updates
- Any relevant National Policy Statement or National Environmental Standard.

D1.1 CITY CENTRE ZONE RULES

D1.1.1 Permitted activities

Any one or more of the following are permitted activities:

(i) All activities which are not controlled, restricted discretionary, discretionary, are not specified in rule D1.1.5(ii) or (iii) as a non-complying activity and which do not contravene any permitted activity standard.

(ii) Removed by Plan Change16

(iii) Removed by Plan Change 16

(iv) Removed by Plan Change 16

(v) Temporary Military Training which complies with the permitted activity standards for hazardous substances, noise and earthworks.

(vi) Shop(s) with a total gross floor area of 99 m2 or less on any site, located in the Vehicle Area, provided that the shop(s) do(es) not contravene any permitted activity standard.
For the purposes of this rule and notwithstanding any other provision in the plan, "gross floor area" means the area of all floors of all buildings used for a shop or shops on the site, measured from the exterior faces of the exterior walls or from the centrelines of walls separating two buildings. Car parks, including associated aisles and access points, shall not be included in the calculation of gross floor area.

The permitted activity standards apply only to those activities for which the rules include a direct reference to those standards.

D1.1.2 Controlled activities

Any one or more of the following are controlled activities:

(i) Removed by Plan Change 16

(ii) Subdivision which complies with the controlled activity standards for subdivision.

    The matters over which Council reserves control for the purpose of assessment are:

    (a) the design and layout of the subdivision including any new roads or the diversion or alteration to the course of any existing roads;

    (b) earthworks;

    (c) the imposition of financial contributions in accordance with Part E of this plan;

    (d) the imposition of conditions in accordance with section 220 of the RMA.

    (e) the design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities located on or in proximity to the site;

    (f) the outcome of consultation with the owner or operator of regionally significant network utilities located on or in proximity to the site.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

(iii) Subdivision which complies with the controlled activity standards for subdivision.

    The matters over which Council reserves control for the purpose of assessment are:

    (a) the design and layout of the subdivision;

    (b) the imposition of financial contributions in accordance with Part E of this plan;

    (c) the imposition of conditions in accordance with s220 of the RMA.
(d) the design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities located on or in proximity to the site.

(e) the outcome of consultation with the owner or operator of regionally significant network utilities located on or in proximity to the site.

(iv) Service Stations, which meet all the Permitted Activity Standards, except that the following activities are exempt from the Hazardous Facility Threshold Permitted Activity Standard:

(a) the underground storage and retail sale of petrol and diesel, up to a storage of 100,000 litres of petrol in underground storage tanks, and up to 50,000 litres of diesel in underground storage tanks.

The matters over which Council reserves control for the purpose of assessment are:

(a) the design, installation and operation of underground petroleum storage facilities;

(b) location in respect to seismic hazard areas;

(c) landscaping; and

(d) the imposition of financial contributions under Part E of this Plan.

D1.1.3 Restricted discretionary activities

Any one or more of the following are restricted discretionary activities:

(i) Essential activities in the Seismic Hazard Area, where these activities do not contravene any permitted activity standards.

The Council restricts the exercise of its discretion to the following matters:

(a) the appropriateness of the proposed activity on the site having regard to the potential of seismic hazard to disrupt that activity;

(b) the imposition of financial contributions in accordance with Part E of this plan.

(ii) Buildings located in Height Area 2 which are over 15 metres in height and up to a maximum of 25 metres in height, and which do not contravene any permitted activity standards other than height.

The Council restricts the exercise of its discretion to the following matters:

(a) the height of the building;

(b) the imposition of financial contributions in accordance with Part E of this plan.
(iii) Buildings located in Height Area 3 which are over 10 metres in height and up to a maximum of 12 metres in height, and which do not contravene any permitted activity standards other than height.

The Council restricts the exercise of its discretion to the following matters:

(a) the height of the building;
(b) the imposition of financial contributions in accordance with Part E of this plan.

(iv) Shops with an individual gross floor area of 500 m² or more located in the Vehicle Area and which do not contravene any permitted activity standard.

The Council restricts the exercise of its discretion to the following matters:

(a) The design, layout and number of car parks;
(b) The cumulative effects of traffic generation to and from the site on the transportation network of the City Centre Zone including the public transportation network;
(c) Pedestrian safety;
(d) Loading areas;
(e) The imposition of financial contributions in accordance with Part E of this plan.

Applications for a restricted discretionary activity in relation to a shop in the Vehicle Area shall be considered without notification and without the need to obtain the written approval of affected persons.

For the purposes of this rule and notwithstanding any other provision in the plan, "gross floor area" means the area of all floors of all buildings used for an individual shop measured from the exterior faces of the exterior walls or from the centrelines of walls separating two buildings. Car parks, including associated aisles and access points, shall not be included in the calculation of gross floor area.

(v) Removed by Plan Change 16
(vi) Removed by Plan Change 16
(vii) Removed by Plan Change 16

D1.1.4 Discretionary activities

Any one or more of the following are discretionary activities:

(i) All activities which are not a permitted, controlled, or restricted discretionary activity, which are not specified in rule D1.1.5 (ii) (iii) or (iv) as a non-complying activity and which do not exceed any discretionary activity standard.
D1. City Centre Zone Rules and Standards

(ii) Any subdivision which is not a controlled activity.

(iii) Any service station which is not a controlled activity.

(iv) Shop(s) with an individual gross floor area of between 100m$^2$ and 499 m$^2$ located in the Vehicle Area.

For the purposes of this rule and notwithstanding any other provision in the plan, "gross floor area" means the area of all floors of all buildings used for an individual shop measured from the exterior faces of the exterior walls or from the centrelines of walls separating two buildings. Car parks, including associated aisles and access points, shall not be included in the calculation of gross floor area.

(v) Removed by Plan Change 16

Note: Council may require financial contributions as a condition of a resource consent in accordance with Part E of this plan.

D1.1.5 Non-complying activities

Any one or more of the following are non-complying activities:

(i) All activities which are not a permitted, controlled, restricted discretionary, or discretionary activity.

(ii) Activities which emit an objectionable odour from the site.

(iii) Offensive trades.

(iv) Removed by Plan Change 16

Note: Council may require financial contributions as a condition of a resource consent in accordance with Part E of this plan.

D1.1.6 PROHIBITED ACTIVITIES

There are no prohibited activities.

D1.2 City Centre Zone Standards

D1.2.1 Permitted activity standards

Car parks

The number of car parks on a site shall be:

(a) Inner Pedestrian Area

No less than 4.5 car parks per 100 m$^2$ gross floor area excluding the existing ground floor.

(b) Outer Pedestrian Area

No less than 4.5 car parks per 100m$^2$ gross floor area.
For retail shopping malls with a gross floor area of greater than 30,000m², no less than 3.7 carparks per 100m² gross floor area. For the purposes of this rule, retail shopping mall is defined as a comprehensively operated shopping centre involving the centralised provision of retail shops around covered public circulation spaces.

(c) Vehicle Area

No less than 5 car parks per 100 m² gross ground floor area.

For every subsequent floor, 3.5 car parks per 100 m² gross floor area.

All car parks are to be located within the site. Where the assessment of the number of car parks in (a), (b) or (c) above results in a fractional space being involved, the fraction shall be rounded to the nearest whole number. All car parks shall comply with the technical standards in Part H of this plan.

Earthworks

The following shall apply to earthworks on a site, except for earthworks (cut and fill) under a proposed building and building platform which do not extend further than 2 metres beyond the exterior walls of any proposed building when measured in plan view:

(i) Earthworks, in a 12 month period, shall not exceed:

(a) 25m² in area within a riparian setback; or

(b) 400m² in area elsewhere in the City Centre Zone; or

(c) 0.5 metres in height or depth in a riparian setback and 1.5 metres in height or depth elsewhere.

(ii) Earthworks shall not be undertaken on land with a slope in excess of 45 degrees;

Note: Earthworks may also require consent under the Regional Soil Plan or an archaeological authority under the Historic Places Act 1993 if the earthworks will damage, destroy or modify an archaeological site.

Figure 1: Extent of earthworks not subject to the permitted activity standard for earthworks
Financial contributions

The payment of all financial contributions in respect of a permitted activity as provided for in Part E of this plan shall be made before the commencement of that activity.

Hazardous substances

No activity shall exceed a Hazardous Facility Threshold of 0.2.

Height

The maximum height of any building or part of a building (including any sign) on a site shall be:

(a) Height Area 1

Maximum building height - 30m.

(b) Height Area 2

Maximum building height - 15m.

(c) Height Area 3

Maximum building height - 10m.

Loading

All loading and unloading of goods shall take place within the site.
**Noise**

(i) The maximum noise levels received at any site boundary within the City Centre from any activity within the City Centre Zone must not exceed $L_{10} 60$ dBA at all times; and

(ii) The maximum noise levels received at any boundary in the Suburban Zone from any activity in the City Centre Zone, shall not exceed the following noise levels:

(a) $L_{10} 55$ dBA day time (7am-10pm), $L_{10} 45$ dBA night time (10pm-7am), where the receiving Boundary is within 50m of a motorway;

(b) $L_{10} 55$ dBA day time (7am-10pm), $L_{10} 45$ dBA night time (10pm-7am), where the receiving Boundary is within 50m of a major arterial road;

(c) $L_{10} 50$ dBA day time (7am-10pm), $L_{10} 45$ dBA night time (10pm-7am) where the receiving boundary is within 50m of a minor arterial road;

(d) $L_{10} 50$ dBA day time (7am-10pm), $L_{10} 40$ dBA night time (10pm-7am) elsewhere;

(e) The $L_{\text{max}}$ noise level shall not exceed the lower of $L_{95}$ background sound plus 30 dB, or 75 dBA during night time hours (10pm-7am).

Where two or more of these noise standards, except (e), apply to a particular site, the least restrictive noise standard shall apply (see explanatory diagram under “Noise” Part M).

(iii) Construction, maintenance or demolition activities must be in compliance with the following:

(a) section 16 [Duty to Avoid Unreasonable Noise] of the RMA during day time hours (7am – 10pm); and

(b) the noise levels specified in (ii) (e) above $L_{10} 45$ dBA during night time hours (10pm – 7am) at any point within the boundary of the Suburban Zone.

This does not replace any general duty under section 16 [Duty to Avoid Unreasonable Noise] of the RMA.

(iv) Emergency repair work to network utilities is subject only to the general duty under section 16 [Duty to Avoid Unreasonable Noise] of the RMA.

(v) The sound level from any activity on a City Centre Zone site when measured at least 20 metres inside the boundary of any site in the Recreation or Public Open Space Zone shall not exceed the following limits:

- $L_{10} 60$ dBA day time (7am – 10pm)
- $L_{10} 50$ dBA night time (10pm – 7am)
L<sub>max</sub> 75 dBA night time (10pm – 7am)

All sound levels shall be measured in accordance with NZS 6801:1991 Acoustics – "Measurement of Sound". Where NZS 6802:1991 does not include assessment of the type of noise in question, the appropriate New Zealand Standards may be used. The measurement time interval shall be a minimum of 10 minutes.

Screening

Any refuse, packaging, wrecked or derelict vehicles, scrap metal or other recyclable material shall be screened from view from the ground floor level of adjoining properties including any adjacent road.

Signs

Any sign provided it relates to the activities on the site.

Note: Refer to the height standard to determine the maximum permitted height of signs.

Yards

Riparian setback

Minimum riparian setback 20m.

D1.2.2 Controlled activity standards

Subdivision

a) For every allotment where there is an existing building(s), there shall be no increase in the degree of non-conformity with the permitted activity standards for carparks and loading.

b) For every allotment where there is no existing building(s), it shall be practicable to construct on all allotments, as a permitted activity, a building which does not contravene any permitted activity standard.

D1.2.3 Discretionary activity standards

Car parks

The number of car parks on a site shall be:

(a) Inner Pedestrian Area

No less than 3.5 car parks per 100 m<sup>2</sup> gross floor area.

(b) Outer Pedestrian Area

No less than 3.5 car parks per 100 m<sup>2</sup> gross floor area.

(c) Vehicle Area

No less than 4 car parks per 100 m<sup>2</sup> gross ground floor area.
For every subsequent floor 3 car parks per 100 m² gross floor area.

All car parks to be located within the site. Where the assessment of the number of car parks in (a), (b) or (c) above results in a fractional space being involved, the fraction shall be rounded to the nearest whole number. All car parks shall comply with the technical standards in Part H of this plan.

**Height**

The maximum height of any building or part of a building on a site shall be:

(a) **Height Area 1**
   
   Maximum building height - 30m.

(b) **Height Area 2**

   Maximum building height - 25m.

(c) **Height Area 3**

   Maximum building height - 12m.

**Noise**

The maximum noise levels received at any point within the Suburban Zone from any activity within the City Centre Zone must not exceed $L_{10} 60$ dBA day time (7am-10pm), $L_{10} 45$ dBA night (10pm-7am).